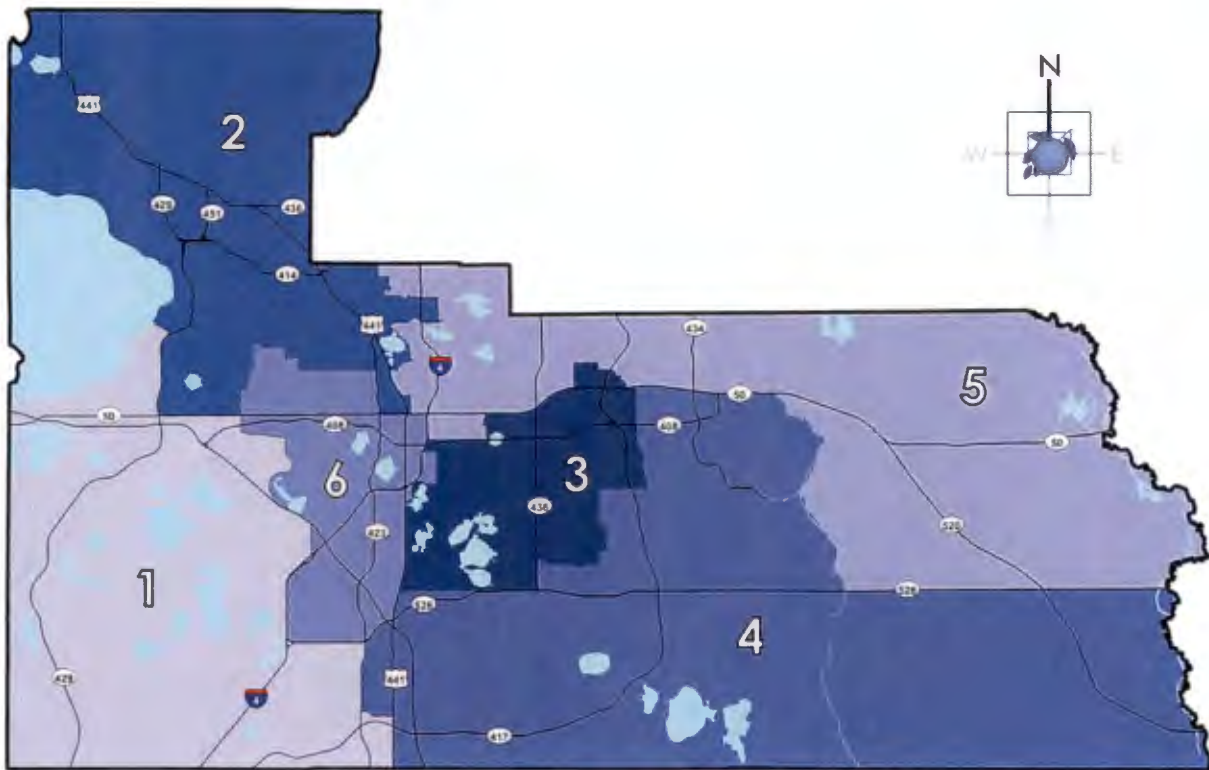




PLANNING AND ZONING COMMISSION  
LOCAL PLANNING AGENCY

# REZONING RECOMMENDATIONS

APRIL 18, 2024



PREPARED BY:

ORANGE COUNTY GOVERNMENT  
PLANNING DIVISION | CURRENT PLANNING SECTION

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

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George Wiggins District #2

Eddie Fernandez District #3

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Camille Evans District #6

Michael Arrington At Large

Evelyn Cardenas At Large

Nelson Pena At Large  
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**April 18, 2024**

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**April 18, 2024**

<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission</u> <u>District</u>	<u>Recommendations</u> <u>Staff</u>	<u>PZC</u>	<u>BCC Hearing</u> <u>Required</u>
<b>I. Conventional Rezoning Hearing</b>					
RZ-24-04-020 Stephen Mong	<i>R-1A to P-O Restricted w/ two variances</i>	6	Approval with one (1) restriction	<b>Continued to May 16, 2024 PZC</b>	No
RZ-24-04-022 Peter Osorio	<i>A-1 to R-1A</i>	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>F</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>F</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>F</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>F</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



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
R-T-1 SFR	4,500 <sup>C</sup>	1,000	45	20	20	5	15	35	50 <sup>A</sup>	L	
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./ ac/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/I-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**

- A 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 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.
- 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

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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-24-04-020**

Commission District: #6

**GENERAL INFORMATION**

**APPLICANT:** Stephen Mong

**OWNERS:** Victor Futai Mong, Stephen Mong, and Peter Hingtai Mong

**HEARING TYPE:** Planning and Zoning Commission

**REQUEST:** **R-1A** (Single-Family Residential District) **to** **P-O Restricted** (Professional Office District) and a variance request from Orange County Code Section 38-1501 to allow for 8,125 sq. ft. of lot area in lieu of 10,000, and 65' of lot width in lieu of 85'.

