

**CASE # RZ-26-01-035**

Commission District: #2

**GENERAL INFORMATION**

**APPLICANT:** Dustin Culver, Culver Engineering, LLC

**OWNER:** Thompson Road Oasis, LLC

**HEARING TYPE:** Planning and Zoning Commission Recommendation / Board called rezoning

**REQUEST:** **R-1A Restricted** (Single-Family Dwelling District) **to**  
**R-1A Restricted** (Single-Family Dwelling District)

**LOCATION:** 849 N. Thompson Rd; generally located on the east side of N. Thompson Road, approximately 460 feet north of E. Sandpiper Street, south of E. Welch Rd, and north of E. Votaw Road.

**PARCEL ID NUMBER:** 02-21-28-0000-00-048

**SIZE / ACREAGE:** 4.57 gross acres

**PUBLIC NOTIFICATION:** The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred fifty-one (251) notices were mailed to those property owners in the surrounding area.

**COMMUNITY MEETING:** An in-person community meeting was held on January 08, 2026. A summary is provided further in this report.

**PROPOSED USE:** Twelve (12) Single-Family Dwelling Units

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A Restricted zoning, subject to the following restriction:**

1. The subject property shall be limited to twelve (12) single-family dwellings.

**In addition, recommend APPROVAL of the following variances from Orange County Code Sec. 38-1501:**

1. A minimum lot width of 62.5-feet in lieu of 75 feet.
2. A minimum lot size of 6,749 square feet in lieu of 7,500 square feet.

## **SUBJECT PROPERTY ANALYSIS**

### **Overview**

Through this request the applicant is seeking to rezone the subject property to R-1A Restricted (Single-Family Dwelling District) to amend a restriction from 2005 that limits development on the property to a maximum of 10 dwelling units in order to develop 12 detached single-family homes. The applicant is requesting two variances from Orange County Code Sec. 38-1501:

1. A minimum lot width of 62.5-feet in lieu of 75 feet.
2. A minimum lot size of 6,749 square feet in lieu of 7,500 square feet.

At the time of 2005 rezoning, the County had not yet implemented Wekiva Study Area policies, which require, among other standards, that a minimum of 35% contiguous, undisturbed open space be provided for residential development of fewer than 100 acres within the Urban Service Area and not in Rural Settlements. Per Comprehensive Plan Policy OS1.3.4(A), Clustering of dwelling units within the Wekiva Study Area is encouraged to preserve the maximum amount of open space. Smaller lots are encouraged as part of clustering strategies.

Previously there was an application for this property in February 2025, to rezone to R-1 Restricted (Single-Family Dwelling District) to develop 12 single-family homes with a proposed restriction to cap the permitted number of units at 12. The Planning and Zoning Commission recommended approval of this request, but it was withdrawn before being scheduled to go before the Board of County Commissioners by the applicant. The R-1 zoning would have allowed lots 50 feet wide and 5,000 s.f. in size.

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

### **Land Use Compatibility**

The R-1A Restricted zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

### **Site Analysis**

#### **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 located within the Wekiva Study Area.

#### **Airport Noise Zone**

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



|                           |    |                                             |
|---------------------------|----|---------------------------------------------|
|                           | W: | A-1 (Citrus Rural District) 1957            |
|                           | S: | R-1A (Single-Family Dwelling District) 2000 |
| <b>Adjacent Land Uses</b> | N: | Detached Single-Family                      |
|                           | E: | Detached Single-Family                      |
|                           | W: | Detached Single-Family                      |
|                           | S: | Detached Single-Family                      |

**R-1A Development Standards**

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

**Building Setbacks**

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

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

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

**SPECIAL INFORMATION**

**Staff Comments**

**Environmental**

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.

Enhanced Septic Requirement Not Applicable - This site is located within the Wekiwa/Rock Springs and Wekiva River Basin Management Action Plan (BMAP) Areas. Installation of enhanced nutrient-reducing OSTDS is not applicable to this request since development within this property is required to connect to the Orange County Utilities wastewater system.

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).

**Proximity to Managed Public Lands** - This site is located within a mile from the Wekiva Springs State Park and Wekiva River Conservation Area managed by the Florida Department of Environmental Protection and St. Johns River Water Management District. The nearby property may require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices may include, but not limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.

