

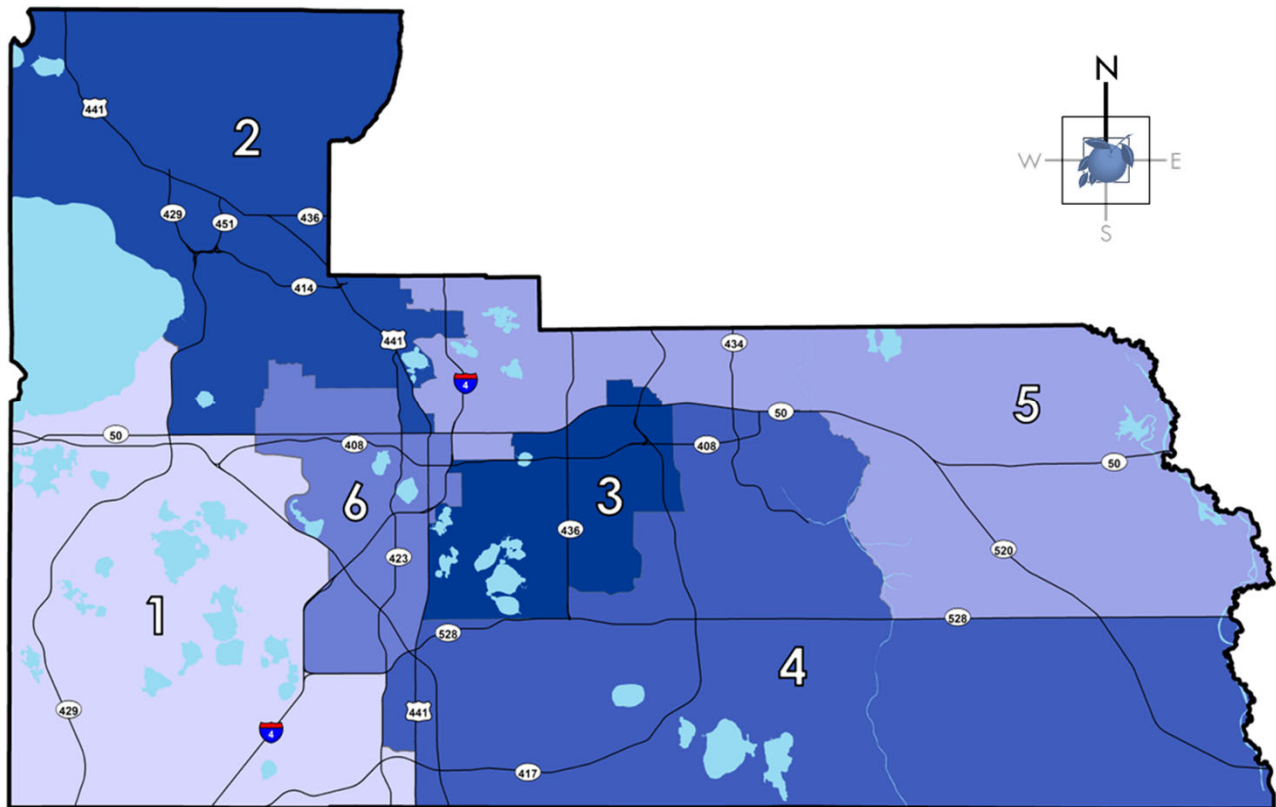


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

MARCH 20, 2025



PREPARED BY:

ORANGE COUNTY GOVERNMENT
PLANNING DIVISION | CURRENT PLANNING SECTION

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

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March 20, 2025

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|-------------------------------------------|--------------------------------------------|----------------------------------------------|------------------------------------------------|--------------------------------------------|-----------------------------------------------|
| I. Conventional Rezoning Hearing | | | | | |
| RZ-24-12-050 James Rojas | C-2 Restricted to C-2 Restricted | 5 | Approval with three (3) restrictions | Approval with three (3) restrictions | No |
| RZ-25-01-063 Vaish Komal Chandra | A-2 to R-1 | 5 | Approval | Approval | No |
| RZ-25-01-067 Fugian Tang | R-2 Restricted to R-2 Restricted | 3 | Approval with one (1) restriction | Approval with one (1) restriction | No |
| RZ-25-02-076 Randall A. Mells | R-1A to R-2 Restricted | 3 | Approval | Approval with one (1) restriction | No |
| RZ-25-02-078 Greg Crawford | R-1 to R-3 Restricted | 2 | Approval with one (1) restriction | Approval with one (1) restriction | No |

SITE & BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Site and Principal Building Requirements

| District | Min. Lot Area ^M (sq. ft.) | Min. Living Area/ floor area (sq. ft.) | Min. Lot width (ft.) | ^A Min. Front yard (ft.) | ^A Min. Rear yard (ft.) | ^A Min. Side yard (ft.) | ^A Min. Side street Yard (ft.) | Max. Building Height (ft.) | NHWE Setback (ft.) | Max. FAR/ Density sq. ft./ du/ac | Additional Standards |
|----------|--------------------------------------|------------------------------------------|----------------------|-----------------------------------------------------|-----------------------------------|-----------------------------------|------------------------------------------|----------------------------|--------------------|----------------------------------|-----------------------------------------|
| A-1 | SFR 21,780 (½ acre) | 850 | 100 | 35 | 50 | 10 | 15 | 35 | 50 ^A | L | |
| | Mobile home 2 acres | 850 | 100 | 35 | 50 | 10 | 15 | 35 | 50 ^A | L | |
| A-2 | SFR 21,780 (½ acre) | 850 | 100 | 35 | 50 | 10 | 15 | 35 | 50 ^A | L | |
| | Mobile home 2 acres | 850 | 100 | 35 | 50 | 10 | 15 | 35 | 50 ^A | L | |
| A-R | 108,900 (2½ acres) | 950 | 270 | 35 | 50 | 25 | 15 | 35 | 50 ^A | L | |
| R-CE | 43,560 (1 acre) | 1,500 | 130 | 35 | 50 | 10 | 15 | 35 | 50 ^A | L | |
| R-CE-2 | 2 acres | 1,200 | 185 | 45 | 50 | 30 | 15 | 35 | 50 ^A | L | |
| R-CE-5 | 5 acres | 1,200 | 250 | 50 | 50 | 45 | 15 | 35 | 50 ^A | L | |
| R-1AAAA | 21,780(½ acre) | 1,500 | 110 | 30 | 35 | 10 | 15 | 35 | 50 ^A | L | |
| R-1AAA | 14,520 (1/3 acre) | 1,500 | 95 | 30 | 35 | 10 | 15 | 35 | 50 ^A | L | |
| R-1AA | 10,000 | 1,200 | 85 | 25/30 ^H | 30/35 ^H | 7.5 | 15 | 35 | 50 ^A | L | |
| R-1A | 7,500 | 1,200 | 75 | 20/25 ^H | 25/30 ^H | 7.5 | 15 | 35 | 50 ^A | L | |
| R-1 | 5,000 | 1,000 | 50 | 20/25 ^H | 20/25 ^H | 5/6 ^H | 15 | 35 | 50 ^A | L | |
| R-2 | One-family dwelling, 4,500 | 1,000 | 45 ^C | 20/25 ^H | 20/25 ^H | 5/6 ^H | 15 | 35 | 50 ^A | L | 38-456 |
| | Two dwelling units, 8,000/9,000 | 500/1,000 per dwelling unit ^D | 80/90 ^D | 20/25 ^H | 25 | 5/6 ^H | 15 | 35 | 50 ^A | L | 38-456 |
| | Three dwelling units, 11,250 | 500 per dwelling unit | 85 ^I | 20/25 ^H | 30 | 10 | 15 | 35 ^E | 50 ^A | L | 38-456 |
| | Four or more dwelling units, 15,000 | 500 per dwelling unit | 85 ^I | 20/25 ^H | 30 | 10 ^B | 15 | 35 ^E | 50 ^A | L | 38-456; limited to 4 units per building |
| R-3 | One-family dwelling, 4,500 | 1,000 | 45 ^C | 20/25 ^H | 20/25 ^H | 5 | 15 | 35 | 50 ^A | L | 38-481 |
| | Two dwelling units, 8,000/9,000 | 500/1,000 per dwelling unit ^D | 80/90 ^D | 20/25 ^H | 20/25 ^H | 5/6 ^H | 15 | 35 | 50 ^A | L | 38-481 |
| | Three dwelling units, 11,250 | 500 per dwelling unit | 85 ^I | 20/25 ^H | 30 | 10 | 15 | 35 ^E | 50 ^A | L | 38-481 |
| | Four or more dwelling units, 15,000 | 500 per dwelling unit | 85 ^I | 20/25 ^H | 30 | 10 ^B | 15 | 35 ^E | 50 ^A | L | 38-481 |
| R-L-D | N/A | N/A | N/A | 10 for side entry garage, 20 for front entry garage | 15 | 0 to 10 ^S | 15 | 35 ^Q | 50 ^A | L | 38-605 |

| District | Min. Lot Area ^M (sq. ft.) | Min. Living Area/floor area (sq. ft.) | Min. Lot width (ft.) | ^A Min. Front yard (ft.) | ^A Min. Rear yard (ft.) | ^A Min. Side yard (ft.) | ^A Min. Side street Yard (ft.) | Max. Building Height (ft.) | NHWE Setback (ft.) | Max. FAR/ Density sq. ft./ du/ac | Additional Standards |
|--------------------------------|-------------------------------------------------------------------|----------------------------------------------|--------------------------------------|-----------------------------------------------------------------------|-------------------------------------------------|-----------------------------------|------------------------------------------|-----------------------------------------------------|--------------------|----------------------------------|----------------------|
| 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 | 15 | 35 | 50 ^A | L | 38-578 |
| R-T-1 SFR | 4,500 ^C | 1,000 | 45 | 20 | 20 | 5 | 15 | 35 | 50 ^A | L | |
| Mobile Home | 4,500 ^C | Min. mobile home size 8 ft. x 35 ft. | 45 | 20 | 20 | 5 | 15 | 35 | 50 ^A | L | |
| R-T-2 (zoned prior to 1/29/73) | 6,000 | SFR 500 Min. mobile home size 8 ft. x 35 ft. | 60 | 25 | 50 | 6 | 15 | 35 | 50 ^A | L | |
| (zoned after 1/29/73) | 21,780 | SFR 600 Min. mobile home size 8 ft. x 35 ft. | 100 | 35 | 50 | 10 | 15 | 35 | 50 ^A | L | |
| NR | One family dwelling, 4,500 | 1,000 | 45 ^C | 20 | 20 | 5 | 15 | 35/3 stories | 50 ^A | L | 38-1748 |
| | Two dwelling units, 8,000 | 500 per dwelling unit | 80 | 20 | 20 | 5 | 15 | 35/3 stories | 50 ^A | L | 38-1748 |
| | Three dwelling, 11,250 | 1,000 | 45 ^C | 20 | 20 | 5 | 15 | 35/3 stories | 50 ^A | L | 38-1748 |
| | Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit | 500 per dwelling unit | 85 | 20 | 20 | 10 | 15 | 50/4 stories | 50 ^A | L | 38-1748 |
| | Townhouse 1,800 | 750 per dwelling unit | 20 | 25, 15 for rear entry driveway | 20,15 for rear entry garage | 0,10 for end units | 15 | 40/3 stories | 50 ^A | L | 38-1748 |
| NAC | Nonresidential and mixed use development, 6,000 | 500 | 50 | 0/10 maximum 60% of building frontage must conform to maximum setback | 15,20 adjacent to single-family zoning district | 10,0 if buildings are adjoining | 15 | 50 feet | 50 ^A | L | 38-1741 |
| | One family dwelling, 4,500 | 1,000 | 45 ^C | 20 | 20 | 5 | 15 | 35/3 stories | 50 ^A | L | 38-1741 |
| | Two dwelling units, 11,250 | 500 per dwelling unit | 80 | 20 | 20 | 5 | 15 | 35/3 stories | 50 ^A | L | 38-1741 |
| | Three dwelling, 11,250 | 500 per dwelling unit | 85 | 20 | 20 | 10 | 15 | 35/3 stories | 50 ^A | L | 38-1741 |
| | Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit | 500 per dwelling unit | 85 | 20 | 20 | 10 | 15 | 50 feet/4 stories, 65 feet with ground floor retail | 50 ^A | L | 38-1741 |
| | Townhouse 1,800 | 750 per dwelling unit | 20 | 25, 15 for rear entry driveway | 20,15 for rear entry garage | 0,10 for end units | 15 | 40/3 stories | 50 ^A | L | 38-1741 |