**LOCATION:** 1235 N. Pine Hills Rd; generally located east of N. Pine Hills Rd., north of Balboa Dr, and south of Silver Star Rd.

**PARCEL ID NUMBER:** 19-22-29-6976-08-180

**SIZE/ ACREAGE:** 0.18-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]. Three hundred ninety-nine (399) notices were mailed to those property owners in the surrounding area.

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

**PROPOSED USE:** Professional Office Uses

**STAFF RECOMMENDATION**

**PLANNING**

Continue to May 16th PZC hearing at 9:00 a.m.

**SUBJECT PROPERTY ANALYSIS**

**Overview**

Through this rezoning request, the applicant is seeking to rezone the 0.18-gross acre parcel property from R-1A (Single-Family Residential District) to P-O Restricted (Professional Office District) in order to allow professional office uses. The parcel does not meet the required building standards for Professional Office District, therefore this request includes two (2) variances to allow for 8,125 sq. ft. of area in lieu of 10,000, and 65' of lot width in lieu of 85'.

The Future Land Use designation of Office (O) and the zoning district of R-1A (Single-Family Dwelling District) zoning are inconsistent. The subject property has been zoned as R-1A since 1957 and platted in 1952 within the Pine Hills No. 3 Subdivision. A rezoning is required prior to any development, and the proposed P-O Restricted zoning district would correct the Future Land Use inconsistency.

The surrounding area of the subject property is developed with single-family homes with lots developed as offices and non-conforming single-family homes. Various adjacent properties to the north of the subject property were rezoned from R-1A to P-O Restricted in 2020 and 2022. The proposed P-O Restricted zoning district would be compatible with the current future land use and zoning district established throughout the immediate area of N. Pine Hills Rd.

Site improvements will be required. The applicant will need to provide a site plan to demonstrate compliance with Orange County Code requirements (including parking and landscaping) at the time of permitting.

The property is just outside of the Wekiva Priority Focus Area, however, the property is within the BMAP area and as such the property would be required to adhere to the criteria for advanced septic tanks.

**Land Use Compatibility**

The P-O Restricted (Professional Office District) 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 the 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 Pine Hills Neighborhood Improvement District (NID) which prohibits certain undesirable land uses (Orange County Code Section 38-1066).

**Airport Noise Zone**

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

**Code Enforcement**

No active cases found

**Comprehensive Plan (CP) Consistency**

The underlying Future Land Use Map (FLUM) designation of the subject property is Office (O). The proposed P-O Restricted (Professional Office District) zoning is consistent with the Office FLUM designation, and 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**

<b>Existing Use</b>	Residential
<b>Adjacent Zoning</b>	N: P-O (Professional Office) E: R-1A (Single-Family Residential District) W: R-1A (Single-Family Residential District) S: R-1A (Single-Family Residential District)
<b>Adjacent Land Uses</b>	N: Office E: Residential

W: Residential

S: Residential

**P-O (Professional Office District) Development Standards**

Min. Lot Area: 10,000 sq. ft.  
Min. Lot Width: 85 ft.  
Max. Height: 35 ft.  
Min. Floor Area: 500 sq. ft.

**Building Setbacks**

Front: 25 ft.  
Rear: 30 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 purposes of the P-O professional office district are:

- (1) To provide for and encourage development of a wide variety of high quality functional and attractive professional office centers in accordance with adopted county development plans and policies.
- (2) To establish standards which will promote high quality site development of individual office structures and larger office centers, both of which are properly oriented towards arterial roads and compatible with adjoining properties.
- (3) To encourage the provision of professional services at the neighborhood and community levels, and to provide sites large enough to permit landscaped open spaces and off-street parking facilities.
- (4) To recognize the growing importance of the county as a regional service center and the need to accommodate the increasing service demands of the resident and tourist populations.

**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 conservation, and increased buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

Enhanced Septic/Sewer Requirement - This site is located within the Little Wekiva River and Little Wekiva Canal & Wekiva River, Rock Springs Run, and Little Wekiva Canal

Basin Management Action Plan (BMAP) Area, a Reasonable Assurance Plan (RAP) Area, or a 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 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.

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.

Pine Hills ROCC - Portions of this PD site, including the entire area affected by this change determination request and areas outside of this PD, are included in a Orange County Board of County Commissioners approved Resolution #2013-M-14 of April 23, 2013 regarding designating certain land as the Pine Hills 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.

