



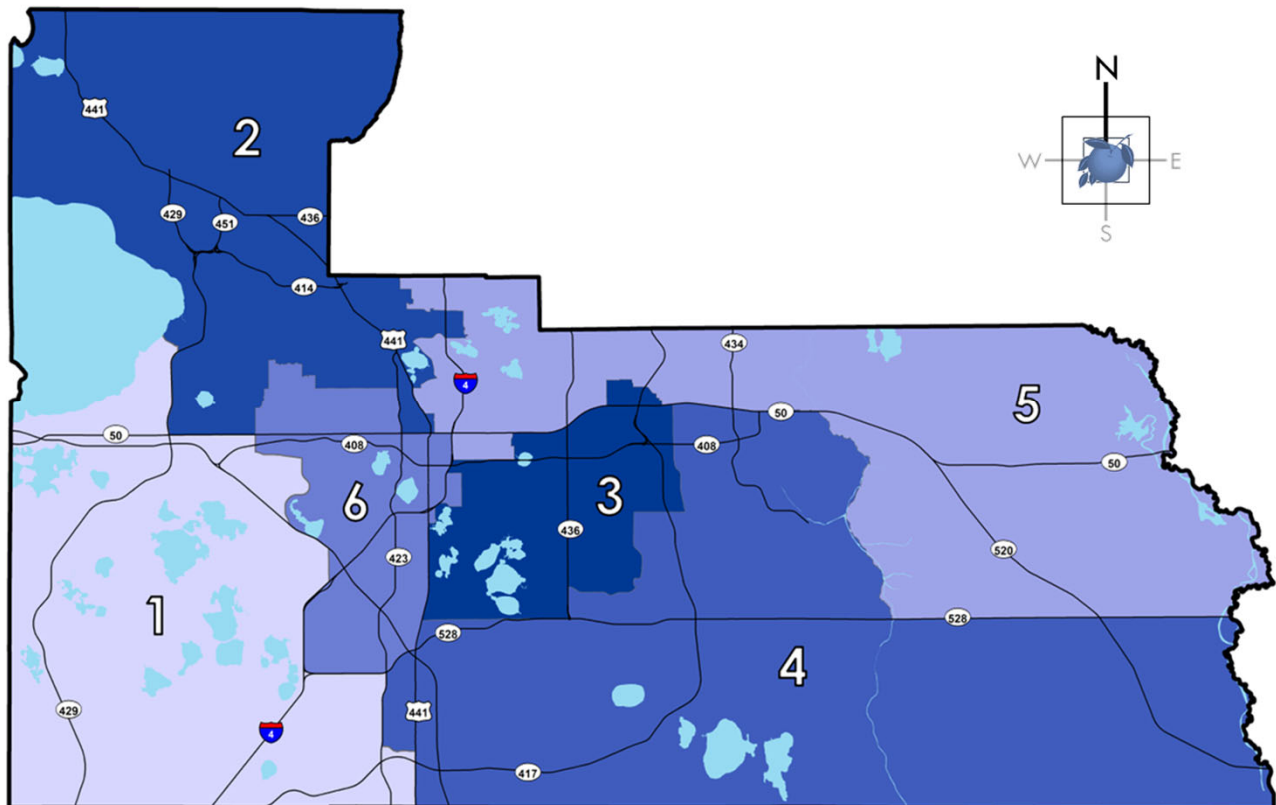
PLANNING AND ZONING COMMISSION

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LOCAL PLANNING AGENCY

# REZONING RECOMMENDATIONS

DECEMBER 19, 2024



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

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



David Boers	District #1
George Wiggins	District #2
Eddie Fernandez	District #3
Eric Gray	District #4
J. Gordon Spears Vice Chairperson	District #5
Camille Evans	District #6
Michael Arrington	At Large
Evelyn Cardenas	At Large
Nelson Pena Chairman	At Large



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**December 19, 2024**

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# **TABLE OF HEARINGS**

## **Planning and Zoning Commission**

### **December 19, 2024**

<b><u>Case #</u> <u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Commission</u> <u>District</u></b>	<b><u>Recommendations</u> <u>Staff</u></b>	<b><u>PZC</u></b>	<b><u>BCC Hearing</u> <u>Required</u></b>
<b>I. Conventional Rezoning Hearing</b>					
RZ-23-09-080 Daniel Oliveria	A-1 <b>to</b> R-1AAA	6	Approval	Postponed	No
RZ-24-12-056 Lucille Ghioto	R-1A <b>to</b> NR	6	Approval	Approval	No

