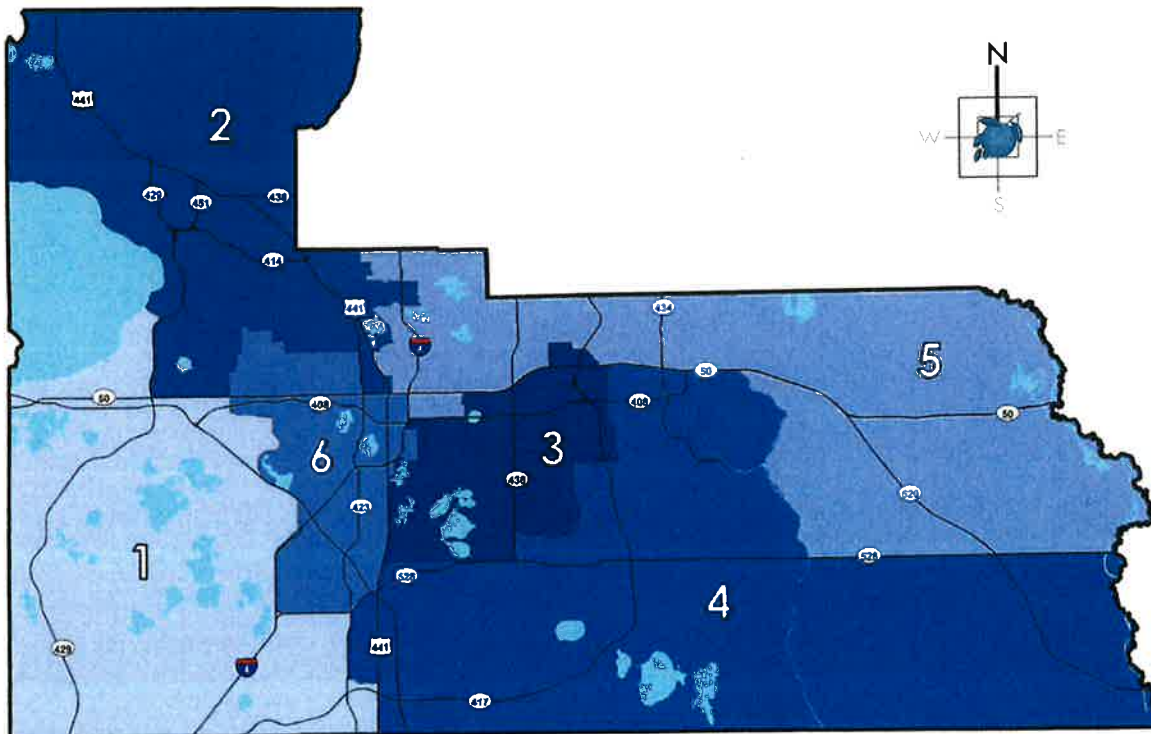




PLANNING AND ZONING COMMISSION  
LOCAL PLANNING AGENCY

# REZONING RECOMMENDATIONS

FEBRUARY 17, 2022



PREPARED BY:

ORANGE COUNTY GOVERNMENT  
PLANNING DIVISION | CURRENT PLANNING SECTION

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

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Vice Chairman

George Wiggins                      District #2

Eddie Fernandez                      District #3

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Mohammed Abdallah                      At Large

Evelyn Cardenas                      At Large

Nelson Pena                      At Large  
Chairman

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**February 17, 2022**

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<b>I. Conventional Rezoning Hearing</b>					
RZ-20-12-064 William Murphy	<i>R-1A to R-1</i>		Approval	Approval	No
RZ-22-02-097 Orange County Public School Board	<i>R-3 to C-1</i>		Approval with five (5) restrictions	Approval with five (5) restrictions	No
RZ-22-02-001 Julio Diaz	<i>A-1 to R-1</i>		Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-22-03-002 Jeffery Williamson	<i>R-1A to P-O</i>		Approval with one (1) restriction	Approval with one (1) restriction	No
RZ-22-02-003 Jose Antonio Robels	<i>R-1A to NR</i>		Approval	Approval	No
RZ-22-03-004 Imran Chaudhry	<i>C-1 to R-2</i>		Approval	Approval	No

# SITE and BUILDING REQUIREMENTS

## Orange County Code Section 38-1501. Basic Requirements

District	Min. lot area (sq. ft.) <i>m</i>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <i>a</i>	Min. rear yard (ft.) <i>a</i>	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
A-1	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	A
A-2	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	A
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	A
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	A
R-CE-2	2 acres	1,200	250	45	50	30	35	A
R-CE-5	5 acres	1,200	185	50	50	45	35	A
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	35	A
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	A
R-1AA	10,000	1,200	85	25 <i>h</i>	30 <i>h</i>	7.5	35	A
R-1A	7,500	1,200	75	20 <i>h</i>	25 <i>h</i>	7.5	35	A
R-1	5,000	1,000	50	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	A
R-2	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	A
	Two dwelling units (DUs), 8,000/9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	30	5 <i>h</i>	35	A
	Three DUs, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	A
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	A
R-3	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5	35	A
	Two DUs, 8,000/ 9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	A
	Three dwelling units, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	A
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	A
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10	35	A
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	35	A
R-T-1								
SFR	4,500 <i>c</i>	1,000	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	A
Mobile home	4,500 <i>c</i>	Min. mobile home size 8 ft. x 35 ft.	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	A
R-T-2 (prior to 1/29/73)	6,000	SFR 500 Min. mobile home size 8 ft. x 35 ft.	60	25	25	6	35	A
R-T-2 (after 1/29/73)	21,780 ½ acre	SFR 600 Min. mobile home size 8 ft. x 35 ft.	100	35	50	10	35	A
NR	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	A

District	Min. lot area (sq. ft.) <i>m</i>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <i>o</i>	Min. rear yard (ft.) <i>a</i>	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
	Two DUs, 8,000	500 per DU	80/90 <i>d</i>	20	20	5	35/3 stories <i>k</i>	A
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	A
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories <i>k</i>	A
	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	A
NAC	Non-residential and mixed use development, 6,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	50 feet <i>k</i>	A
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	A
	Two DUs, 11,250	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	A
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	A
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50 feet/4 stories, 65 feet with ground floor retail <i>k</i>	A
	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	A
NC	Non-residential and mixed use development, 8,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	65 feet <i>k</i>	A
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	A
	Two DUs, 8,000	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	A
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	A
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	65 feet, 80 feet with ground floor retail <i>k</i>	A
	Townhouse	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	A
P-O	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	A
C-1	6,000	500	80 on major streets (see Art. XV); 60 for all other streets <i>e</i> ; 100 ft. for corner lots on major streets (see Art. XV)	25	20	0; or 15 ft. when abutting residential district; side street, 15 ft.	50; or 35 within 100 ft. of all residential districts	A
C-2	8,000	500	100 on major streets (see Art. XV); 80 for all other streets <i>f</i>	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	50; or 35 within 100 feet of all residential districts	A

District	Min. lot area (sq. ft.) <sup>m</sup>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <sup>a</sup>	Min. rear yard (ft.) <sup>a</sup>	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
C-3	12,000	500	125 on major streets (see Art. XV); 100 for all other streets g	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	75; or 35 within 100 feet of all residential districts	A

District	Min. front yard (feet)	Min. rear yard (feet)	Min. side yard (feet)	Max. building height (feet)
I-1A	35	25	25	50, or 35 within 100 ft. of any residential use or district
I-1 / I-5	35	25	25	50, or 35 within 100 ft. of any residential use or district
I-2 / I-3	25	10	15	50, or 35 within 100 ft. of any residential use or district
I-4	35	10	25	50, or 35 within 100 ft. of any residential use or district

**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 a minimum of 50 feet 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 the lakeshore protection ordinance and the conservation ordinance, 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 covered patio, 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.
- 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. ft. 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 and the duplex lot size is 8,000 square feet. For detached units the minimum duplex lot width is 90 feet and the duplex lot size is 9,000 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. For duplex lots that:
  - (i) are either platted or lots of record existing prior to 3/3/97, and
  - (ii) are 75 feet in width or greater, but are less than 90 feet, and
  - (iii) have a lot size of 7,500 square feet or greater, but less than 9,000 square feet are deemed to be vested and shall be considered as conforming lots for width and/or size.
- e Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets.
- f Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.
- g Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.
- 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%.
- m Based on gross square feet.

***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 Planner:  
Sapho Vatel

**CASE # RZ-20-12-064**

Commission District: #5

**GENERAL INFORMATION**

<b>APPLICANT</b>	William Murphy
<b>OWNERS</b>	Gonz E. and Betsy M. Sumayang Tr
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>R-1A</b> (Single-Family Dwelling District) <b>to</b> <b>R-1</b> (Single-Family Dwelling District)
<b>LOCATION</b>	4906 Adanson Street; generally located on the northwest corner of Adanson Street and Timor Avenue, approximately 2,000 feet south of Lee Road.
<b>PARCEL ID NUMBER</b>	03-22-29-8476-03-490
<b>TRACT SIZE</b>	0.601 gross acres
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred nineteen (219) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
<b>PROPOSED USE</b>	Four (4) Single-Family Detached Residential Units

**STAFF RECOMMENDATION**

**PLANNING**

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

**SUBJECT PROPERTY ANALYSIS**

**Overview**

The subject property containing 0.601-gross acres was platted in 1925 as Lots 49 through 52 in the "C" block of the Sunshine Gardens plat. Lots 49 through 51 measure 50' in width while Lot 52 measures 45' wide. The applicant intends to revert to the underlying platted lots, except for Lots 51 and 52 will be oriented toward Adanson Street,

giving both lots the required square footage and lot width required by the R-1 zoning district standards.

The subject property has a Future Land Use Map (FLUM) designation of Low Density Residential (LDR) which allows for consideration of up to four (4) units per one (1) net developable acre. The proposed four (4) lots would create a density of 6.6 units per acre, however on December 14, 2021, the Board of County Commissioners approved an amendment to Comprehensive Plan Policy FLU8.1.1 which allows for a property with historical underlying platted lots to revert to those underlying platted lots so long as the zoning district standards are met without the need for a FLUM designation increase to address the density issue. In this case, because the property meets the requirements of the new policy, a FLUM amendment is not necessary, however a rezoning is required in order to meet the R-1 zoning district standards.

**Land Use Compatibility**

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

**Site Analysis**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR) which allows for consideration of up to four (4) units per one (1) net developable acre. The proposed four (4) lots would create a density of 6.6 units per acre, however on December 14, 2021, the Board of County Commissioners approved an amendment to Comprehensive Plan Policy FLU8.1.1 which allows for a property with historical underlying platted lots to revert to those underlying platted lots so long as the zoning district standards are met without the need for a FLUM designation increase to address the density issue. In this case, because the property meets the requirements of the new policy, a FLUM amendment is not necessary, however a rezoning is required in order to meet the R-1 zoning district standards.

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.

**FLU8.1.1** states in the Zoning and Future Land Use correlation table that The maximum density requirement of four (4) units per acre shall not apply to a legal lot of record as recognized by the Zoning Division with a future land use designation of Low Density Residential (LDR) and which, as of December 14, 2021, is zoned R-1A, R-1, R-2, or R-T-1, or may be rezoned from one of those four zoning districts to another of those zoning districts in accordance with this policy, provided that each of the following criteria are met:

1. The subject property is located within the Urban Service Area;
2. The proposed density and/or lot sizes are similar and compatible to those in the surrounding area and consistent with the pattern of surrounding development;
3. The subject lot of record, or each resulting lot if a lot split is proposed, is accessed by an open and maintained County-approved roadway;
4. The proposed minimum lot size and lot width requirements comply with the underlying zoning district, unless a variance or rezoning is obtained in accordance herewith;
5. Any proposed lot split would revert to the configuration of the originally platted lots or legally subdivided lots prior to 1991; if a parcel of land contains two (2) or

more lots of record in their entirety, lot lines may be reconfigured, so long as each resulting lot created is able to meet the minimum lot width and area requirements (subject to obtaining a variance if needed), and so long as the total number of lots created does not exceed the number of lots of record contained within the parcel as originally platted or legally subdivided; and

6. For R-2 zoned properties, the proposed use is single-family detached residential.

Also, provided the existing infrastructure is sufficient to support the lots created under this policy, a Preliminary Subdivision Plan (PSP), or an additional PSP, as the case may be, will not be required.

A property that needs to be rezoned in order to benefit from this policy may do so, provided: (1) it is rezoned from one of the above-referenced zoning districts to another of the above-referenced zoning districts, (2) the rezoning is necessary to ensure the proposed residential development of the property is consistent with the development pattern in the surrounding area, and (3) the zoning manager determines that any development, if built, would constitute a bona fide "urban infill" project in a manner consistent with the county's policies to encourage compact urban development and discourage urban sprawl.

### **SITE DATA**

<b>Existing Use</b>	Single-Family Dwelling
<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
<b>Adjacent Land Uses</b>	N: Single-Family Dwelling E: Single-Family Dwelling W: Single-Family Dwelling S: Single-Family Dwelling

### **R-1 (Single-Family Dwelling District) Development Standards**

Min. Lot Area:	5,000 sq. ft.
Min. Lot Width:	50 feet
Max. Height:	35 feet
Min. Floor Area:	1,000 feet

**Building Setbacks**

Front: 20 feet  
 Rear: 20 feet  
 Side: 5 feet

**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**

	Yes	No	Information
Environmental	<input type="checkbox"/>	<input type="checkbox"/>	*See Note Below Table
Transportation / Access	<input type="checkbox"/>	<input type="checkbox"/>	
Schools	<input type="checkbox"/>	<input type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input type="checkbox"/>	

**EPD Comments:**

Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

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.

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 may apply.

**Community Meeting Summary**

A community meeting was not required for this request.

**Utilities**

Water: City of Winter Park

Waste Water: City of Winter Park

Reclaim Water: City of Winter Park

**State of Florida Notice**

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

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

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

**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – (February 17, 2022)**

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

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

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning. The applicant was present and agreed with the staff recommendation. The property owner provided a brief statement regarding his agreement with the staff recommendation. Two (2) members of the public appeared in opposition during public comment of the request and expressed concerns with current traffic conditions on Adanson Street.

Staff indicated that two hundred nineteen (219) 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.

A motion was made by Commissioner Spears, and seconded by Commissioner Fernandez to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District). The motion carried unanimously.