#### **Transportation / Access**

Based on the Concurrency Management database (CMS) dated 04/02/2024, capacity exists within the project's impact area. This information is dated and subject to change. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office will be required. A traffic study may be required at this time.

#### **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**

No comments.

#### **Community Meeting Summary**

A community meeting was not required for this request.

**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's Water Service Area.

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

Wastewater: Wastewater is considered not available. Development on this property will be reliant on septic tanks for wastewater disposal. The property is in a BMAP area, therefore, the property is required to adhere to the criteria for advanced septic tanks.

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

**State of Florida Notice**

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

**Specific Project Expenditure Report and Relationship Disclosure Form**

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



**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – April 18, 2024**

**Continue to May 16th PZC hearing at 9:00 a.m.**

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

*Staff requested to continue the case to the next month PZC hearing due to the posting issues.*

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

RZ-24-04-020



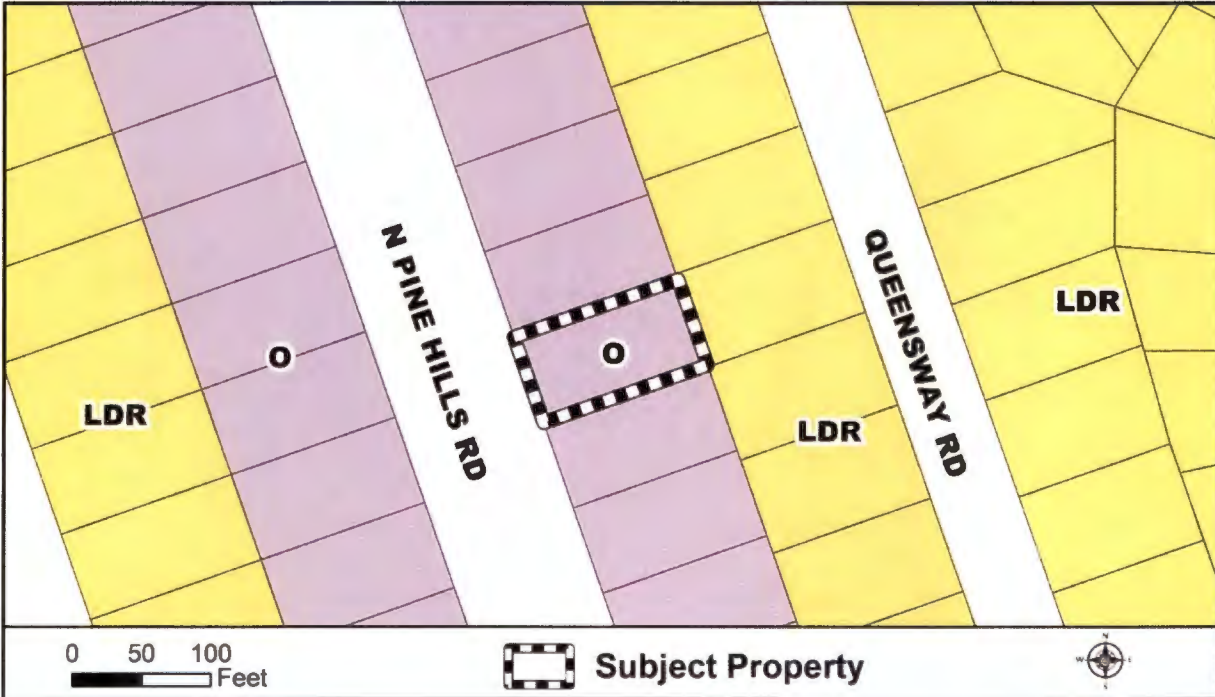
 Subject Property



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**FUTURE LAND USE – CURRENT**

