

CASE # RZ-26-01-038

Commission District: 5

GENERAL INFORMATION

APPLICANT: Nghia Nguyen

OWNER: Ho Van Ho

HEARING TYPE: Planning and Zoning Commission

REQUEST: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) **to**
R-T-1 (Mobile Home Subdivision District)

LOCATION: 526 and 538 Shepard Road; generally located north of Mercury Road, east of Story Partin Road, west of S. County Road 13, and south of E. Colonial Drive.

PARCEL ID NUMBERS: 21-22-32-2337-01-530 and 21-22-32-2337-01-540

SIZE / ACREAGE: 0.62- gross acre

PUBLIC NOTIFICATION: The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One thousand eight hundred sixty four (1864) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: An in-person community meeting was held on January 08, 2026, and is summarized further in this report.

PROPOSED USE: Two (2) Mobile Homes (one on each lot)

STAFF RECOMMENDATION

PLANNING

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

SUBJECT PROPERTY ANALYSIS

Overview

The subject properties were platted in 1962 and zoned R-T-2 (Combination Mobile Home and Single-Family Dwelling District) in 1977 when the Town of Bithlo was dissolved and assigned Orange County zoning designations. There is currently a mobile home on each subject property, the owner has applied for demolition permits to remove the existing mobile homes. This property is within the Bithlo Rural Settlement.

Through this request, the applicant is seeking to rezone the subject property from R-T-2 (Combination Mobile Home and Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District) to develop 2 mobile homes, one on each property.

The R-T-2 zoning district requires a minimum lot area of 0.5 acres. Both subject properties are approximately 0.31 acres and are therefore considered substandard lots. Under the current zoning of R-T-2, a variance for the lot area is required to permit a mobile home, or the applicant could combine the properties to create one conforming lot, which would only allow for one mobile home. The applicant has chosen instead to rezone the properties.

The immediate area is developed with detached single-family homes, mobile homes, and warehouses. The surrounding properties are zoned R-T-2 (Combination Mobile Home and Single-Family Dwelling District), C-3 Restricted (Wholesale Commercial District), and A-2 (Farmland Rural District).

The proposed development is within the Orange County Water and Wastewater service area; wastewater service is considered unavailable; these properties will be reliant on septic. The availability and requirement to connect to the potable water system will be assessed during Final Engineering/Construction Plan Permitting.

Land Use Compatibility

The R-T-1 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 in the Bithlo 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 open cases.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is LDR (Low Density Residential). The proposed R-T-1 zoning is consistent with the LDR (Low Density Residential) FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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.

FLU8.2.2 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 Analysis:

| | Yes | No | Information |
|-------------------------------|-------------------------------------|-------------------------------------|--|
| Joint Planning Area (JPA) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Overlay District | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Airport Noise Zone | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Code Enforcement | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Rural Settlement* | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Located in the Bithlo Rural Settlement |
| Rural Service Area* | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| Urban Service Area expansion* | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

****Requires a Fiscal Sustainability Analysis addendum per FLU1.2.8***

SITE DATA

| | |
|---------------------------|--|
| Existing Use | Mobile Home |
| Adjacent Zoning | N: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1977 E: A-2 (Farmland Rural District) 1977 W: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1977 S: R-T-2 (Combination Mobile Home and Single-Family Dwelling District) 1977 |
| Adjacent Land Uses | N: Manufactured Home E: Detached Single-Family W: Manufactured Home S: Manufactured Home |

R-T-1 Development Standards

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

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

Intent, Purpose, and Uses

The R-T-1 (Mobile Home Subdivision District) zoning district is composed of lands and structures where it is desirable to attain a low-medium density residential area consisting of mobile homes and single-family dwellings on single lots under individual ownership.

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

SPECIAL INFORMATION

Staff Comments

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.

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

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.

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.

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).

Transportation / Access

The proposed use to develop 2 mobile homes 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. Please contact the Concurrency Management Office at concurrency@ocfl.net or 407-836-6110 for more information.

Schools

Two 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 was held on January 22, 2026, at East River High School. Five residents were in attendance. The concerns expressed at the meeting related to property values and compatibility of the proposed zoning district.