**Motion / Second**

*Gordon Spears / Eddie Fernandez*

**Voting in Favor**

*Gordon Spears, Eddie Fernandez, Walter Pavon, Evelyn Cardenas, and Nelson Pena*

**Voting in Opposition**

*None*

**Absent**

*Trevor Sorbo, Mohammed Abdallah, JaJa Wade and George Wiggins*



RZ-20-12-064



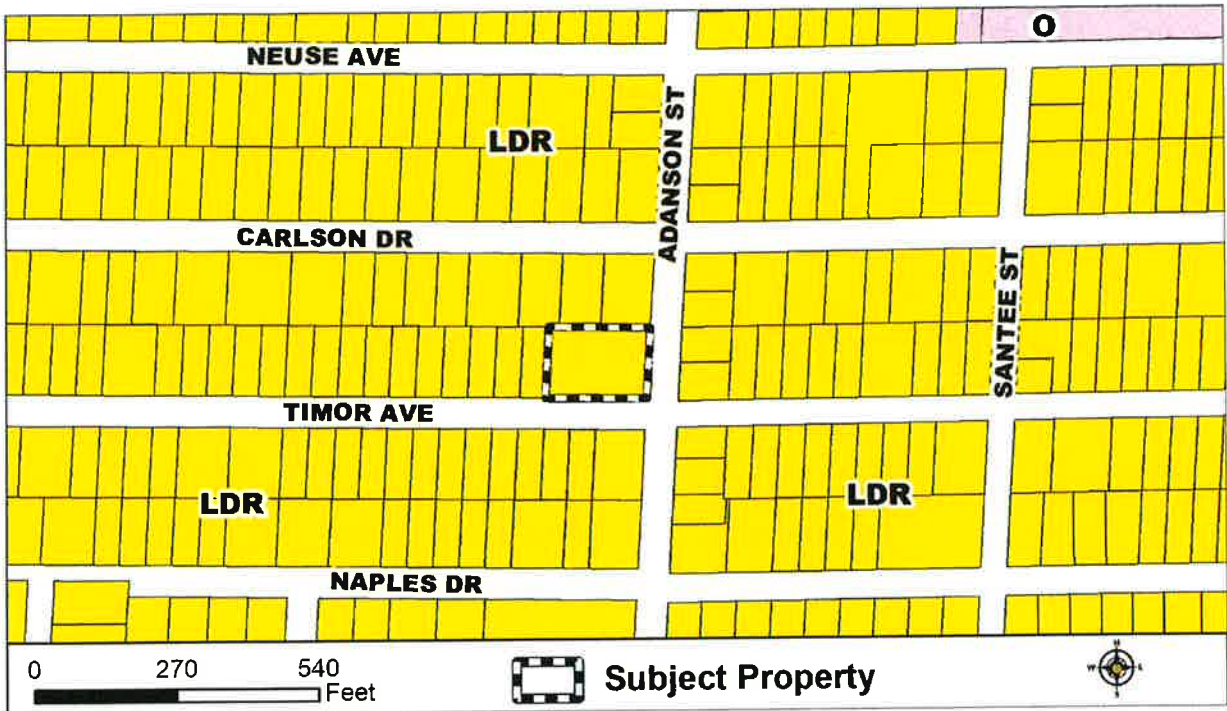
 Subject Property



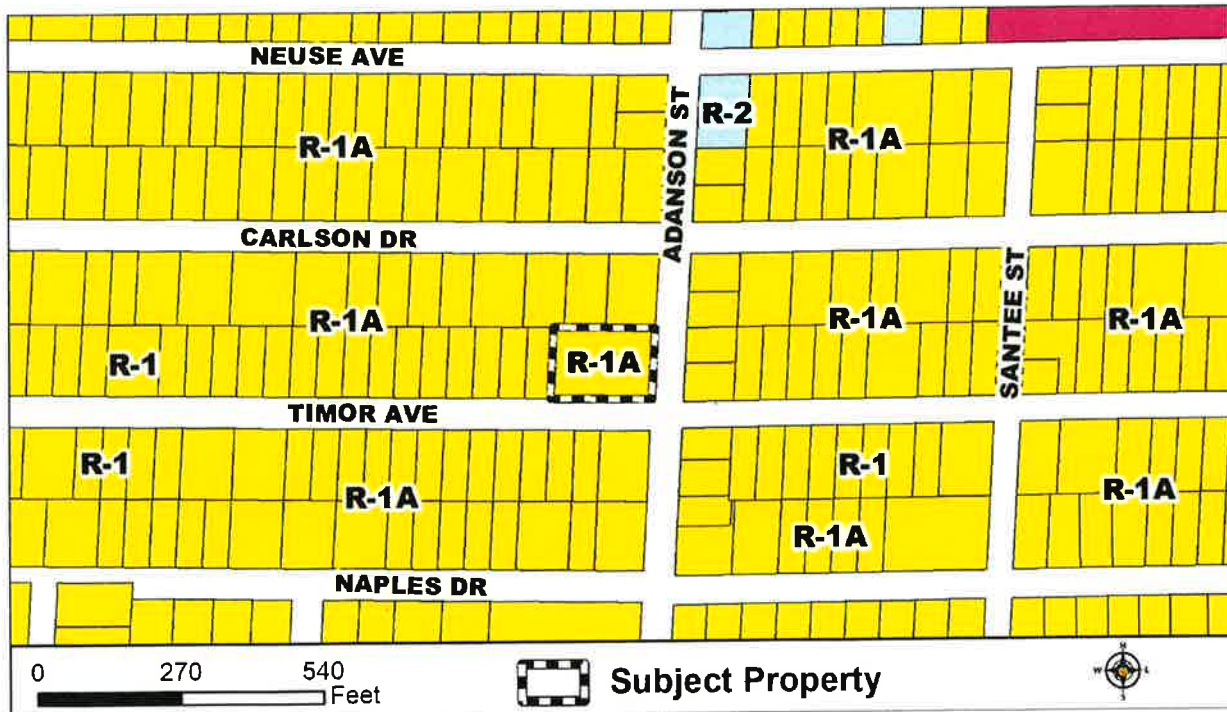
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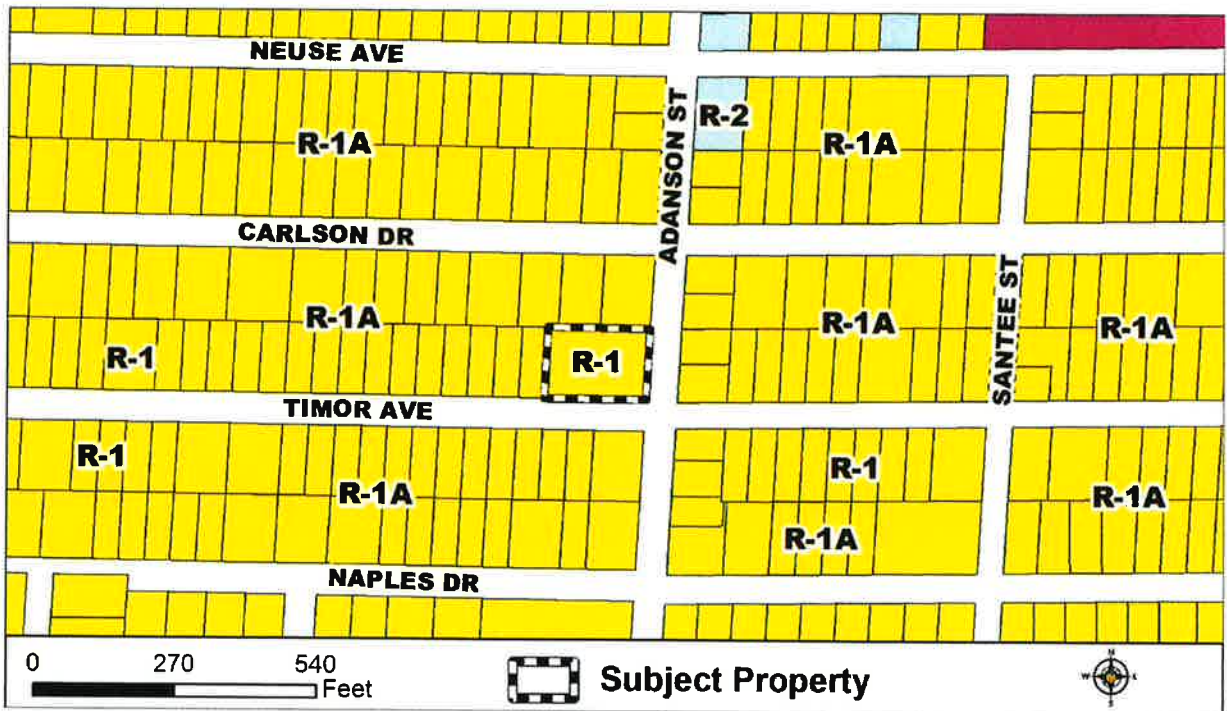
**FUTURE LAND USE**  
Low Density Residential



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

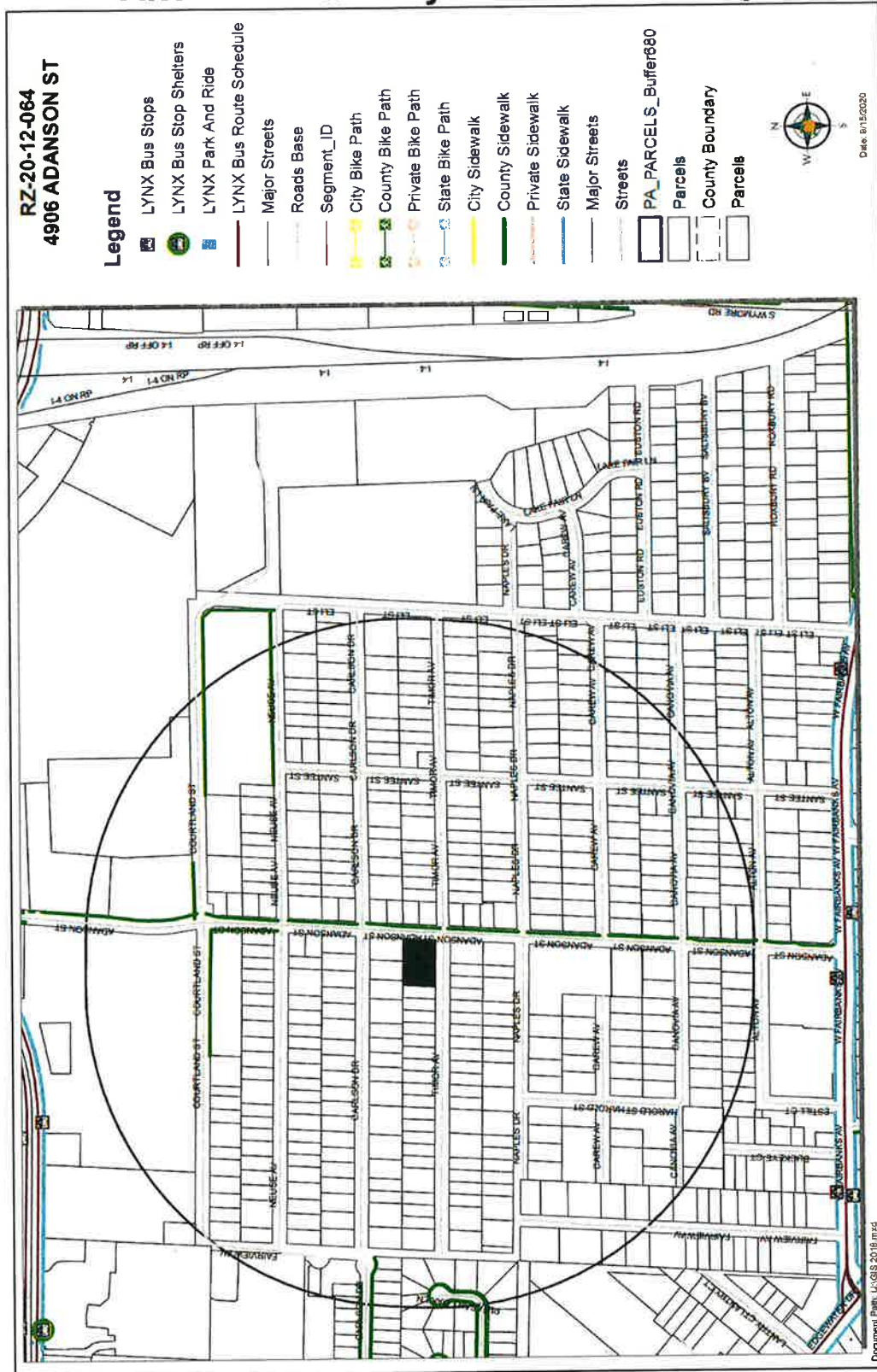


**ZONING – PROPOSED**  
R-1 (Single-Family Dwelling District)

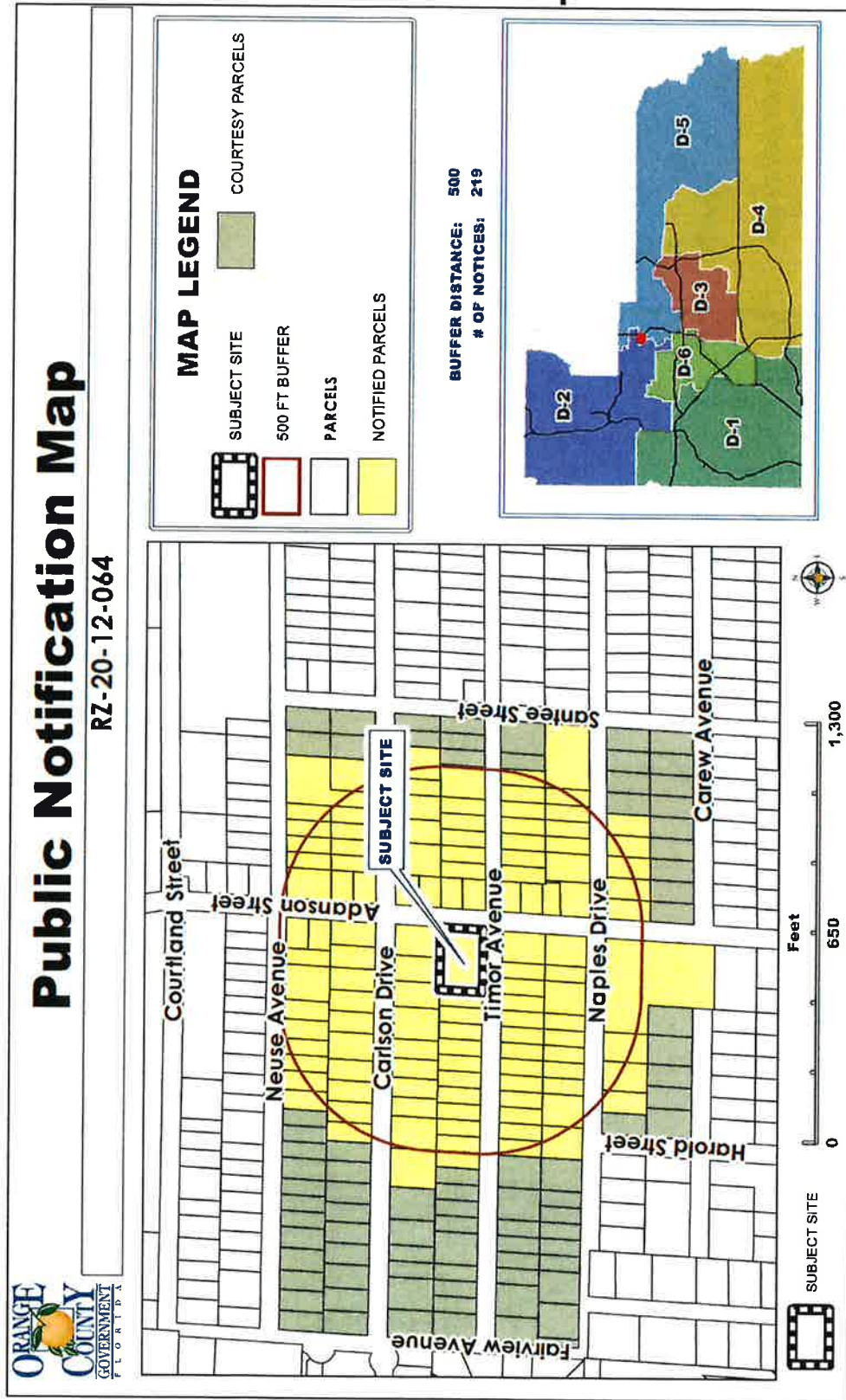




## Alternative Mobilty Area Context Map



## Notification Map



**CASE # RZ-22-02-097**

Commission District: #5

**GENERAL INFORMATION**

<b>APPLICANT</b>	Orange County Public Schools
<b>OWNERS</b>	School Board of Orange County Florida
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>R-3 (Multiple-Family Dwelling District) to C-1 Restricted (Retail Commercial District)</b>
<b>LOCATION</b>	11550 Lokanotosa Trail; generally located east of Rouse Road; north of Eastwood Drive, west of N. Alafaya Trail and south of Lokanotosa Trail.
<b>PARCEL ID NUMBER</b>	16-22-31-0000-00-152
<b>TRACT SIZE</b>	30.92-gross acres
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Nine hundred fifty-eight (958) notices were mailed to those property owners and residents in the surrounding area. A community meeting was held on February 7, 2022, and is summarized further in this report.
<b>PROPOSED USE</b>	Vocational Technical School

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-1 Restricted (Retail Commercial District) zoning, subject to the following restrictions:**

- 1) The subject property shall be limited to vocational school and public high school uses along with ancillary uses only;
- 2) To the greatest extent practicable, vehicular movement shall be directed to and from Lokanotosa Trail;
- 3) Billboards and pole signs shall be prohibited. All signage, including electronic message centers shall comply with Orange County Code;

- 4) The building setback from Eastwood Drive shall be no less than 150 feet; and
- 5) The paving setback for parking areas shall be a minimum 25ft from Eastwood Drive.

**SUBJECT PROPERTY ANALYSIS**

**Overview**

Through this request the applicant is seeking to rezone 30.92-gross acres from R-3 (Multiple-Family Dwelling District) to C-1 Restricted (Retail Commercial District) in order to construct a new 128,000 square foot visual art technical college. The site is the former location of the 9<sup>th</sup> grade center for University High School. The existing five structures are proposed to be demolished.

The current zoning of R-3 (Multiple-Family Dwelling District) does not permit the proposed technical college; a rezoning is required prior to any new development. The use is permitted under the C-1 zoning classification per OC Code 38-77 Use Table.

The applicant has offered voluntary restrictions to address compatibility and operational concerns. Staff has applied the voluntary restrictions as they help address neighboring concerns addressed during the community meeting.