| District | Min. Lot Area ^M (sq. ft.) | Min. Living Area/ floor area (sq. ft.) | Min. Lot width (ft.) | ^A Min. Front yard (ft.) | ^A Min. Rear yard (ft.) | ^A Min. Side yard (ft.) | ^A Min. Side street Yard (ft.) | Max. Building Height (ft.) | NHWE Setback (ft.) | Max. FAR/ Density sq. ft./ du/ac | Additional Standards |
|----------|-------------------------------------------------------------------|----------------------------------------|----------------------|-----------------------------------------------------------------------|-------------------------------------------------|-------------------------------------------------------------------|------------------------------------------|--------------------------------------------------------------|--------------------|----------------------------------|----------------------|
| NC | Nonresidential and mixed use development, 8,000 | 500 | 50 | 0/10 maximum 60% of building frontage must conform to maximum setback | 15,20 adjacent to single-family zoning district | 10,0 if buildings are adjoining | 15 | 65 feet | 50 ^A | L | 38-1734 |
| | One family dwelling, 4,500 | 1,000 | 45 ^C | 20 | 20 | 5 | 15 | 35/3 stories | 50 ^A | L | 38-1734 |
| | Two dwelling units, 8,000 | 500 per dwelling unit | 80 | 20 | 20 | 5 | 15 | 35/3 stories | 50 ^A | L | 38-1734 |
| | Three dwelling, 11,250 | 500 per dwelling unit | 85 | 20 | 20 | 10 | 15 | 35/3 stories | 50 ^A | L | 38-1734 |
| | Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit | 500 per dwelling unit | 85 | 20 | 20 | 10 | 15 | 65 Feet, 80 feet with ground floor retail | 50 ^A | L | 38-1734 |
| | Townhouse 1,800 | N/A | 20 | 25, 15 for rear entry driveway | 20,15 for rear entry garage | 0,10 for end units | 15 | 40/3 stories | 50 ^A | L | 38-1734 |
| P-O | 10,000 | 500 | 85 | 25 | 30 | 10 for one- and two-story bldgs., plus 2 feet for each add. story | 15 | 35 | 50 ^A | L | 38-806 |
| C-1 | 6,000 | 500 | | 25 | 20 | 0; or 15 ft. when abutting residential district | 15 | 50; or 35 within 100 ft. of any residential use or district | 50 ^A | L | 38-830 |
| C-2 | 8,000 | 500 | | 25 | 15; or 25 when abutting residential district | 5; or 25 when abutting residential district | 15 | 50; or 35 within 100 ft. of any residential use or district | 50 ^A | L | 38-855 |
| C-3 | 12,000 | 500 | | 25 | 15; or 30 when abutting residential district | 5; or 25 when abutting residential district | 15 | 75; or 35 within 100 ft. of any residential use or district | 50 ^A | L | 38-880 |
| I-1A | N/A | N/A | N/A | 35 | 25 ^N | 25 ^N | 15 | 50; or 35 within 100 feet of any residential use or district | 50 ^A | L | 38-907 |

| District | Min. Lot Area ^M (sq. ft.) | Min. Living Area/ floor area (sq. ft.) | Min. Lot width (ft.) | ^A Min. Front yard (ft.) | ^A Min. Rear yard (ft.) | ^A Min. Side yard (ft.) | ^A Min. Side street Yard (ft.) | Max. Building Height (ft.) | NHWE Setback (ft.) | Max. FAR/ Density sq. ft./ du/ac | Additional Standards |
|----------|--------------------------------------|----------------------------------------|----------------------|------------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------|------------------------------------------|--------------------------------------------------------------|--------------------|----------------------------------|----------------------|
| I-1/I-5 | N/A | N/A | N/A | 35 | 25, or 50 ft. when abutting residential district ^N | 25, or 50 ft. when abutting residential district ^{N/O} | 15 | 50; or 35 within 100 feet of any residential use or district | 50 ^A | L | 38-932 |
| I-2/I-3 | N/A | N/A | N/A | 25 | 10, or 60 ft. when abutting residential district ^P | 15, or 60 ft. when abutting residential district ^P | 15 | 50; or 35 within 100 feet of any residential use or district | 50 ^A | L | 38-981 |
| I-4 | N/A | N/A | N/A | 35 | 10, or 75 ft. when abutting residential district ^N | 25, or 75 ft. when abutting residential district ^N | 15 | 50; or 35 within 100 feet of any residential use or district | 50 ^A | L | 38-1008 |
| U-R-3 | Four or more dwelling units, 15,000 | 500 per dwelling unit | 85 ^I | 20/25 ^H | 30 | 10 ^B | 15 | 35 | 50 ^A | L | |

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 | <p>Setbacks shall be measured 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 Chapter 15, Article VII, Lakeshore Protection, and Chapter 15, Article X, Wetland Protection, 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 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.</p> <p>A lot which is part of a subdivision, the plat of which has been lawfully recorded, or a parcel of land, the deed of which was lawfully recorded on or before August 31, 1982, either of which has a depth of less than one hundred fifty (150) feet above the normal high water elevation contour, shall be exempt from the fifty-foot setback requirement set forth in section 38-1501. Instead, the setbacks under the respective zoning district requirements shall apply as measured from the normal high water elevation contour.</p> |
| 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. feet 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, the minimum duplex lot size is 8,000 square feet, and the minimum living area is 500 square feet. For detached units, the minimum duplex lot width is 90 feet, the minimum duplex lot size is 9,000 square feet, and minimum living area is 1,000 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. Existing developed duplex lots that are either platted or lots of record existing prior to 3/3/97 and are at least 75 feet in width and have a lot size of 7,500 square feet or greater, shall be deemed to be vested and shall be considered as conforming lots for width and/or size. |
| E | Multifamily residential buildings in excess of one story in height within 100 feet of the property line of any single-family dwelling district and use (exclusive of 2 story single family and 2 story two-family dwellings), requires a special exception. |
| F | Reserved. |
| G | Reserved. |
| 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%. |
| L | Subject to the Future Land Use designation. |
| M | Developable land area. |
| N | Rear yards and side yards may be reduced to zero (0) when the rear or side property lines about the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities. |
| O | One of the side yards may be reduced to zero (0) feet, provided the other side yard on the lot shall be increased to a minimum building setback of fifty (50) feet. This provision cannot be used if the side yard that is reduced is contiguous to a residential district. |
| P | Rear yards and side yards may be reduced to zero when the rear or side property lines about the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities; however, no trackage shall be located nearer than three hundred (300) feet from any residential district. The maximum height of any structure shall be two (2) stories or thirty-five (35) feet; provided, that no structure (exclusive of single-family and two-family dwellings) shall exceed one (1) story in height within one hundred (100) feet of the side or rear lot line of any existing single-family residential district. |
| Q | The maximum height of any structure shall be two stories or thirty-five (35) feet; provided, that no structure (exclusive of single-family and two-family dwellings) shall exceed one story in height within one hundred (100) feet of the side or rear lot line of any existing single-family residential district. |
| R | A ten-foot front setback may also be permitted for the dwelling unit when a front entry garage is set back at least twenty (20) feet from the front property line. |
| S | Minimum side building separation is ten (10) feet. The side setback may be any combination to achieve this separation. However, if the side setback is less than five (5) feet, the standards in section 38-605(b) of this district shall apply. |

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-24-12-050

Commission District: #5

GENERAL INFORMATION

APPLICANT: James Rojas Pacheco

OWNER: St James Auto Electric, Inc.

HEARING TYPE: Planning and Zoning Commission

REQUEST: **C-2 Restricted** (General Commercial District) **to**
C-2 Restricted (General Commercial District)

LOCATION: 11301 E. Colonial Dr; generally located east of Rouse Rd., west of North Alafaya Trl., south of Eastwood Dr., and north of E. Colonial Dr.

PARCEL ID NUMBER: 21-22-31-0000-00-005

SIZE / ACREAGE: 0.40-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]. Seven hundred fifty-two (752) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: An in-person community meeting was held on February 27, 2025, and is summarized further in this report.

PROPOSED USE: Used Auto Sales and Food Vending

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. Restricted to uses permitted in the C-1 zoning district and the C-2 uses of general auto repair, portable food and drink vending, and new and used car sales;
2. The hours of operation for general auto repair and car sales shall be 7:00 am to 9:00 pm.; and
3. The hours of operation for portable food and drink vending shall be 7:00 am to 11:00 pm.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property was rezoned in 2004 to C-2 Restricted (General Commercial District). The previously approved restriction is "Restricted to uses permitted in the C-1 zoning district and the existing use of general auto repair (auto electrical, A/C, light mechanical: no engine rebuilding or transmission work)." A waiver was previously approved for the minimum 100-foot lot width on a major street to 50-feet. This waiver is no longer applicable as the code has since been updated with no minimum lot width requirements for C-2 zoned properties. The Future Land Use Map designation of the property is Commercial (C) which is consistent with the requested zoning designation.

Through this request, the applicant is seeking to remove the current restrictions to allow for the C-2 uses of new and used auto sales and portable food and drink vending for an existing food truck on site which is subject to Sec. 38-79 (87). The applicant would also like to retain the previously approved C-2 use of general auto repair.

The immediate area is developed with retail commercial, auto sales, and detached single-family homes. The surrounding area has a variety of zoning designations including C-1 (Retail Commercial District), C-2 (General Commercial District), R-1 (Single-Family Dwelling District), R-3 (Multiple-Family Dwelling District), and PD (Planned Development).

This property is within the Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. This property is required to connect to wastewater and water. There are no reclaim water mains in the vicinity of the property and are not required to connect.

Land Use Compatibility

The C-2 (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

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No cases found.

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 (C) FLUM designation; therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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.

SITE DATA

| | |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Existing Use | Auto Repair |
| Adjacent Zoning | N: R-3 (Multiple-Family Dwelling District) 2000 E: C-1 (Retail Commercial District) 1957 W: C-1 (Retail Commercial District) 1957 S: PD (Planned Development District) 1998 |
| Adjacent Land Uses | N: Vacant Residential E: Retention Pond W: Retail Commercial S: Retail Commercial |

C-2 (General Commercial District) Development Standards

| | |
|------------------|---------------------------------------------------------------|
| Min. Lot Area: | 8,000 sq. ft. |
| Min. Lot Width: | NA |
| Max. Height: | 50; or 35 within 100 feet of any residential use or district. |
| Min. Floor Area: | 500 sq. ft. |

Building Setbacks

Front: 25 ft.
Rear: 15, or 25 ft. when abutting residential district
Side: 5, or 25 ft. when abutting residential district

** 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 C-2 general commercial district is composed of certain lands and structures used to provide for the retailing of commodities and the furnishing of several major services, selected trade shops and automotive repairs. This district will be encouraged at locations along minor arterial and major arterial roads where general commercial uses would be compatible with the surrounding neighborhood. Characteristically, this district 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 will be promoted within the urban service area or in rural settlements where uses of this intensity are already established. The general commercial district should not be located adjacent to single-family residential zoning districts.

A use shall be permitted in the C-2 district if the use is identified by the letter "P" in the use table set forth in section 38-77.

SPECIAL INFORMATION

Staff Comments

Environmental

Econ River Ordinance - This site is located within the Econlockhatchee River Protection Ordinance area. Basin-wide regulations may apply. Reference OC Code Chapter 15, Article XI Econlockhatchee River Protection.

Transportation / Access

Based on the Concurrency Management database (CMS) dated 11/19/2024, there are multiple failing roadway segments within the project's impact area along Alafaya Tr, from Science Dr to Lake Underhill Rd (2 segment(s)). This information is dated and subject to change. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office may be required, concurrency@ocfl.net.

Schools

The applicant is proposing to utilize the property for commercial purposes. Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

Parks and Recreation

Parks and Recreation staff reviewed the request and did not express and comments or concerns.

Community Meeting Summary

A community meeting was held on February 27th, 2024, at University High School. Three residents were in attendance with many looking for more information about the project and were generally in support of adding the use of car sales to the property. There was an incident in December 2024 where music was playing very loud and extremely loud explosions were happening on the property. Surrounding residents called the OC Sheriff's office but this behavior on the property continued for 8 nights. The applicant indicated they were renting out the property and these tenants have since been removed. 22 residents signed the letter outlining these events and requesting restrictions on the business hours of the property.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

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

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

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 – March 20, 2025

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. Restricted to uses permitted in the C-1 zoning district and the C-2 uses of general auto repair, portable food and drink vending, and new and used car sales;
2. The hours of operation for general auto repair and car sales shall be 7:00 am to 9:00 pm.; and
3. The hours of operation for portable food and drink vending shall be 7:00 am to 11:00 pm.

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 subject to three (3) restrictions. The applicant was present for the hearing and agreed with staff’s recommendation. No speakers were present to speak during the public comment portion.

Staff indicated that seven hundred and fifty-two (752) notices were sent to property owners and residents extending beyond 1,200 feet surrounding the property, and that staff had received one (1) response in favor and zero (0) responses in opposition to the request.

Discussion began with identifying exactly what the applicant is currently using the site for, which is auto repair and portable food vending. Commissioner Pena asked about the incident that occurred in December of 2024 where neighbors complained of loud noises coming from the subject property. The applicant clarified the noise was not coming from his property, it was fireworks from an adjacent property.