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.

Potable Water: The availability and requirement to connect to the potable water system will be assessed during Final Engineering/Construction Plan Permitting.

Wastewater: Wastewater is considered not available. Development on this property will be reliant on septic tanks for wastewater disposal.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – February 19, 2026

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District) zoning. The applicant was present for the hearing and agreed with staff's recommendation. No speakers were present during the public comment portion.

Staff indicated that one thousand eight hundred and sixty-four (1,864) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received two (2) responses in favor and three (3) responses in opposition to the request. The main concerns shared were that the lots were too small to have a mobile home, and concerns that this was a proposal for a mobile home park.

Discussion began with Commissioner Holt clarifying the request and the uses of the adjacent properties. She also inquired about the existing septic system. The applicant explained they would not be replacing the existing septic system at this time. Commissioner Gray asked about the location of the subject property and the concentration of mobile homes in Rural Settlements. Staff explained this property is within the Bithlo Rural Settlement and mobile homes are common in the surrounding area. Assistant County Attorney, Desmond Morell, explained the use of the Fiscal Tool, which is to be used for informational purposes. Commissioner Holt inquired about the foundation of the manufactured homes, the applicant explained that he is planning on using compacted sand instead of laying a concrete slab.

A motion was made by Commissioner Holt and seconded by Commissioner Arrington to recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District) zoning. The motion carried on a 7-0 vote.

Motion / Second

Marjorie Holt / Michael Arrington

Voting in Favor

Marjorie Holt, Michael Arrington, Eric Gray, Giancarlo Rodriguez, Jorge L Berrios Trinidad, George Wiggins, and Camille Evans