**Land Use Compatibility**

The C-1 (Retail Commercial District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

**Site Analysis**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Institutional (Inst). The proposed C-1 Restricted (Retail Commercial District) zoning is consistent with the Institutional 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>	Educational Facility
<b>Adjacent Zoning</b>	N: R-3 (Multiple-Family Dwelling District) (1985) E: R-3 (Multiple-Family Dwelling District) (1968) W: R-1 (Single-Family Dwelling District) (1957) S: R-1 (Single-Family Dwelling District) (1988)
<b>Adjacent Land Uses</b>	N: Residential E: Residential W: Educational Facility

S: Single-Family Residential

**C-1 (RETAIL COMMERCIAL DISTRICT) DEVELOPMENT STANDARDS\***

Min. Lot Area:	6,000 sq. ft.
Min. Lot Width:	80 ft. (on major streets, see Article XV) 60 ft. (on all other streets)
Max. Height:	50 ft. (35 ft. within 100 ft. of all residential districts)
Min. Floor Area:	500 sq. ft.
Building Setbacks:	
Front:	25 ft.
Rear:	20 ft.
Side:	0 ft. (15 ft. when abutting residential districts)
Side Street:	15 ft.

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

**Permitted Uses**

The intent and purpose of this C-1 Retail Commercial District are as follows: this district is composed of lands and structures used primarily for the furnishing of selected commodities and services at retail. This district is encouraged:

- (1) At intersections of collectors and/or arterials;
- (2) Where it will not direct commercial traffic through residential districts;
- (3) Where adequate public facilities and services are available, as defined in the comprehensive policy plan;
- (4) Where compatible with adjacent areas or where buffers can be provided to ensure compatibility; and
- (5) To a limited extent in rural settlements throughout the county to meet the needs of an identified community, or in growth centers as defined in the comprehensive policy plan. 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**

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See Note Below Table
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Comments on traffic study from Transportation Planning and Traffic Engineering.  Please update the study as noted below.



			<p>1- ITE trip generation was used even though the data for OTC Winter Park was available. Please collect actual trips from existing Winter Park and use it. Use worst case data for each assessment, for example AM Peak using ITE used 61 entering, AM peak from the existing OTC site was 80.</p> <p>2- Staff traffic was not included in the assessment, please include.</p> <p>3- Need to use 2020 Quality/LOS handbook instead of 2013.</p> <p>4- The backups that are caused by the high school traffic currently on both westbound SR 50 at Rouse Lake Rd and northbound Rouse Rd at Eastwood were not mentioned. There have been multiple complaints about this backup for both AM and PM peak for the school and require evaluation.</p> <p>5- There is a raised pedestrian crossing on Eastwood that was not mentioned.</p> <p>6- None of the intersections were analyzed although TMC data were collected.</p> <p>7- Auxiliary lanes on both Eastwood Dr and Lokanatosa are probably needed to assist with the morning peak. Need an operational analysis with both school traffic to assess improvements at driveways.</p> <p>8- Parking requirements of 160 seem low; from an aerial view and a quick and dirty count it seems that the Winter Park Campus has approximately 215 spots, please clarify.</p>
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**\*Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.**

**Erosion Control - Use caution to prevent erosion during construction along the boundary of the property, into wetlands and 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 as indicated in 34-250(g). This may require periodic street sweeping.**

**Demolition - Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange**

County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.

Fugitive Dust - Fugitive dust emissions shall not be allowed from any activity including: vehicular movement, transportation of materials, construction, alteration, loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions. Reasonable precautions defined in Orange County Code Chapter 15-89.1.

NPDES - A National Pollutant Discharge Elimination System Notice of Intent (NOI) form for stormwater runoff from construction activity shall be submitted directly to FDEP in Tallahassee at the required time. A copy of the NPDES NOI, the issued NPDES permit, and the Stormwater Pollution Prevention Plan (SWPPP) shall be kept on site and available for inspection at any time.

### **Community Meeting Summary**

A community meeting was held on February 7, 2022, at University High School. This was a joint meeting with OCPS in which they presented their 30% design plan for the development. Eighteen (18) members of the public were in attendance. Residents expressed minimal concerns about the rezoning request. Restrictions discussed included limiting the use and alternative option to access the site to alleviate current congestion on Eastwood drive.

### **Utilities**

Water: Orange County Utilities

Waste Water: Orange County Utilities

Reclaim Water: Orange County Utilities

### **\*Detailed Utility Information:**

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

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

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

### **State of Florida Notice**

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

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shall obtain all other applicable state or federal permits before commencement of development.

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

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

**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – (February 17, 2022)**

**APPROVAL of the requested C-1 Restricted (Retail Commercial District) zoning, subject to the following restrictions:**

- 1) The subject property shall be limited to vocational school and public high school uses along with ancillary uses only;
- 2) To the greatest extent practicable, vehicular movement shall be directed to and from Lokanotosa Trail;
- 3) Billboards and pole signs shall be prohibited. All signage, including electronic message centers shall comply with Orange County Code;
- 4) The building setback from Eastwood Drive shall be no less than 150 feet; and
- 5) The paving setback for parking areas shall be a minimum 25 feet from Eastwood Drive.

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

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-1 Restricted (Retail Commercial District) zoning. A representative from the School Board was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that nine hundred fifty-eight (958) 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) response in opposition of the request.

A motion was made by Commissioner Spears, and seconded by Commissioner Pavon to recommend APPROVAL of the requested C-1 Restricted (Retail Commercial District) zoning, subject to five (5) restrictions. The motion carried unanimously.

**Motion / Second**

*Gordon Spears / Walter Pavon*

<b>Voting in Favor</b>	<i>Gordon Pavon, Walter Pavon, Evelyn Cardenas, Nelson Pena and Eddie Fernandez</i>
<b>Voting in Opposition</b>	<i>None</i>
<b>Absent</b>	<i>Trevor Sorbo, Mohammed Abdallah, JaJa Wade and George Wiggins</i>



RZ-22-02-097



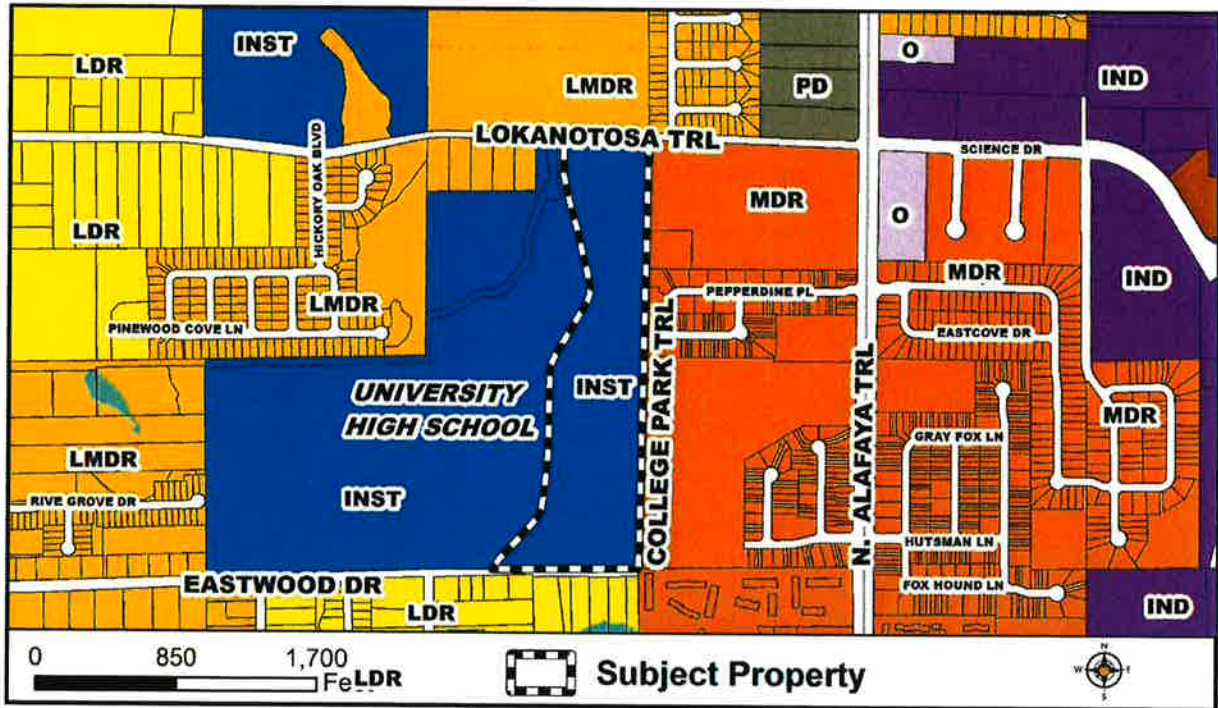
 Subject Property



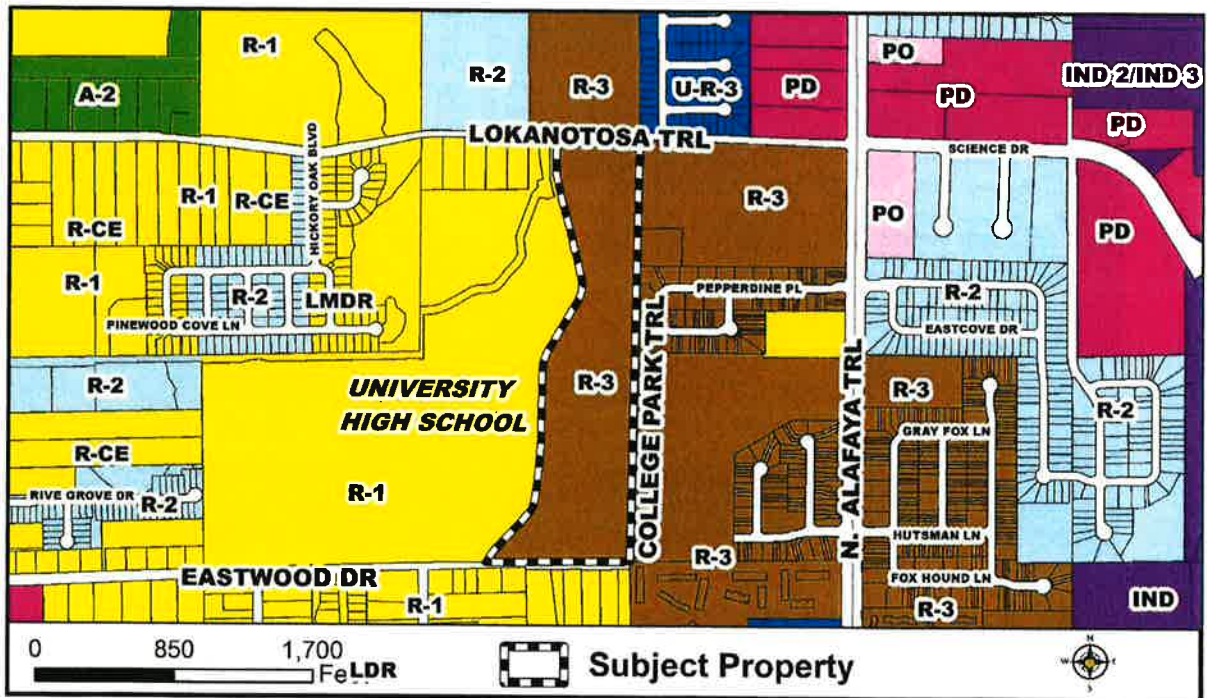
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**FUTURE LAND USE - CURRENT**  
 Institutional

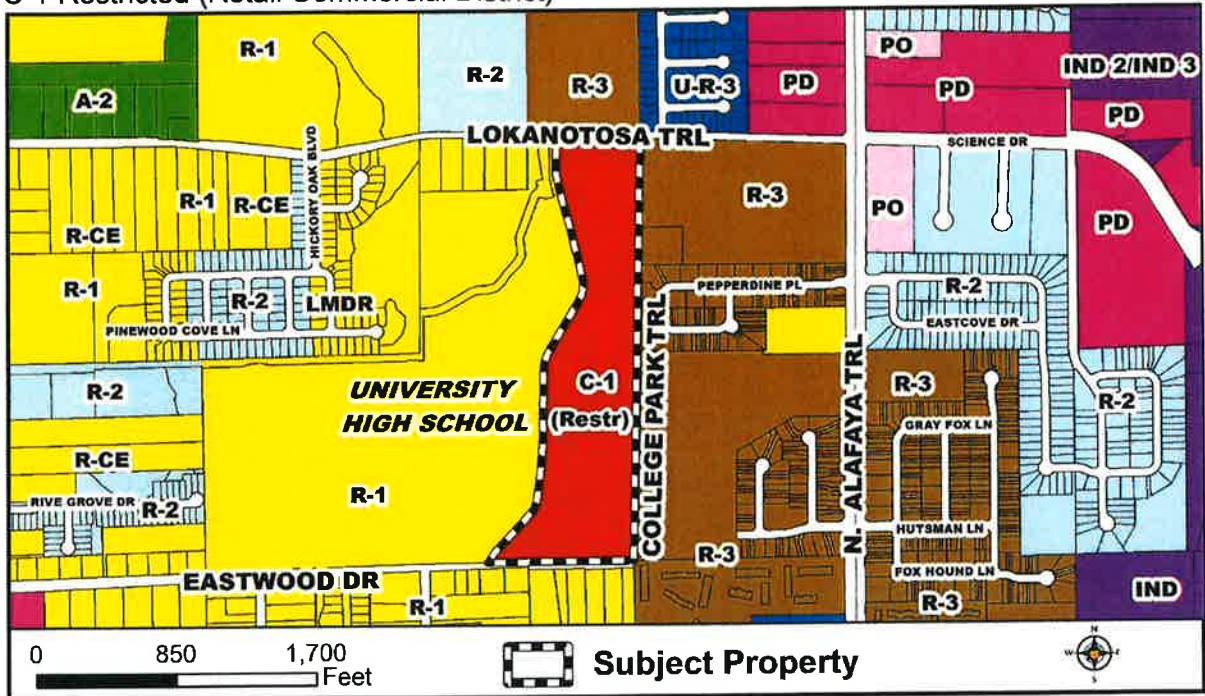


**ZONING – CURRENT**  
 R-3 (Multiple-Family Dwelling District)



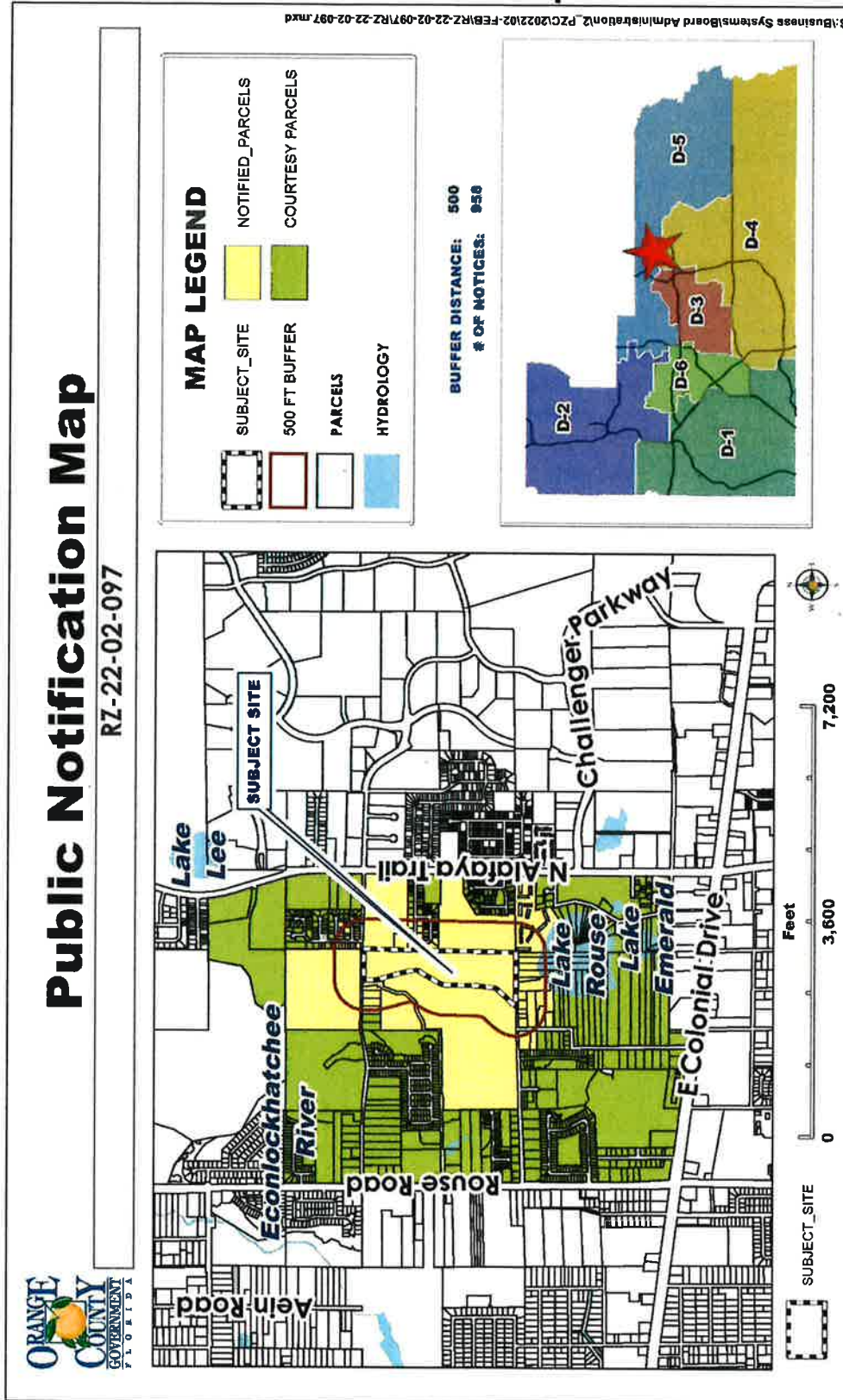
**ZONING – PROPOSED**

C-1 Restricted (Retail Commercial District)





## Notification Map





**CASE # RZ-22-02-001**

Commission District: #2

**GENERAL INFORMATION**

<b>APPLICANT</b>	Mr. Julio Diaz
<b>OWNERS</b>	Mr. Julio Diaz
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>A-1 (Citrus Rural District) to R-1 Restricted (Single-Family Dwelling District)</b>
<b>LOCATION</b>	6515 Lynn Road; or generally located on the north side of Lynn Road, approximately 200 feet west of Armstrong Road.
<b>PARCEL ID NUMBER</b>	36-21-28-5212-00-111
<b>TRACT SIZE</b>	0.27-gross acre
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Ninety-eight (98) notices were mailed to property owners and residents in the mailing area. A community meeting was held on February 14, 2022, with no residents in attendance.
<b>PROPOSED USE</b>	One (1) Single-Family Residential Dwelling

**STAFF RECOMMENDATION**

**PLANNING**

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

- 1) Minimum front yard setback shall be seventy-five (75) feet; and
- 2) For compatibility with the existing neighborhood, a site plan and elevations shall be submitted to the Planning Division for review by the Planning Manager or his or her designee prior to building permit submittal.