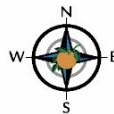
A motion was made by Commissioner Holt and seconded by Commissioner Arrington to recommend APPROVAL of the requested C-2 Restricted (General Commercial District) zoning subject to three (3) restrictions. The motion carried on a 7-0 vote.

| | |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------|
| Motion / Second | <i>Marjorie Holt / Michael Arrington</i> |
| Voting in Favor | <i>Marjorie Holt, Michael Arrington, Nelson Pena, Camille Evans, Eric Gray, Evelyn Cardenas and George Wiggins</i> |
| Voting in Opposition | <i>None</i> |
| Absent | <i>Eddie Fernandez and David Boers</i> |

RZ-24-12-050



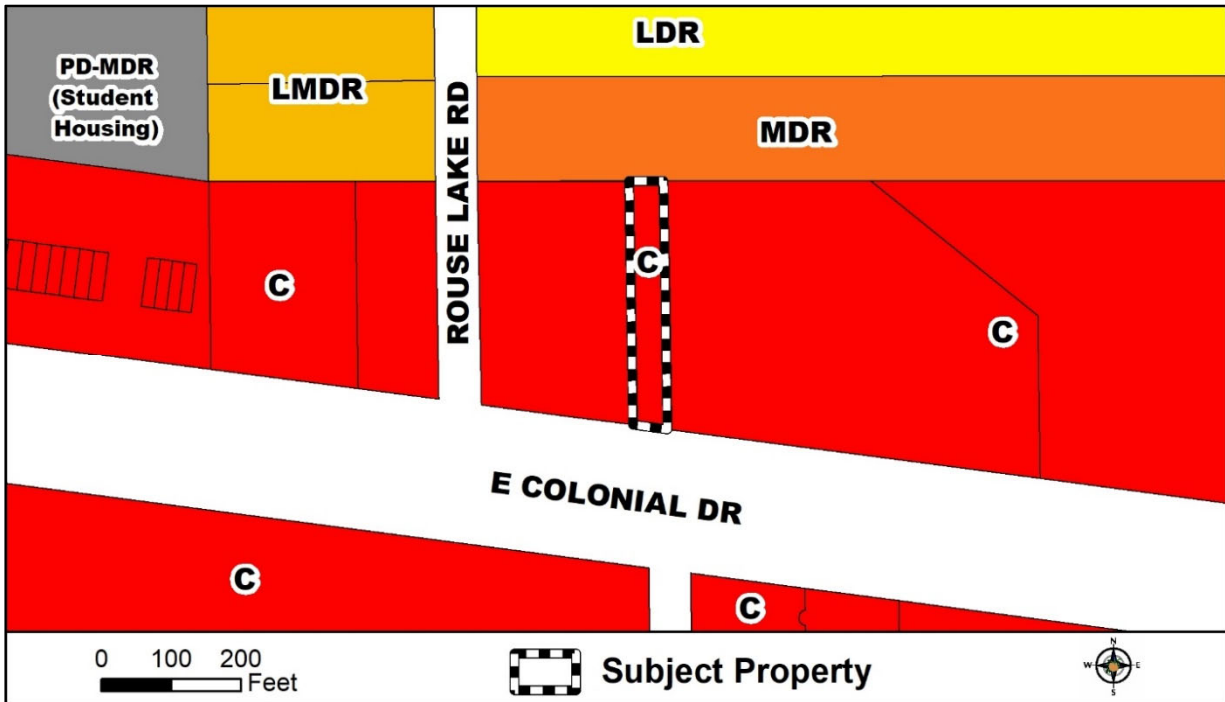
 Subject Property



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Feet

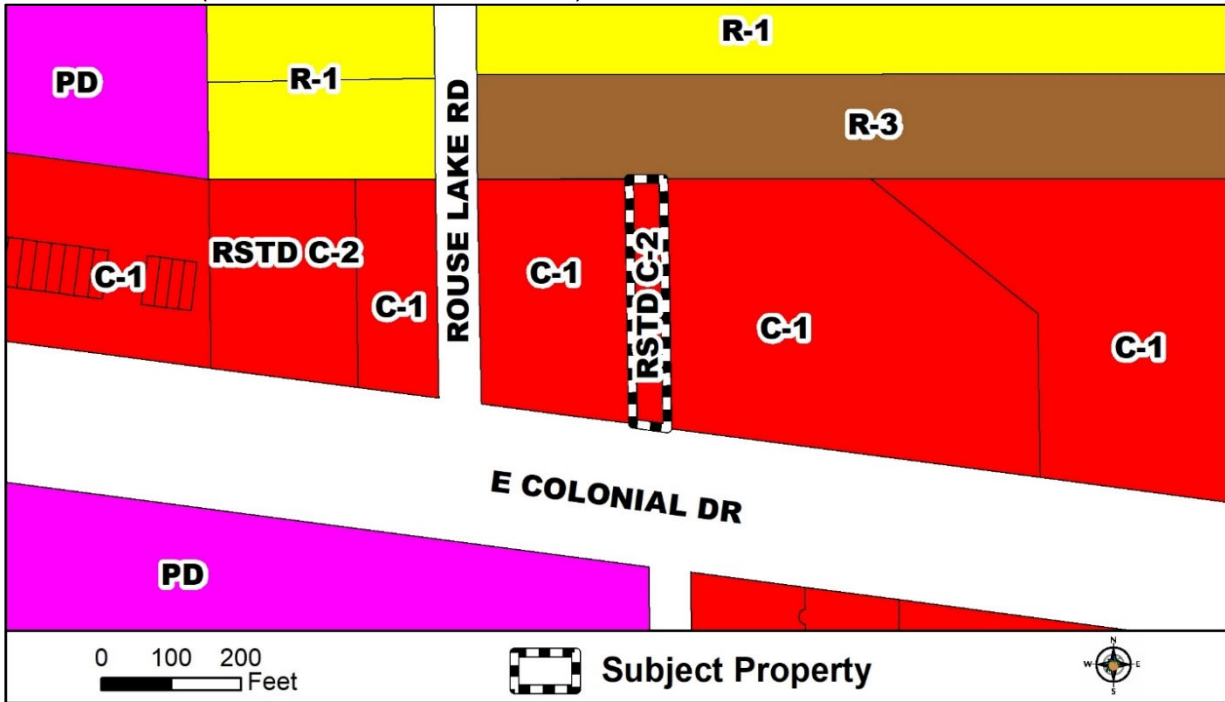
FUTURE LAND USE – CURRENT

Commercial (C)



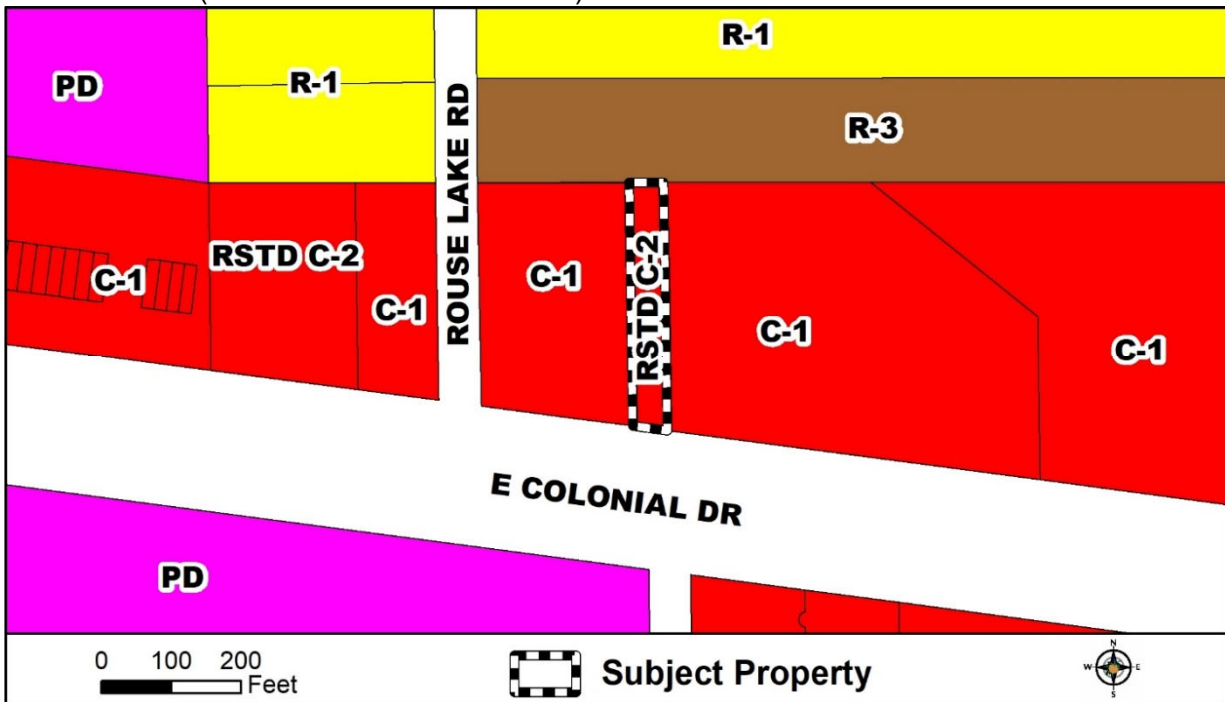
ZONING – CURRENT

C-2 Restricted (General Commercial District)



ZONING – PROPOSED

C-2 Restricted (General Commercial District)

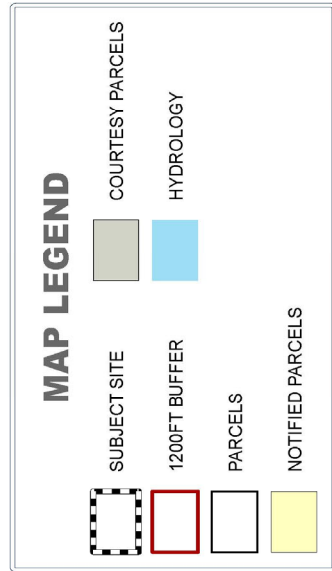
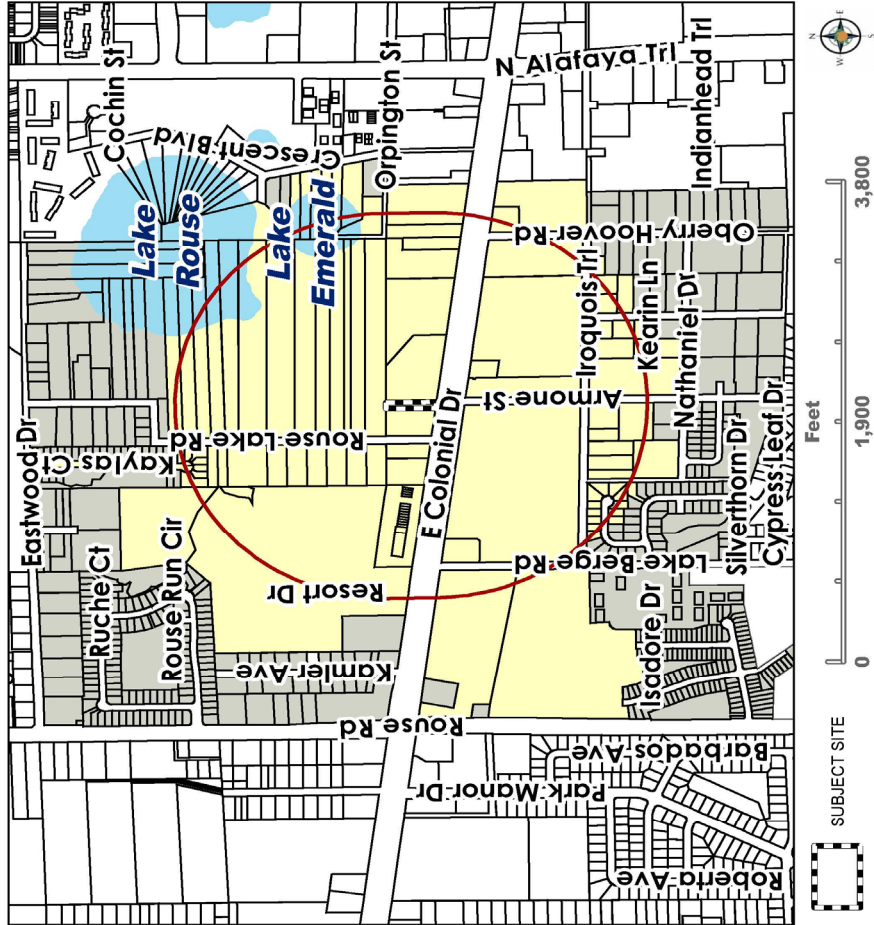


NOTIFICATION MAP

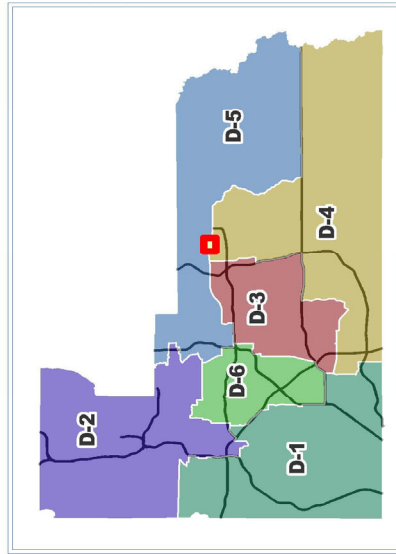


Public Notification Map

RZ-24-12-050



BUFFER DISTANCE: 1200
 # OF NOTICES: 752



\\ocas\gms\depth\Business Systems\Board Administration\2_PZC\2025\3 - March\RZ-24-12-050\RZ-24-12-050.mxd

CASE # RZ-25-01-063

Commission District: #5

GENERAL INFORMATION

APPLICANT: Vaish Komal Chandra

OWNERS: Vaish Komal Chandra, Kirenras Solanki Niteshkumar

HEARING TYPE: Planning and Zoning Commission

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

LOCATION: 10325 Buck Rd; generally Located north of Buck Rd., east of Carley Estates Ct. and west of Lasistor St.

PARCEL ID NUMBER: 08-22-31-0000-00-016

SIZE / ACREAGE: 0.76 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 twelve (212) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: An in-person community meeting is being held on March 12, 2025, at Arbor Ridge K-8 School, and is summarized further in this report.

PROPOSED USE: Three single-family detached homes.

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.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject property to R-1 (Single-Family Dwelling District) to develop three single-family detached homes on the 33,105 sq. ft (0.76) acre parcel. This request will also allow for consistency with the underlying Future Land Use designation of Low Density Residential (LDR) The existing A-2 zoning is inconsistent with the LDR Future Land Use Map (FLUM) designation unless the property is within a Rural Residential Enclave, which it is not.

The parcel currently has one single family home which will be demolished. The requested R-1 District requires a minimum lot size of 5,000 square feet and a lot width of 50 square feet. The neighborhood consists mostly of single-family detached homes on lots varying in width from 50 ft to 135 ft.

The proposed development is within Orange County Utilities, Wastewater, and Reclaimed Water Service Areas and will be required to connect to water and wastewater.

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

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No Cases Found

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-1 zoning is consistent with the LDR FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

FLU1.4.2 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.

FLU8.2.2 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 | Single-Family Home |
| Adjacent Zoning | N: A-2 (Farmland Rural District) E: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) and A-2 (Farmland Rural District) W: R-1 (Single-Family Dwelling District) S: A-2 (Farmland Rural District) |
| Adjacent Land Uses | N: Single-Family Home E: Single-Family Home W: Single-Family Home S: Vacant |

R-1 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.