# SITE & BUILDING REQUIREMENTS

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

District	Min. Lot Area <sup>M</sup> (sq. ft.)	Min. Living Area/ floor area (sq. ft.)	Min. Lot width (ft.)	<sup>A</sup> Min. Front yard (ft.)	<sup>A</sup> Min. Rear yard (ft.)	<sup>A</sup> Min. Side yard (ft.)	<sup>A</sup> 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 <sup>A</sup>	L	
	Mobile home 2 acres	850	100	35	50	10	15	35	50 <sup>A</sup>	L	
A-2	SFR 21,780 (½ acre)	850	100	35	50	10	15	35	50 <sup>A</sup>	L	
	Mobile home 2 acres	850	100	35	50	10	15	35	50 <sup>A</sup>	L	
A-R	108,900 (2½ acres)	950	270	35	50	25	15	35	50 <sup>A</sup>	L	
R-CE	43,560 (1 acre)	1,500	130	35	50	10	15	35	50 <sup>A</sup>	L	
R-CE-2	2 acres	1,200	185	45	50	30	15	35	50 <sup>A</sup>	L	
R-CE-5	5 acres	1,200	250	50	50	45	15	35	50 <sup>A</sup>	L	
R-1AAAA	21,780(½ acre)	1,500	110	30	35	10	15	35	50 <sup>A</sup>	L	
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	15	35	50 <sup>A</sup>	L	
R-1AA	10,000	1,200	85	25/30 <sup>H</sup>	30/35 <sup>H</sup>	7.5	15	35	50 <sup>A</sup>	L	
R-1A	7,500	1,200	75	20/25 <sup>H</sup>	25/30 <sup>H</sup>	7.5	15	35	50 <sup>A</sup>	L	
R-1	5,000	1,000	50	20/25 <sup>H</sup>	20/25 <sup>H</sup>	5/6 <sup>H</sup>	15	35	50 <sup>A</sup>	L	
R-2	One-family dwelling, 4,500	1,000	45 <sup>C</sup>	20/25 <sup>H</sup>	20/25 <sup>H</sup>	5/6 <sup>H</sup>	15	35	50 <sup>A</sup>	L	38-456
	Two dwelling units, 8,000/9,000	500/1,000 per dwelling unit <sup>D</sup>	80/90 <sup>D</sup>	20/25 <sup>H</sup>	25	5/6 <sup>H</sup>	15	35	50 <sup>A</sup>	L	38-456
	Three dwelling units, 11,250	500 per dwelling unit	85 <sup>J</sup>	20/25 <sup>H</sup>	30	10	15	35 <sup>E</sup>	50 <sup>A</sup>	L	38-456
	Four or more dwelling units, 15,000	500 per dwelling unit	85 <sup>J</sup>	20/25 <sup>H</sup>	30	10 <sup>B</sup>	15	35 <sup>E</sup>	50 <sup>A</sup>	L	38-456; limited to 4 units per building
R-3	One-family dwelling, 4,500	1,000	45 <sup>C</sup>	20/25 <sup>H</sup>	20/25 <sup>H</sup>	5	15	35	50 <sup>A</sup>	L	38-481
	Two dwelling units, 8,000/9,000	500/1,000 per dwelling unit <sup>D</sup>	80/90 <sup>D</sup>	20/25 <sup>H</sup>	20/25 <sup>H</sup>	5/6 <sup>H</sup>	15	35	50 <sup>A</sup>	L	38-481
	Three dwelling units, 11,250	500 per dwelling unit	85 <sup>J</sup>	20/25 <sup>H</sup>	30	10	15	35 <sup>E</sup>	50 <sup>A</sup>	L	38-481
	Four or more dwelling units, 15,000	500 per dwelling unit	85 <sup>J</sup>	20/25 <sup>H</sup>	30	10 <sup>B</sup>	15	35 <sup>E</sup>	50 <sup>A</sup>	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 <sup>S</sup>	15	35 <sup>Q</sup>	50 <sup>A</sup>	L	38-605
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 <sup>A</sup>	L	38-578
R-T-1 SFR	4,500 <sup>C</sup>	1,000	45	20	20	5	15	35	50 <sup>A</sup>	L	

District	Min. Lot Area <sup>M</sup> (sq. ft.)	Min. Living Area/ floor area (sq. ft.)	Min. Lot width (ft.)	<sup>A</sup> Min. Front yard (ft.)	<sup>A</sup> Min. Rear yard (ft.)	<sup>A</sup> Min. Side yard (ft.)	<sup>A</sup> Min. Side street Yard (ft.)	Max. Building Height (ft.)	NHWE Setback (ft.)	Max. FAR/ Density sq. ft./ du/ac	Additional Standards
Mobile Home	4,500 <sup>C</sup>	Min. mobile home size 8 ft. x 35 ft.	45	20	20	5	15	35	50 <sup>A</sup>	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	25	6	15	35	50 <sup>A</sup>	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 <sup>A</sup>	L	
NR	One family dwelling, 4,500	1,000	45 <sup>C</sup>	20	20	5	15	35/3 stories	50 <sup>A</sup>	L	38-1748
	Two dwelling units, 8,000	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 <sup>A</sup>	L	38-1748
	Three dwelling, 11,250	1,000	45 <sup>C</sup>	20	20	5	15	35/3 stories	50 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	L	38-1741
	One family dwelling, 4,500	1,000	45 <sup>C</sup>	20	20	5	15	35/3 stories	50 <sup>A</sup>	L	38-1741
	Two dwelling units, 11,250	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 <sup>A</sup>	L	38-1741
	Three dwelling, 11,250	500 per dwelling unit	85	20	20	10	15	35/3 stories	50 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	L	38-1741

District	Min. Lot Area <sup>M</sup> (sq. ft.)	Min. Living Area/ floor area (sq. ft.)	Min. Lot width (ft.)	<sup>A</sup> Min. Front yard (ft.)	<sup>A</sup> Min. Rear yard (ft.)	<sup>A</sup> Min. Side yard (ft.)	<sup>A</sup> 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 <sup>A</sup>	L	38-1734
	One family dwelling, 4,500	1,000	45 <sup>C</sup>	20	20	5	15	35/3 stories	50 <sup>A</sup>	L	38-1734
	Two dwelling units, 8,000	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 <sup>A</sup>	L	38-1734
	Three dwelling, 11,250	500 per dwelling unit	85	20	20	10	15	35/3 stories	50 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	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 <sup>A</sup>	L	38-880
I-1A	N/A	N/A	N/A	35	25, or 30 ft. when abutting residential district <sup>N</sup>	25, or 30 ft. when abutting residential district <sup>N</sup>	15	50; or 35 within 100 feet of any residential use or district	50 <sup>A</sup>	L	38-907



District	Min. Lot Area <sup>M</sup> (sq. ft.)	Min. Living Area/ floor area (sq. ft.)	Min. Lot width (ft.)	<sup>A</sup> Min. Front yard (ft.)	<sup>A</sup> Min. Rear yard (ft.)	<sup>A</sup> Min. Side yard (ft.)	<sup>A</sup> 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 <sup>N</sup>	25, or 50 ft. when abutting residential district <sup>N/O</sup>	15	50; or 35 within 100 feet of any residential use or district	50 <sup>A</sup>	L	38-932
I-2/1-3	N/A	N/A	N/A	25	10, or 60 ft. when abutting residential district <sup>P</sup>	15, or 60 ft. when abutting residential district <sup>P</sup>	15	50; or 35 within 100 feet of any residential use or district	50 <sup>A</sup>	L	38-981
I-4	N/A	N/A	N/A	35	10, or 75 ft. when abutting residential district <sup>N</sup>	25, or 75 ft. when abutting residential district <sup>N</sup>	15	50; or 35 within 100 feet of any residential use or district	50 <sup>A</sup>	L	38-1008
U-R-3	Four or more dwelling units, 15,000	500 per dwelling unit	85 <sup>J</sup>	20/25 <sup>H</sup>	30	10 <sup>B</sup>	15	35	50 <sup>A</sup>	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

<b>A</b>	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.  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.
<b>B</b>	Side setback is 30 feet where adjacent to single-family district.
<b>C</b>	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.
<b>D</b>	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.
<b>E</b>	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.
<b>F</b>	Reserved.
<b>G</b>	Reserved.
<b>H</b>	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.