**Transportation / Access**

Prior to any building permit approval, a Concurrency Application through the Concurrency Management Office is required. NOTE: Should this project be located near failing roadways then a traffic study will be required via a Capacity Encumbrance Letter (CEL) application. Please contact the Concurrency Management Office at [concurrency@ocfl.net](mailto:concurrency@ocfl.net) or 407-836-6110 for more information.

**Schools**

The property is vested for five homes. Seven additional 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 8, 2026, at Clay Springs Elementary School with 2 residents in attendance. The residents expressed concerns about the proposed lot width variance, stating that smaller lot widths are incompatible with the surrounding area. They also expressed concerns about the neighboring subdivision potentially backing up to the access road for this development.

**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 – January 15, 2026**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A Restricted (Single-Family Dwelling District) zoning, subject to the following restriction:**

1. The subject property shall be limited to twelve (12) single-family dwellings.

**In addition, recommend APPROVAL of the following variances from Orange County Code Sec. 38-1501:**

1. A minimum lot width of 62.5-feet in lieu of 75 feet.
2. A minimum lot size of 6,749 square feet in lieu of 7,500 square feet.

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

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A Restricted (Single-Family Dwelling District) zoning subject to one (1) restriction and APPROVAL of two variances from Orange County Code Sec. 38-1501 relating to lot width and lot area. 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 two hundred and fifty-one (251) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in favor and six (6) responses in opposition to the request. The main concerns shared were the lack of infrastructure, property values, incompatible lot sizes, and a desire to keep the existing restriction of 10 homes.

Discussion began with Commissioner Wiggins asking about the justification for the lot width variance. Staff explained Comprehensive Plan Policy OS1.3.4 promotes the clustering of lots, including adjusting lot sizes as needed, to preserve open space within the Wekiva Study Area. Staff also clarified that dry stormwater ponds are permitted in the required Wekiva open space, but the intent of this policy is to preserve as much undisturbed open space as possible.

A motion was made by Commissioner Wiggins and seconded by Commissioner Boers to recommend APPROVAL of the requested R-1A Restricted (Single-Family Dwelling District) zoning subject to one (1) restriction and APPROVAL of two (2) variances from Orange County Code Sec. 38-1501. The motion carried on a 8-0 vote.