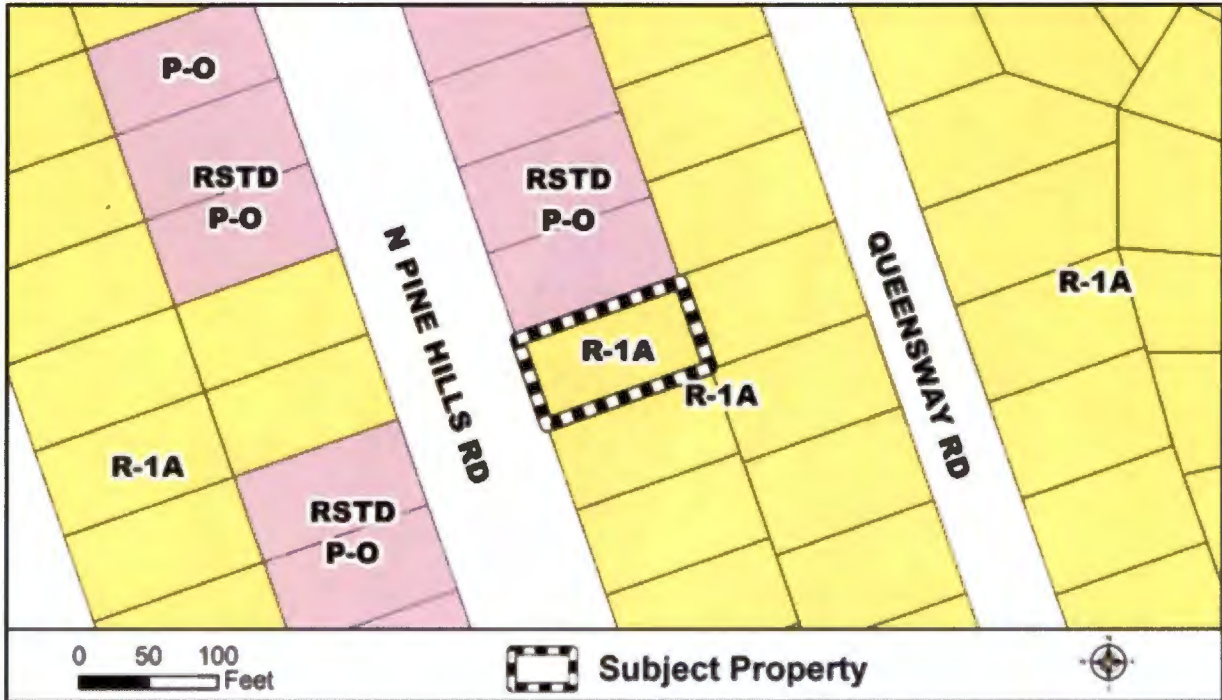
Office (O)





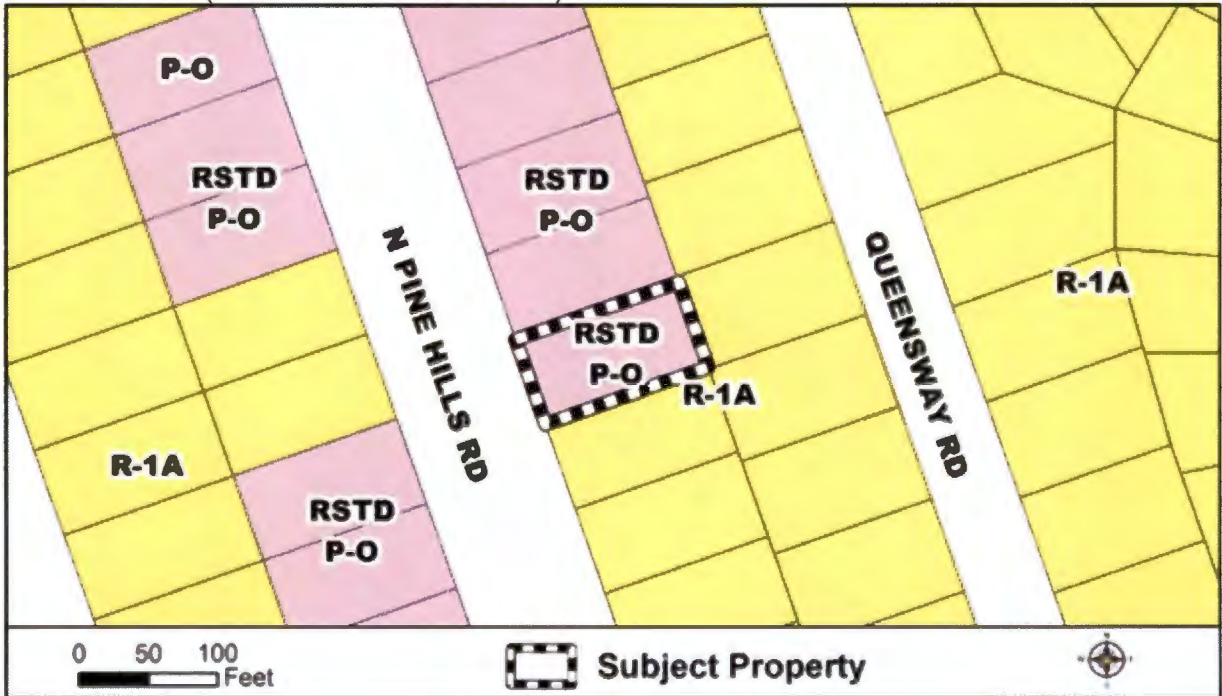
**ZONING – CURRENT**

R-1A (Single-Family Dwelling District)



**ZONING – PROPOSED**

P-O Restricted (Professional Office District)