** 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 R-1 Single-Family Dwelling District is intended to provide areas for single-family residential development at a low density. While maintaining the same general character as the R-1-AA and R-1-A districts, R-1 allows for smaller minimum lot sizes and yards, resulting in a slightly higher density. The district supports a suburban residential environment while accommodating a range of lot sizes to meet housing needs.

A use shall be permitted in the R-1 district if the use is identified by the letter "P" in the use table set forth in section 38-77.

SPECIAL INFORMATION

Staff Comments

Environmental

Enhanced Septic/Sewer Requirement - This site is located within the Little Econlockhatchee Pollution Reduction Plan (PRP) Area and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended;

Within the Little Econlockhatchee River PRP Area, the installation of new onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within the Econlockhatchee River PRP Area where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required.

Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

Transportation / Access

The proposed use to allow three detached single-family homes (pending lot split approval) is a de minimis impact on the roadways. For the purposes of transportation analysis, a project is considered de minimis if its impacts are less than a total p.m. peak of five (5) peak hour trips on the roadways within the area of influence. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office may be required, concurrency@ocfl.net.

Schools

Three homes is de minimis.

Parks and Recreation

Parks and Recreation staff reviewed the request and did not identify any issues or concerns.

Community Meeting Summary

A community meeting for the Buck Road rezoning request was held on March 12, 2025, at Arbor Ridge K-8 School. The meeting was attended by seven community members, along with the applicant and his family. Attendees expressed concerns about preserving the agricultural character of the area and sought assurances that the west-side easement would remain accessible and unobstructed during construction. Questions were also raised regarding access to the two northernmost properties and whether the rezoning would impact surrounding parcels. Staff clarified that the request applied only to the applicant's property. Additionally, a few attendees joined to learn more about the rezoning process, as they were considering similar requests in the future.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

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

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: 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 – March 20, 2025

Make a finding of consistency with the Comprehensive Plan and recommend Approval of the requested R-1 (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 R-1 (Single-Family Dwelling District) zoning. The applicant was present and agreed with the staff recommendation. One (1) member of the public appeared in opposition during public comment of the request.

Staff indicated that two hundred twelve (212) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received 1 (one) response in favor and 0 (zero) responses in opposition of the request.

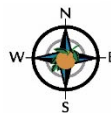
During discussion, the Planning and Zoning Commission briefly addressed a neighbor's concern regarding a disputed property line and encroachment by an adjacent shed. The applicant submitted a survey confirming the location of the property line. Additionally, the District 5 Commissioner made an informational comment regarding a potential future expansion of Buck Road, which the applicant acknowledged. A motion was made by Commissioner Marjorie Holt and seconded by Commissioner Michael Arrington to recommend APPROVAL of the R-1 (Single-Family Dwelling District) zoning. The motion carried 7-0.

| | |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------|
| Motion / Second | <i>Marjorie Holt / Michael Arrington</i> |
| Voting in Favor | <i>Marjorie Holt, Michael Arrington, Eric Gray, Nelson Pena, Evelyn Cardenas, George Wiggins, and Camille Evans</i> |
| Voting in Opposition | <i>None</i> |
| Absent | <i>Eddie Fernandez and David Boers</i> |

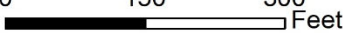
RZ-25-01-063



 Subject Property

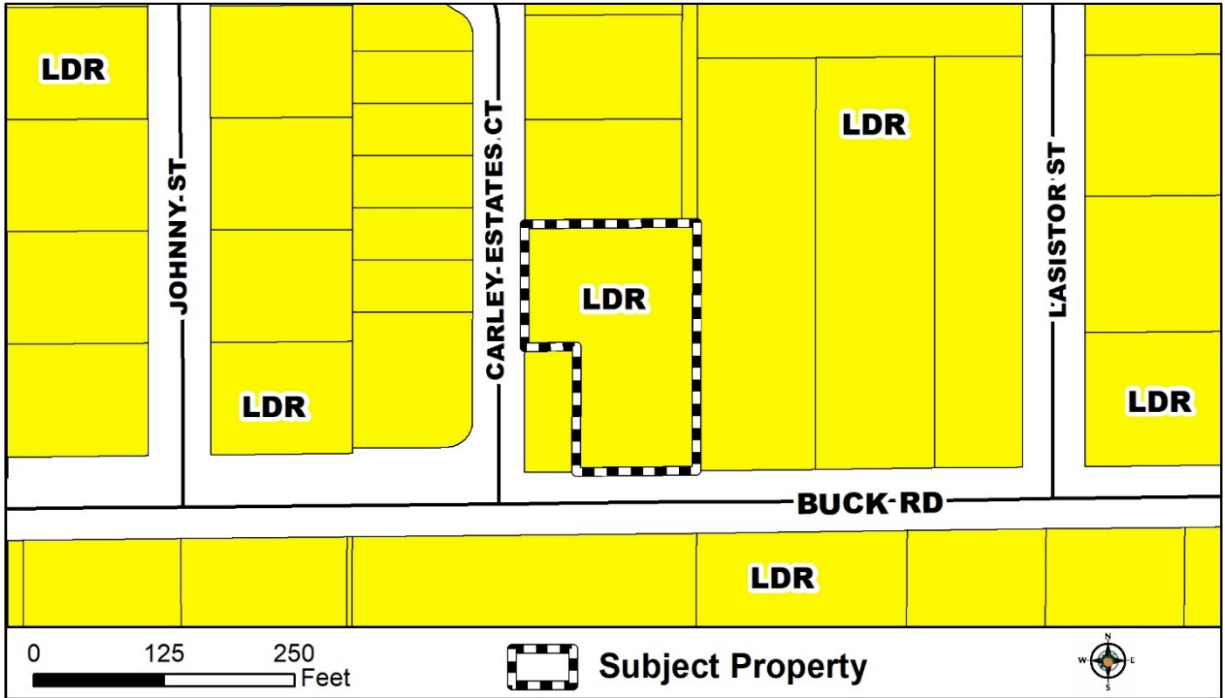


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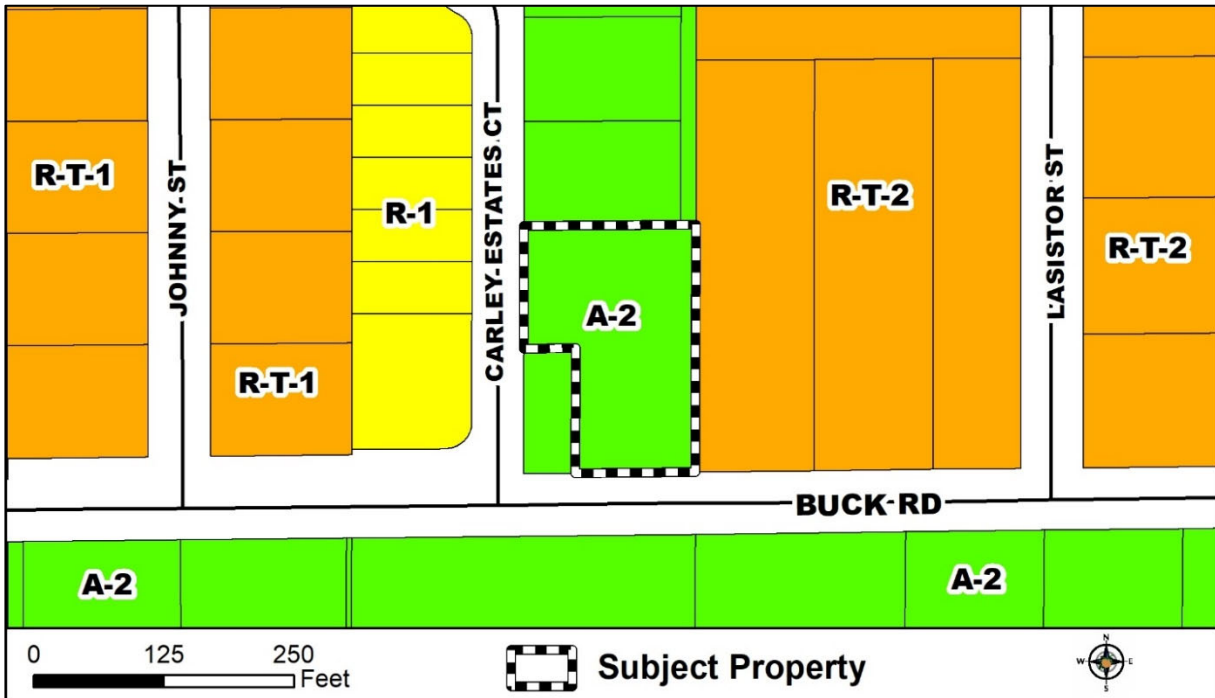
FUTURE LAND USE – CURRENT

Low Density Residential (LDR)



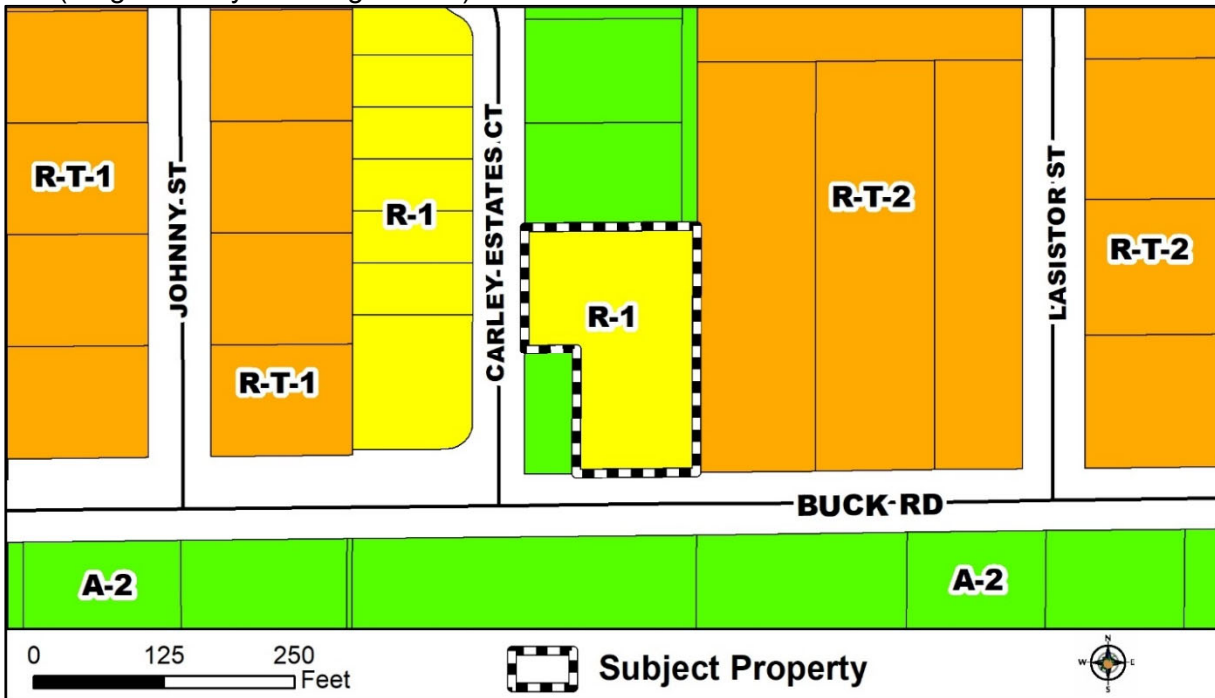
ZONING – CURRENT

A-2 (Farmland Rural District)

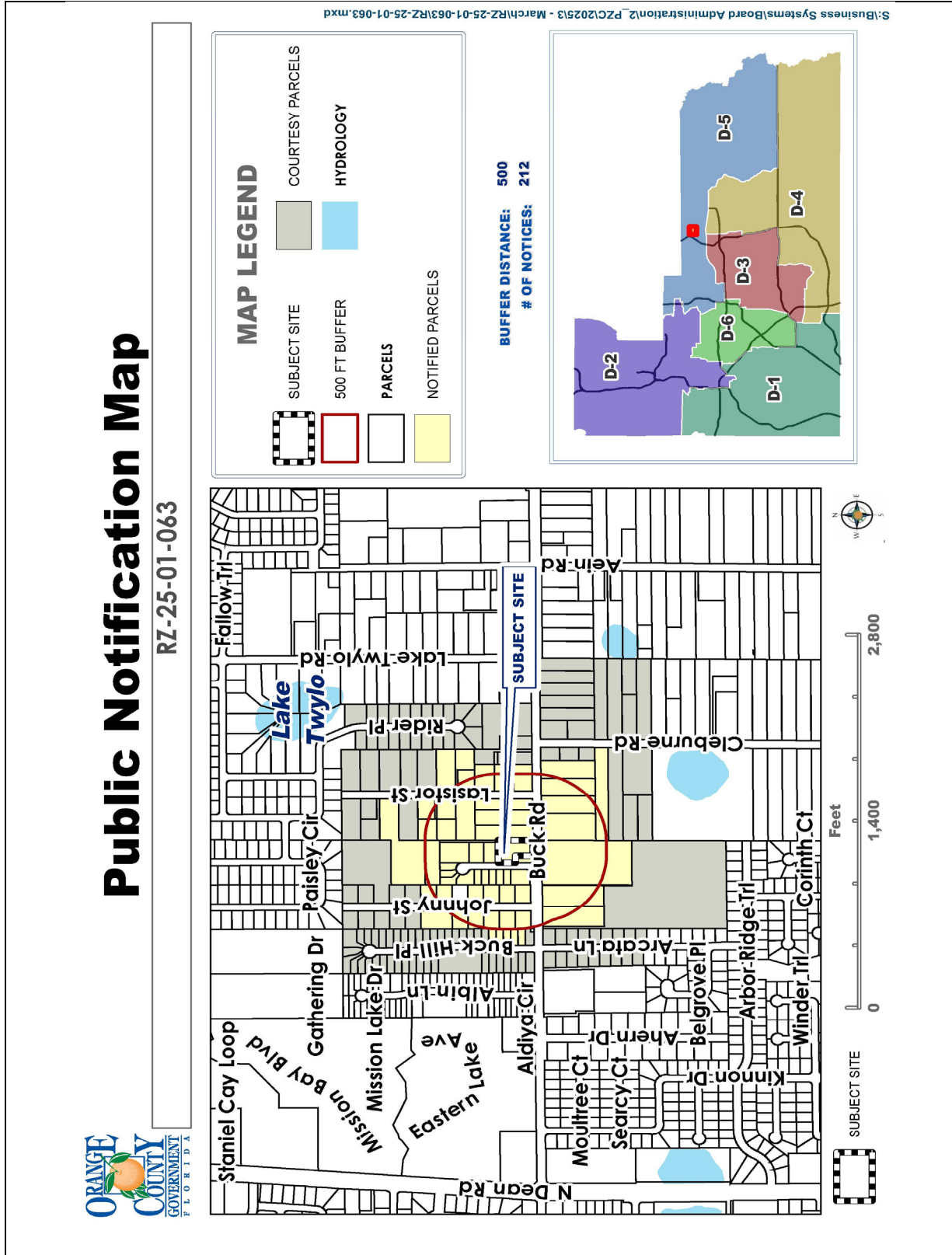


ZONING – PROPOSED

R-1 (Single-Family Dwelling District)