**Motion / Second**

*George Wiggins / David Boers*

**Voting in Favor**

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

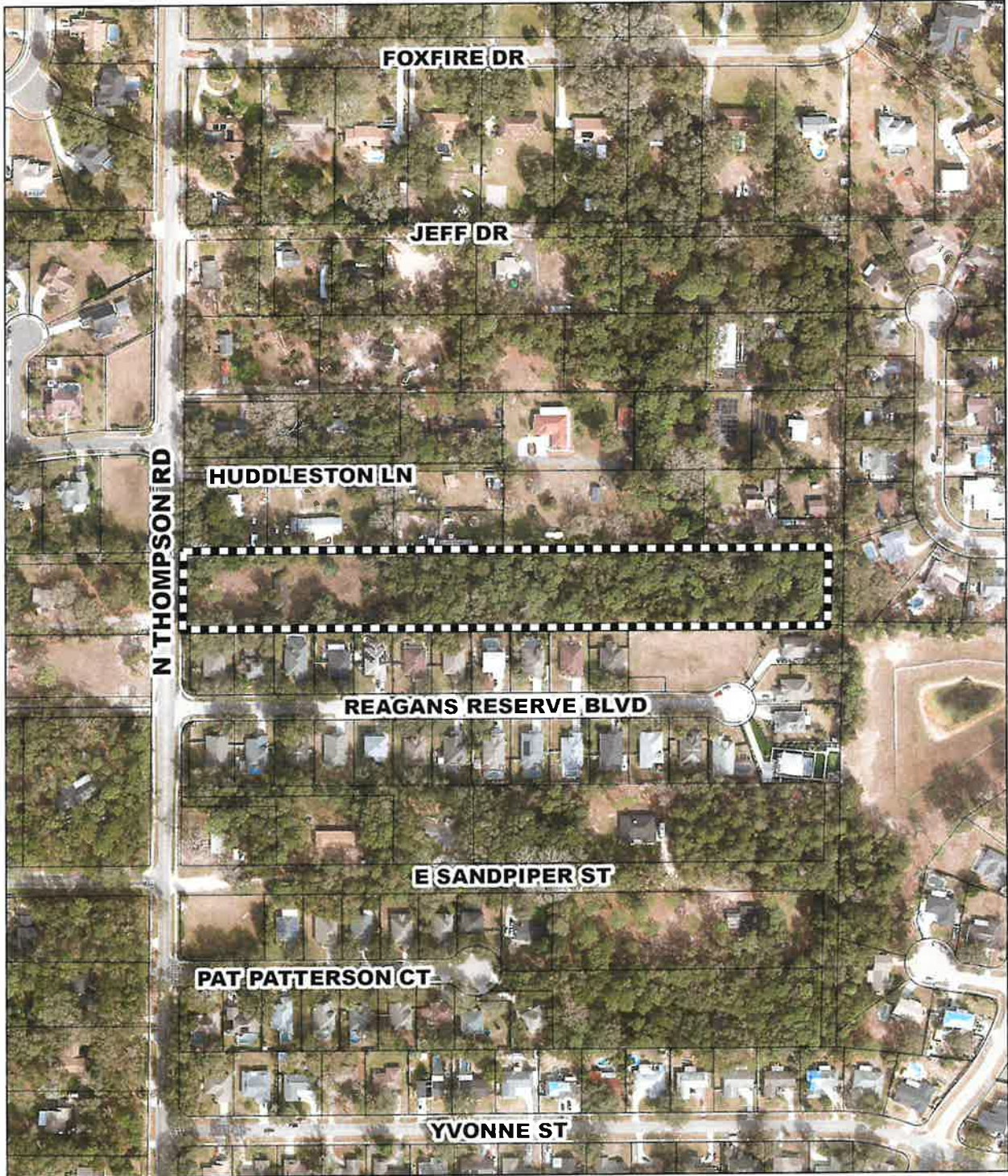
**Voting in Opposition**

*None*

**Absent**

*Eddie Fernandez*

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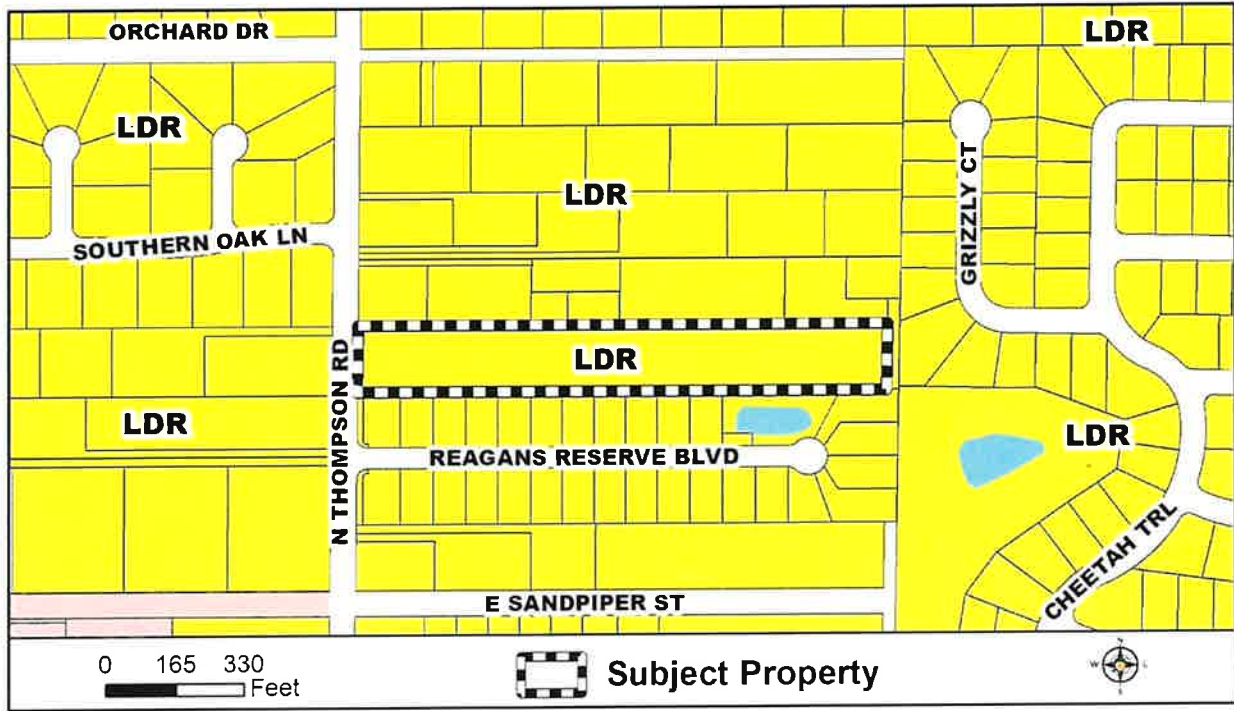