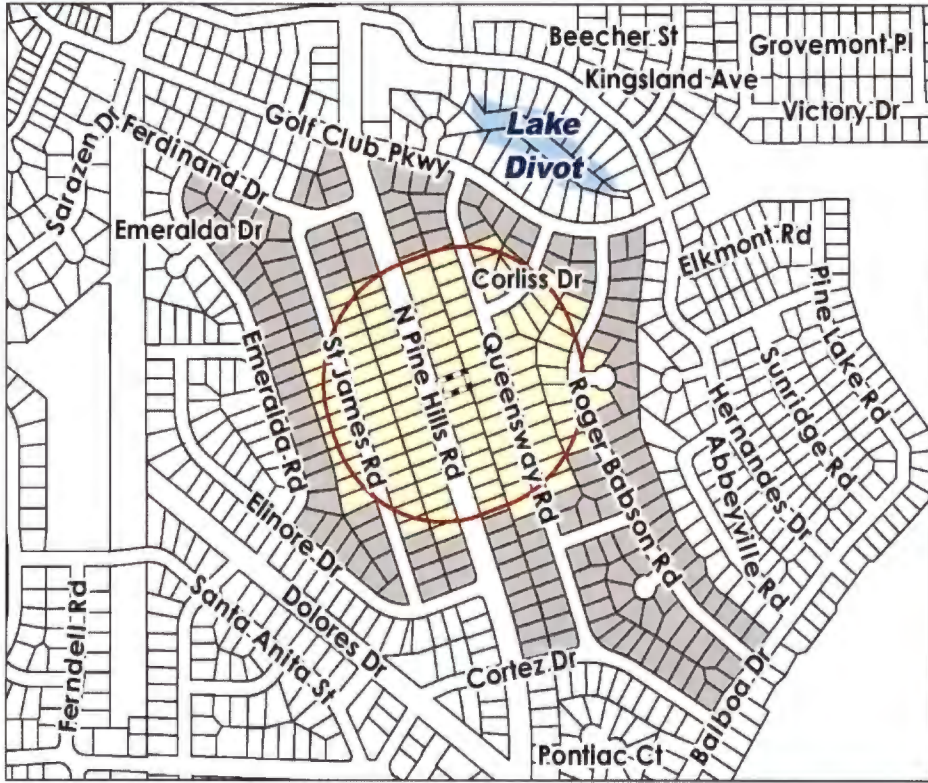






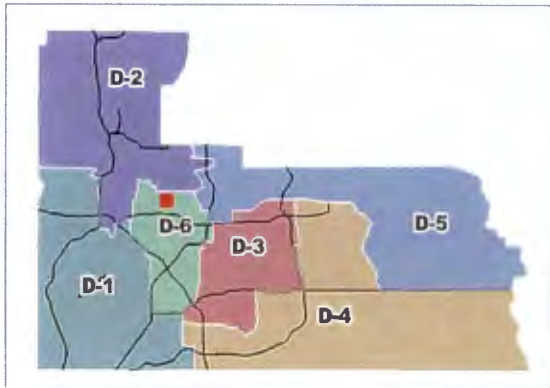
# Public Notification Map

RZ-24-04-020



	SUBJECT SITE		NOTIFIED PARCELS
	500FT BUFFER		COURTESY PARCELS
	1 MILE BUFFER		HYDROLOGY
	PARCELS		

**BUFFER DISTANCE:** 500  
**# OF NOTICES:** 399



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## NOTIFICATION MAP

Case # RZ-24-04-020  
 Orange County Planning Division  
 PZC Hearing Date: April 18, 2024

**CASE # RZ-24-04-022**

Commission District: #6

**GENERAL INFORMATION**

**APPLICANT:** Peter Osorio

**OWNER:** Peter Osorio

**HEARING TYPE:** Planning and Zoning Commission

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

**LOCATION:** 8505 Honolulu Dr; generally north of Honolulu Dr, east of Good Homes Rd.

**PARCEL ID NUMBER:** 21-22-28-7668-00-401

**SIZE/ ACREAGE:** 0.33-gross acre

**PUBLIC NOTIFICATION:** The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred ninety-nine (199) 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 Single-Family Home

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of inconsistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning.**

**SUBJECT PROPERTY ANALYSIS**

**Overview**

Through this request the applicant is seeking to rezone the subject property from A-1 (Citrus Rural District) to R-1A (Single-Family Dwelling District) to allow one (1) single-family home. The applicants initial request was for R-1, however staff recommended that compatibility is best achieved through a request for R-1A and the applicant agreed. The purpose of the rezoning is for reduced setbacks.