**SUBJECT PROPERTY ANALYSIS**

**Overview**

Through this request the applicant proposes to rezone the subject property in order to legitimize the development of the parcel which was illegally split in 1981, by rezoning from A-1 (Citrus Rural District) to R-1 Restricted (Single-Family Residential District), in order to construct a single-family dwelling unit on 0.27 gross acre.

The immediate area is predominately developed with A-1 zoned properties which consist of 100' wide lots. The proposed R-1 Restricted zoning district requires a minimum lot width of 50 feet. The request corrects the inconsistency with the Future Land Use Low Density Residential (LDR) designation.

In order to achieve compatibility with the surrounding area, staff is recommending the front setback for the one single-family dwelling be a minimum of 75'. This would allow the applicant to construct a dwelling unit with setbacks that are consistent with the character of the area. The house to the east of the subject property has a front yard setback of approximately 120' while the house to the west has a front yard setback of approximately 40', while the house across the street has a setback of 45'. The subject property is 239' in length and 50' wide.

The construction of one (1) single-family dwelling unit will be reliant on septic. No gravity wastewater mains are located in the vicinity of the subject property. This property is located within the Wekiva Priority Focus Area, therefore advanced septic treatment system is required.

**Land Use Compatibility**

The R-1 Restricted (Single-Family Dwelling District), zoning with a minimum front yard setback of 75 feet and compatibility review of the site plan and elevations would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

**Site Analysis**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR) which allows consideration of up to four (4) dwelling units per acre. The proposed R-1 Restricted (Single-Family Dwelling District) zoning is

consistent with the LDR FLUM designation and the following Comprehensive Plan provisions:

**FLU1.4.1** states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

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

**GOAL FLU2** states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

**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.

**FLU8.1.1** 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.

**FLU8.2.11** 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>	Undeveloped
<b>Adjacent Zoning</b>	N: A-1 (Citrus Rural District) (1957)

E: A-1 (Citrus Rural District) (1957)  
W: A-1 (Citrus Rural District) (1957)  
S: A-1 (Citrus Rural District) (1957)

**Adjacent Land Uses** N: Undeveloped Residential  
E: Single-Family Residence  
W: Single-Family Residence  
S: Single-Family Residence

*\*No zoning restrictions apply to the above.*

**R-1 (Single-Family Dwelling District) Development Standards**

Min. Lot Area: 5,000 sq. ft.  
Min. Lot Width: 50 feet  
Max. Height: 35 feet  
Min. Floor Area: 1,000 feet  
Building Setbacks  
Front: 20 feet  
Rear: 20 feet  
Side: 5 feet

**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**

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See Note Below Table
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The impact of the rezoning request to construct one (1) single-family dwelling unit is considered De Minimis.
Schools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Deminimus impact to OCPS. A capacity determination is not required.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

\*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

**Wekiva Priority Focus Area** - This site is located within the Wekiva Priority Focus Area. The Springs and Aquifer Protection Act (section 373.811(2) F.S.) requires treatment of Onsite Sewage Treatment and Disposal System (OSTDS) loads in the Wekiwa Spring and Rock Springs Basin Management Plan (BMAP) of June 2018. Per this requirement, lots less than one acre within the Priority Focus Area must comply with the OSTDS Remediation Plan that requires systems with nitrogen reducing enhancements within the BMAP. Contact the Florida Department of Health (FDOH) for details of advanced septic treatment system requirements.

**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.

**Waste Material Disposal** - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

**Habitat Permit Compliance** - 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).

### **Community Meeting Summary**

A community meeting was held on February 14, 2022, with no residents in attendance.

### **Utilities**

Water: Orange County Utilities  
Waste Water: Orange County Utilities  
Reclaim Water: Orange County Utilities

#### **\*Detailed Utility Information:**

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

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

**Wastewater:** There are no gravity wastewater mains in the vicinity of this property and wastewater is considered not available. Single-family development on this property will be reliant on septic tanks for wastewater disposal.

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

**State of Florida Notice**

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

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

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

**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – (February 17, 2022)**

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

- 1) Minimum front yard setback shall be seventy-five (75) feet; and
- 2) For compatibility with the existing neighborhood, a site plan and elevations shall be submitted to the Planning Division for review by the Planning Manager or his or her designee prior to building permit submittal.

**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-1 Restricted (Single-Family Dwelling District) zoning. The applicant was present and agreed with the staff recommendation. Five (5) members of the public appeared in opposition during public comment of the request and expressed concerns with compatibility of the development with the surrounding area.

Staff indicated that ninety-eight (98) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received thirteen (13) responses in opposition, and one (1) response in favor of the request.

After brief discussions on the sales history of the lot and wastewater requirements, a motion was made by Commissioner Pavon, and seconded by Commissioner Cardenas to recommend APPROVAL of the requested R-1 Restricted (Single-Family Dwelling District) zoning, subject to the two (2) restrictions. Commisisoner Spears voted in opposition. The motion carried 4 to 1 in the affirmative.

**Motion / Second**

*Walter Pavon / Evelyn Cardenas*

**Voting in Favor**

*Walter Pavon, Evelyn Cardenas, Nelson Pena and Eddie Fernandez*

**Voting in Oppostion**

*Gordon Spears*

**Absent**

*Trevor Sorbo, Mohammed Abdallah, JaJa Wade, and George Wiggins*



RZ-22-02-001



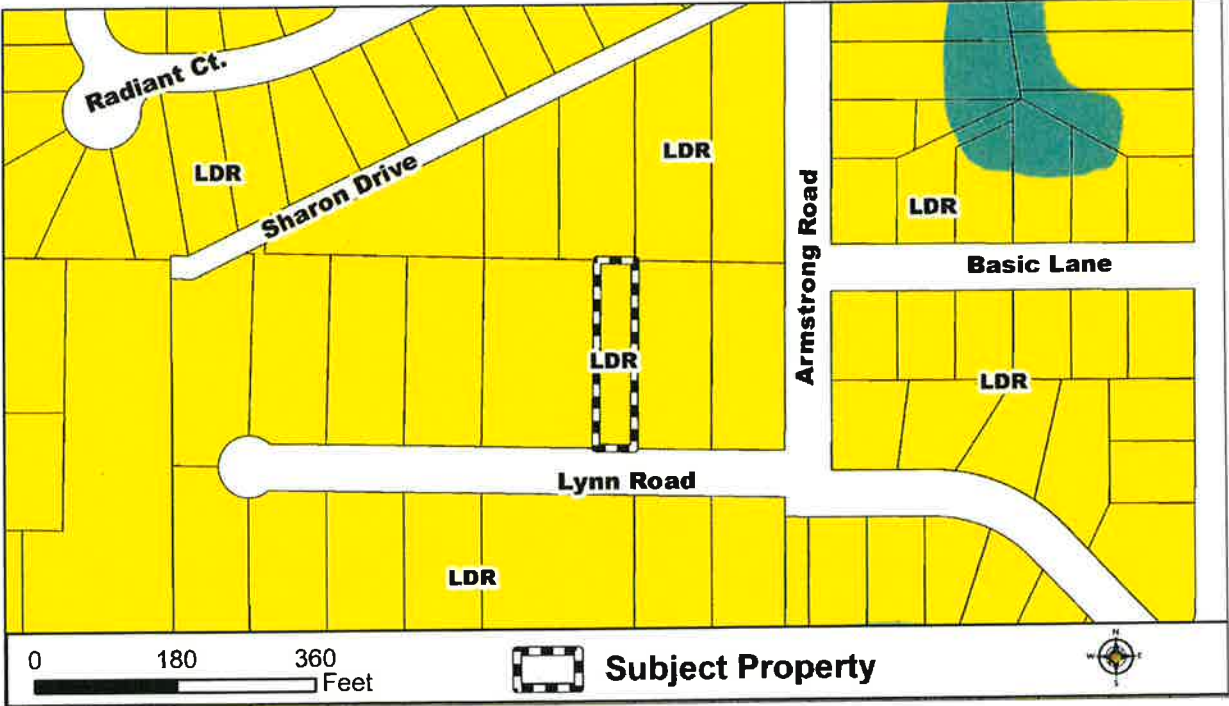
 Subject Property



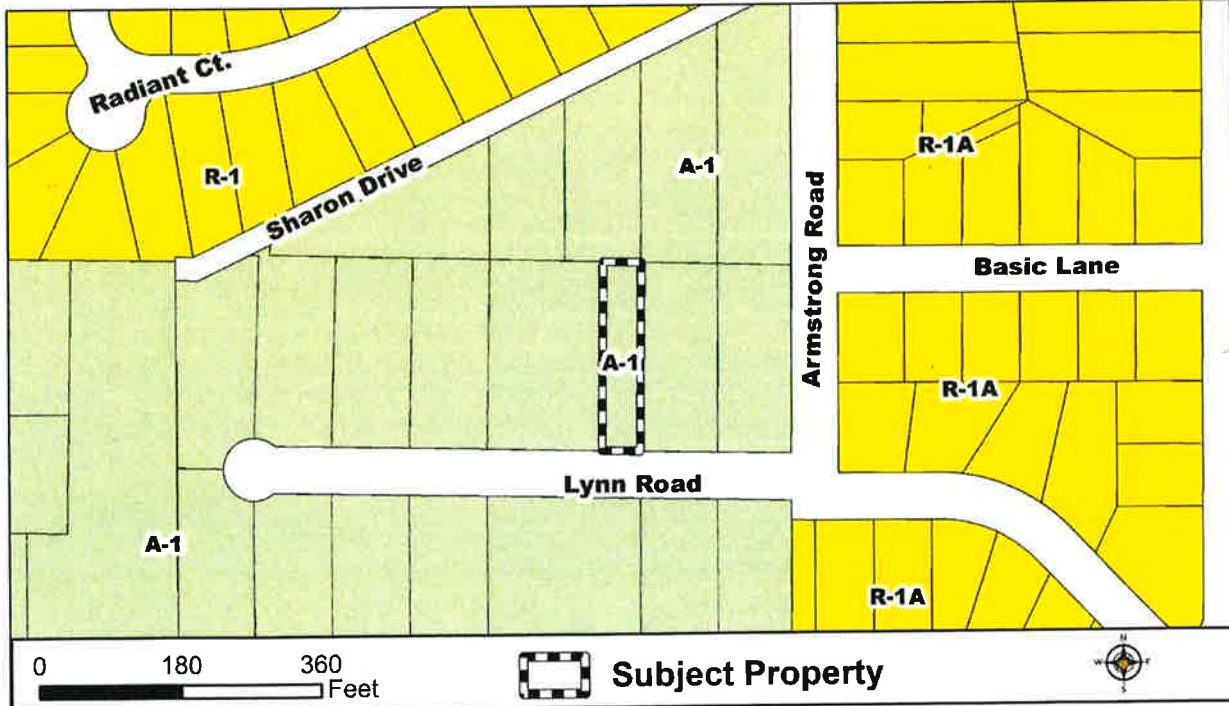
1 inch = 125 feet



**FUTURE LAND USE**  
Low Density Residential

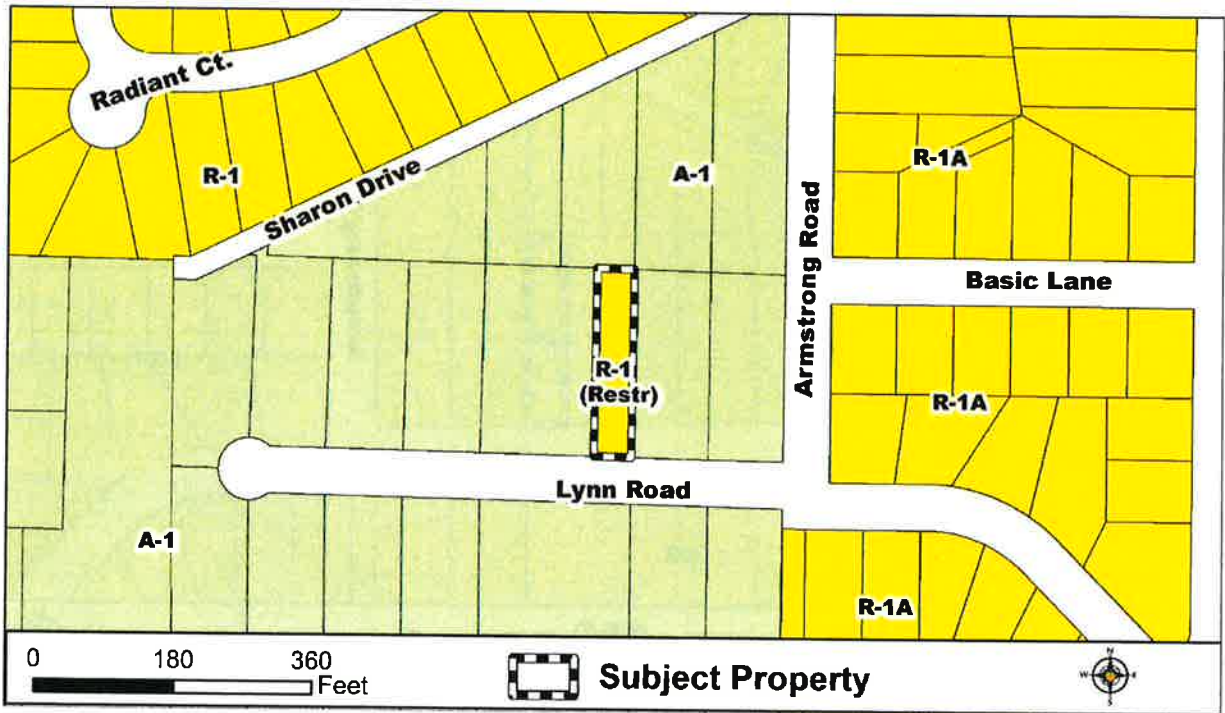


**ZONING - CURRENT**  
A-1 (Citrus Rural District)



**ZONING - PROPOSED**

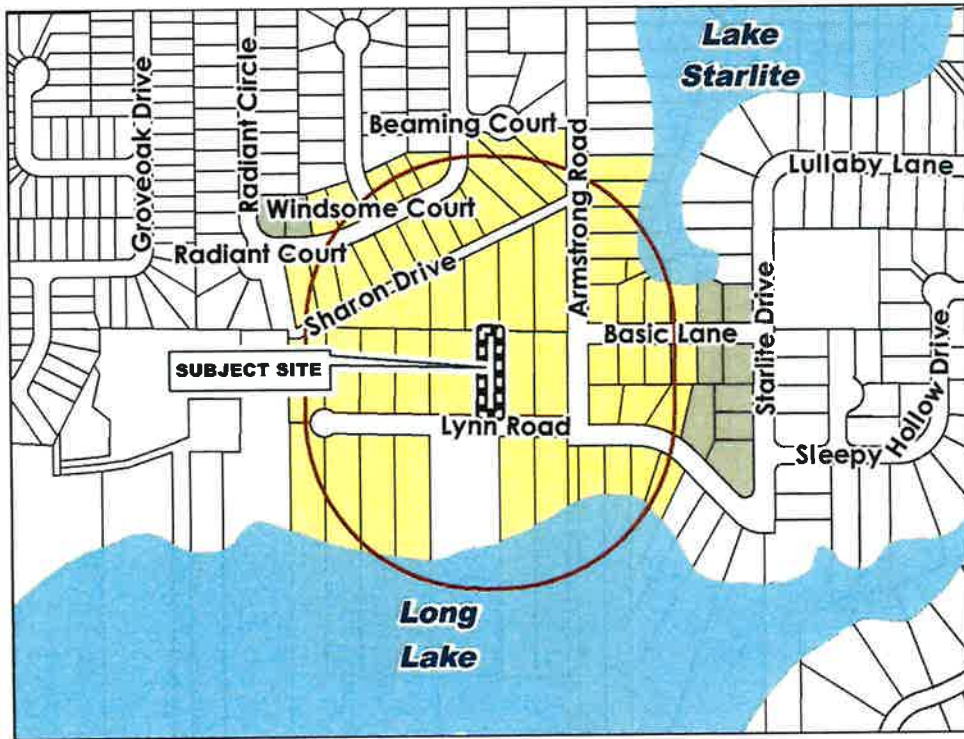
R-1 Restricted (Single-Family Dwelling District)



