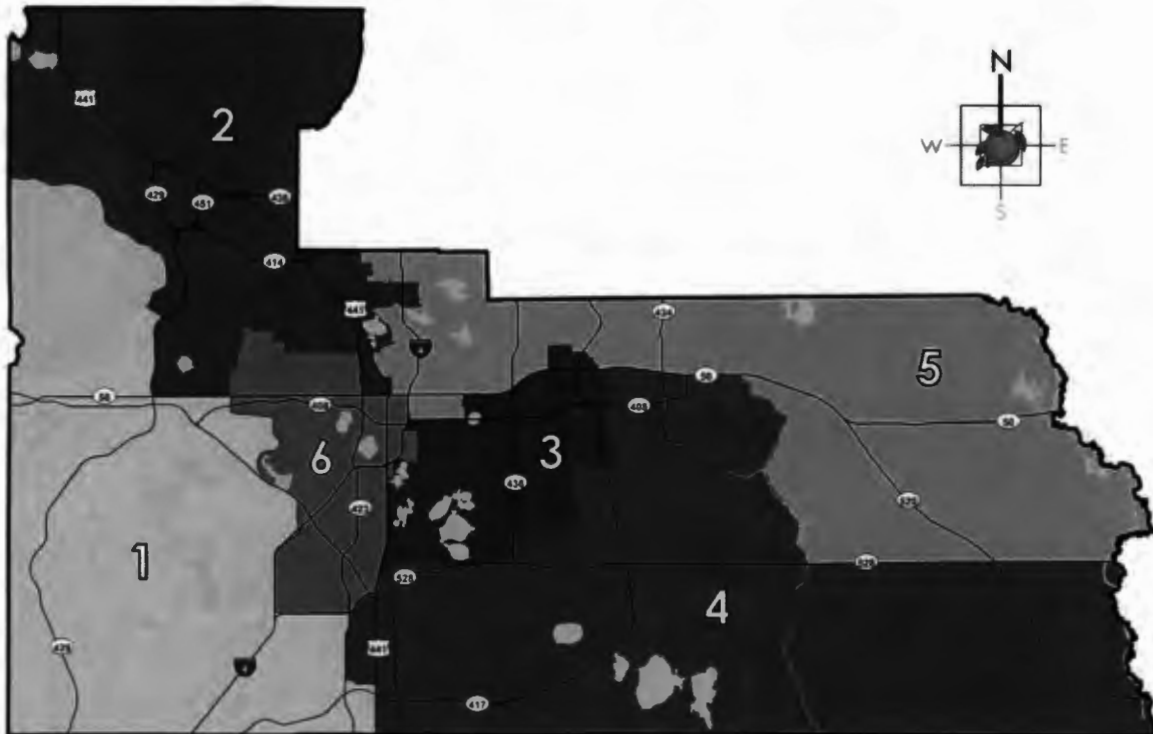




PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY


REZONING RECOMMENDATIONS

AUGUST 20, 2020



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

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



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Evelyn Cardenas	At Large
Nelson Pena	At Large

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Planning and Zoning Commission
August 20, 2020

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TABLE OF HEARINGS
Planning and Zoning Commission
August 20, 2020

<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission</u> <u>District</u>	<u>Recommendations</u> <u>Staff</u>	<u>Recommendations</u> <u>PZC</u>	<u>BCC Hearing</u> <u>Required</u>
I. REZONING PUBLIC HEARINGS					
RZ-20-01-079 Ravin Persaud	<i>A-2 to C-1</i>	3	Denial	Denial	No
RZ-20-02-081 Jose Hernandez	<i>A-2 to R-2</i>	4	Approval w/ two (2) restrictions	Approval w/ two (2) restrictions	No
RZ-20-07-051 S. Brent Spain	<i>R-1A to R-T-1</i>	2	Approval	Approval	No
RZ-20-08-052 Natasha Nicolas	<i>R-3 to P-O</i>	6	Approval w/ two (2) restrictions	Approval w/ two (2) restrictions	No
RZ-20-08-053 Gregory Crawford	<i>R-CE to R-1A</i>	1	Approval w/ one (1) restriction	Approval w/ one (1) restriction	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	<i>a</i>
A-2	SFR - 21,780 (½ acre) Mobile Home - 2 acres	850	100	35	50	10	35	<i>a</i>
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	<i>a</i>
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	<i>a</i>
R-CE-2	2 acres	1,200	250	45	50	30	35	<i>a</i>
R-CE-5	5 acres	1,200	185	50	50	45	35	<i>a</i>
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	35	<i>a</i>
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	<i>a</i>
R-1AA	10,000	1,200	85	25 <i>h</i>	30 <i>h</i>	7.5	35	<i>a</i>
R-1A	7,500	1,200	75	20 <i>h</i>	25 <i>h</i>	7.5	35	<i>a</i>
R-1	5,000	1,000	50	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	<i>a</i>
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	<i>a</i>
	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	<i>a</i>
	Three DUs, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	<i>a</i>
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	<i>a</i>
R-3	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5	35	<i>a</i>
	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	<i>a</i>
	Three dwelling units, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	<i>a</i>
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	<i>a</i>
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10	35	<i>a</i>
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	<i>a</i>
R-T-1								
	SFR 4,500 <i>c</i>	1,000	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	<i>a</i>
	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	<i>a</i>
R-T-2	6,000	SFR 500	60	25	25	6	35	<i>a</i>
(prior to 1/29/73)		Min. mobile home size 8 ft. x 35 ft.						
R-T-2 (after 1/29/73)	21,780 ½ acre	SFR 600	100	35	50	10	35	<i>a</i>
		Min. mobile home size 8 ft. x 35 ft.						