<i>J</i>	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.
<i>K</i>	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%.
<i>L</i>	Subject to the Future Land Use designation.
<i>M</i>	Developable land area.
<i>N</i>	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.
<i>O</i>	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.
<i>P</i>	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.
<i>Q</i>	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.
<i>R</i>	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.
<i>S</i>	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

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## 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-23-09-080**

Commission District: #6

**GENERAL INFORMATION**

**APPLICANT:** Daniel Jorge Oliveria

**OWNER:** Lopes Thiago Henrique Goncalves

**HEARING TYPE:** Planning and Zoning Commission

**REQUEST:** **A-1** (Citrus Rural District) **to**  
**R-1AAA** (Residential Urban District)

**LOCATION:** Edgewood Ranch Rd; generally located north of Steer Lake Rd.  
east of S. Apopka Vineland Rd approximately 470 feet east of  
Edgewood Ranch Rd.

**PARCEL ID NUMBER:** 35-22-28-0000-00-021

**SIZE / ACREAGE:** 0.46-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]. Sixty-five (65) notices were mailed to those property  
owners in the surrounding area.

**COMMUNITY MEETING:** A community meeting was not required for this application.

**PROPOSED USE:** One detached single-family dwelling unit.

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend  
Approval of the requested R-1AAA (Residential Urban District) zoning.**

**SUBJECT PROPERTY ANALYSIS**

**Overview**

The subject property was zoned A-1 (Citrus Rural District) in 1957, prior to the implementation of the Orange County Comprehensive Plan. Today, the property is vacant. The current zoning designation of A-1 is inconsistent with the Future Land Use designation of Low Density Residential (LDR) which allows for the consideration of up to 4 dwelling units per acre. Comprehensive Policy FLU8.2.5.1 allows for one home to be built on a property with inconsistent FLU and zoning, however a rezoning is required since the property does not meet the A-1 district requirements of 0.5-acre minimum.

Through this request, the applicant is seeking to rezone the subject property from A-1 (Citrus Rural District) to R-1AAA (Residential Urban District) to allow for the development of one (1) detached single-family home on 0.46 - gross acres / 0.35 net acres.

The immediate area is developed with detached single-family homes. The surrounding area has zoning designations of R-1A (Single-Family Dwelling District), A-1 (Citrus Rural District), and R-1AAA (Residential Urban District). Lot widths in the area range from approximately 100 feet to 180 feet.

A conservation area determination was issued by the Orange County Environmental Protection Division on May 2<sup>nd</sup> with the finding of 0.07 acres of surface water. There are 0.35 acres of upland on site.

Access to this property is provided in the deed as verified by the Chief Engineer of the Orange County Engineering Division. The bottom portion covers a 15' wide strip from the parcel out to Edgewood Ranch Rd.

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. Connection to water, wastewater, and reclaimed water is considered unavailable. This property will be reliant upon wells for potable water and septic for wastewater disposal.

**Land Use Compatibility**

The R-1AAA (Residential Urban 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-1AAA (Residential Urban District) zoning is consistent with the Low Density Residential (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.

**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**

<b>Existing Use</b>	Vacant
<b>Adjacent Zoning</b>	N: Water Body E: A-1 (Farmland Rural District) W: A-1 (Farmland Rural District) S: A-1 (Farmland Rural District)
<b>Adjacent Land Uses</b>	N: Water Body E: Single-Family Residence

W: Single-Family Residence

S: Undeveloped

**R-1AAA (Residential Urban District) Development Standards**

Min. Lot Area: 14,520 sq. ft.  
Min. Lot Width: 95 ft.  
Max. Height: 35 ft.  
Min. Floor Area: 1,500 sq. ft.

**Building Setbacks**

Front: 30 ft.  
Rear: 35 ft.  
Side: 10 ft.

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

**Intent, Purpose, and Uses**

The intent and purpose of the R-1AAA residential urban district is to provide for single-family homes in low density areas within the existing or planned urban service area.

**SPECIAL INFORMATION**

**Staff Comments**

**Environmental**

CAD Complete - An Orange County Wetland Determination (CAD-23-10-170) was completed with a certified survey of the wetland/surface water boundary approved by the Environmental Protection Division (EPD) on 5/2/24. The CAD identified 0.07 ac of surface water within the subject property boundaries.

No Clearing - No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a wetland/surface water, or within an upland buffer, without first obtaining a Natural Resource Impact Permit (NRIP) approved by the County and obtaining other applicable jurisdictional agency permits. Submit a NRIP permit application to Orange County Environmental Protection Division by mail or email to [wetlandpermitting@ocfl.net](mailto:wetlandpermitting@ocfl.net). Reference OC Code Chapter 15, Article X Wetland and Surface Water Protection.

Boat Docks or Ramps - Approval of this request does not constitute approval of a permit for the construction of a boat dock (including: boardwalks or observation piers in wetlands/surface waters or in the upland buffer) or a boat ramp. Any person desiring to construct a boat dock or boat ramp within this county shall first apply for a permit prior to the installation. A boat dock shall require additional permitting under OC Code Chapter 15, Article IX, Construction of Boat Dock Ordinance and a boat ramp shall require additional permitting under OC Code Chapter 15, Article XV, Boat Ramp Facility. If a variance or waiver is requested as part of the Application to Construct a Dock, the request must be approved by the Board of County Commissioners. The Application to construct a

Boat ramp Facility must be approved by the BCC. Application shall be made to the Orange County Environmental Protection Division (407-836-1400).