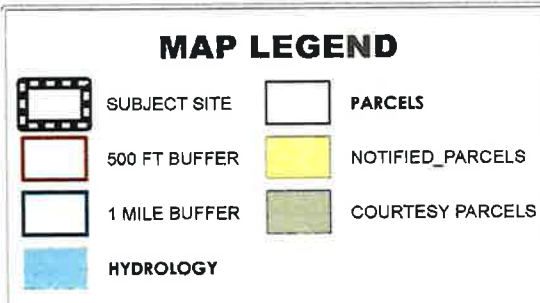


# Public Notification Map

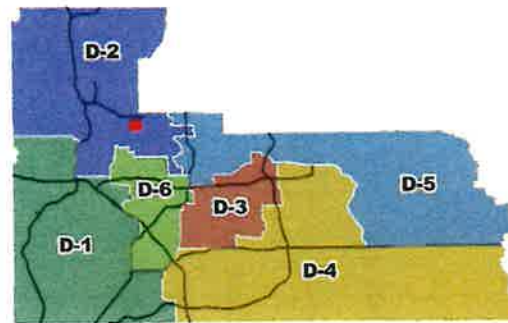
RZ-22-02-001



SUBJECT SITE



**BUFFER DISTANCE: 500**  
**# OF NOTICES: 96**



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## Notification Map

Case # RZ-22-02-001  
 Orange County Planning Division  
 PZC Hearing Date: February 17, 2022

**CASE # RZ-22-03-002**

Commission District: #6

**GENERAL INFORMATION**

<b>APPLICANT</b>	Jeffrey Allen Williams, Roger Williams Construction
<b>OWNERS</b>	Kenneth and Pruya Jaisingh
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>R-1A (Single-Family Residential District) to P-O Restricted (Professional Office District)</b>
<b>LOCATION</b>	729 Charles Street; generally east of N. Powers Drive; north of W. Colonial Drive, approximately 160 feet south of Berry Street.
<b>PARCEL ID NUMBER</b>	24-22-28-6240-03-150
<b>TRACT SIZE</b>	0.32-gross acre
<b>PUBLIC NOTIFICATION</b>	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 thirty-two (132) notices were mailed to those property owners and residents in the surrounding area. A community meeting was held on February 9, 2022 and is summarized further in this report.
<b>PROPOSED USE</b>	Professional Office

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested P-O Restricted (Professional Office District) zoning, subject to the following restrictions:**

- 1) New Billboards and Pole Signs shall be prohibited.

**SUBJECT PROPERTY ANALYSIS**

**Overview**

Through this rezoning request the applicant is seeking to rezone the 0.32 gross-acre parcel from R-1A (Single-Family Residential District) to P-O Restricted (Professional Office District) in order to allow professional office uses.

The Future Land Use designation of Office and the zoning district of R-1A residential zoning is inconsistent. The R-1A zoning has been in existence since 1957. A rezoning is required prior to any development. The proposed P-O Restricted zoning district is consistent with the Office FLUM designation.

The area surrounding the subject property is developed with C-1 (Retail Commercial District) uses to the south and R-1A (Single-Family Residential District) to the north. There is a single-family home with the R-3 zoning classification to the west. The proposed P-O Restricted zoning district would provide for an appropriate transition in land uses between commercial and residential parcels within the immediate area. The Board of County Commissioners approved the rezoning of the adjacent property to the east in 2009 from R-1A (Single-Family Dwelling District) and C-1 (Retail Commercial District) to P-O Restricted (Professional Office District).

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).

**Land Use Compatibility**

The P-O (Professional Office 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**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**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>	Vacant Land
<b>Adjacent Zoning</b>	N: Single-Family Residence (1957)
	E: Profession Office and C-1 (Retail Commercial District) (2009)
	W: P-O (Professional Office District) (1987)
	S: P-O (Professional Office District) and C-1 (Retail Commercial District) (2009)

**Adjacent Land Uses**

N: Residence  
 E: Vacant Land  
 W: Office  
 S: Vacant Land

**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. (for 1-2 story buildings, plus 2 ft. for each additional story)  
     Side Street: 15 ft.

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

**Intent, Purpose, and Uses**

The intent and purpose of this C-1 retail commercial district are as follows: this district is composed of lands and structures used primarily for the furnishing of selected commodities and services at retail. This district is encouraged:

- 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**

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See Note Below Table *

Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located in the Alternative Mobility Area (AMA) and, therefore, shall be required to provide for alternative mobility strategies related to the development. The applicant must submit a Mobility Analysis to be reviewed and approved by the Transportation Planning Division prior to obtaining a building permit; provided, however, if the County removes the Alternative Mobility Area from its Code prior to approval of the first building permit, then this project shall comply with the County's then-current transportation concurrency requirements.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

\* 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

Wekiva Priority Focus Area - This site is located within the Wekiva Priority Focus Area. If a septic system is required, the Springs and Aquifer Protection Act (section 373.811(2) F.S.) requires treatment of Onsite Sewage Treatment and Disposal System (OSTDS) loads in the Wekiwa Spring and Rock Springs Basin Management Plan (BMAP) of June 2018. Per this requirement, lots less than one acre within the Priority Focus Area must comply with the OSTDS Remediation Plan that requires systems with nitrogen reducing enhancements within the BMAP. Contact the Florida Department of Health (FDOH) for details of advanced septic treatment system requirements.

Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Demolition - Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400.  
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

**Community Meeting Summary**

A community meeting was held for this request on February 9, 2022, with two (2) members of the community in attendance. Concerns expressed included the desire to see a site that is well maintained and kept free of trash and debris.

**Utilities**

Water: Orlando Utilities Commission  
Wastewater: Orange County Utilities  
Reclaim Water: Orange County Utilities

**\*Detailed Utility Information:**

This property is within 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: There are no gravity wastewater mains in the vicinity of this property and wastewater is considered not available. Development on this property will be reliant on septic tanks for wastewater disposal. Advance septic system 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 – (February 17, 2022)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested P-O Restricted (Professional Office District) zoning, subject to the following restriction:**

- 1) New Billboards and Pole Signs shall be prohibited.

**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 P-O Restricted (Professional Office District) zoning. The applicant's representative was present and agreed with the staff recommendation. No members of the public appeared in favor or opposition during public comment of the request.

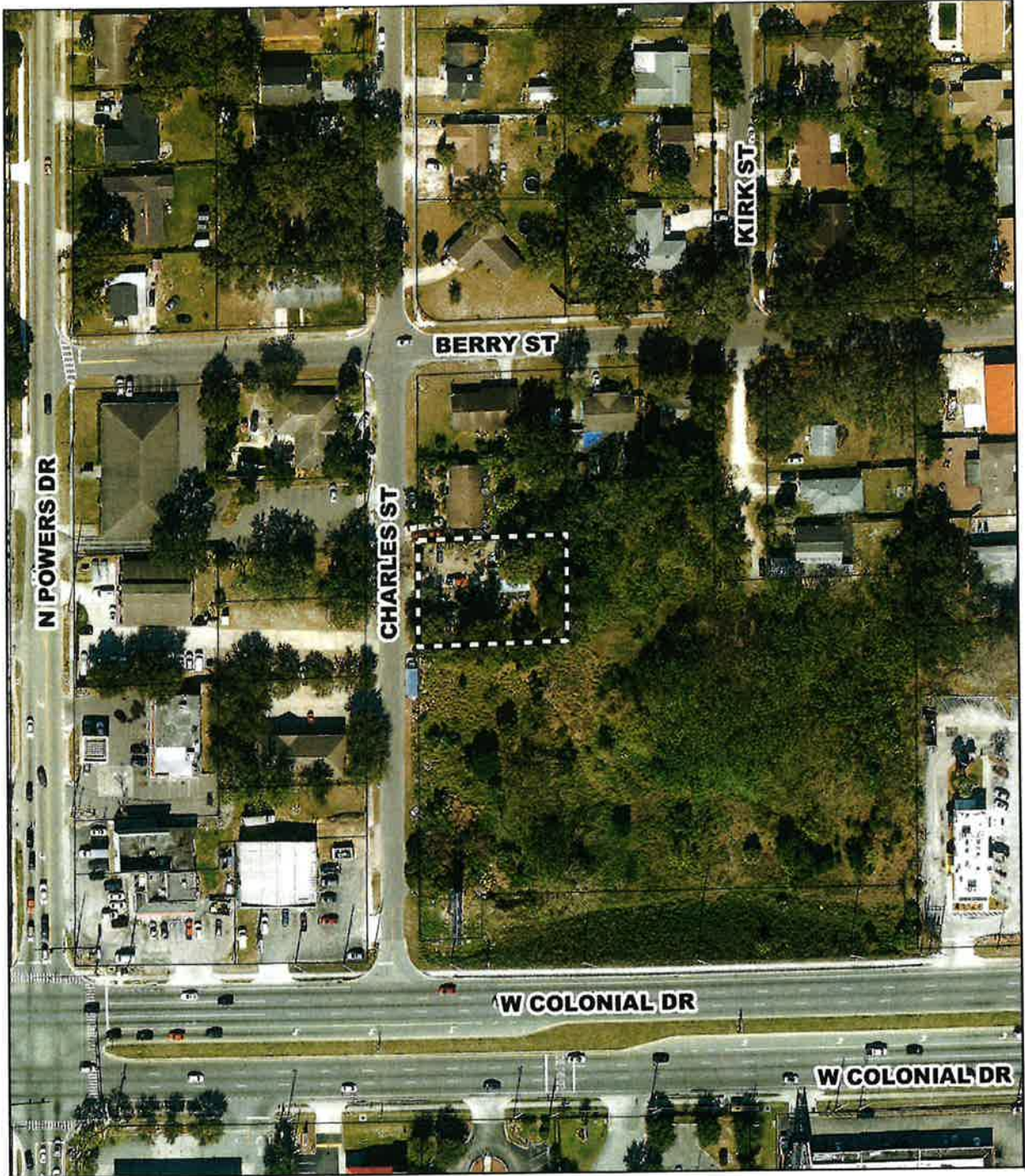
Staff indicated that one hundred thirty-two (132) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received one (1) response from the Pine Hills Safe Neighborhood Partnership in opposition of the request and none were received in favor.

A motion was made by Commissioner Spears, and seconded by Commissioner Pavon to recommend APPROVAL of the requested P-O Restricted (Professional Office District) zoning subject to the one (1) restriction. The motion carried unanimously.

<b>Motion / Second</b>	<i>Gordon Spears / Walter Pavon</i>
<b>Voting in Favor</b>	<i>Gordon Spears, Walter Pavon, Evelyn Cardeans, Nelson Pena, and Eddie Fernandez</i>
<b>Voting in Opposition</b>	<i>None</i>
<b>Absent</b>	<i>Trevor Sorbo, Mohammed Abdallah, JaJa Wade, and George Wiggins</i>