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.)
NR	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80/90 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories <i>k</i>	<i>a</i>
	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>	<i>a</i>
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>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 11,250	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	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>	<i>a</i>
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>	<i>a</i>	
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>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	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>	<i>a</i>
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>	<i>a</i>	
P-O	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	<i>a</i>
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	<i>a</i>

District	Min. lot area (sq. ft.) ^m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) ^a	Min. rear yard (ft.) ^a	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
C-2	8,000	500	100 on major streets (see Art. XV); 80 for all other streets ^f	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
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

Orange County Code Section 24-5.

Buffer yards prescribed are intended to reduce, both visually and physically, any negative impacts associated with abutting uses. Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the parcel boundary. Buffer yards shall not be located on any portion of an existing or dedicated public or private street or right-of-way.

(a) *Buffer classifications:*

- (1) **Type A, opaque buffer:** This buffer classification shall be used to separate heavy industrial (I-4 and M-1) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least eight (8) feet and shall be a minimum of fifty (50) feet wide. The type A buffer shall utilize a masonry wall.
- (2) **Type B, opaque buffer:** This buffer classification shall be used to separate commercial (general and wholesale) (C-2 and C-3) and industrial (general and light) (I-2/I-3 and I-1/I-5) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of twenty-five (25) feet wide. The type B buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be four (4) feet high and seventy (70) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (3) **Type C, opaque buffer.** This buffer classification shall be used to separate neighborhood retail commercial (C-1) and industrial-restricted (I-1A) from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of fifteen (15) feet wide. The type C buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (4) **Type D, opaque buffer:** This buffer classification shall be used to separate professional office (P-O) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type D buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (5) **Type E, mobile home and RV park buffer:** This buffer classification shall be used to separate mobile home and RV parks from all abutting uses. This buffer shall be twenty-five (25) feet wide. Where the park abuts an arterial highway, the buffer shall be fifty (50) feet wide. This buffer shall not be considered to be part of an abutting mobile home space, nor shall such buffer be used as part of the required recreation area or drainage system (ditch or canal). This buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof. This buffer must be at least five (5) feet in height and fifty (50) percent opaque within eighteen (18) months after installation.
- (6) **Type F, residential subdivision buffer:** See subdivision regulations (Chapter 34, Orange County Code).

These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction.

CASE # RZ-20-01-079

Commission District: #3

GENERAL INFORMATION

APPLICANT	Ravin Persaud
OWNERS	Halcyon Investments Partners, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-2 (Farmland Rural District) to C-1 (Retail Commercial District)
LOCATION	1712 Renee Avenue and 1719 Sue Ann Street; generally on the east side of Sue Ann Street, 230 feet south of E. Colonial Drive
PARCEL ID NUMBER	24-22-30-1836-01-050, 24-22-30-8068-01-010
TRACT SIZE	0.86-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 1000 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred twenty-seven (227) notices were mailed to those property owners in the mailing area. A community meeting was not held for this application.
PROPOSED USE	General C-1 uses

STAFF RECOMMENDATION

PLANNING

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-1 (Retail Commercial District) zoning.

SUBJECT PROPERTY ANALYSIS

Overview

This request was continued from the May 21, 2020, Planning and Zoning Commission hearing so that the applicant and staff could work together and formulate a list of uses and hold a virtual community meeting. However, there has been repeated attempts to coordinate with the applicant and the applicant has been unresponsive. Therefore, after coordinating with the District Office, a virtual community meeting was not held

and a mailed notice was sent to the surrounding community. This request has not changed since May 21st.