 Subject Property



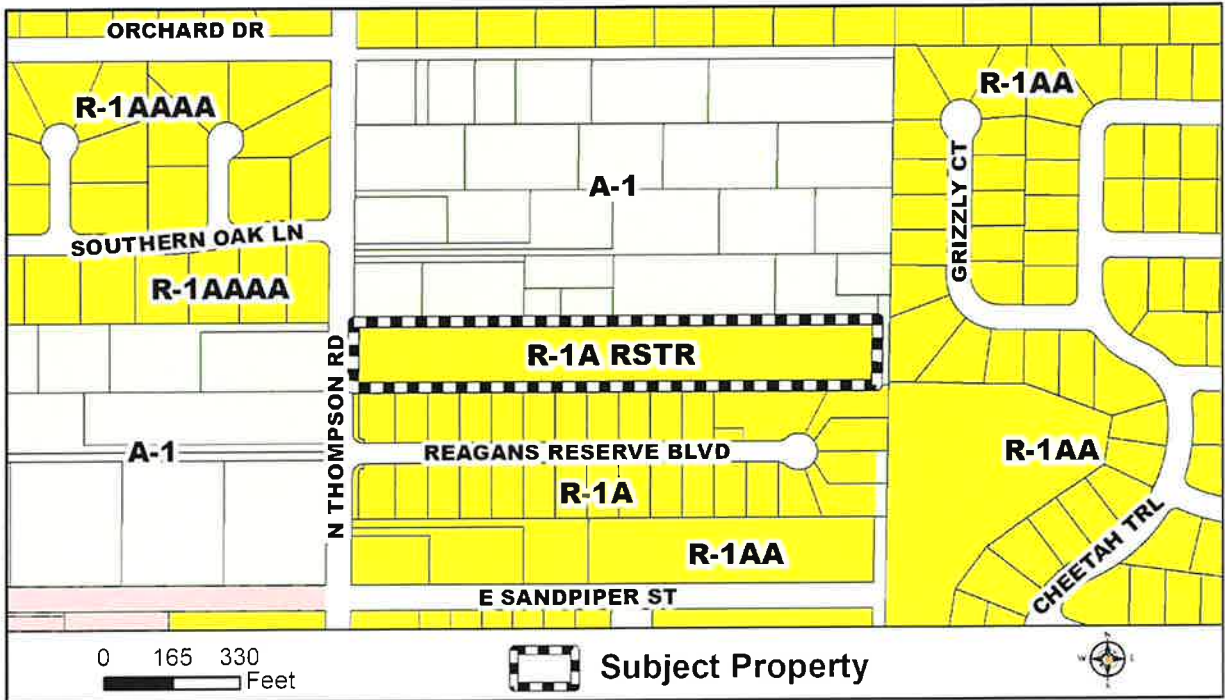
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Feet