RZ-22-03-002

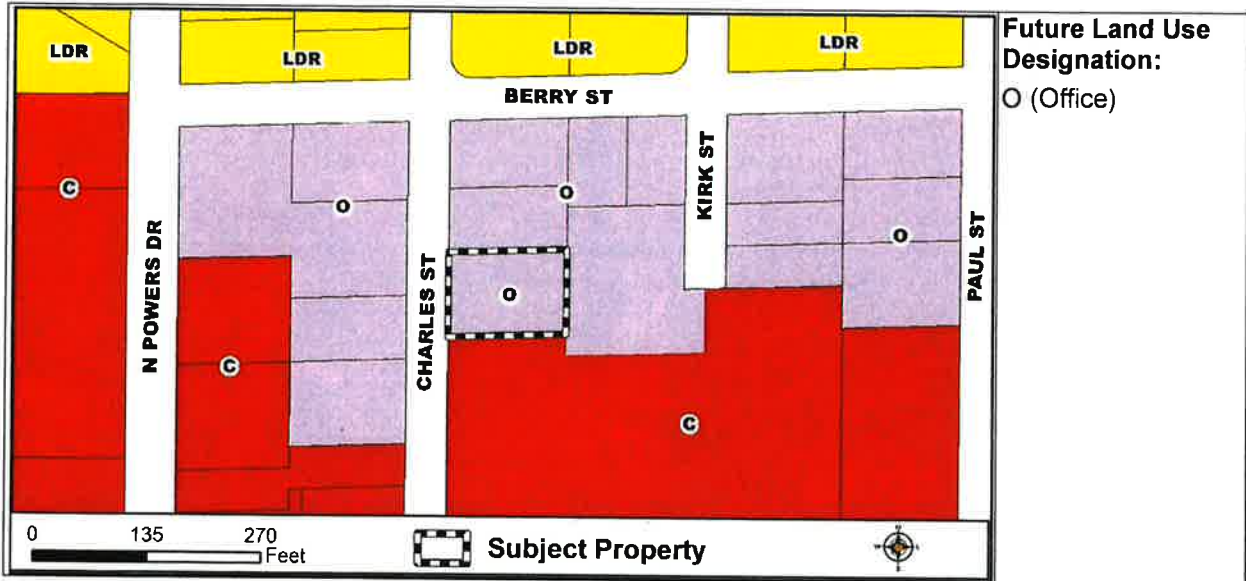


 Subject Property

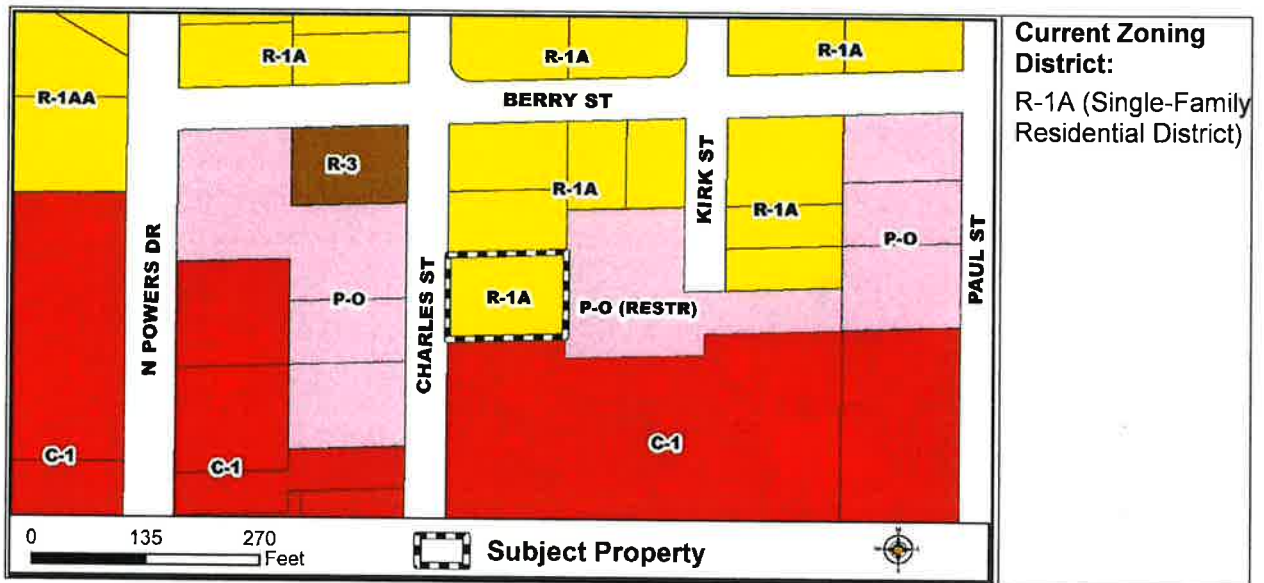


1 inch = 123 feet

**FUTURE LAND USE – CURRENT**

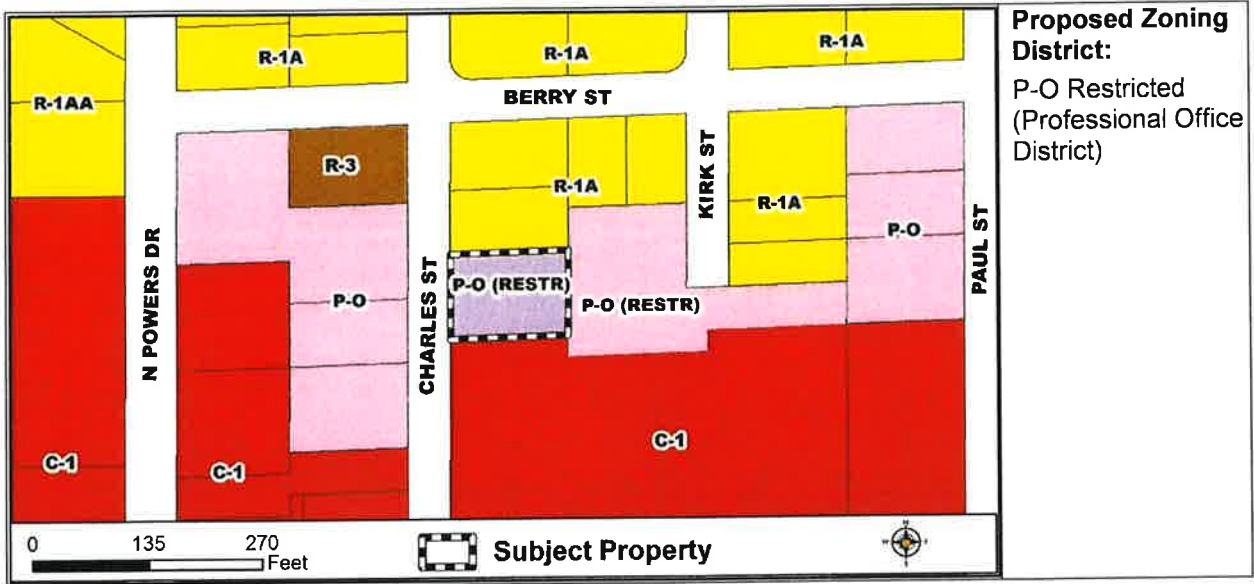


**ZONING - CURRENT**





**ZONING - PROPOSED**



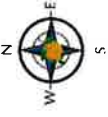
**Proposed Zoning District:**  
P-O Restricted  
(Professional Office District)

## Alternative Mobility Area

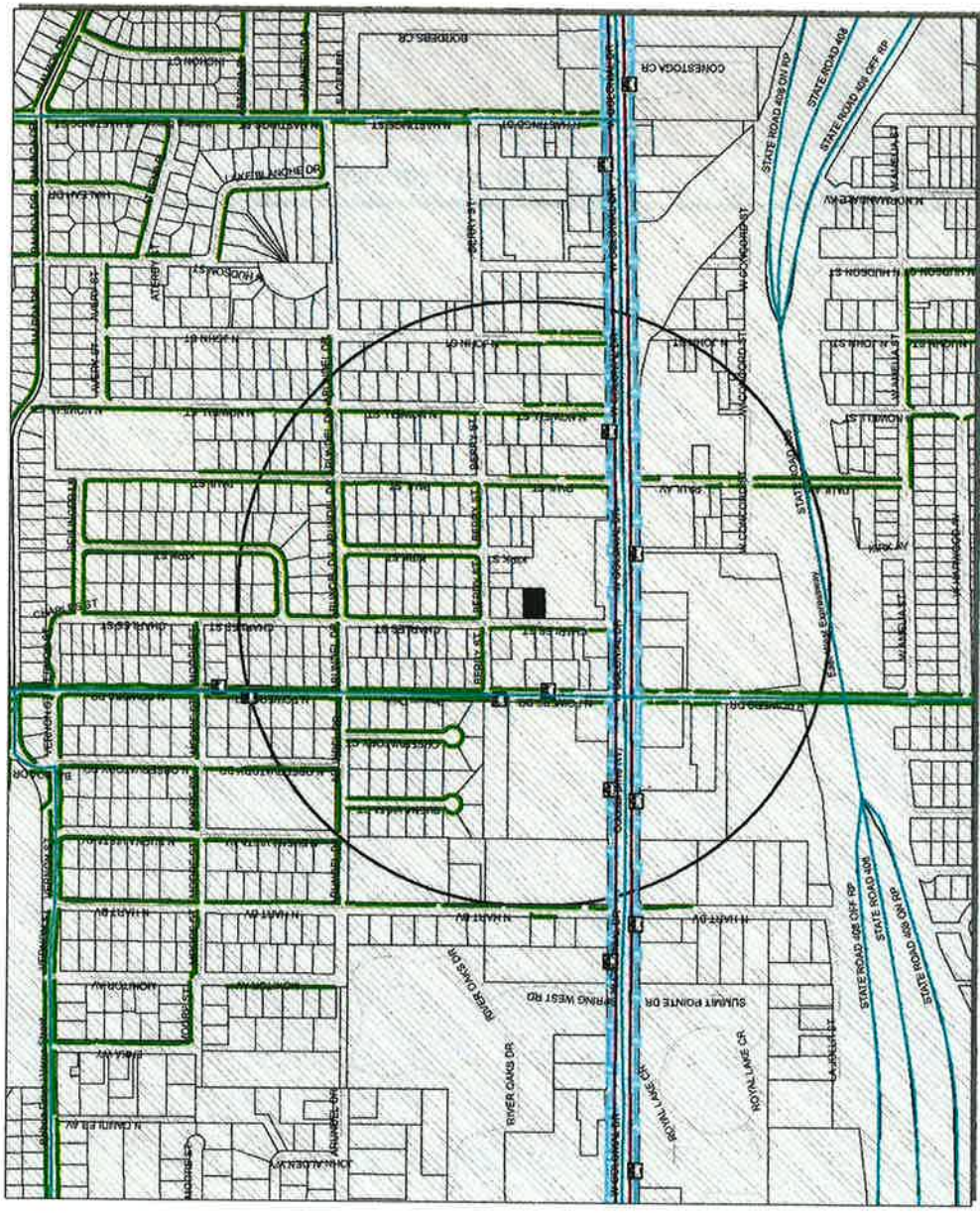
RZ-22-02-002  
 729 Charles Street  
 Parcel # 24-22-28-6240-03-150

### Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- City Bike Path
- County Bike Path
- Private Bike Path
- State Bike Path
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Streets
- PA\_PARCELS\_Buffer192
- Parcels
- Alternative Mobility Area
- URBAN Parcels



Date: 1/11/2022



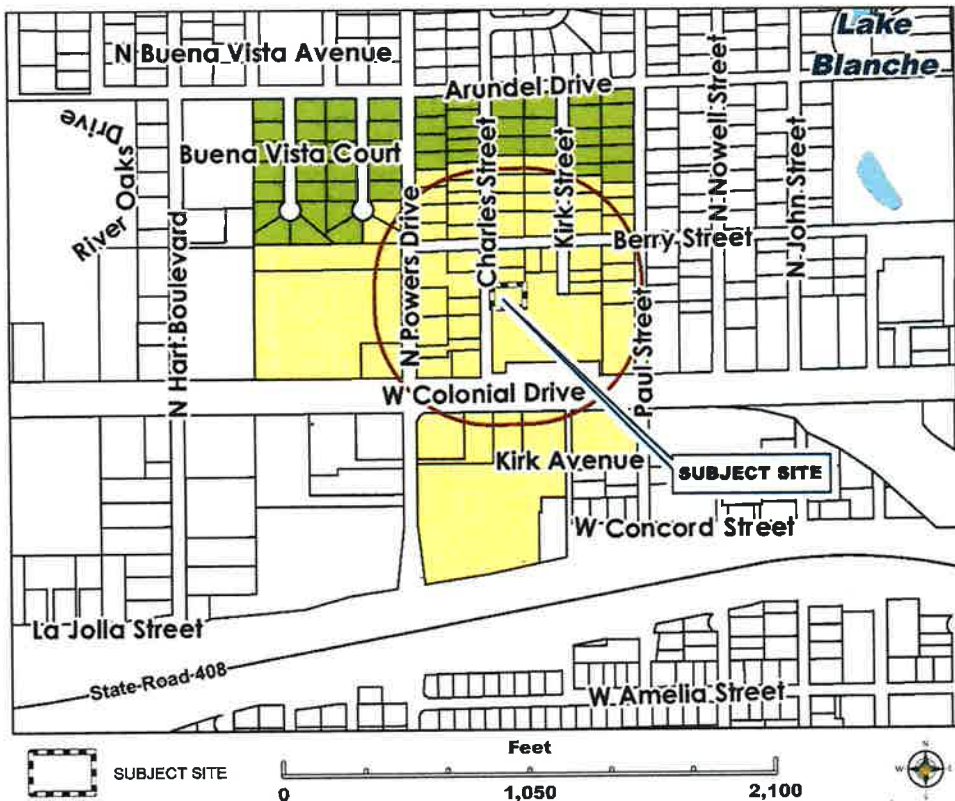
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# Public Notification Map

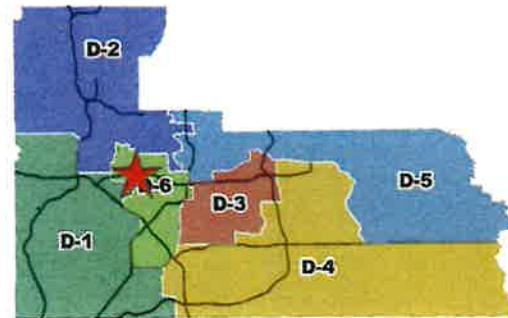
RZ-22-03-002



### MAP LEGEND

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

**BUFFER DISTANCE: 500**  
**# OF NOTICES: 132**



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## Notification Map

**Orange County Planning Division**  
**PZC Hearing Date: February 17, 2022**

**Case # RZ-22-03-002**



**CASE # RZ-22-02-003**

Commission District: #6

**GENERAL INFORMATION**

<b>APPLICANT</b>	Jose Antonio Robles Jr.
<b>OWNERS</b>	West Orange Real Estate Holdings, LLC
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>R-1A</b> (Single-Family Residential District) <b>to</b> <b>NR</b> (Neighborhood Residential District)
<b>LOCATION</b>	1513 23rd Street; generally located west of S. Orange Blossom Trail, north of 23rd Street approximately 150 feet east of S. Rio Grande Ave
<b>PARCEL ID NUMBER</b>	03-23-29-0180-25-160
<b>TRACT SIZE</b>	0.15-gross acre
<b>PUBLIC NOTIFICATION</b>	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 two (102) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
<b>PROPOSED USE</b>	One Single-Family Dwelling

**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 request is to rezone from R-1A (Single-Family Residential) to NR (Neighborhood Residential) zoning district in order to construct one single-family detached unit on 0.15-gross acre.

The subject property is located in the Holden Heights overlay district. Properties within the Holden Heights Area only have Future Land Use designations Neighborhood Activity

Corridor (NAC), Neighborhood Center (NC) or Neighborhood Residential (NR). The FLUM designation of NR is inconsistent with the current R-1A zoning district, therefore development cannot take place prior to approval of a zoning district designation of NR.

The site is currently undeveloped, and the immediate area is developed with a combination of single-family detached dwelling units on varying lot sizes. The subject property and the surrounding adjacent properties have retained the R-1A zoning since 1957.

**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**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This subject property is located within the Holden Height Overlay District
Airport Noise Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This Subject property is located within Airport Noise Zone "E". Any required noise mitigation will be required at permitting.
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Neighborhood Residential (NR). The neighborhood Residential designation allows consideration of up to 20 dwelling units per acre. The proposed NR (Neighborhood Residential) zoning district 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:

**FLU1.4.1** states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

**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>	Undeveloped
<b>Adjacent Zoning</b>	N: R-1A (Single-Family Residential District (1957)) E: R-1A (Single-Family Residential District (1957)) W: R-1A (Single-Family Residential District (1957)) S: R-1A (Single-Family Residential District (1957)) <i>*No zoning restrictions apply to the above.</i>

<b>Adjacent Land Uses</b>	N: Single Family Dwelling E: Single Family Dwelling W: Single Family Dwelling S: Vacant
---------------------------	--

**Neighborhood Residential Development Standards**

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

Min. Living Area: 1,000 sq. ft.

Building Setbacks

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

**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

**SPECIAL INFORMATION**

**Staff Comments**

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the Concurrency Management database (CMS) dated 01/05/2022, there are failing roadways within the project's impact area. However, this project is located within the Orange County Alternative Mobility Area. The proposed development of one (1) single-family units is De minimus.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Community Meeting Summary**

A community meeting was not required for this request.

**Utilities**

Water: Orlando Utilities Commission  
Waste Water: Orange County Utilities  
Reclaim Water: City of Orlando

**\*Detailed Utility Information:**

This property is within Orlando Utilities Commission's water service area.

This property is within City of Orlando's reclaimed water service area.

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.

**State of Florida Notice**

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

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

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

**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – (February 17, 2022)**

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested NR (Neighborhood Residential) 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 District) zoning. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred two (102) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received zero (0) responses in opposition of the request and zero (0) in favor.

A motion was made by Commissioner Pavon, and seconded by Commissioner Spears to recommend APPROVAL of the requested NR (Neighborhood Residential District) zoning. The motion carried unanimously.