Voting in Opposition

None

Absent

David Boers and Eddie Fernandez

RZ-26-01-038



 Subject Property

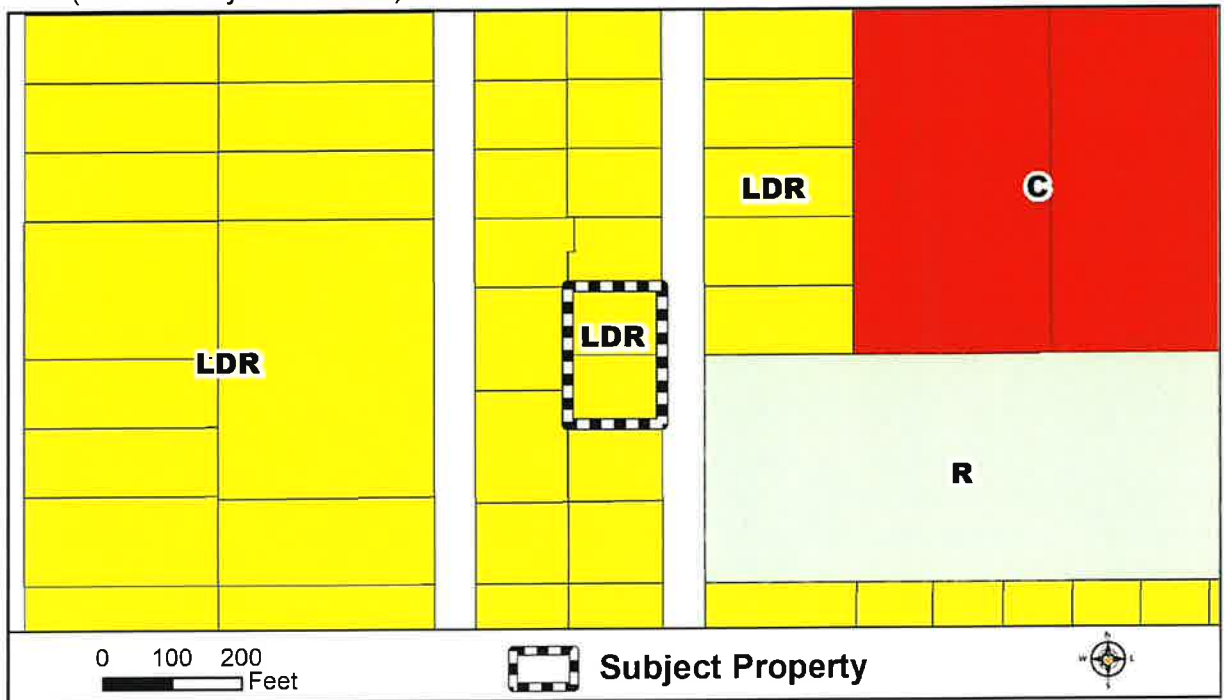


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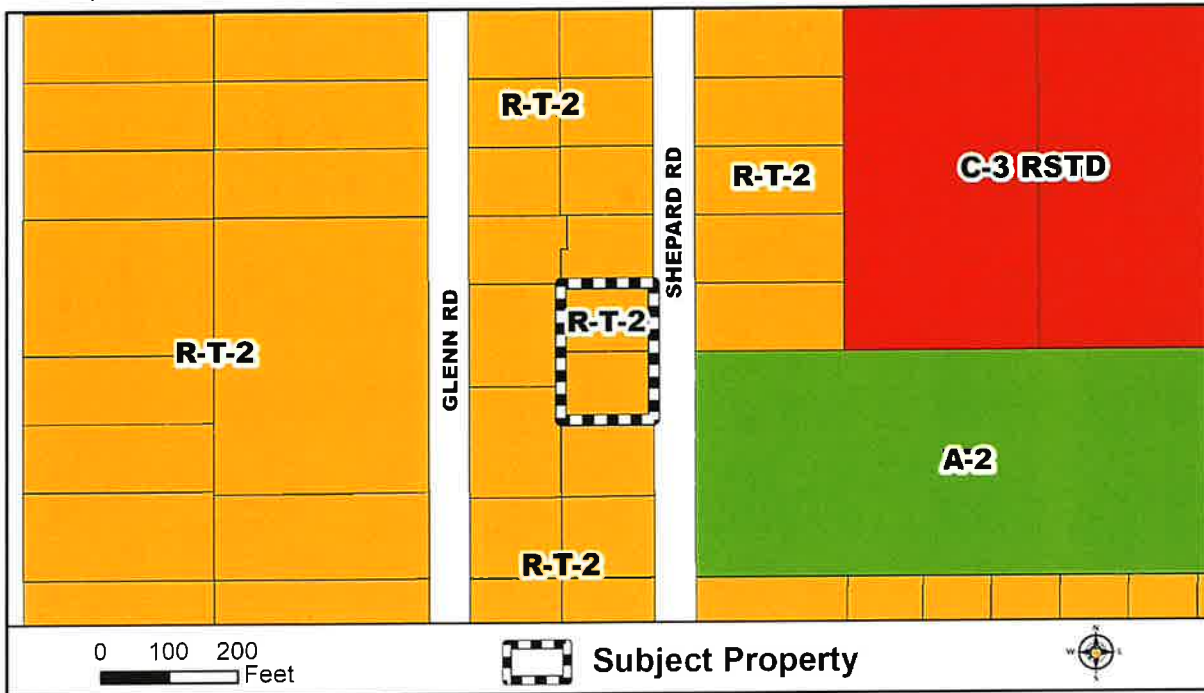
FUTURE LAND USE – CURRENT

LDR (Low Density Residential)