The subject parcel was platted within the Waikiki Beach subdivision. The lot 40 of the plat measures 98 ft and 100.48 ft in width and length of 133 – 155.2 feet. The plat for the Waikiki Beach subdivision was recorded on September 14th in 1923. The subject parcel is currently

vacant. The existing structure was demolished. The immediate area is developed with single-family residential dwelling units on lots mostly ranging from 50 feet to 60 feet in width. The surrounding area is predominantly zoned A-1 and R-1A which requires a minimum of 100 and 75 foot lot widths respectively. There are a few R-1 parcels in the area including two parcels across the street on the south side of Honolulu Drive. Otherwise, the majority of lots in the area are R-1A.

The subject parcel is located within the Wekiva Priority Focus Area. As such, the property is required to adhere to the criteria for advanced septic tanks.

#### **Land Use Compatibility**

The R-1A (Single-Family Dwelling District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

#### **Site Analysis**

##### **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 not located in an Airport Noise Zone.

##### **Code Enforcement**

1. Parcel ID: 21-22-28-7668-00-401  
Incident #: 605580 / Case #: SM-2023-465757H  
Inspector: Yvette Burgos  
Description: Housing \*Abatement\*
2. Parcel ID: 21-22-28-7668-00-401  
Incident #: 372683 / Case #: SM-2013-215783Z  
Inspector: Yvette Burgos  
Description: Inoperable vehicle
3. Parcel ID: 21-22-28-7668-00-401  
Incident #: 177925 / Case #: CEB-2007-69599H  
Inspector: Joe Lebron & Yolanda Vila  
Description: dilapidated house
4. Parcel ID: 21-22-28-7668-00-401  
Incident #: 176434 / Case #: SM-2007-68217Z  
Inspector: Yolanda Vila  
Description: Open and outside storage of JT&D



5. Parcel ID: 21-22-28-7668-00-401  
Incident #: 131191 / Case #: SM-2006-51983Z  
Inspector: Yolanda Vila  
Description: Storage of Inop Veh, JT&D

**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 (Single-Family Dwelling 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.

**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**

<b>Existing Use</b>	Vacant Lot
<b>Adjacent Zoning</b>	N: R-1A (Single-Family Dwelling District) 1957 E: R-1A (Single-Family Dwelling District) 1957 W: P-D (Planned Development) S: R-1A (Single-Family Dwelling District) 2023
<b>Adjacent Land Uses</b>	N: Orange Country detention tract A E: Single-Family Residential W: Orange Country detention tract A S: Single-Family Residential

### **R-1 [Single-Family Dwelling District] 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) 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 conservation, and increased buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

**Wekiva Priority Focus Area and BMAP Enhanced Septic/Sewer Requirement** - This site is located within the Wekiwa/Rock Springs and the Wekiva River/Rock Springs Run/Little Wekiva Canal Basin Management Action Plan (BMAP) Areas 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.

**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).

**Delineated Groundwater Contamination Area** ∩ The project site is located within a delineated area of groundwater contamination as defined by the Florida Department of Environmental Protection (FDEP). If any contaminated soil, groundwater or other media are removed as a result of such construction activities, it must be properly treated and/or disposed of in accordance with Department rules. An owner/operator who exacerbates the existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

**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.

**Transportation / Access**

The proposed use to allow one (1) single-family attached dwelling units is a de minimis impact on the roadways.

**Schools**

One home is de minimis.

**Parks and Recreation**

No comments.

**Community Meeting Summary**

A community meeting was not required for this request.

**Utilities**

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:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas.

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 for a single-family lot. Development on this property will be reliant on septic tanks for wastewater disposal. Since the property is within the Wekiva Priority Focus Area, adherence to the criteria for advanced septic tanks is required.

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

**State of Florida Notice**

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

**Specific Project Expenditure Report and Relationship Disclosure Form**

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

**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – April 18, 2024**

**Make a finding of inconsistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning.**

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

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The applicant was present for the hearing and agreed with the staff's recommendation. Staff indicated that two hundred nineteen (199) notices were sent to property owners and residents extending 500 feet surrounding the property, and that staff had received zero (0) responses in favor or in opposition to the request.

No discussion was made concerning this case. A motion was made by Commissioner Evans and seconded by Commissioner Fernandez to recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The motion carried on a 7-0 vote.