No Enhanced Septic Requirement - This property is not currently located within a delineated Basin Management Action Plan (BMAP) Area, a Reasonable Assurance Plan (RAP) Area, or a Pollution Reduction Plan (PRP) Area as defined in Florida Statutes.

Septic System Setbacks - If septic is required, the lots shall be configured to accommodate requirements of the Individual On-Site Sewage Disposal Ordinance regarding setbacks, lot size, soils, distance to potable water supply wells, and elevations. Especially note setbacks: no less than 75 feet from jurisdictional wetlands and the design high water level of normally wet stormwater retention areas, and 150 feet from the normal high water elevation (NHWE) of surface water bodies and canals connected to surface water bodies. Reference OC Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal, Section 37-540.

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.

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).

#### **Transportation / Access**

A single family detached dwelling unit is a de minimis impact to 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. When evaluating for school concurrency, any residential development that creates an impact of less than one (1) student shall be considered de minimis.

#### **Schools**

One home is a de minimis impact.

#### **Parks and Recreation**

No comments.

#### **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:

Potable Water: There are no watermains in the vicinity of this property. Development on this property will be reliant on wells for potable water.

Wastewater: Wastewater is considered not available. Development on this property will be reliant on septic tanks for wastewater disposal. There is no advanced septic tank requirement for this property.

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** – December 19, 2024

*This case was postponed to a future PZC date and will be readvertised if and when it is ready for a Planning and Zoning Commission hearing.*