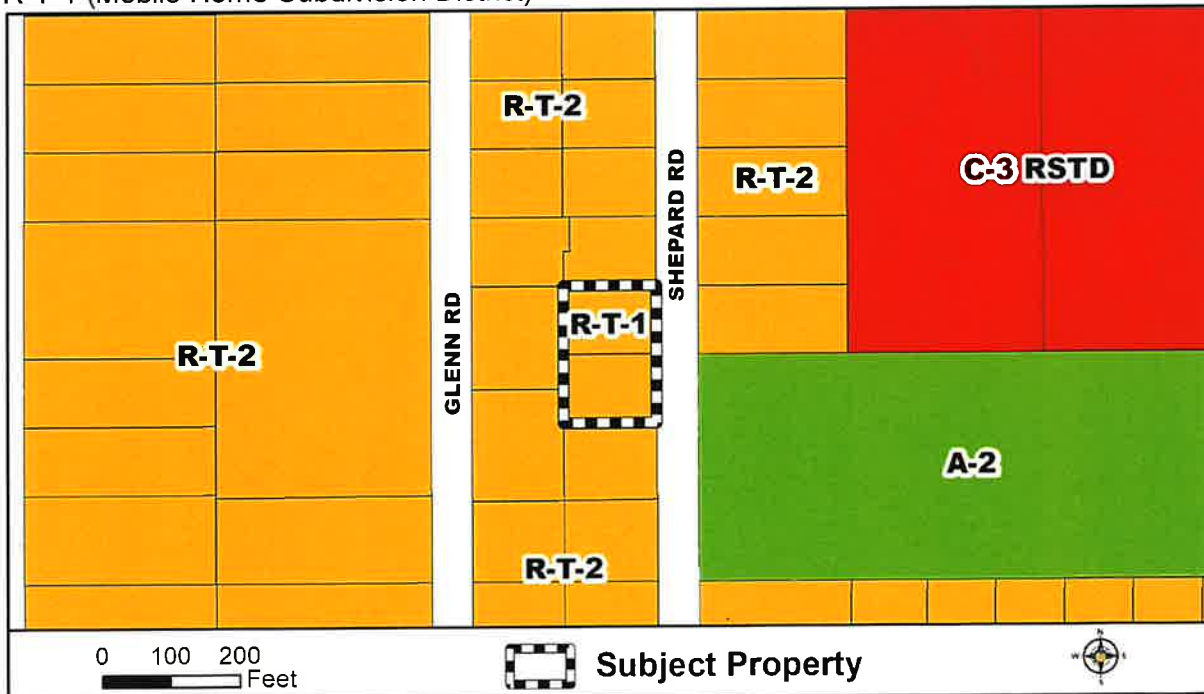
ZONING – CURRENT

R-T-2 (Combination Mobile Home and Single-Family Dwelling District)



ZONING – PROPOSED

R-T-1 (Mobile Home Subdivision District)



Site Details

Name: 526 and 538 Shepard Road
 Rezoning
Case #: RZ-26-01-038
Addresses: 526 SHEPARD RD, 538 SHEPARD RD