**Motion / Second**

*Camille Evans / Eddie Fernandez*

**Voting in Favor**

*Camille Evans, Michael Arrington, George Wiggins, Eddie Fernandez, David Boers, Gordon Spears and Evelyn Cardenas*

**Voting in Opposition**

*None*

**Absent**

*Nelson Pena and Walter Pavon*



RZ-24-04-022

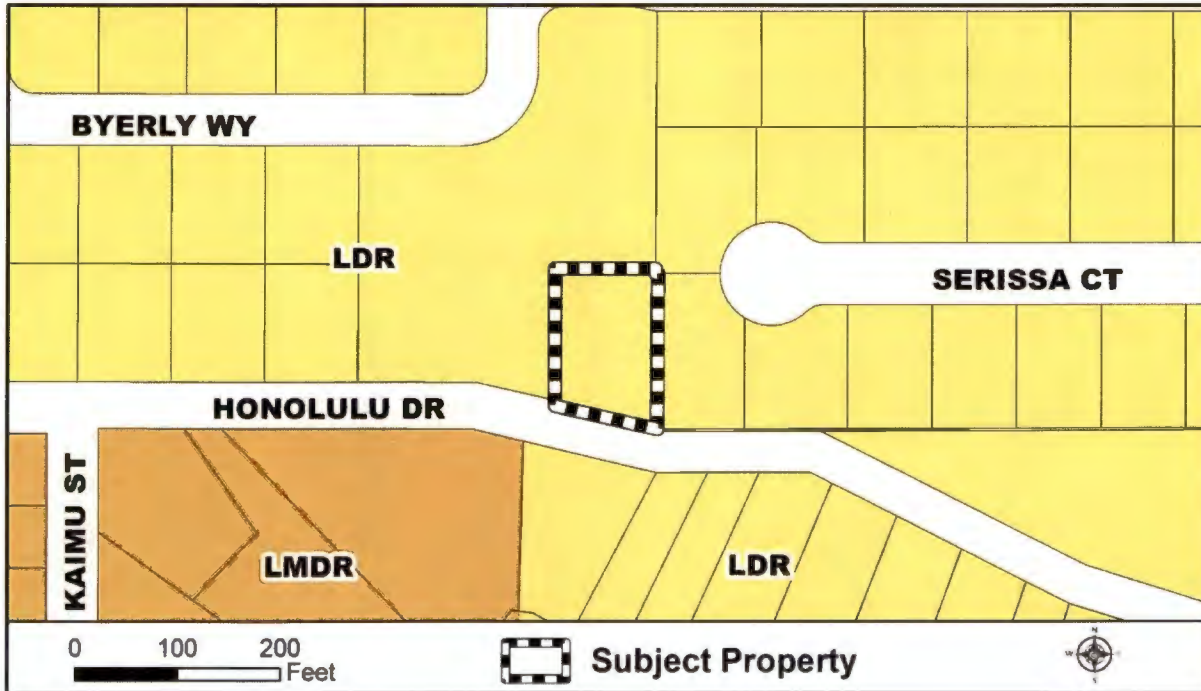


 Subject Property



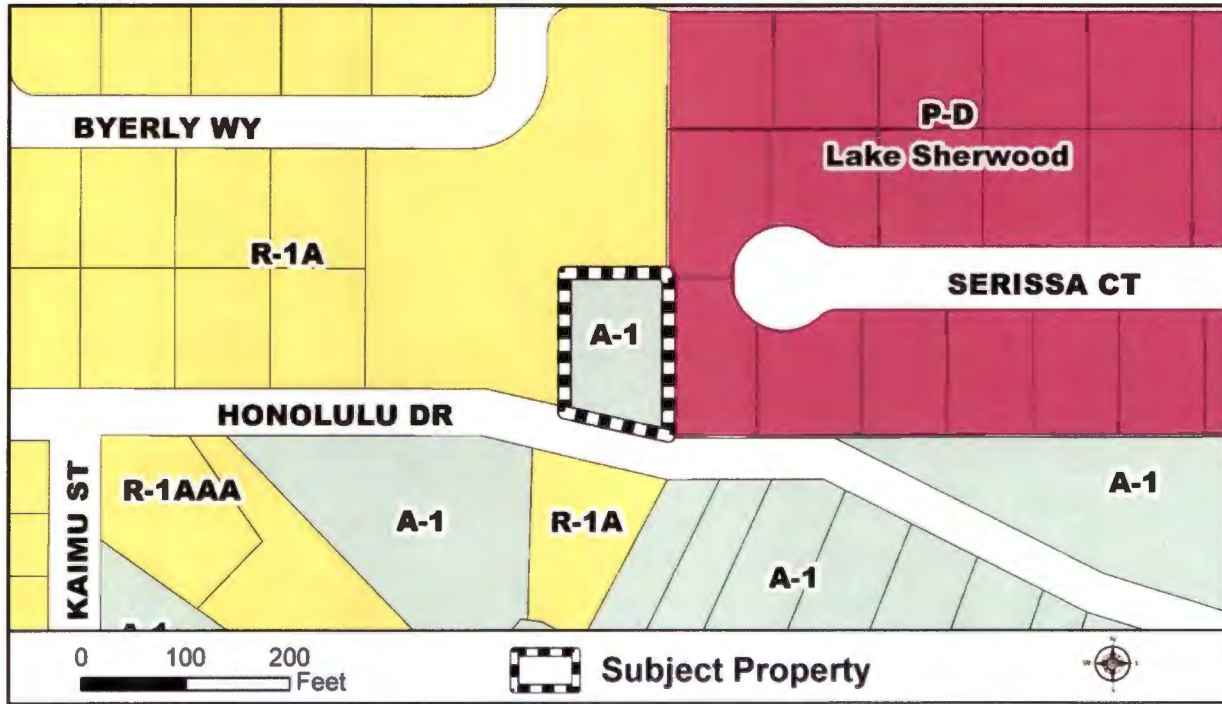
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**FUTURE LAND USE – CURRENT**  
Low Density Residential (LDR)