Through this request, the applicant is seeking to rezone two (2) parcels from A-2 (Farmland Rural District) to C-1 (Retail Commercial District) for the purpose of allowing general C-1 uses. Parcel 24-22-30-1836-01-050 is currently developed with a single-family home along Sue Ann Street. Parcel 24-22-30-8068-01-010 is currently undeveloped and situated along Renee Avenue.

Both parcels of the subject property are zoned A-2 (Farmland Rural District) which allows for residential and agricultural uses, while the Future Land Use Map (FLUM) designates them as Commercial (C). The subject property is located approximately two hundred thirty (230) feet south of E. Colonial Drive. Even though the area to the north of the subject property consists of commercial developments, single-family residences exist directly to the west, the south, and partially to the east, along local streets.

Staff has determined that the proposed request to rezone the subject property to C-1 zoning district would adversely impact the adjacent single-family residences. The subject property serves as a transitional use between commercial developments along E. Colonial drive and agriculturally zoned residential properties. Furthermore, Orange County Code Section 38-826 states that the C-1 zoning district is encouraged where it will not direct commercial traffic through residential districts, such as Sue Ann Street and Renee Avenue.

Lastly, Orange County Comprehensive Plan Policies FLU 1.4.2 and 1.4.4 require that all land use changes be compatible with existing neighborhoods and that poorly located and designed commercial activities near residential areas be avoided. Given this analysis, staff is recommending denial of this application.

Land Use Compatibility

C-1 (Retail Commercial District) zoning would allow for development that is incompatible with the character of the surrounding area, and may 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Orange County Code states the following: 38-74, 38-77, 38-79 (42) Parking and/or storage of dual rear wheeled vehicle(s) is not a permitted use

		<p>in residential or agricultural districts. 38-74, 38-77 Storage of commercial equipment is not permitted use on A-2 zoned property. 38-74, 38-77 Abandoned, inoperative or discarded motor vehicles are not a permitted or ancillary use on a residential and or agricultural zoned property. 38-74, 38-77 Open and outside storage of trash, junk and debris is not permitted.</p>
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Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C). While the proposed C-1 (Retail Commercial District is consistent with the Commercial FLUM designation, it is inconsistent 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.

FLU8.2.11 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

Existing Use	Undeveloped / Single-Family Residential
Adjacent Zoning	N: C-2 (General Commercial District) (1957) (1965) E: C-1 (Retail Commercial District) (1961) A-2 (Farmland Rural District) (1957) W: A-2 (Farmland Rural District) (1957) S: A-2 (Farmland Rural District) (1957) <i>* No restrictions apply to the above zoning districts</i>
Adjacent Land Uses	N: Warehousing E: Undeveloped Commercial and Single-Family Residential W: Undeveloped Residential 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 residential)
Min. Floor Area:	500 sq. ft.

Building Setbacks

Front:	25 ft.
Rear:	20 ft. (20 ft. when abutting residential)
Side:	0 ft. (15 ft. when abutting residential)

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) 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 comments below
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area. The following is a list of alternative modes within the project area: Existing County maintained sidewalks along Renee Ave from Millinockett Lane to Colonial Drive. There is a State maintained sidewalk and bike path along E. Colonial Drive from N. Chickasaw to SR417. Lynk bus link #104 E. Colonial Drive/UCF. There are (4) four existing bus stops ((1) one is a sheltered stop) within the project area.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

* 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 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.

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.

Community Meeting Summary

A community meeting was required for this request.

Utilities

Water:	Orange County Utilities	16-inch water-main is located within E. Colonial right-of-way
Wastewater:	Orange County Utilities	6-inch force-main is located within Sue Ann right-of-way and 20-inch force-main within E. Colonial right-of-way
Reclaim Water:	Orange County Utilities	Not currently available

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 – (August 20, 2020)

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-1 (Retail Commercial 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 inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-1 (Retail Commercial District) zoning. This case was continued 3 times, and on May 21st PZC agreed to continue the case again until August 21st to allow time for a community meeting as the applicant wanted to work with staff and the community. However due to the applicant's disengagement from the process and not cooperating with staff, District 3 office canceled the Virtual Community Meeting and advised to send notices to the community stating that staff is recommending denial of the applicant's request.

Staff indicated that two hundred twenty-seven (227) notices were mailed to the surrounding property owners within a buffer extending 1,000 feet from the subject property, with twenty two (22) responses in opposition to the request and zero (0) in favor.