NOTIFICATION MAP



CASE # RZ-25-01-067

Commission District: #3

GENERAL INFORMATION

| | |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT: | Fuqian Tang |
| OWNER: | Confucius-Manfucius Holy House, Inc |
| HEARING TYPE: | Planning and Zoning Commission |
| REQUEST: | R-2 Restricted (Residential District) to R-2 Restricted (Residential District) |
| LOCATION: | 6309 Hoffner Ave; generally north of Hoffner Ave, east of Redditt Rd, west of Gulfstream Bay Ct, south of Nassau Ave |
| PARCEL ID NUMBER: | 14-23-30-5240-02-060 |
| SIZE / ACREAGE: | 2.21-gross acre |
| PUBLIC NOTIFICATION: | The notification area for this public hearing was 1,200 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Three hundred forty-nine (349) notices were mailed to those property owners in the surrounding area. |
| COMMUNITY MEETING: | A community meeting was not required for this application. |
| PROPOSED USE: | Religious Use |

STAFF RECOMMENDATION

PLANNING

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

1. The use of the property shall be limited to a religious institution and ancillary uses.

SUBJECT PROPERTY ANALYSIS

The subject property has been developed as a single-family residential structure since 1996. The current zoning is R-2 Restricted (Residential District). Through this request the applicant is seeking to remove the restriction that was placed on the subject property in 1990, that states "Restricted to single-family and duplex dwelling units only".

The subject property was plotted as lot number 6, within the Florida Golden Acres Corporation subdivision. The plat for the Florida Golden Acres Corporation subdivision

was recorded on January 30th in 1928. The subject parcel is currently developed with one house of 12,494 sq. ft. that has been used as a religious Institution without proper permits from Orange County. The use of Religious Institution requires approval of special exception in R-2 (Residential District) zoning, it is not allowed by right.

The immediate area is developed with single-family residential dwelling units on lots, mostly ranging from 46 ft. to 210 ft. in width. The surrounding area is predominantly zoned R-2 and A-2 which requires a minimum of 45- and 100-foot lot widths. Also, there are commercial and industrial uses located across the street to the south.

The proposed restriction is proposed because the applicant does not intend to develop residential uses. As such, the applicant has not undergone a School Capacity Determination. Therefore, the proposed restriction would limit the use to just the religious institution and ancillary uses. If a future owner desires to construct residential uses, a rezoning would be required to remove the restriction and a School Capacity Determination would need to be completed.

Per Orange County Utilities water and wastewater are considered available. Any future alteration, expansion, modification of this site will likely require connection to Orange County Utilities water and wastewater.

Land Use Compatibility

The R-2 Restricted (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

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is located in Airport Noise Zone D, and is subject to the Airport Noise Zoning Ordinance (Ord. 2000-07). Any required noise mitigation would be required at the time of permitting.

Code Enforcement

No cases found

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-2 (Residential District) zoning is consistent with the Low-Medium Density Residential (LMDR) 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.

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 | Religious |
| Adjacent Zoning | N: A-2 (Farmland Rural District) 1957 E: A-2 (Farmland Rural District) 1957 W: R-2 Restricted (Residential District) 1986 S: N/A |
| Adjacent Land Uses | N: Single-Family Residential E: Single-Family Residential |

W: Single-Family Residential

S: Single-Family 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:

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

Environmental

No EPD Concerns - The Environmental Protection Division has reviewed the request and has no comment at this time.

Transportation / Access

Based on the Concurrency Management database (CMS) dated 12/20/2024, there are multiple failing roadway segments within the project's impact area. Goldenrod Rd, from Narcoossee Rd to Pershing Ave (1 segment(s)) and Semoran Blvd, from Beachline Expy to Pershing Ave (2 segment(s)) are failing. This information is dated and subject to change. The Applicant will be required to submit a traffic study prior to obtaining an approved capacity encumbrance letter and building permit. The project will be subject to review and approval under capacity constraints of the County's Transportation Concurrency Management System. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office is required, concurrency@ocfl.net.

Based on the recently approved Standard Procedures Manual for Specific Transportation Analysis Methodology Plan (STAMP), published February 27, 2024 (Sec.30-562-2 of the Code of Ordinances), an operational traffic analysis study (intersection analysis) will be required prior to certificate of occupancy for proposed developments projected that generate 50 or more net PM peak hour vehicle trips (not including pass-by and internal capture). The operational traffic study will be based on the most updated STAMP. Please contact Azza Alisawi at azza.alisawi@ocfl.net for the most updated STAMP or for any questions regarding the Traffic Study or Methodology.

Schools

The applicant is proposing to utilize the property for commercial purposes. Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

Parks and Recreation

Parks and Recreation staff reviewed the request and did not identify any issues or concerns.

Community Meeting Summary

A community meeting was not required for this request.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

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

Water and wastewater are considered available. Any future alteration, expansion, modification of this site will likely require connection to Orange County Utilities water and wastewater.

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 – March 20, 2025

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

1. The use of the property shall be limited to a religious institution and ancillary 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 R-2 Restricted (Residential District) zoning, subject to (1) restriction. 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 three hundred forty nine (349) notices were sent to property owners and residents extending beyond 1200 ft. surrounding the property, and that staff had received one (1) response in favor and one (1) response in opposition of the request, stating that the church has already enough buildings

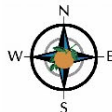
After a brief discussion on the rezoning request, proposed use, and church attendance, Commissioner Arrington made a motion, seconded by Commissioner Holt, to recommend approval of R-2 Restricted (Residential District) zoning, subject to one (1) restriction. The motion carried 7-0.

| | |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------|
| Motion / Second | <i>Michael Arrington / Marjorie Holt</i> |
| Voting in Favor | <i>Michael Arrington, Marjorie Holt, Nelson Pena, Evelyn Cardenas, Geroge Wiggins, Camille Evans, and Eric Gray</i> |
| Voting in Opposition | <i>None</i> |
| Absent | <i>Eddie Fernandez and David Boers</i> |

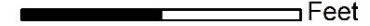
RZ-25-01-067



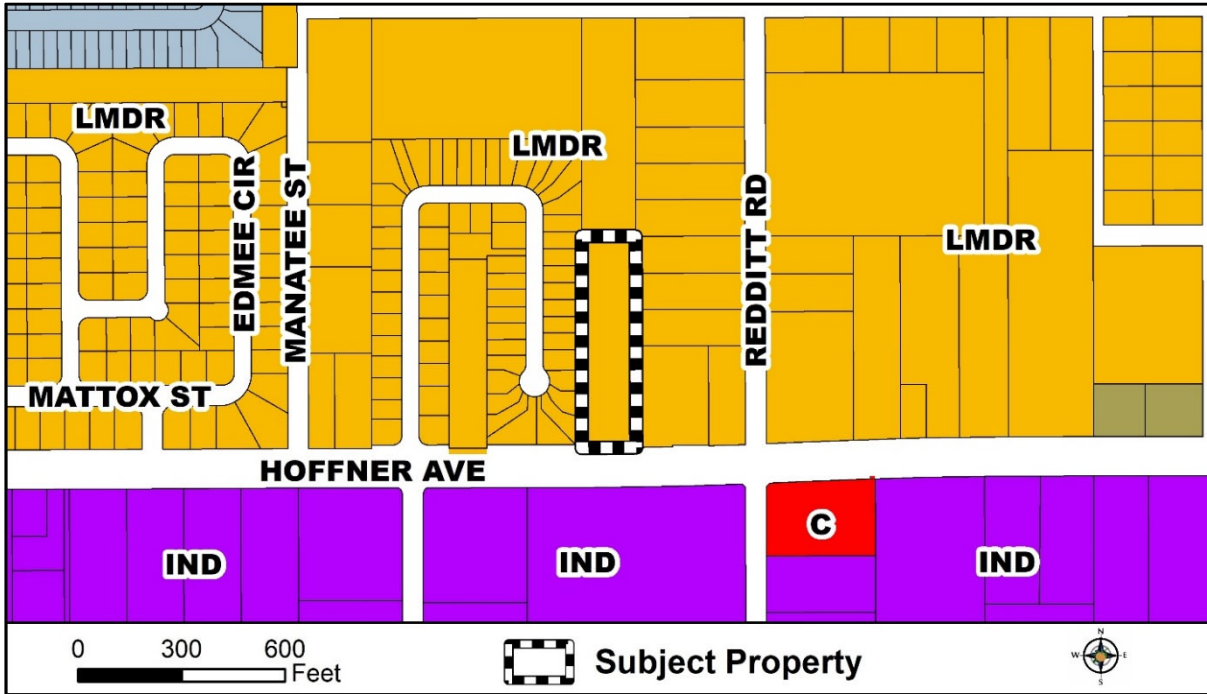
 Subject Property



0 150 300 Feet

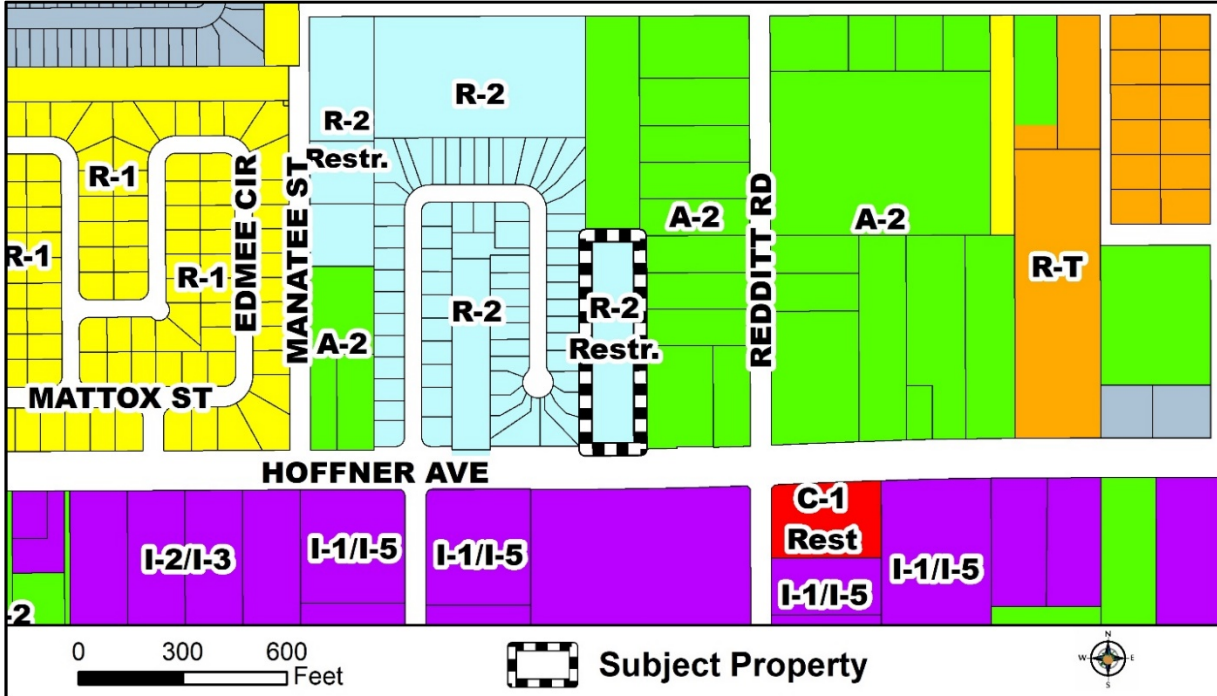


FUTURE LAND USE – CURRENT
Low-Medium Density Residential (LMDR)