**FUTURE LAND USE – CURRENT**  
Low Density Residential (LDR)



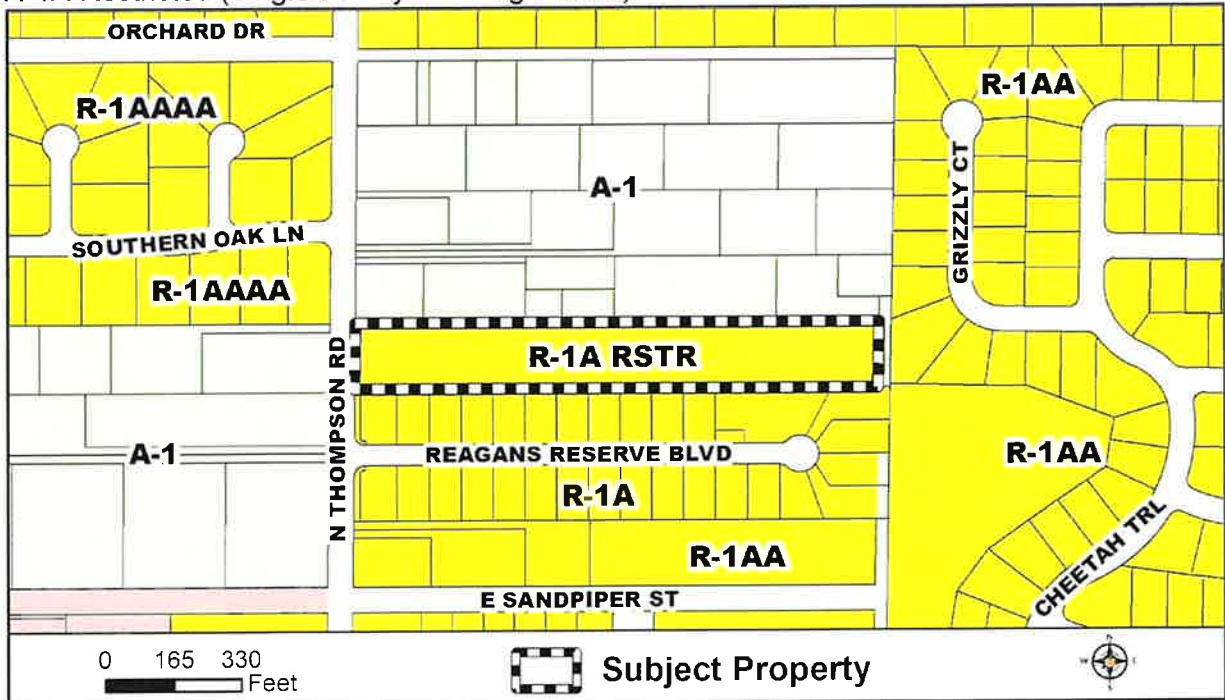
**ZONING – CURRENT**

R-1A Restricted (Single-Family Dwelling District)



**ZONING – PROPOSED**

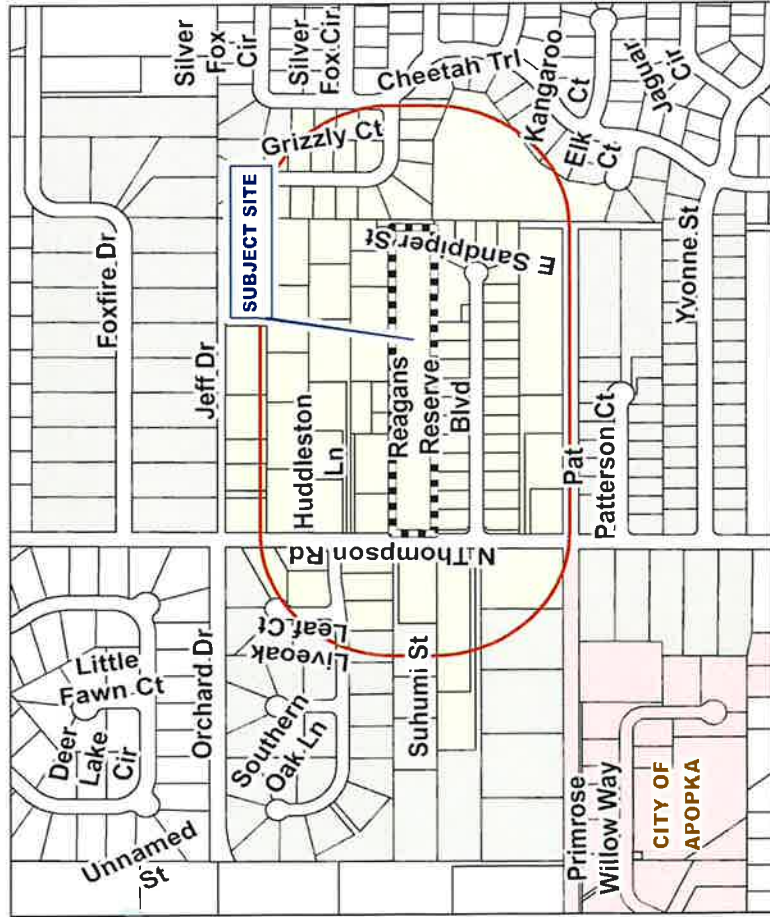
R-1A Restricted (Single-Family Dwelling District)



**NOTIFICATION MAP**

**Public Notification Map**







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0 950 1,900  
 Feet



**MAP LEGEND**

-  SUBJECT\_SITE
-  500 FT BUFFER
-  HYDROLOGY
-  PARCELS
-  COURTESY PARCELS
-  NOTIFIED PARCELS

BUFFER DISTANCE: 500  
 # OF NOTICES: 251



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