**Motion / Second**

*Walter Pavon / Gordon Spears*

**Voting in Favor**

*Walter Pavon, Gordon Spears, Evelyn Cardeans, Nelson Pena and Eddie Fernandez*

**Voting in Opposition**

*None*

**Absent**

*Trevor Sorbo, Mohammed Abdallah, JaJa Wade, and George Wiggins*

RZ-22-02-003

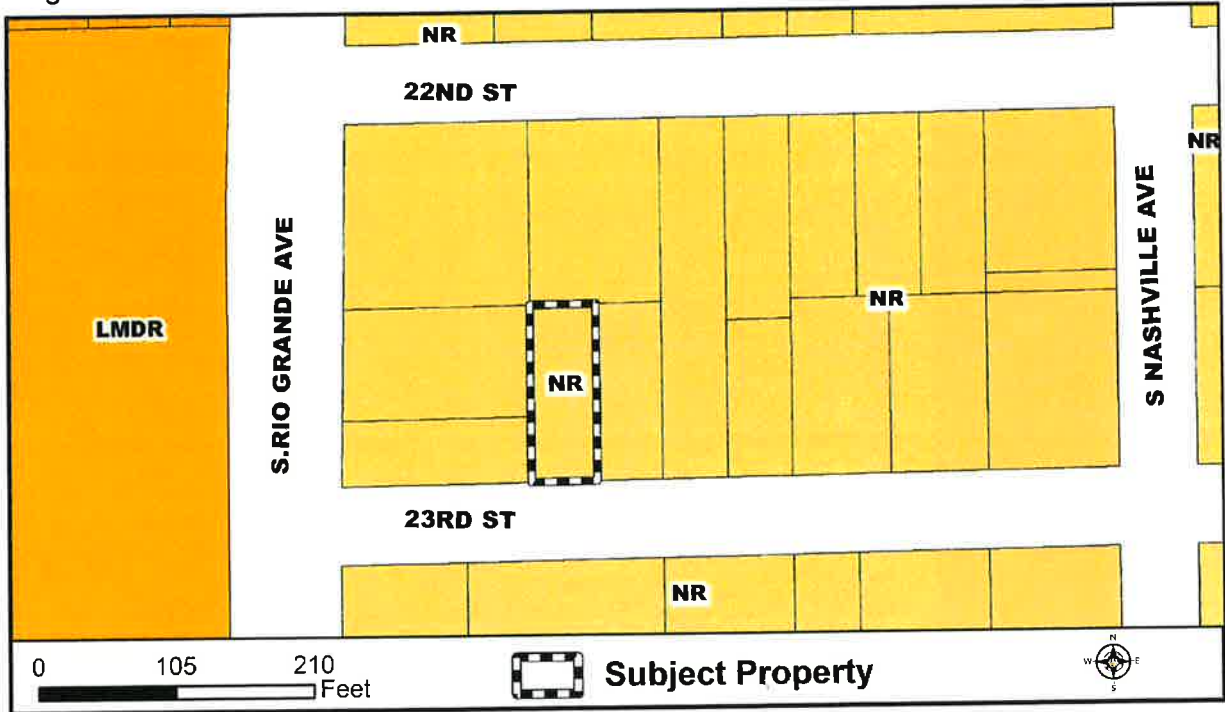


 Subject Property

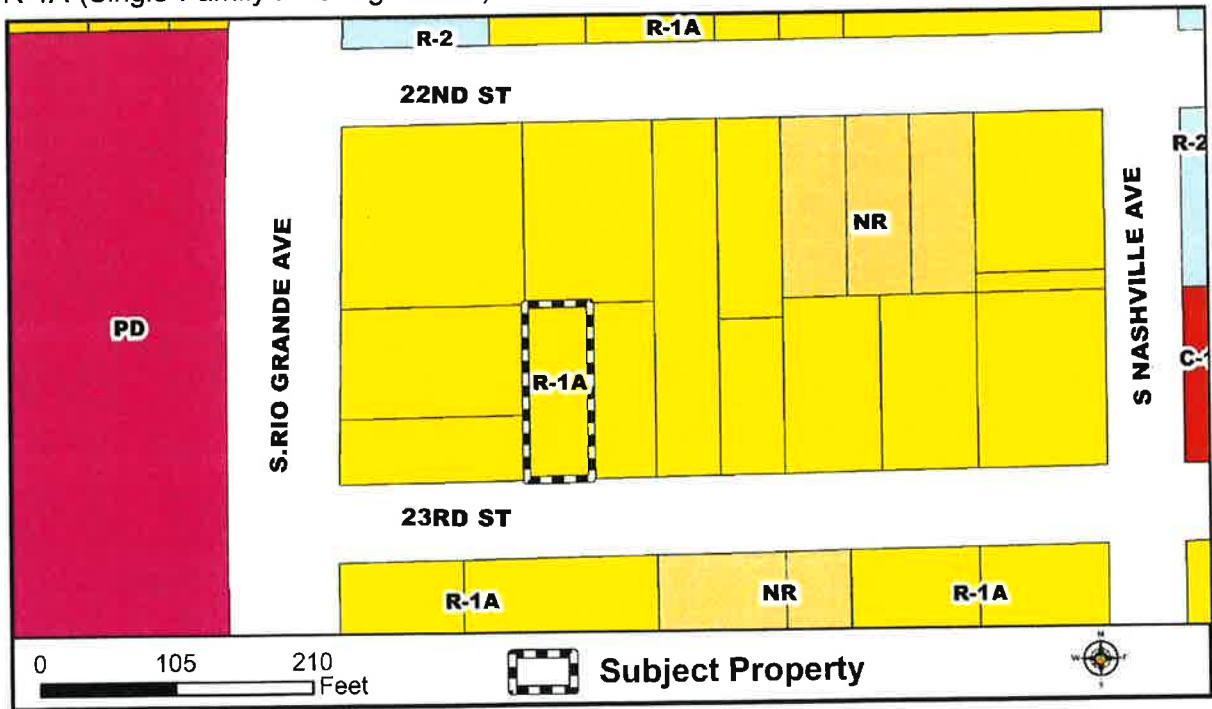


1 inch = 125 feet

**FUTURE LAND USE**  
Neighborhood Residential



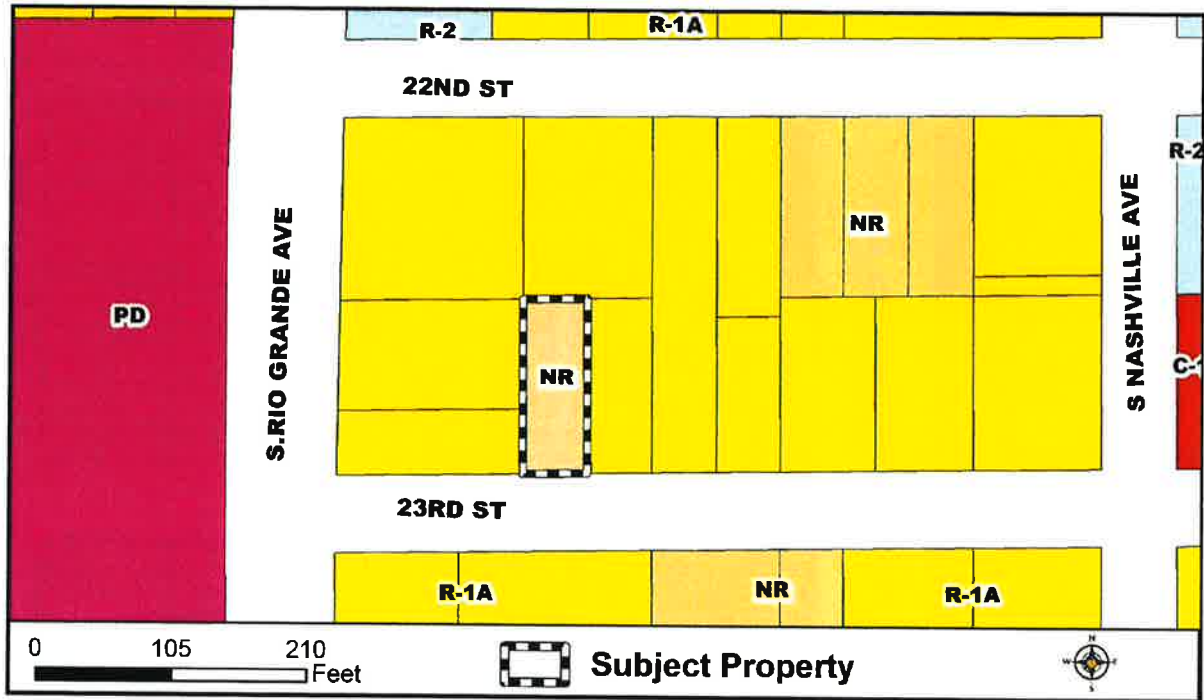
**ZONING CURRENT**  
R-1A (Single-Family Dwelling District)



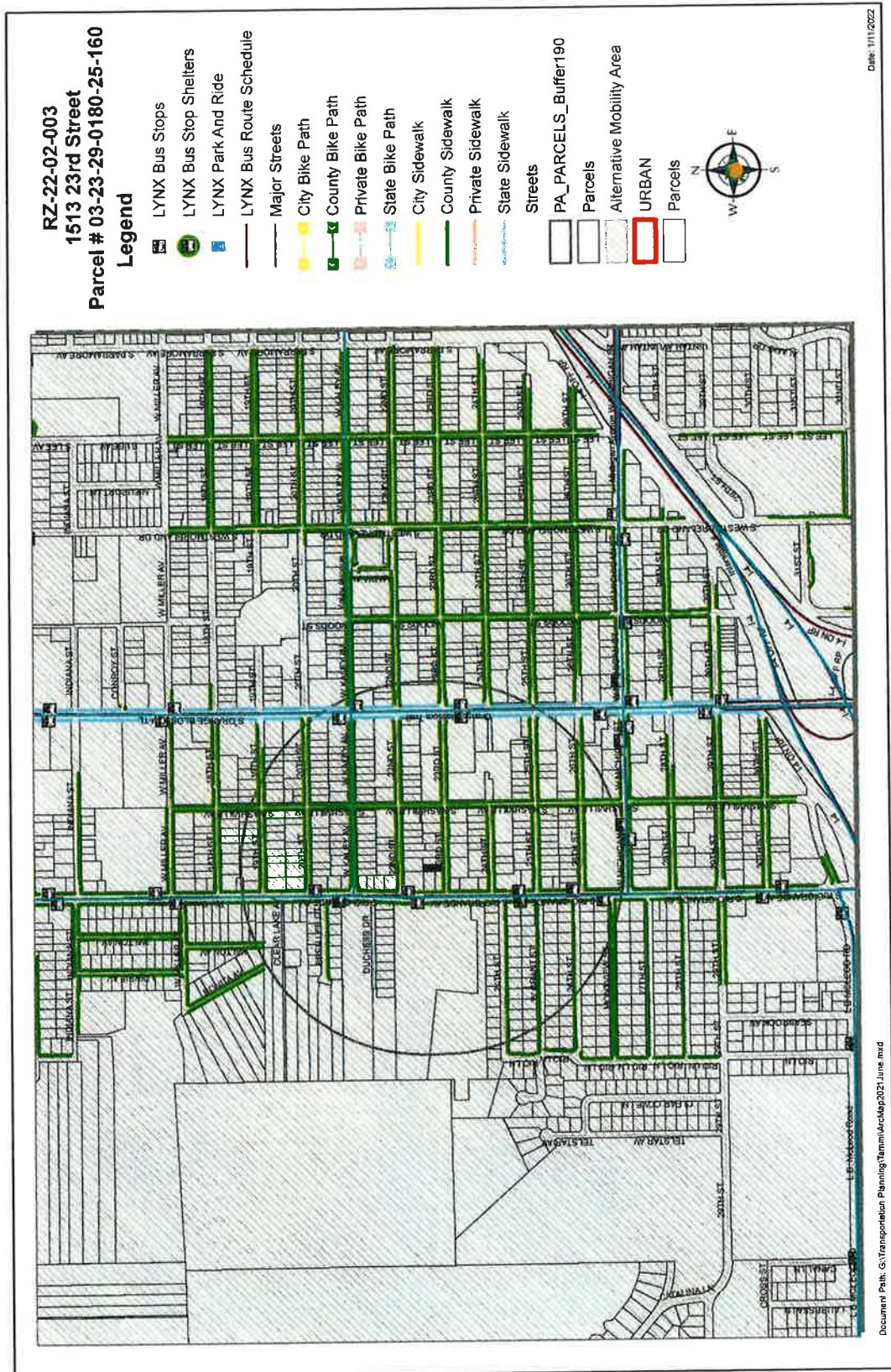


**ZONING PROPOSED**

NR (Neighborhood Residential District)

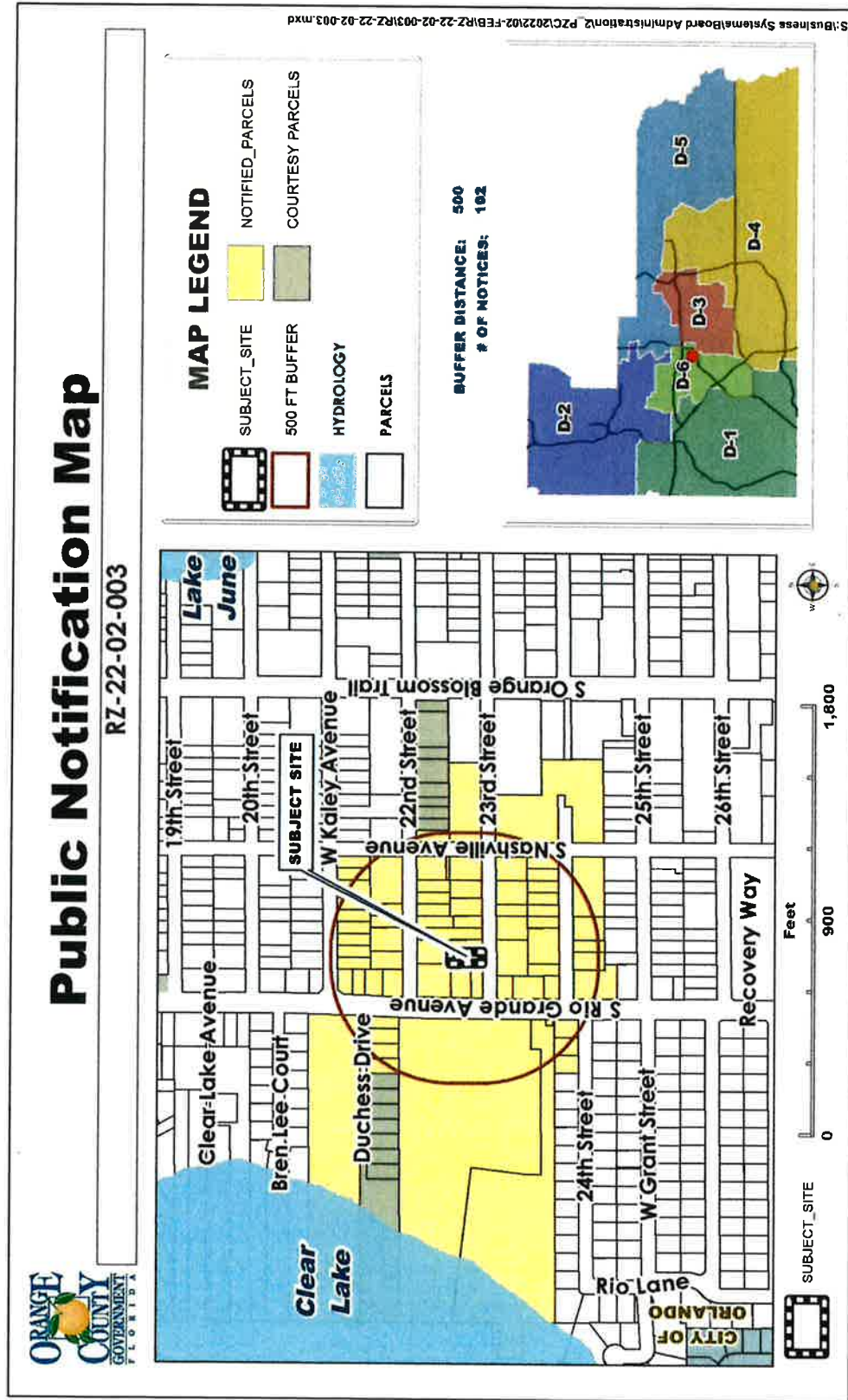


## Alternative Mobilty Area Context Map





# Notification Map





**CASE # RZ-22-03-004**  
Commission District: #2

**GENERAL INFORMATION**

<b>APPLICANT</b>	Imran Chaudry
<b>OWNERS</b>	SNIIC Three, LLC
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>C-1 (Retail Commercial District) to R-2 (Residential District)</b>
<b>LOCATION</b>	4 E. 18th Street; generally located on the southeast corner of the S. Central Avenue and E. 18 <sup>th</sup> Street intersection.
<b>PARCEL ID NUMBER</b>	16-21-28-0000-00-067
<b>TRACT SIZE</b>	0.99-gross acre
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred twenty-six (126) notices were mailed to those property owners in the surrounding area. A community meeting was held on February 15, 2022, with no residents in attendance.
<b>PROPOSED USE</b>	Nine (9) attached units (3 Triplexes)

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning.**

**SUBJECT PROPERTY ANALYSIS**

**Overview**

Through this request, the applicant proposes to rezone 0.99-gross property from C-1 (Retail Commercial District) to R-2 (Residential District) in order to construct a total of 9 attached units.

The Future Land Use designation Low-Medium Density Residential (LMDR) is inconsistent with the Commercial zoning classification, therefore a rezoning is necessary

prior to development. The proposed R-2 zoning district is consistent with the LMDR FLUM designation and the proposed use. R-2 zoning was approved for the property to the east in 2005, for development of three duplexes (6 units). Today the development exists as 6 single-family detached units.

The surrounding area can be characterized as developed with mixed uses consisting of residential homes to the north and south and an educational facility to the west. The neighboring property to the south is a religious institution with the C-1 zoning classification.

This property is within the Priority Focus Area, however according to the City of Apopka, the development will be required to connect to an available sewer forcemain located within 450 ft of the subject site.

**Land Use Compatibility**

The R-2 (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**

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low-Medium Density Residential (LMDR) which allows consideration for up to ten (10) dwelling unit per acre. The proposed R-2 (Residential District) zoning is consistent with the LMDR FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

**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>	Undeveloped
<b>Adjacent Zoning</b>	N: R-3 (Multiple-Family Dwelling District) (1957) E: R-2 (Residential District) (2005) W: Educational Facility (1957) S: C-1 (Retail Commercial District) (1957)
<b>Adjacent Land Uses</b>	N: Single-Family Residential E: Single-Family Residential W: Elementary School S: Religious Institution

## **R-2 Development Standards**

### One-Family Dwelling

Min. Lot Area:	4,500 sq. ft.
Min. Lot Width:	45 ft.
Max. Height:	35 ft.
Min. Living Area:	1,000 sq. ft.