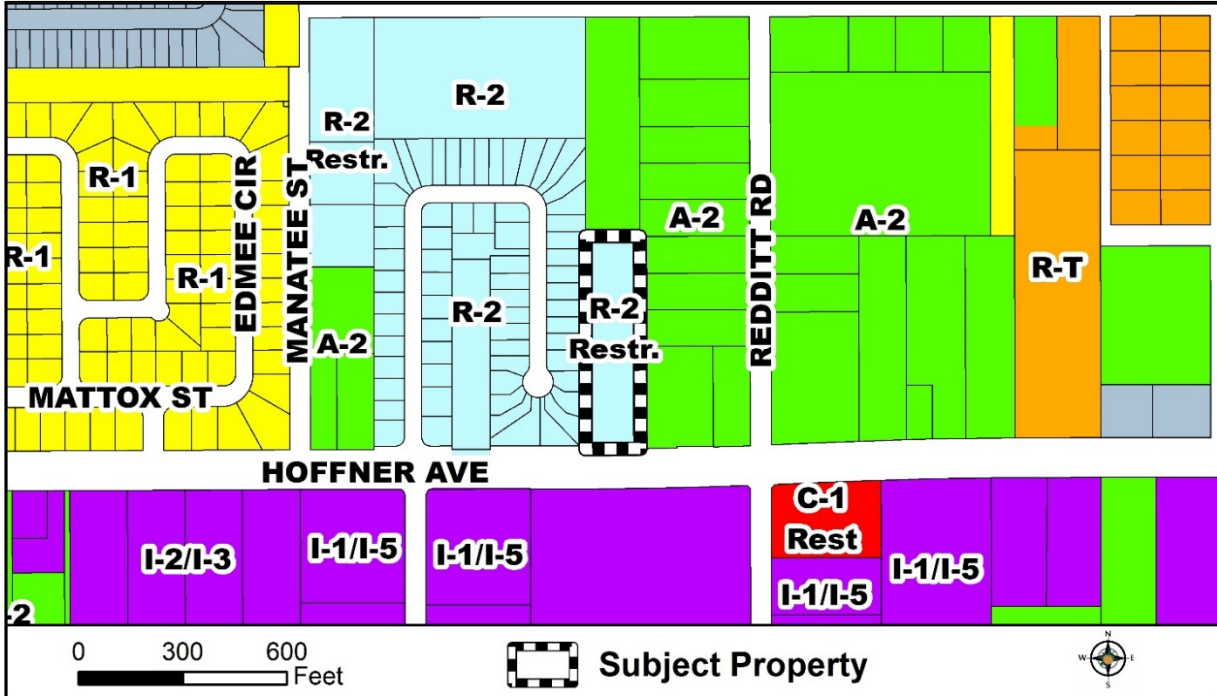
ZONING – CURRENT

R-2 Restricted (Residential District)

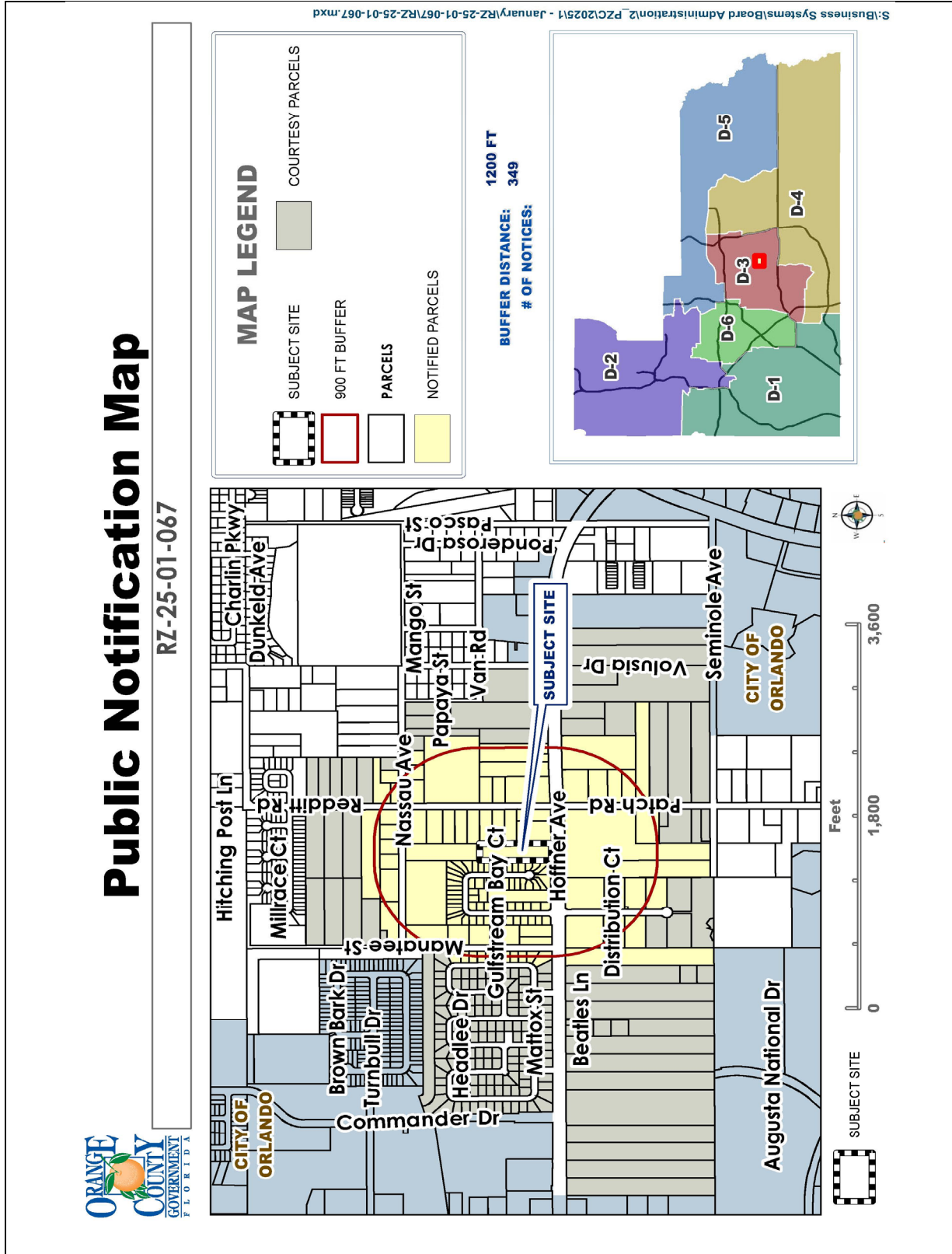


ZONING – PROPOSED

R-2 Restricted (Residential District)



NOTIFICATION MAP



Case Planner:
Adriana Caamano

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: March 20, 2025

CASE # RZ-25-02-076

Commission District: #3

GENERAL INFORMATION

| | |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT: | Randall A. Mells |
| OWNERS: | Randall A. Mells and Helaine B. Mells |
| HEARING TYPE: | Planning and Zoning Commission |
| REQUEST: | R-1A (Single-Family Dwelling District) to R-2 (Residential District) |
| LOCATION: | 1121 Perkins Road; generally located north of Perkins Road, approximately 650 feet east of S. Orange Avenue |
| PARCEL ID NUMBER: | 25-23-29-0000-00-029 |
| SIZE / ACREAGE: | 0.31 |
| 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-six (126) notices were mailed to those property owners in the surrounding area. |
| COMMUNITY MEETING: | A community meeting was held on Monday, February 24th, 2025 at Walker Middle School and is summarized further in this report. |
| PROPOSED USE: | Triplex (3 residential units) |

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

Through this request the applicant is seeking to rezone the subject property from R-1A (Single-Family Dwelling District) to R-2 (Residential District), with the intent to construct a triplex on the 13,503 sq. ft. (0.31 gross acre) parcel. The parcel currently has a single-family home that will be demolished. The requested R-2 District requires a minimum lot size of 11,250 sq ft. for a triplex and a lot width of 85 ft.

This growing neighborhood can be characterized as having single-family residences, along with a triplex to the south and the recently approved South Orlando Urban Center, which

will introduce 196 multifamily units, 38 multifamily townhome units, and 19,000 square feet of office and commercial uses to the south.

The subject property is located in the Transit Oriented Development (TOD)-Sand Lake Station overlay zone. The TOD overlay zone is comprised of an area within half-mile radius of the Sand Lake Sunrail Station commuter rail station. The purpose of the TOD is to encourage greater density and intensity, with the greatest at the core and lessening towards the edge. The subject site is approximately 0.4 acres from the Sunrail station.

The Orlando Utilities Commission (OUC) has confirmed the availability of water on the property, while Orange County Utilities has verified that wastewater service is available and connection is required.

Land Use Compatibility

The R-2 zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is located in the Transit Oriented Development (TOD)-Sand Lake Station. The TOD overlay zone is comprised of an area within half-mile radius of the Sand Lake Sunrail Station commuter rail station. The purpose of the TOD is to encourage greater density and intensity, with the greatest at the core and lessening towards the edge. The subject site is approximately 0.4 acres from the Sunrail station.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No cases found.

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 consideration of up to ten (10) units per acre. The proposed R-2 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:

FLU1.4.2 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.

FLU8.2.2 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 | Single-Family Home |
| Adjacent Zoning | N: R-1A (Single-Family Dwelling District) E: R-1 Restricted (Single-Family Dwelling District) W: R-1A (Single-Family Dwelling District) S: R-1A (Single-Family Dwelling District) |
| Adjacent Land Uses | N: Single-Family Residential E: Single-Family Residential W: Single-Family Residential S: Single-Family Residential |

R-2 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:
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.

Intent, Purpose, and 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

Environmental

Pine Castle Urban Center: ROCC - This project site is located within the Orange County Board of County Commissioners approved Resolution #2017-M-27 of August 1, 2017 regarding designating certain land as the Pine Castle Urban Center: ROCC (Redeveloping Orange County Communities) as a Brownfield Area for the purpose of environmental remediation, rehabilitation, economic development pursuant to criteria set forth in Section 376.80, Florida Statutes.

Enhanced Septic/Sewer Requirement - This site is located within the Lake Okeechobee Basin Management Action Plan (BMAP) Area, a Reasonable Assurance Plan (RAP) Area and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended;

Within a BMAP Area, a RAP Area, or a PRP Area, the installation of new onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within a BMAP Area, a RAP Area, or a PRP Area where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required.

Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

Dust Control - No person shall cause, let, suffer, allow, or permit the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities, such as loading, unloading, storing, or handling; without taking reasonable precautions to prevent such emissions including but not limited to application of water, dust suppressants, planting of vegetation, point of activity controls (hoods, filters, etc.) and other measures. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 2 Rules, Section 89.1 Air Pollution Prohibited, Subsection B.

Transportation / Access

The proposed use to allow triplex is a de minimis impact on the roadways. For the purposes of transportation analysis, a project is considered de minimis if its impacts are

less than a total p.m. peak of five (5) hour trips on the roadways within the area of influence. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office may be required, concurrency@ocfl.net.

Schools

Three residential units is de minimis.

Parks and Recreation

Parks and Recreation staff reviewed the request and did not identify any issues or concerns.

Community Meeting Summary

A community meeting was held on Monday, February 24, 2025, at Walker Middle School. Zero (0) residents attended the community meeting. However, District 3 Commissioner Mayra Uribe and the applicant were present.

Utilities Service Area (Availability of services may vary)

Water: OUC

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within the Orlando Utilities Commission 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 – March 20, 2025

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

1. Development shall be limited to no more than two residential units.

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 R-2 (Residential District) zoning. The applicant was present and agreed with the staff recommendation. One (1) member of the public appeared in opposition during public comment of the request.

Staff indicated that 126 (one hundred twenty-six) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received 0 (zero) responses in-favor and 5 (five) responses in opposition of the request.

After a discussion regarding the rezoning request and the compatibility of a triplex within the primarily single-family area, and after the applicant presented potential elevations of the proposed triplex, the Planning and Zoning Commission asked whether the applicant would consider the construction of a duplex instead of a triplex. The item was tabled to allow the applicant time to consult with the property owner. When the hearing reconvened after lunch, the applicant agreed to limit development on the site to a duplex. A motion was made by Commissioner Michael Arrington and seconded by Commissioner Camille Evans to recommend APPROVAL of the R-2 Restricted (Residential District) zoning, restricted to no more than two residential units. The motion carried 7-0.

Motion / Second

Michael Arrington / Eddie Fernandez

Voting in Favor

Michael Arrington, Marjorie Holt, Nelson Pena, Evelyn Cardenas, Geroqe Wiggins, Camille Evans, Eddie Fernandez, and Eric Gray