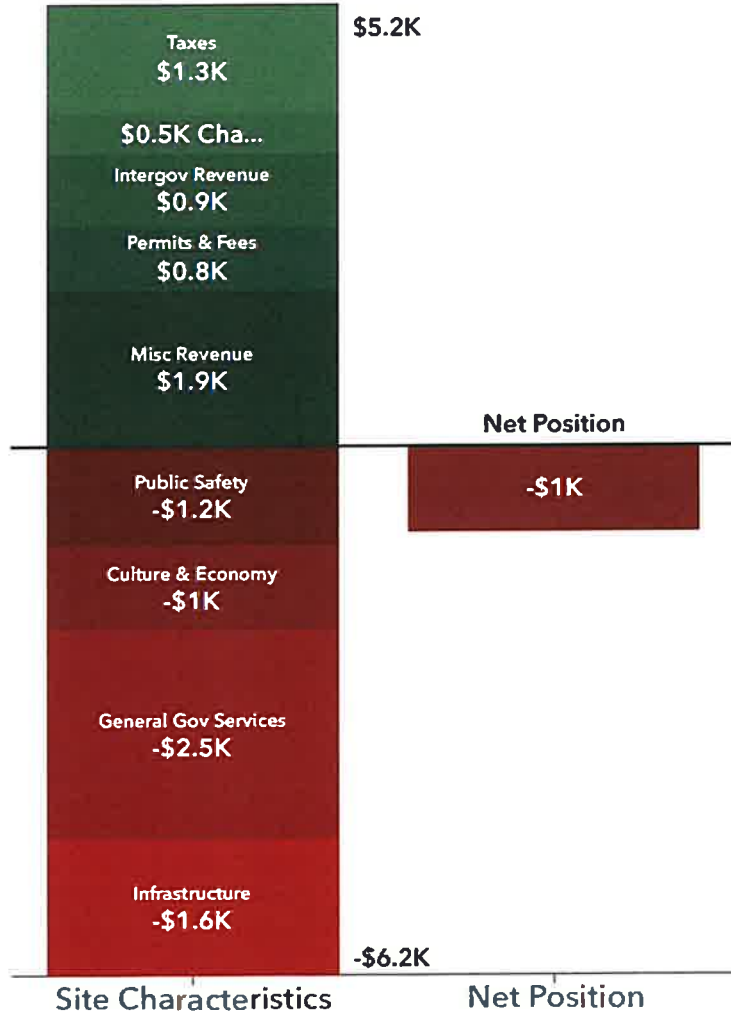
Proposal Details

Acres: 0.62
Single Family Units: 2
Value Per SF: \$88.41

Totals

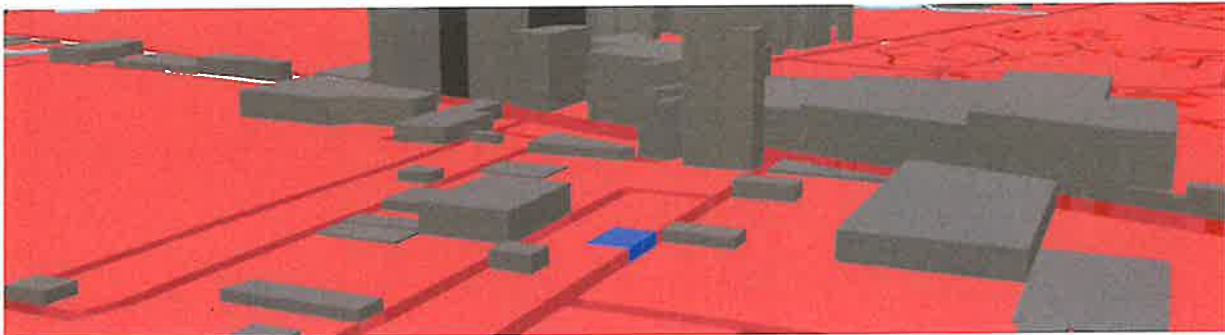
Per Acre Revenue: \$8.4K
Per Acre Cost: \$10K
Annual Net Fiscal Impact: -\$1K
Annual Impact per Acre: -\$1.6K

Annual Fiscal Impact
 Proposal Annual Estimate



| Revenues | | Costs | |
|---------------------------|--------------|--------|-----------------------------|
| Property Tax | \$1.3K | \$1.2K | Public Safety |
| Sales Tax | \$0K | \$1K | Culture & Economy |
| Charges for Service | \$0.5K | \$2.5K | General Government Services |
| Intergovernmental Revenue | \$0.9K | \$1.2K | Road Costs |
| Permits & Fees | \$0.8K | \$0.1K | Stormwater Costs |
| Misc Revenue | \$1.9K | \$0.3K | Water & Sewer Costs |
| | -\$1K | | Net Fiscal Position |

Net Revenue Impact per Acre by Parcel



Key:

- Net Negative
- Net Positive
- Subject Property

Revenue and Cost per Acre Summary:

The fiscal tool estimates that a development program of two mobile homes at 526 and 538 Shepard Road will result in a negative annual net fiscal impact of \$1,000 each year than the County receives in revenues from these properties. This projection is consistent with much of the low-density residential development in the surrounding area and throughout the county. Commercial development along E. Colonial Drive and the denser mobile home park on Glenn Road are nearby examples of parcels with positive net fiscal positions that may fiscally balance out this neighborhood.

Assumptions:

The square footage of the proposed mobile homes was assumed to be 750 square feet for the tool's calculations.