**Building Setbacks:**

<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

*Two Dwelling Units*

Min. Lot Area:	8,000 sq. ft. / 9,000 sq. ft.
Min. Lot Width:	80 ft. / 90 ft.
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. / 1,000 sq. ft.
<b>Building Setbacks:</b>	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 ft.

*Three Dwelling Units*

Min. Lot Area:	11,250 sq. ft.
Min. Lot Width:	85 ft. (attached units only)
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
<b>Building Setbacks:</b>	
<i>Front:</i>	20 ft.
<i>Rear:</i>	30 ft.
<i>Side:</i>	10 ft.
<i>Side Street:</i>	15 ft.

*Four or More Dwelling Units*

Min. Lot Area:	15,000 sq. ft.
Min. Lot Width:	85 ft.
Max. Height:	35 ft.
Min. Living Area:	500 sq. ft. per dwelling unit
<b>Building Setbacks:</b>	
<i>Front:</i>	20 ft.
<i>Rear:</i>	30 ft.
<i>Side:</i>	10 ft. (30 ft. where adjacent to single-family)
<i>Side Street:</i>	15 ft.

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

**Intent, Purpose, and Uses**

The R-2 (Residential District) zoning district is composed of lands and structures used primarily for the construction of detached and attached single-family dwelling units, containing a maximum of four (4) units per building and associated residential uses.

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

**SPECIAL INFORMATION**

**Staff Comments**

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	*See Note Below Table
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the Concurrency Management database (CMS) dated 1/5/2022, capacity exists within the project's impact area. This information is dated and subject to change. A CEL application will be required prior to permit approval and a Traffic Study may be required at permit based upon the proposed use.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	De minimus impact to OCPS.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

\* 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

Wekiva Priority Focus Area - This site is located within the Wekiva Priority Focus Area. If a septic system is required, the Springs and Aquifer Protection Act (section 373.811(2) F.S.) requires treatment of Onsite Sewage Treatment and Disposal System (OSTDS) loads in the Wekiva Spring and Rock Springs Basin Management Plan (BMAP) of June 2018. Per this requirement, lots less than one acre within the Priority Focus Area must comply with the OSTDS Remediation Plan that requires systems with nitrogen reducing enhancements within the BMAP. Contact the Florida Department of Health (FDOH) for details of advanced septic treatment system requirements.

Existing Septic Systems and Wells - Any existing septic tanks or wells (potable or irrigation water supply wells) onsite shall be properly abandoned prior to earthwork or construction. Contact the Department of Health (DOH) for the septic system and both DOH 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. There are specific guidelines and limitations for commercial and industrial uses.

Waste Material Disposal - Any miscellaneous garbage, waste and construction debris or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property, into wetlands and 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 as indicated in 34-250(g). This may require periodic street sweeping.

Habitat Permit Compliance - 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 a 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

**Community Meeting Summary**

A community meeting was held on February 15, 2022, with no residents in attendance.

**Utilities**

Water:	City of Apopka
Waste Water:	City of Apopka
Reclaim Water:	City of Apopka

**State of Florida Notice**

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

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

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



**ACTION REQUESTED**

**Planning and Zoning Commission (PZC) Recommendation – (February 17, 2022)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (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 R-2 (Residential District) zoning. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred twenty-six (126) 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. A community meeting was held on February 15, 2022, no member of the community was in attendance.

A motion was made by Commissioner Pavon, and seconded by Commissioner Spears to recommend APPROVAL of the requested R-2 (Residential District) zoning. The motion carried unanimously.

**Motion / Second**

*Walter Pavon / Gordon Spears*

**Voting in Favor**

*Walter Pavon, Gordon Spears, Nelson Pena, Evelyn Cardenas, and Eddie Fernandez*

**Voting in Opposition**

*None*

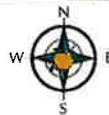
**Absent**

*Trevor Sorbo, Mohammed Abdallah, JaJa Wade, and George Wiggins*

RZ-22-03-004



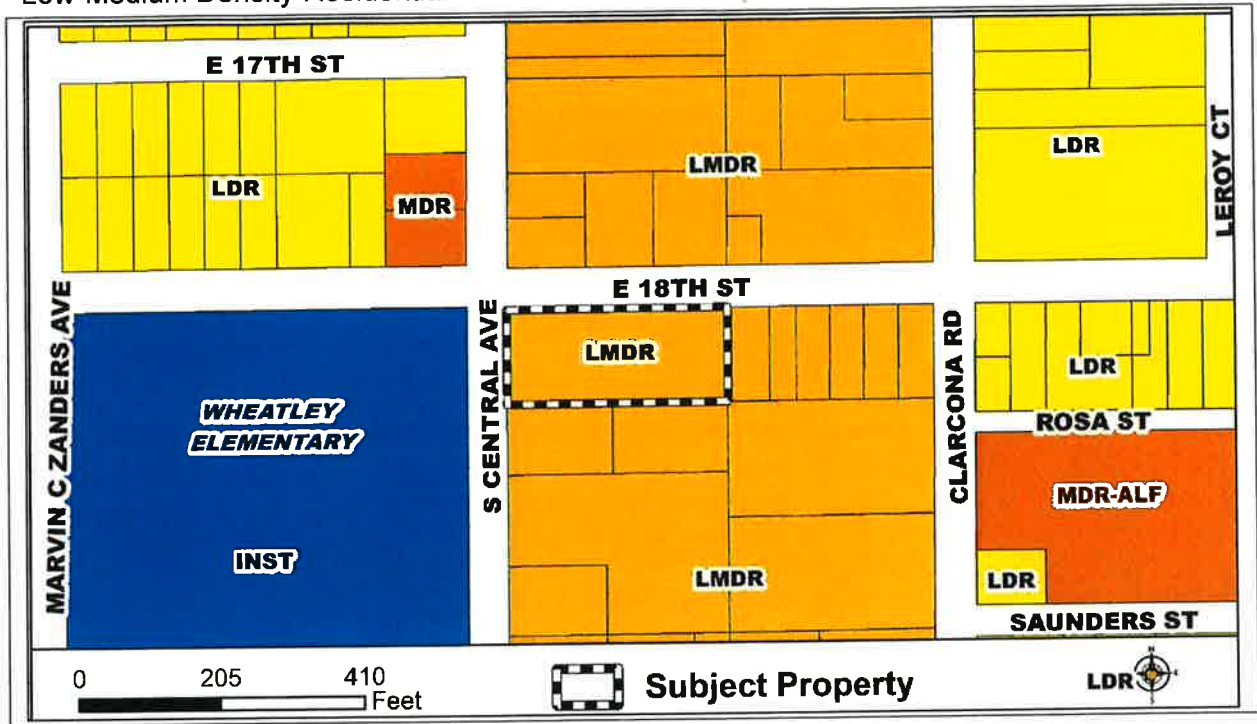
 Subject Property



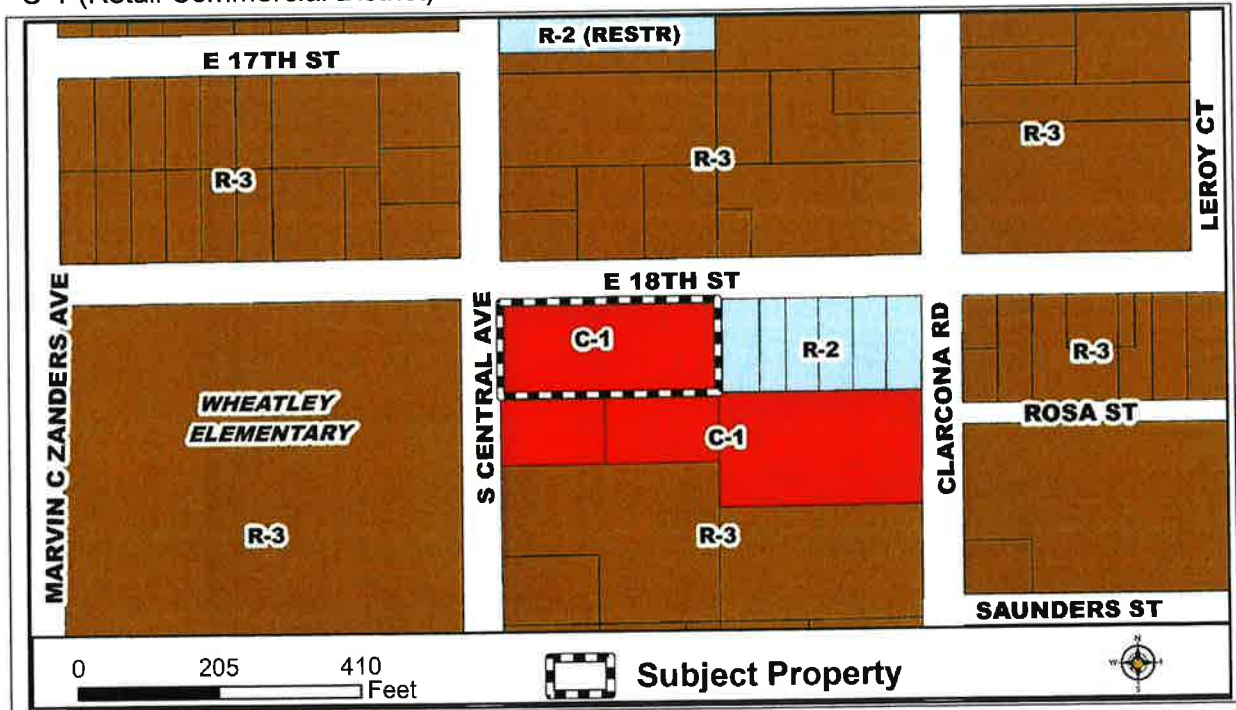
1 inch = 125 feet



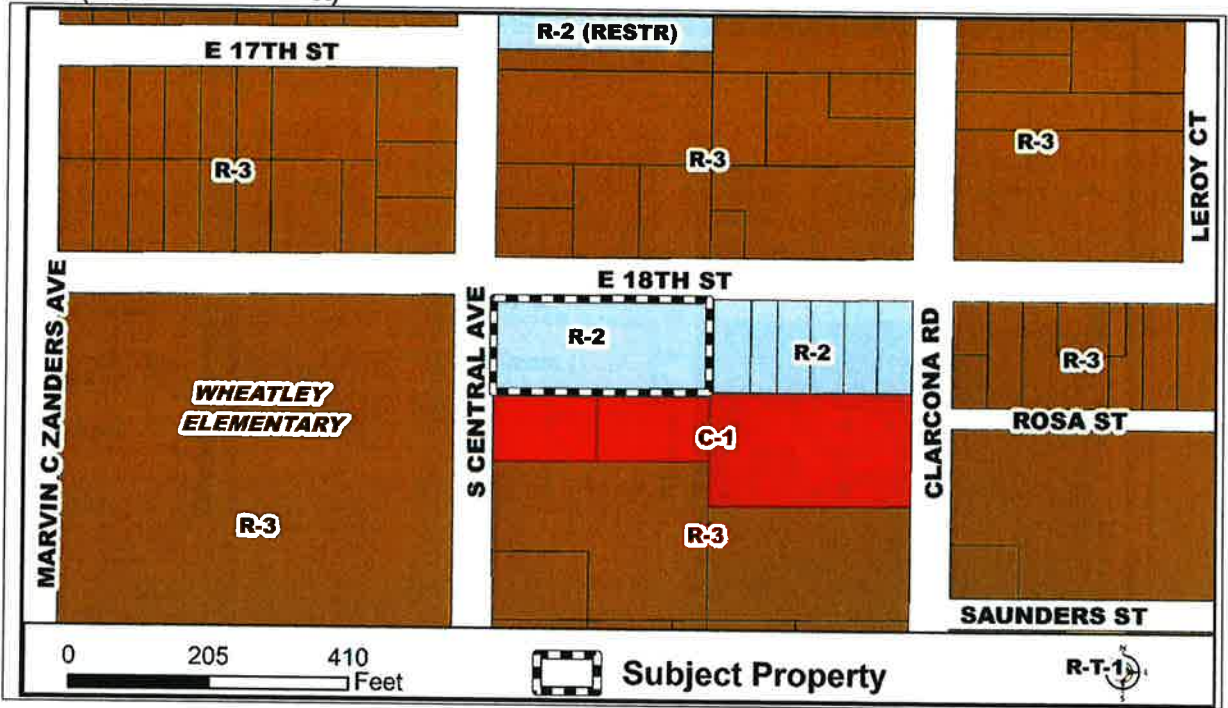
**FUTURE LAND USE - CURRENT**  
 Low-Medium Density Residential



**ZONING - CURRENT**  
 C-1 (Retail Commercial District)

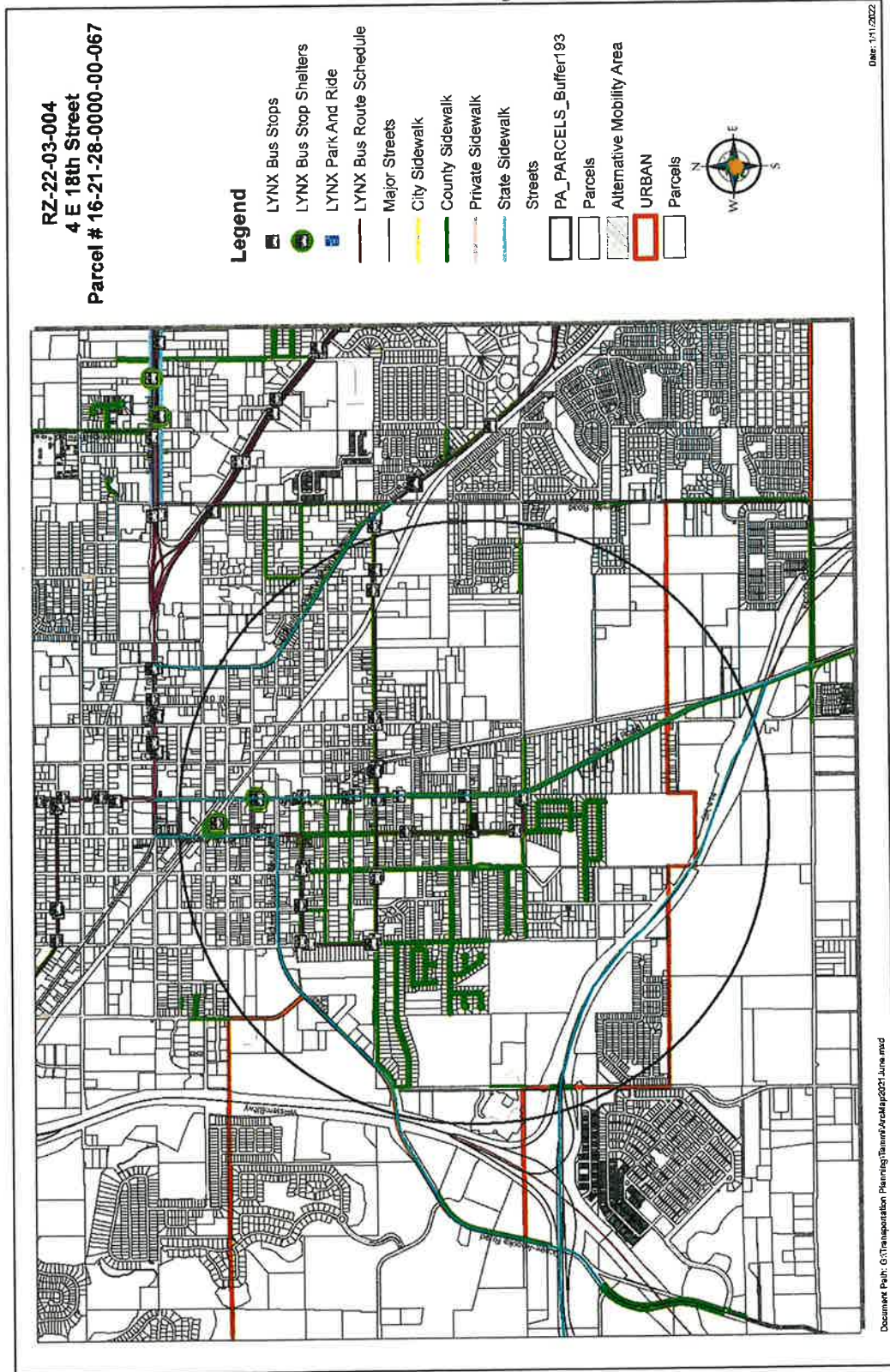


**ZONING – PROPOSED**  
R-2 (Residential District)





## Alternative Mobilty Area Map



### Notification Map