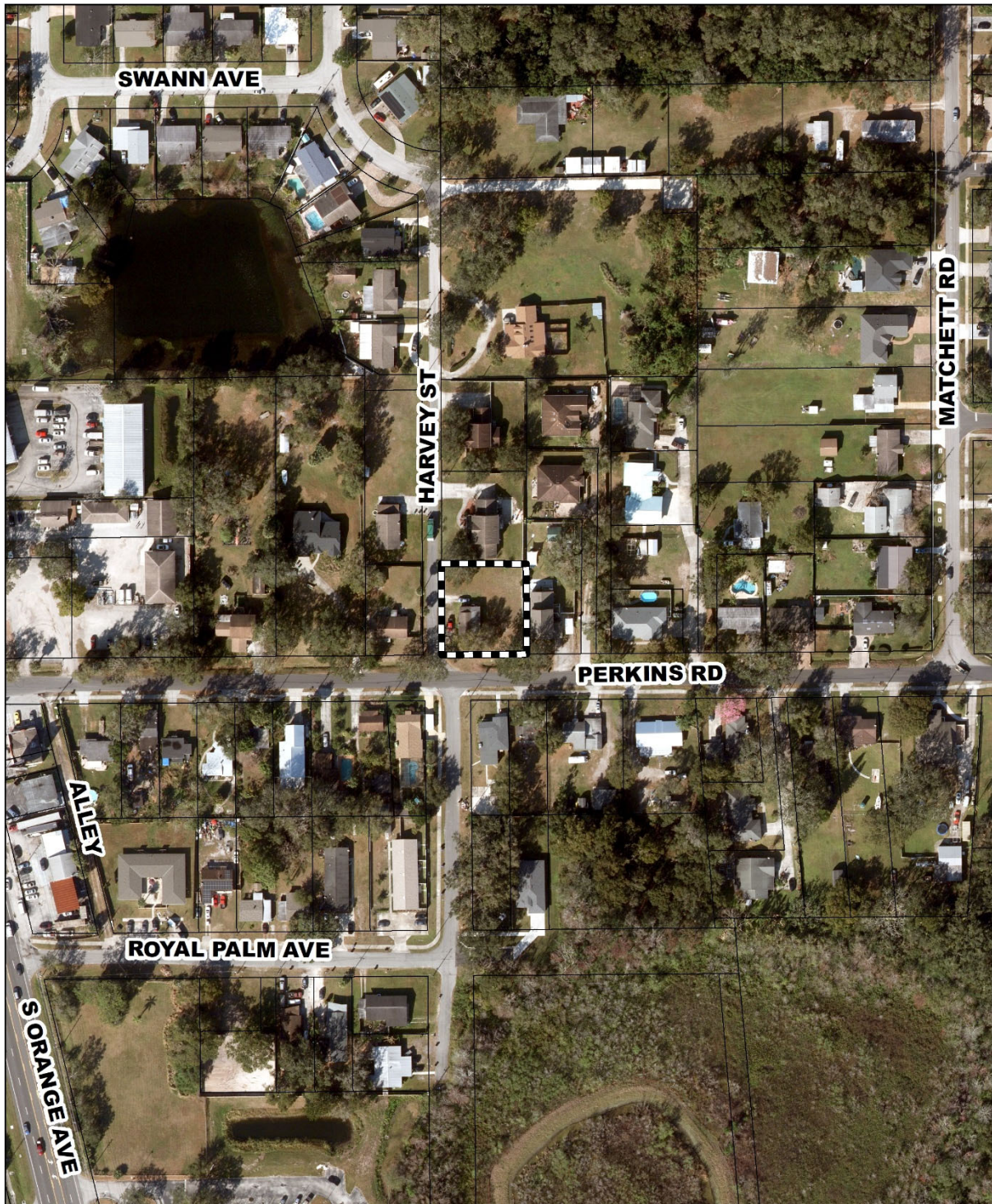
Voting in Opposition

None

Absent

David Boers

RZ-25-02-076

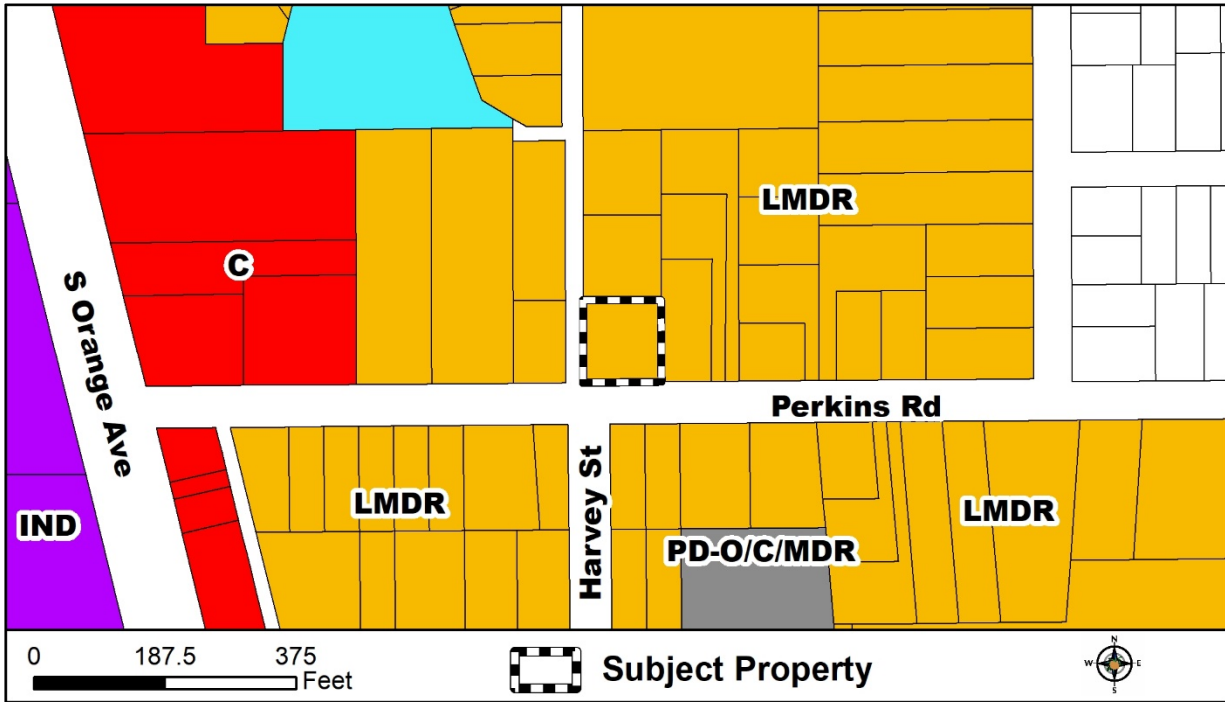


 Subject Property



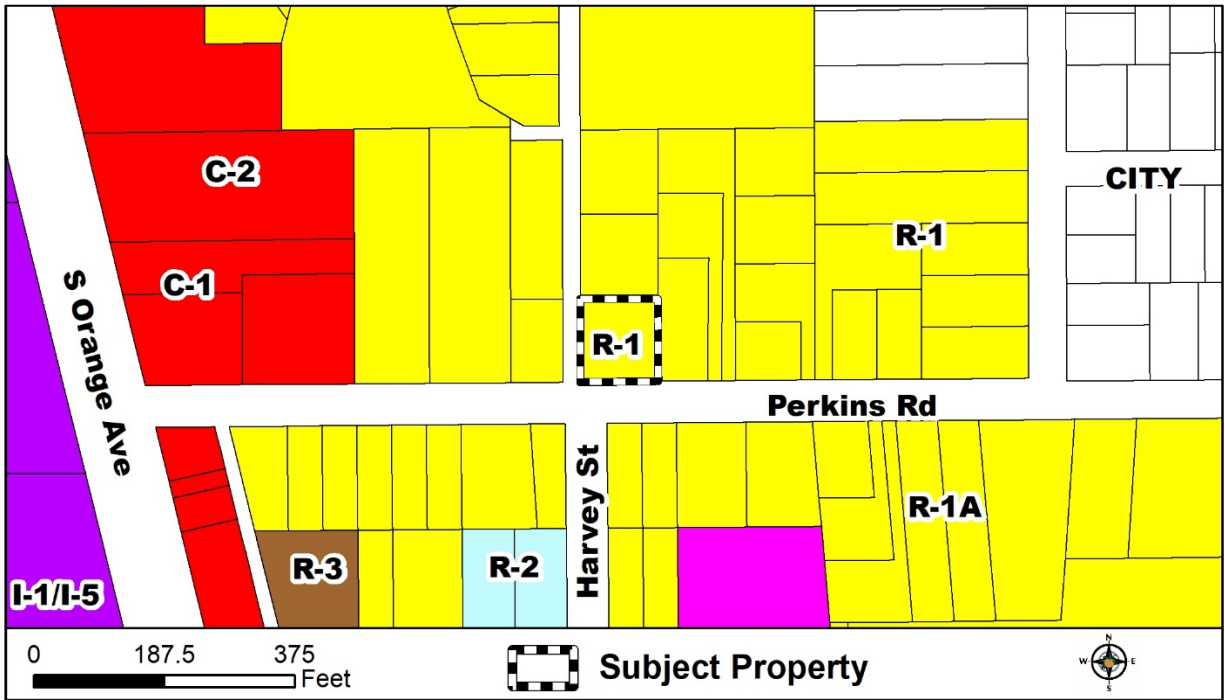
0 150 300
Feet

FUTURE LAND USE – CURRENT
Low-Medium Density Residential (LMDR)



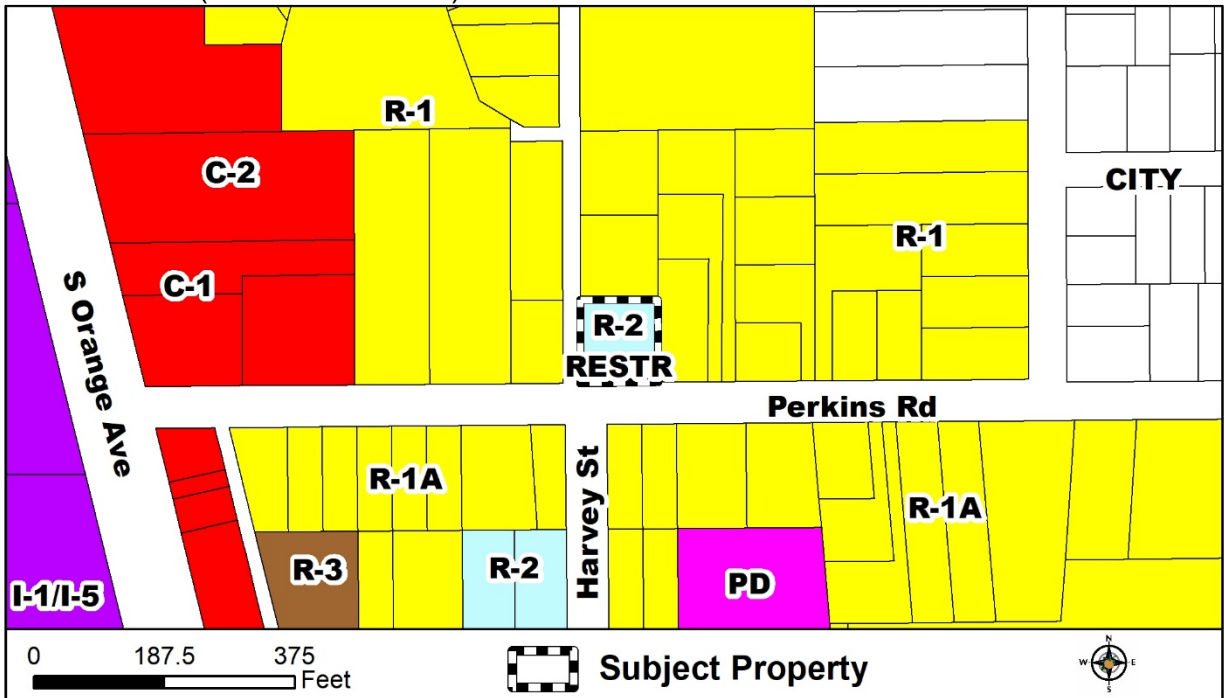
ZONING – CURRENT

R-1A (Single-Family Dwelling District)

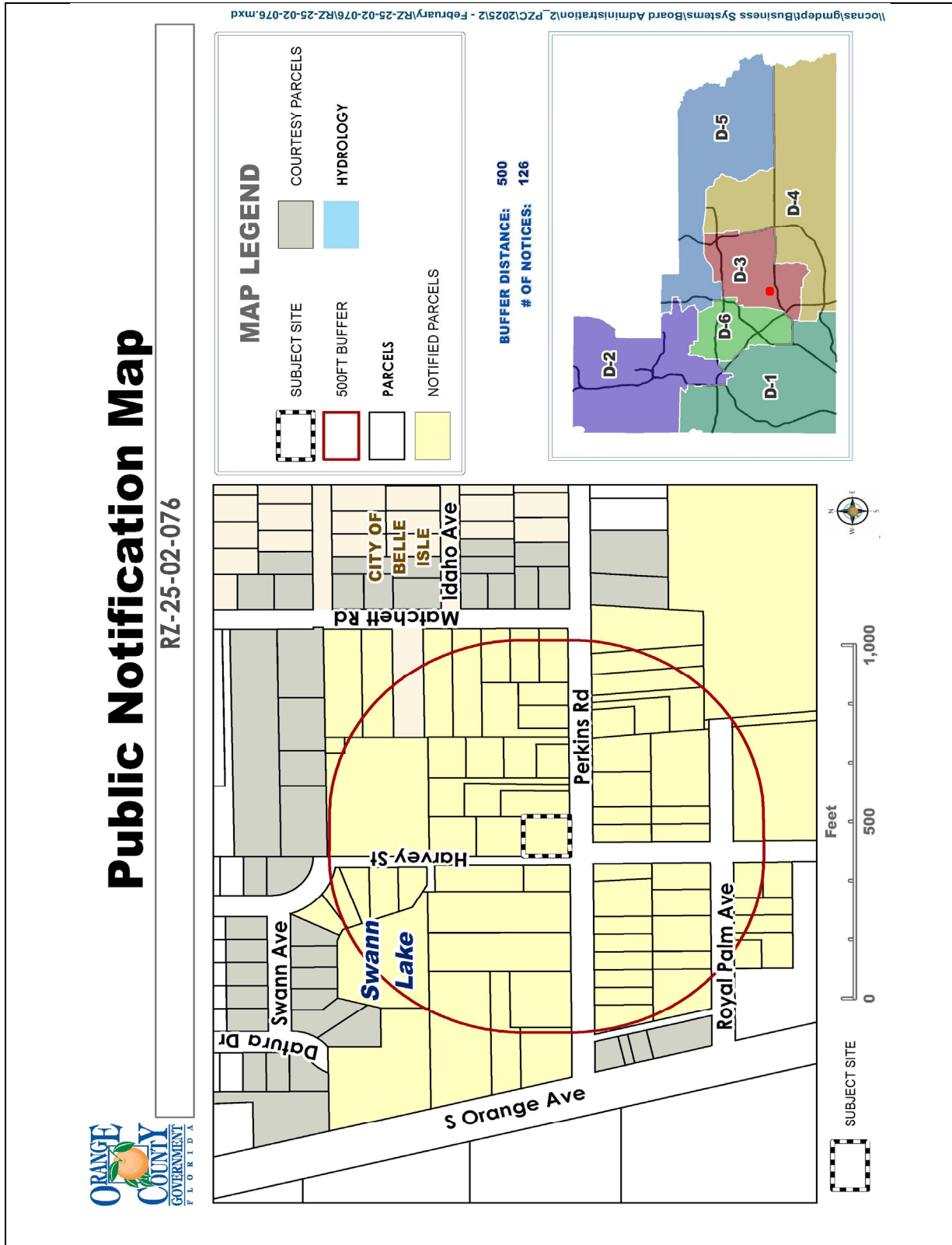


ZONING – PROPOSED

R-2 Restricted (Residential District)



NOTIFICATION MAP



Case Planner:
Adriana Caamano

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: March 20, 2025

CASE # RZ-25-02-078

Commission District: #2

GENERAL INFORMATION

| | |
|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| APPLICANT: | Greg Crawford |
| OWNER: | Christ Apostolic Church of Orlando, Inc. |
| HEARING TYPE: | Planning and Zoning Commission |
| REQUEST: | R-1 (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District) |
| LOCATION: | 7008 Forest City Rd; generally west of Forest City Rd, north of W. Kennedy Blvd and south of Riversid |
| PARCEL ID NUMBER: | 33-21-29-0000-00-026 |
| SIZE / ACREAGE: | 2.05-gross acres |
| PUBLIC NOTIFICATION: | The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred ninety-six (296) notices were mailed to those property owners in the surrounding area. |
| COMMUNITY MEETING: | An in-person community meeting was held on February 26, 2025, with no residents in attendance. |
| PROPOSED USE: | Religious use |

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) zoning, subject to the following restriction:

1. The use of the property shall be limited to religious institution and ancillary uses.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is currently developed with two structures. One was built in 1974 and another one in 1980. The current zoning is R-1 (Single-Family Dwelling District). Through this request the applicant is seeking to rezone the property to R-3 (Multiple-Family Dwelling District) to allow for a religious use by right. Religious uses in the R-1 district are only allowed by Special Exception.