RZ-23-09-080



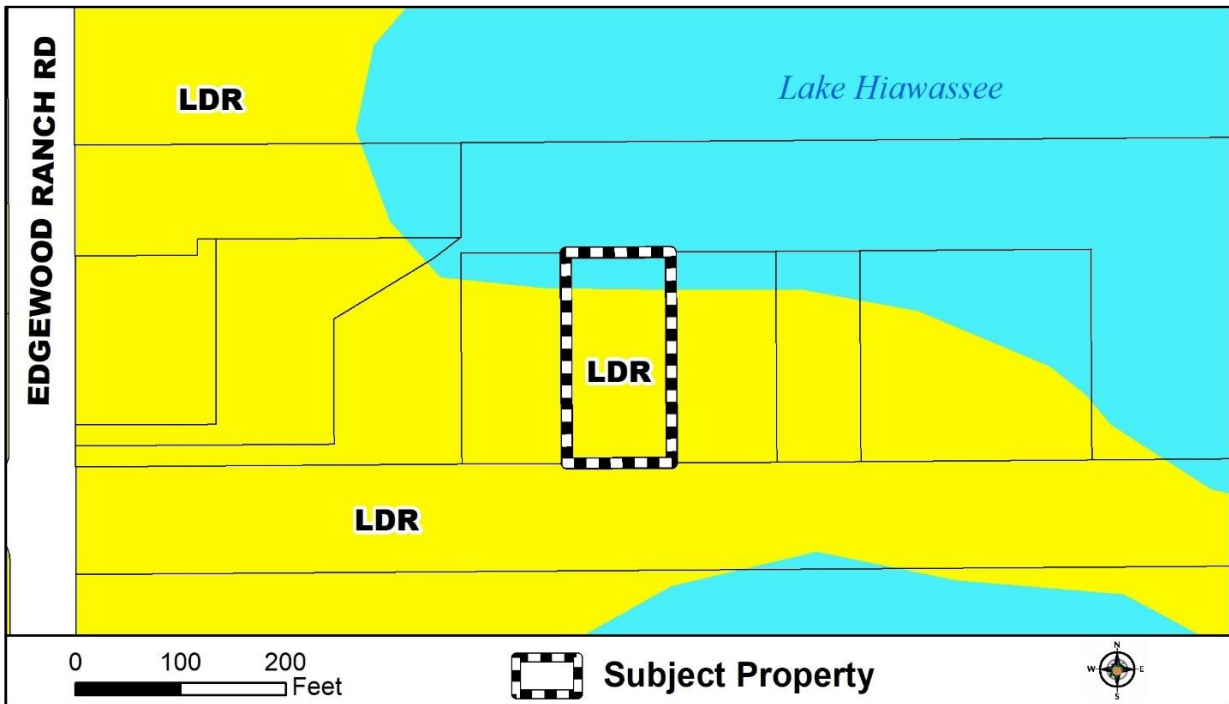
 Subject Property



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Feet

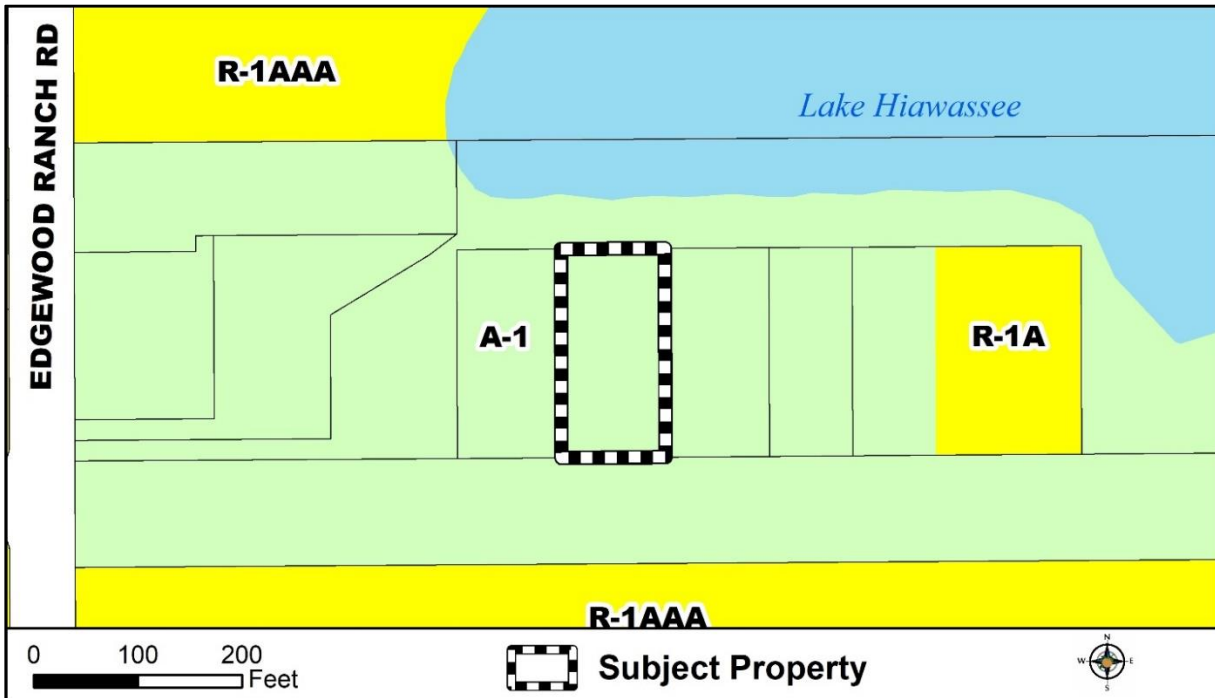
**FUTURE LAND USE – CURRENT**

Low Density Residential (LDR)



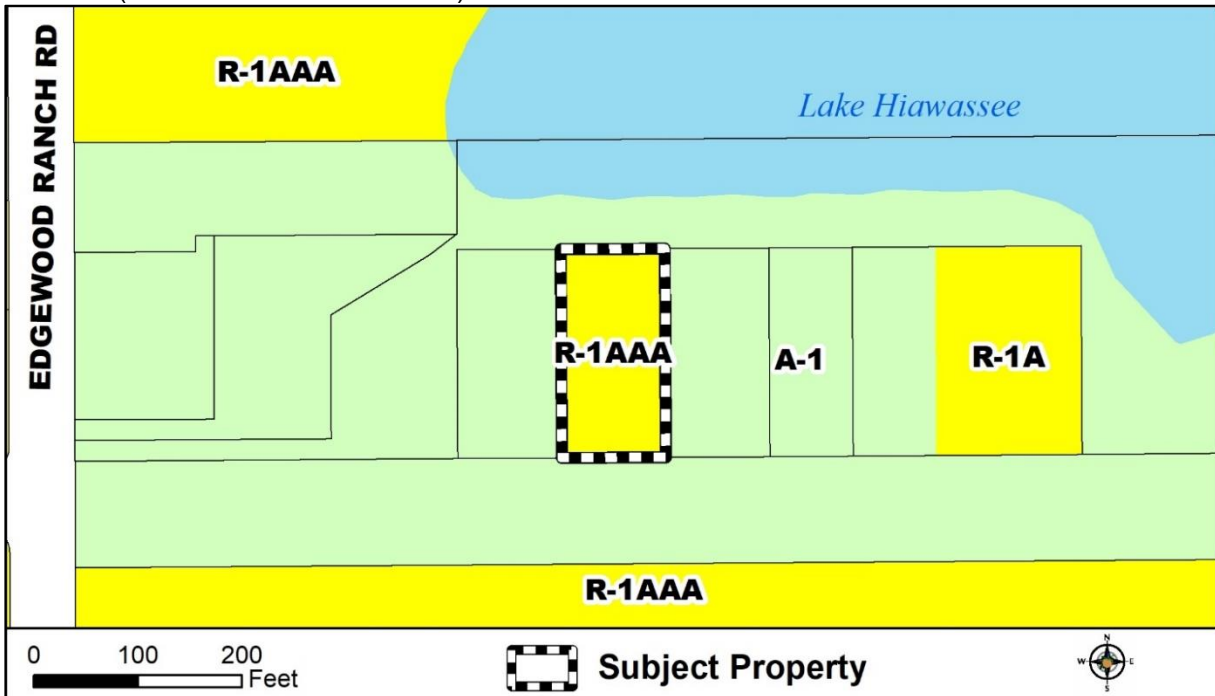
**ZONING – CURRENT**

A-1 (Citrus Rural District)



**ZONING – PROPOSED**

R-1AAA (Residential Urban District)