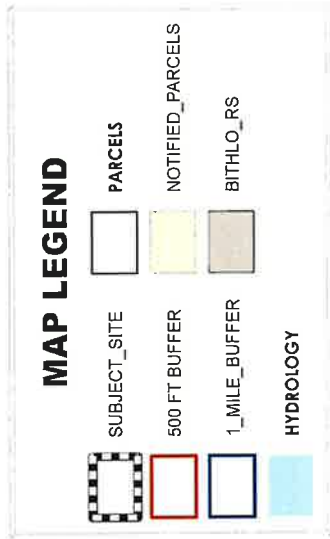
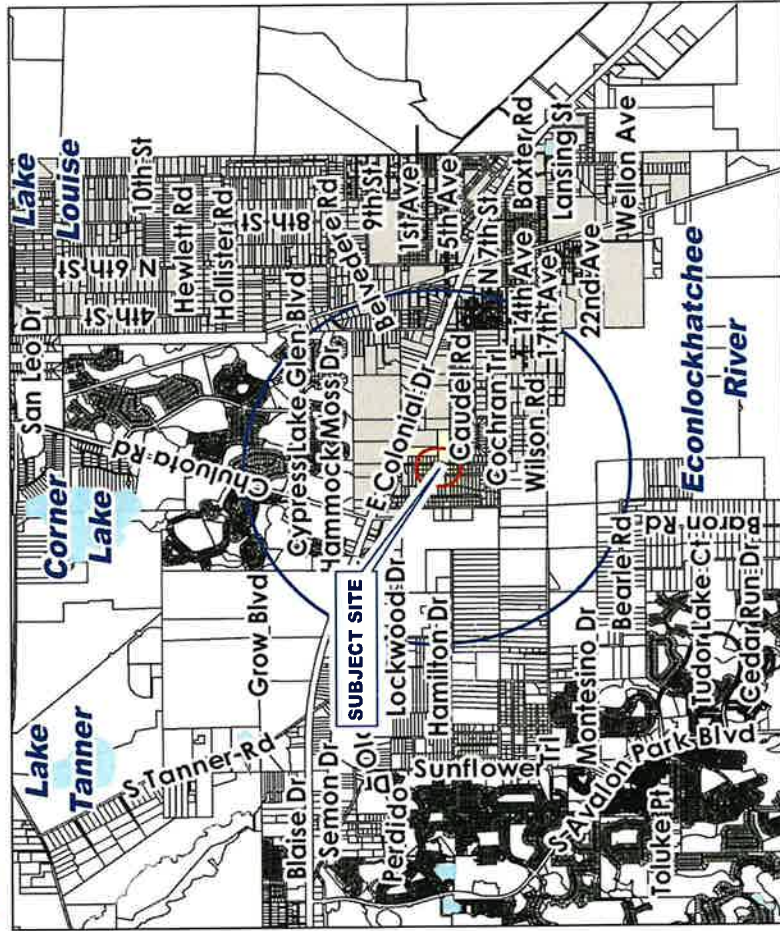
Disclaimer:

A Fiscal Sustainability Analysis is required per Comprehensive Plan Policy FLU 1.2.8 and Section 507 of the Orange County Charter if a development proposes an expansion of the Urban Service Area or if it is located in a Rural Settlement or the Rural Service Area. If required, this analysis estimates the revenues Orange County will receive from the proposed development via property tax, sales tax, and other sources, and compares it to the costs the County will incur from infrastructure, public safety, and other expenditures. This analysis is based on limited information and assumptions regarding the future development program, and does not factor in the social value of other public objectives, such as housing affordability or environmental protection.

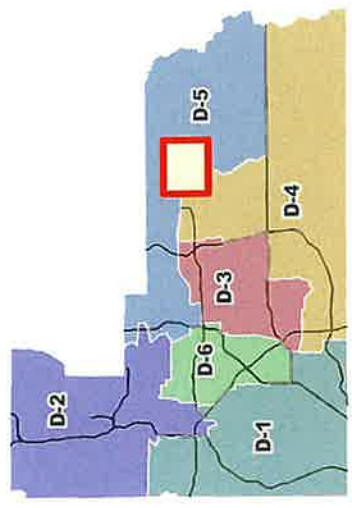
NOTIFICATION MAP

Public Notification Map

RZ-26-01-038



BUFFER DISTANCE: 500
 # OF NOTICES: 1,864



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