The subject property was not plotted. In 2007, the Board of Zoning Adjustments (BZA) granted a special exception permitting a second modular unit to remain on the property for youth activities. Subsequently, in 2012, an additional special exception and a variance were approved to permit the construction of a two-story 17,002 sq. ft. religious use building (church) and to allow grass parking in lieu of paved parking. A total of eleven (11) conditions were imposed under the special exception. Notably, the following two conditions warrant attention:

1. Construction plans must be submitted within four years; otherwise, the approval becomes null and void; and
2. Development must adhere to the site plan dated June 15, 2012, and comply with all applicable regulations. Any deviations, modifications, or changes to the approved plan are subject to the Zoning Manager's approval. The Zoning Manager reserves the right to determine whether such changes require administrative approval or a review by the Board of Zoning Adjustments (BZA) through a public hearing.

The previously proposed 17,002-square-foot building was never constructed, as no plans were submitted for approval. Additionally, any modifications to the existing church structures would require approval from the zoning manager or a new special exception, which is a time-intensive process. To expedite development, the applicant has requested rezoning to R-3 (Multiple-Family Dwelling District), where Religious Institution uses are permitted by right. Currently, the church proposes constructing a new 2,400-square-foot building with a seating capacity of 50. As part of this development, an existing temporary building will be demolished.

The surrounding area consists of a mix of single-family and multifamily residential properties, along with commercial and office uses. The proposed restriction is proposed because the applicant does not intend to develop residential uses. As such, the applicant has not undergone a School Capacity Determination. Therefore, the proposed restriction would limit the use to just the religious institution and ancillary uses. If a future owner desires to construct residential uses, a rezoning would be required to remove the restriction and a School Capacity Determination would need to be completed.

Land Use Compatibility

The R-3 (Multiple-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

Rural Settlement

The subject property is not located in a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is not located in an Airport Noise Zone.

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is MDR (Medium Density Residential). The proposed R-3 (Multiple-Family Dwelling District) zoning is consistent with the MDR (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.

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 | Vacant Residential |
| Adjacent Zoning | N: R-3 (Multiple-Family Dwelling District) E: N/A W: R-1 (Single-Family Dwelling District) S: R-3 (Multiple-Family Dwelling District) R-2 (Residential District) C-1 (Retail Commercial District) |
| Adjacent Land Uses | N: Religious E: N/A W: Single-Family Residential S: Single-Family Residential |

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. |
| <i>Side:</i> | 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: | |
| <i>Front:</i> | 20 ft. |
| <i>Rear:</i> | 30 ft. |
| <i>Side:</i> | 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

Environmental

Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

Dust Control - No person shall cause, let, suffer, allow, or permit the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities, such as loading, unloading, storing, or handling; without taking reasonable precautions to prevent such emissions including but not limited to application of water, dust suppressants, planting of vegetation, point of activity controls (hoods, filters, etc.) and other measures. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 2 Rules, Section 89.1 Air Pollution Prohibited, Subsection B.

Demolition - 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 or AsbestosInquiriesOrangeCounty@ocfl.net. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1).

Wekiwa Priority Focus Area and BMAP Enhanced Septic/Sewer Requirement - This site is located within the Wekiwa/Rock Springs Basin Management Action Plan (BMAP) Area

and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended;
Within a BMAP Area, the installation of new onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within a BMAP Area where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required. Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

Wekiva Study Area - 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, but are not limited to: septic tank criteria, open space, stormwater treatment and wetlands/surface waters, and upland buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection

Existing Septic and Well - 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

Based on the Concurrency Management database (CMS) dated 12/20/2024, there is a failing roadway segment within the project's impact area along Kennedy Blvd / Lake Ave, from Forest City Rd to Keller Rd. This information is dated and subject to change. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office may be required, concurrency@ocfl.net.

The 2,000 SF development will generate only 1 AM and 1 PM Peak trips, an operational analysis is not required.

Schools

The applicant is proposing to utilize the property for non-residential purposes. Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

Parks and Recreation

Parks and Recreation staff reviewed the request and did not identify any issues or concerns.

Community Meeting Summary

A community meeting was held on February 26, 2025, with no residents in attendance.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Winter Park

Reclaim Water: Orange County Utilities

Detailed Utility Information:

This property is within the City of Winter Park Wastewater Service Area.

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

Development within this property will be required to connect to Orange County Utilities Water 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.

This site is located within an Orange County Priority Vulnerability Area (PVA). The PVA is identified as an area where groundwater quality is more vulnerable to nutrient pollutant discharges from conventional onsite sewage treatment and disposal systems (OSTDS). On November 19, 2024, the BCC approved changes to the septic tank and sewer connection policies. These policies are effective March 1, 2025:

1. Increased sewer connection requirements (Wekiwa PFA and Orange County PVAs) so that: Wastewater flows up to 2 equivalent residential units (ERUs) must connect to fronting gravity or force main. Wastewater flows greater than 2 ERUs have an increased pipeline extension criteria from 100 feet to 600 feet.
2. Enhanced septic systems (minimum 65% nitrogen reduction) are required where sewer is not available: For new systems on lots 1 acre in Orange County PVAs. For new systems with less than 150-foot setback to any waterbody countywide.

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 – March 20, 2025

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

1. The use of the property shall be limited to religious institution and ancillary 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 R-3 Restricted (Multiple-Family Dwelling District) zoning subject to (1) restriction. The applicant was present and agreed with the staff recommendation. One member of the public appeared during public comment of the request, without an objection to the request.

Staff indicated that 296 notices were sent to property owners and residents extending beyond 500 ft. surrounding the property, and that staff had received zero (0) responses in favor and zero (0) responses in opposition of the request.

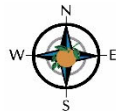
After a brief discussion regarding the rezoning request and proposed development, a motion was made by Commissioner Wiggins and seconded by Commissioner Fernandez to recommend Approval of R-3 Restricted (Multiple-Family Dwelling District) zoning subject to (1) restriction. The motion carried 6-0.

| | |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| Motion / Second | <i>George Wiggins / Michael Arrington</i> |
| Voting in Favor | <i>George Wiggins, Marjorie Holt, Eric Gray, Michael Arrington, Camille Evans, Nelson Pena, Evelyn Cardenas, Eddie Fernandez</i> |
| Voting in Opposition | <i>None</i> |
| Absent | <i>David Boers</i> |


RZ-25-02-078



 Subject Property

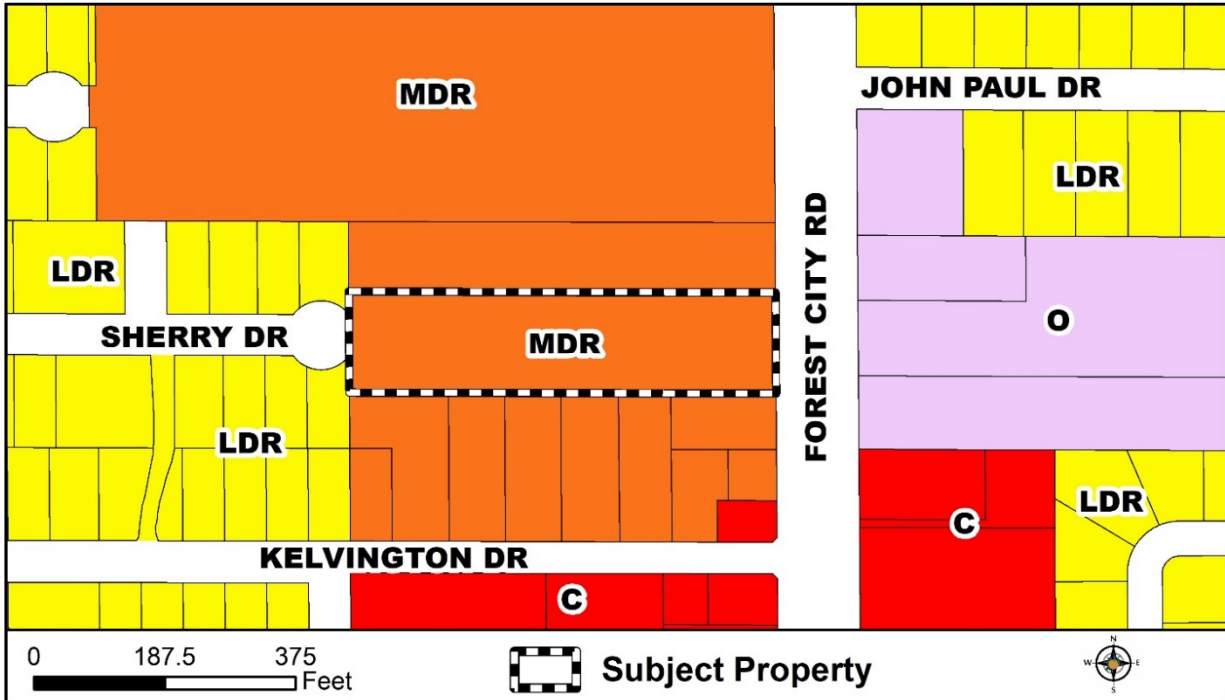


0 125 250 Feet



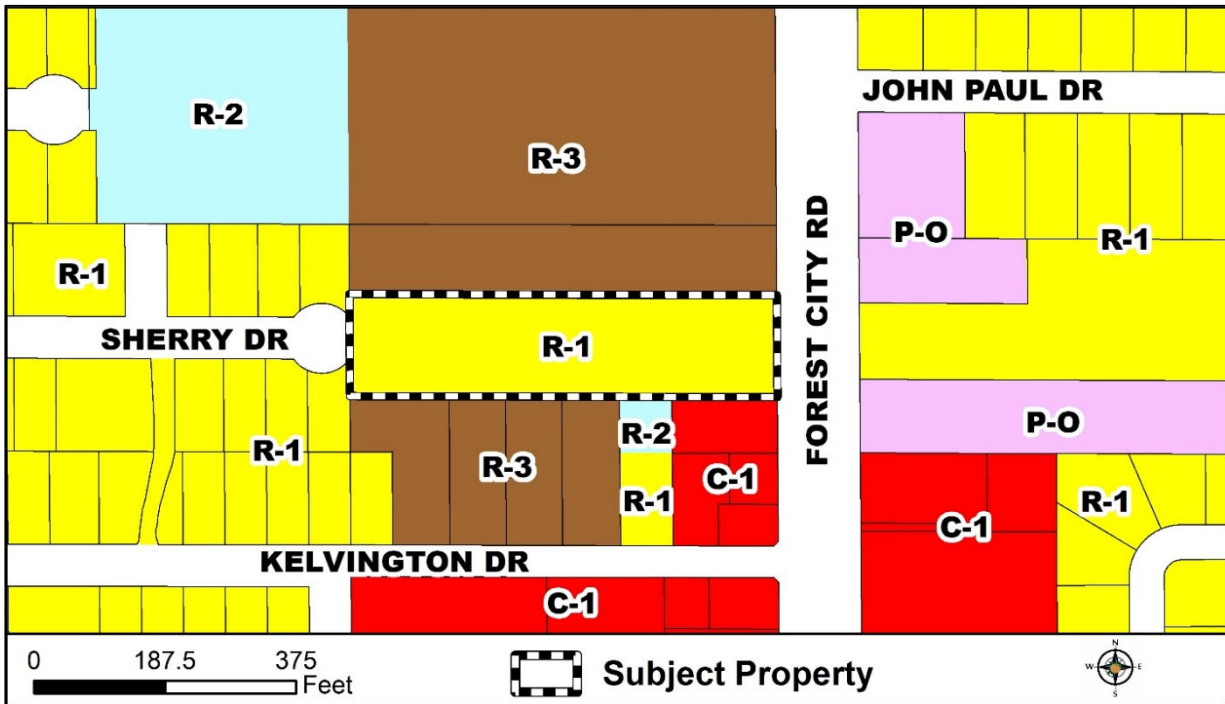
FUTURE LAND USE – CURRENT

MDR (Medium Density Residential)



ZONING – CURRENT

R-1 (Single-Family Dwelling District)



ZONING – PROPOSED

R-3 Restricted (Multiple-Family Dwelling District)