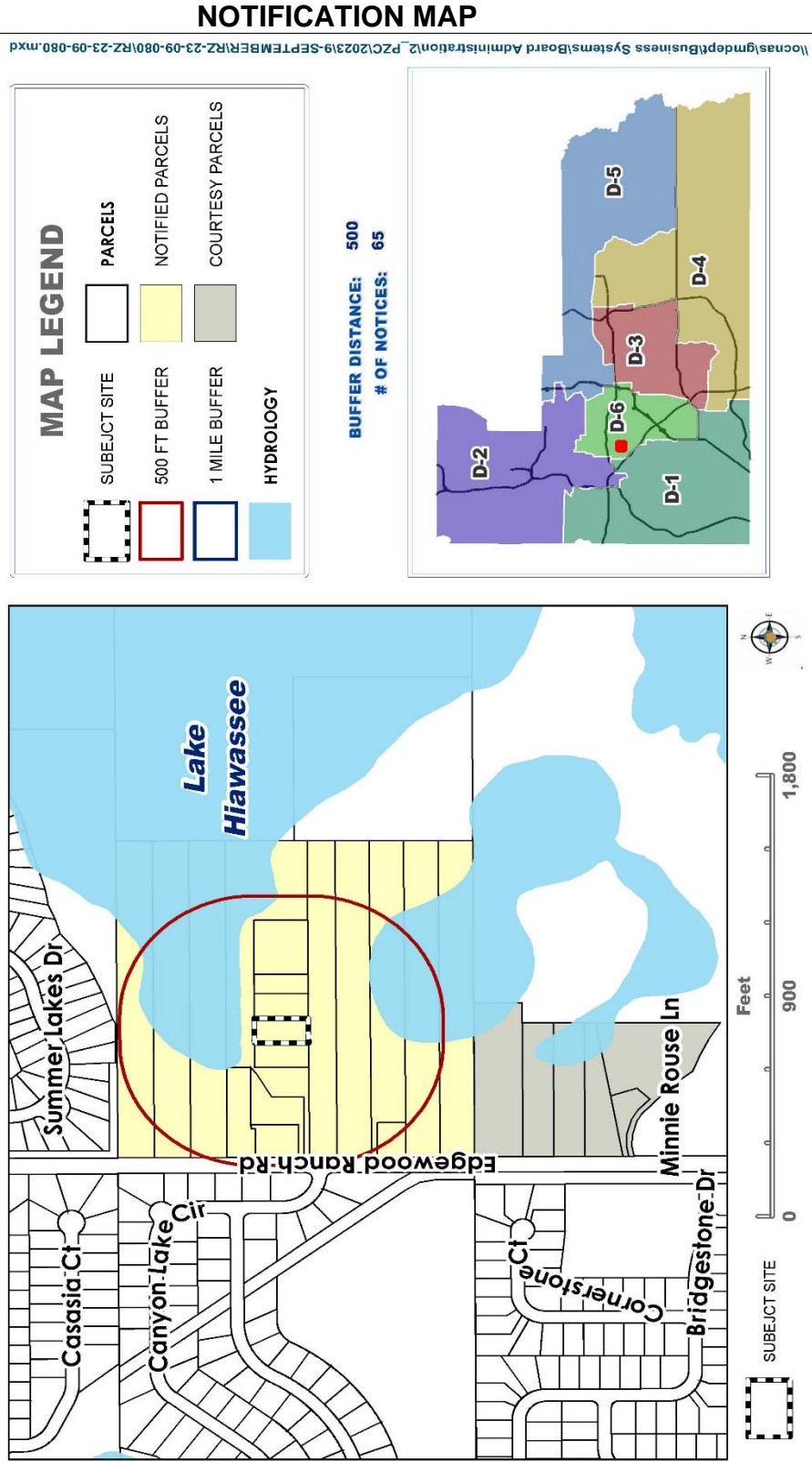






# Public Notification Map

RZ-23-09-080



**CASE # RZ-24-12-056**

Commission District: 6

**GENERAL INFORMATION**

**APPLICANT:** Lucille Ghioto

**OWNER:** Habitat for Humanity Greater Orlando and Osceola County, Inc.

**HEARING TYPE:** Planning and Zoning Commission

**REQUEST:** **R-1A** (Single-Family Dwelling District) **to**  
**NR** (Neighborhood Residential District)

**LOCATION:** 1427 and 1431 W. Kaley Ave; generally located west of S. Orange Blossom Trail, east of S. Rio Grande Ave, and north of W. Kaley Ave.

**PARCEL ID NUMBERS:** 03-23-29-1402-07-330 & 03-23-29-1402-07-300

**TRACT SIZE:** 0.46- gross acre

**PUBLIC NOTIFICATION:** The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two-seventy (270) notices were mailed to those property owners and residents in the surrounding area.

**COMMUNITY MEETING:** A community meeting was not required for this application.

**PROPOSED USE:** Three detached single-family homes

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NR (Neighborhood Residential District) zoning.**

**SUBJECT PROPERTY ANALYSIS**

**Overview**

The subject property was zoned R-1A in 1957, prior to the implementation of the Orange County Comprehensive Plan. The current Future Land Use designation is Neighborhood Residential (NR). This property is located in the Holden Heights District. The intent of the NR zoning and Future Land Use is to provide for diverse residential densities at higher

densities than surrounding neighborhoods serving an urban community in need of redevelopment.

Through this request, the applicant is seeking to rezone the subject property from R-1A (Single-Family Dwelling District) to NR (neighborhood Residential District) to allow for three single-family detached homes pending lot split approval. The immediate area is developed with detached single-family homes with a variety of zoning designations including NR (Neighborhood Residential District), R-1A (Single-Family Dwelling District), and R-2 (Residential District). The lots in the area range from 50 ft. to 100 ft. in width.

This property is within Orange County Utilities Wastewater Service Area. Development within this property will be required to connect to Orange County Utilities wastewater system.

#### **Land Use Compatibility**

The NR (Neighborhood 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 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 Holden Heights Overlay District.

##### **Airport Noise Zone**

The subject property is located in Zone E, and is subject to the Airport Noise Zoning Ordinance (Ord. 2000-07). Any required noise mitigation will be required at the time of permitting. Single-family homes are permitted in noise Zone E.

##### **Code Enforcement**

No cases found.

#### **Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is NR (Neighborhood Residential). The proposed NR (Neighborhood Residential District) zoning is consistent with the NR FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

**FLU8.1.1** states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location,



availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

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

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

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

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

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

## **SITE DATA**

<b>Existing Use</b>	Vacant
<b>Adjacent Zoning</b>	N: R-1A (Single-Family Dwelling District) 1957 E: R-1A (Single-Family Dwelling District) 1957 W: R-1A (Single-Family Dwelling District) 1957 S: R-1A (Single-Family Dwelling District) 1957 and NR (Neighborhood Residential) 2007
<b>Adjacent Land Uses</b>	N: Detached Single Family E: Detached Single Family W: Vacant S: Detached Single Family

**Neighborhood Residential Development Standards**

**One Family Dwelling:**

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

**Building Setbacks**

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

**Two Dwelling Units:**

Min. Lot Area: 8,000 sq. ft.  
Min. Lot Width: 80 ft.  
Max. Height: 35/3 stories  
Min. Floor Area: 500 sq. ft. per dwelling unit

**Building Setbacks**

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

**Three Dwelling Units:**

Min. Lot Area: 11,250 sq. ft.  
Min. Lot Width: 45 ft.  
Max. Height: 35/3 stories  
Min. Floor Area: 1,000 sq. ft.