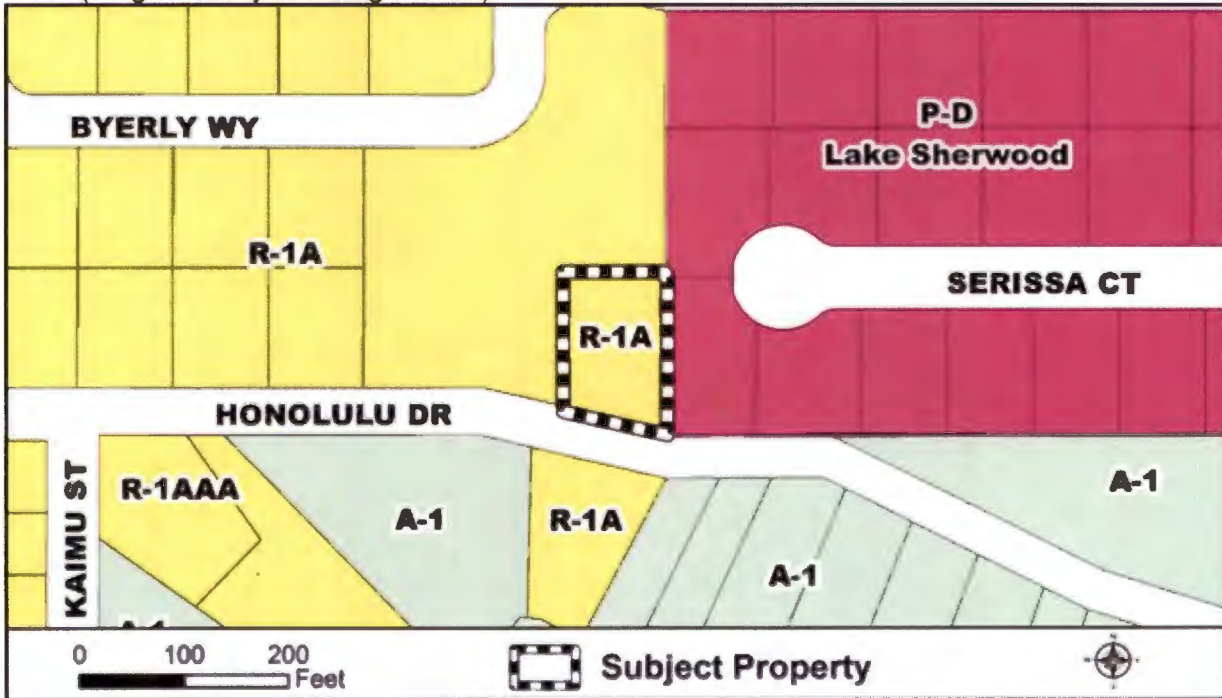




**ZONING – CURRENT**  
A-1 (Citrus Rural District)



**ZONING – PROPOSED**  
R-1A (Single-Family Dwelling District)





# Public Notification Map

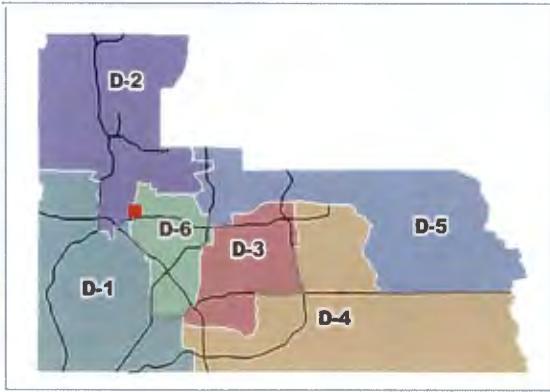
RZ-24-04-022



### MAP LEGEND

	SUBJECT SITE		NOTIFIED PARCELS
	500 FT BUFFER		COURTESY PARCELS
	HYDROLOGY		PARCELS

**BUFFER DISTANCE: 500**  
**# OF NOTICES: 199**



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## NOTIFICATION MAP

**Case # RZ-24-04-022**  
**Orange County Planning Division**  
**PZC Hearing Date: April 18, 2024**