**Building Setbacks**

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

**Four or More Dwelling Units:**

Min. Lot Area: 1,000 sq. ft. plus 2,000 sq. ft. per dwelling unit  
Min. Lot Width: 85 ft.  
Max. Height: 35/3 stories  
Min. Floor Area: 500 sq. ft. per dwelling unit

**Building Setbacks**

Front: 20 ft.  
Rear: 20 ft.  
Side: 10 ft.

**Townhouse:**

Min. Lot Area: 1,800 sq. ft.  
Min. Lot Width: 20 ft.  
Max. Height: 40/3 stories

Min. Floor Area: 750 sq. ft.

Building Setbacks

Front: 25, 15 for rear entry driveway.

Rear: 20, 15 for rear entry garage

Side: 0, 10 for end units

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

A use shall be permitted in the NR district if the use is identified by the letter "P" in the use table set forth in section 38-77. For master-planned redevelopment areas, defined as areas where lot assembly has taken place and a single site plan has been submitted for an area no less than five (5) acres, in the NR district, permitted uses shall be consistent with Future Land Use Element Policy FLU 1.1.4C of the Orange County Comprehensive Plan.

**SPECIAL INFORMATION**

**Staff Comments**

**Environmental**

Holden Heights ROCC - This project is located within the Orange County Board of Commissioners resolution 2007-M-31 approved on 8/28/2007 regarding designating certain land as the Holden Heights: ROCC (Redeveloping Orange County Communities) Area and as a Brownfield Area for the purpose of environmental remediation, rehabilitation, and economic development pursuant to Section 376.80, Florida Statutes.

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).

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property, into surface waters, wetlands and upland buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2 inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping. Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).

**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. Michigan Ave, from Interstate 4 to Orange Ave (1 segment(s)), and Orange Blossom Tr, from Kaley Ave to East-West Expy (1 segment(s)) are failing. This information is dated and subject to change.

**Neighborhoods Review**

These parcels are within the OBT CRA Redevelopment Area.

**Schools**

Three homes is a de minimis impact.

**Parks and Recreation**

No comments.

**Community Meeting Summary**

A community meeting was not required for this request.

**Utilities Service Area (Availability of services may vary)**

Water: Orlando Utilities Commission

Waste Water: Orange County Utilities

Reclaim Water: Orange County

**Detailed Utility Information:**

This property is within the Orlando Utilities Commission Water Service Area and currently has available capacity to serve the sites.

This property is within Orange County Utilities Wastewater Service Area. 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.

This property is within the City of Orlando Reclaimed Water Service Area.

**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 – December 19, 2024**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NR (Neighborhood Residential District) zoning.**

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

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NR (Neighborhood Residential) zoning. The applicant was present for the hearing and agreed with staff's recommendation. One speaker was present to speak during the public comment. The speaker was generally in favor but had a concern of garbage being left on and around the site.

Staff indicated that two-hundred and seventy (270) 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 zero (0) responses in opposition of the request.

After a brief discussion regarding the need for housing and development in the Holden Heights neighborhood and the proposed architecture of the home, Commissioner Evans moved to recommend approval of the proposed NR (Neighborhood Residential District) zoning, with Commissioner Wiggins seconding the motion. The motion passed unanimously with a 6-0 vote.

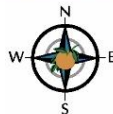
<b>Motion / Second</b>	<i>Camille Evans/ George Wiggins</i>
<b>Voting in Favor</b>	<i>Camille Evans, George Wiggins, Evelyn Cardenas, David Boers, Gordon Spears and Eddie Fernandez</i>
<b>Voting in Opposition</b>	<i>None</i>
<b>Absent</b>	<i>Nelson Pena, Michael Arrington and Eric Gray</i>



RZ-24-12-056



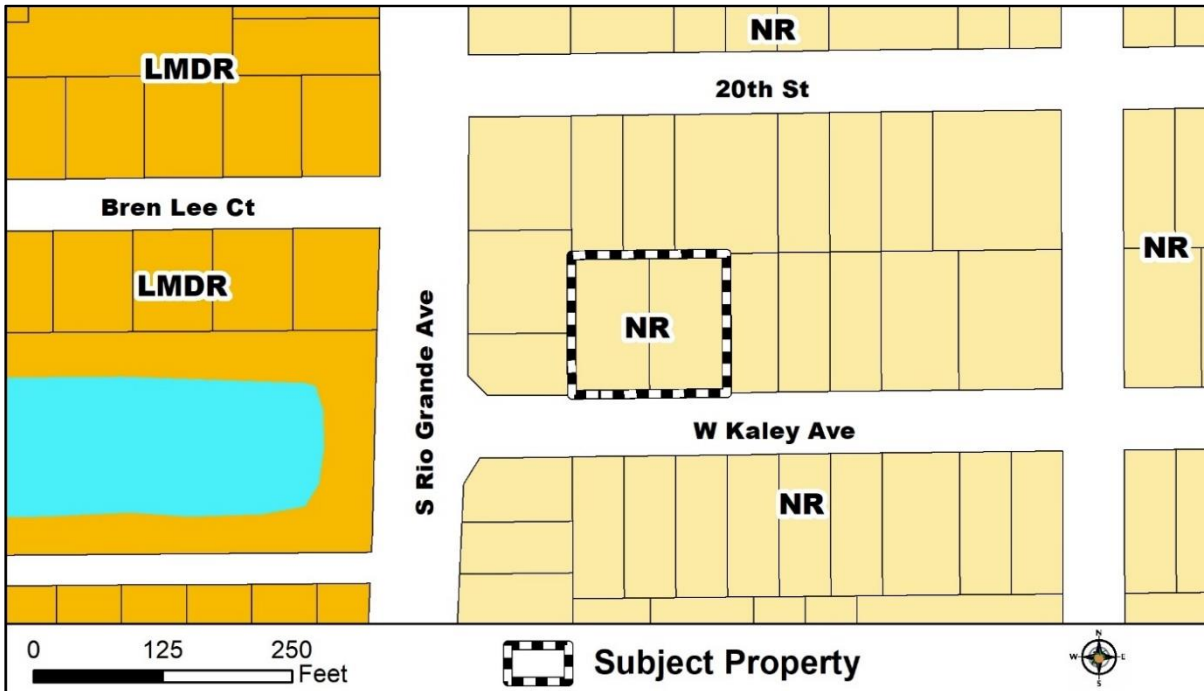
 Subject Property



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Feet

**FUTURE LAND USE - CURRENT**

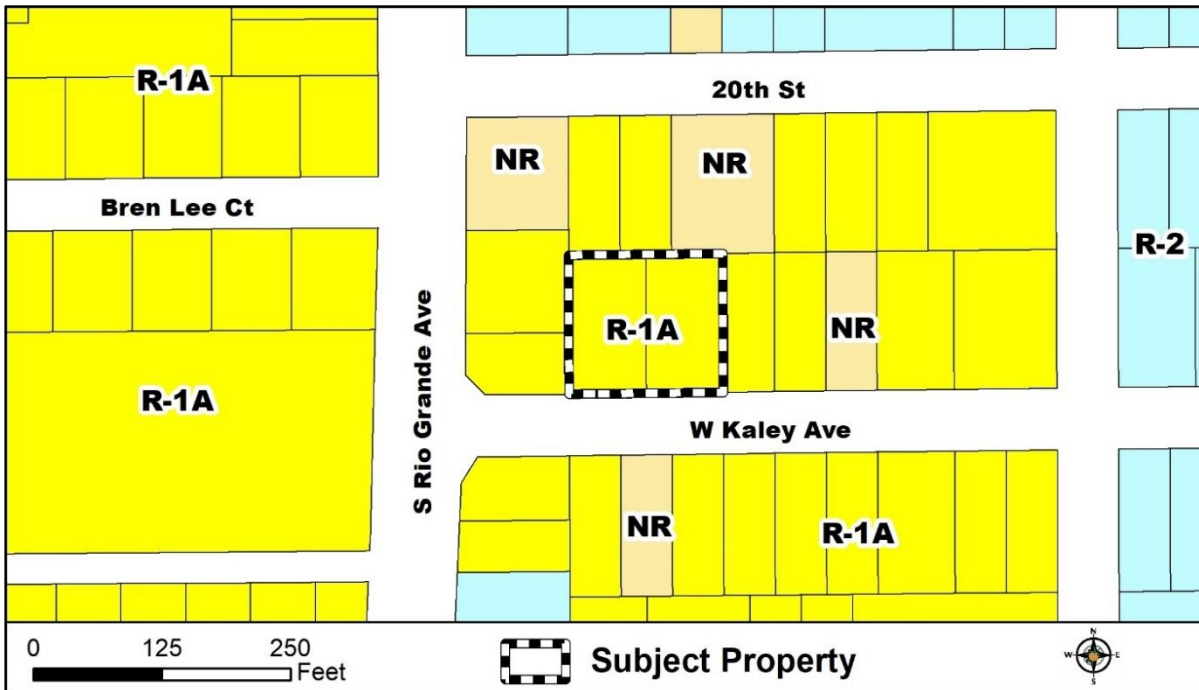
Neighborhood Residential (NR)





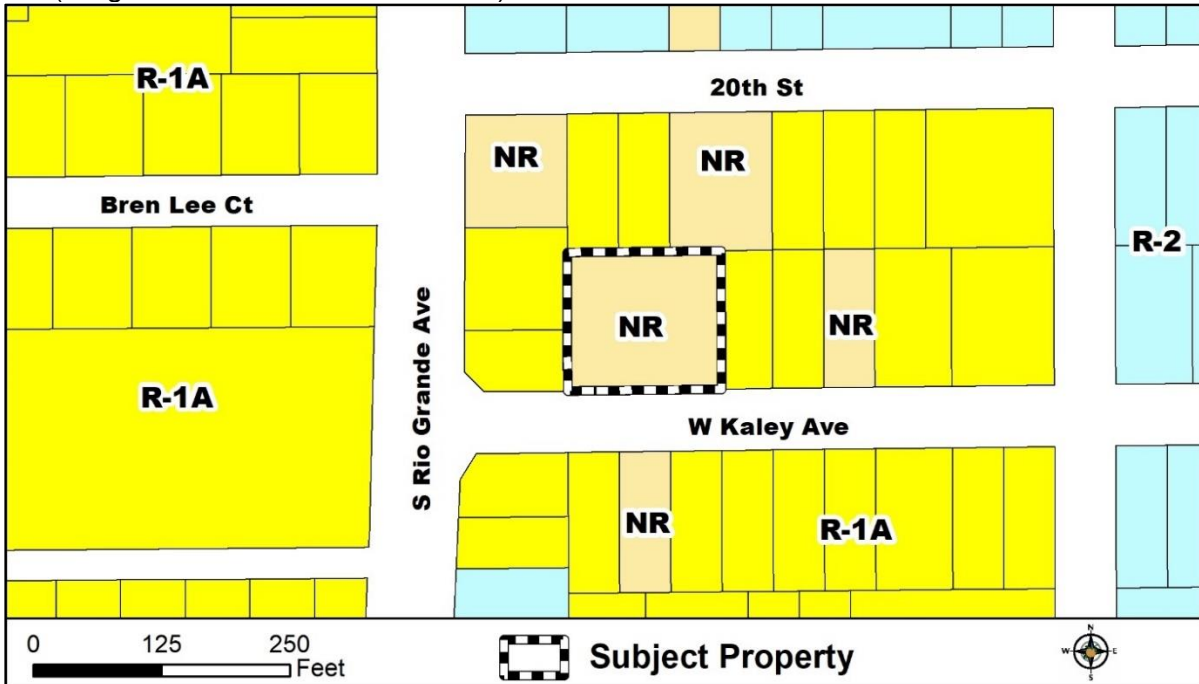
### ZONING – CURRENT

R-1A (Single-Family Dwelling District)



### ZONING – PROPOSED

NR (Neighborhood Residential District)



## Notification Map