Those opposed stated concerns related to safety, traffic and noise, storage of heavy vehicles, junk and debris, pollution to well water, and the affects on the agriculturally zoned residential neighborhood from retail uses. At the hearing, one citizen spoke in opposition to the request, stating that the applicant was dishonest in his statements and that code violations have been on the property for a long time. The applicant was present for the hearing and dissagreed with staff's recommendation.

After a brief discussion, a motion was made by Commissioner Velazquez to make a funding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-1 (Retail Commercial District) zoning. Commissioner Nazario seconded the motion. The motion passed on a 7-0 vote.

Motion / Second

Diane Velazquez / Carlos Nazario

Voting in Favor

Diane Velazquez, Carlos Nazario, JaJa Wade, Evelyn Cardenas, Mohammed Abdallah, Jimmy Dunn, and Gordon Spears

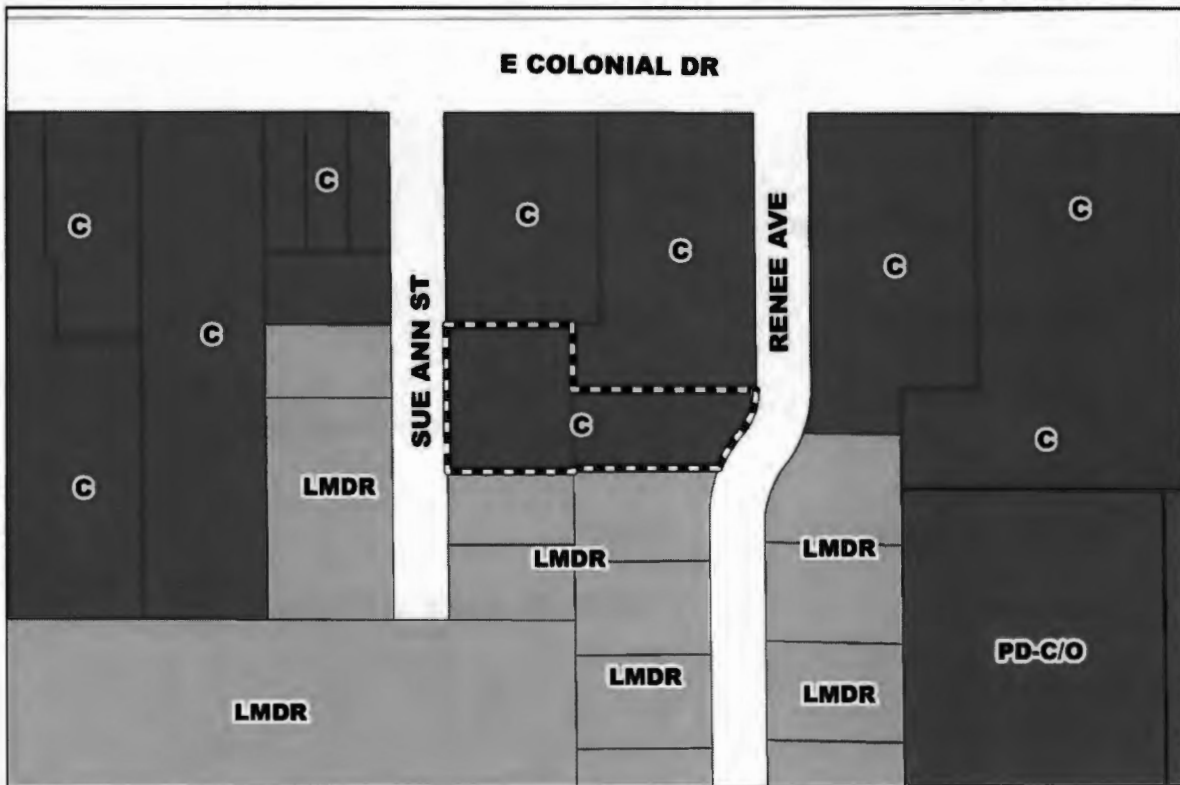
Voting in Opposition

None

Absent

Nelson Pena and Eddie Fernandez

RZ-20-01-079



Subject Property



Subject Property

Future Land Use Map

FLUM: Commercial (C)

APPLICANT: Ravin Persaud

LOCATION: 1712 Renee Avenue and 1719 Sue Ann Street; generally on the east side of Sue Ann Street, 230 feet South of E. Colonial Drive

TRACT SIZE: 0.86-gross acre

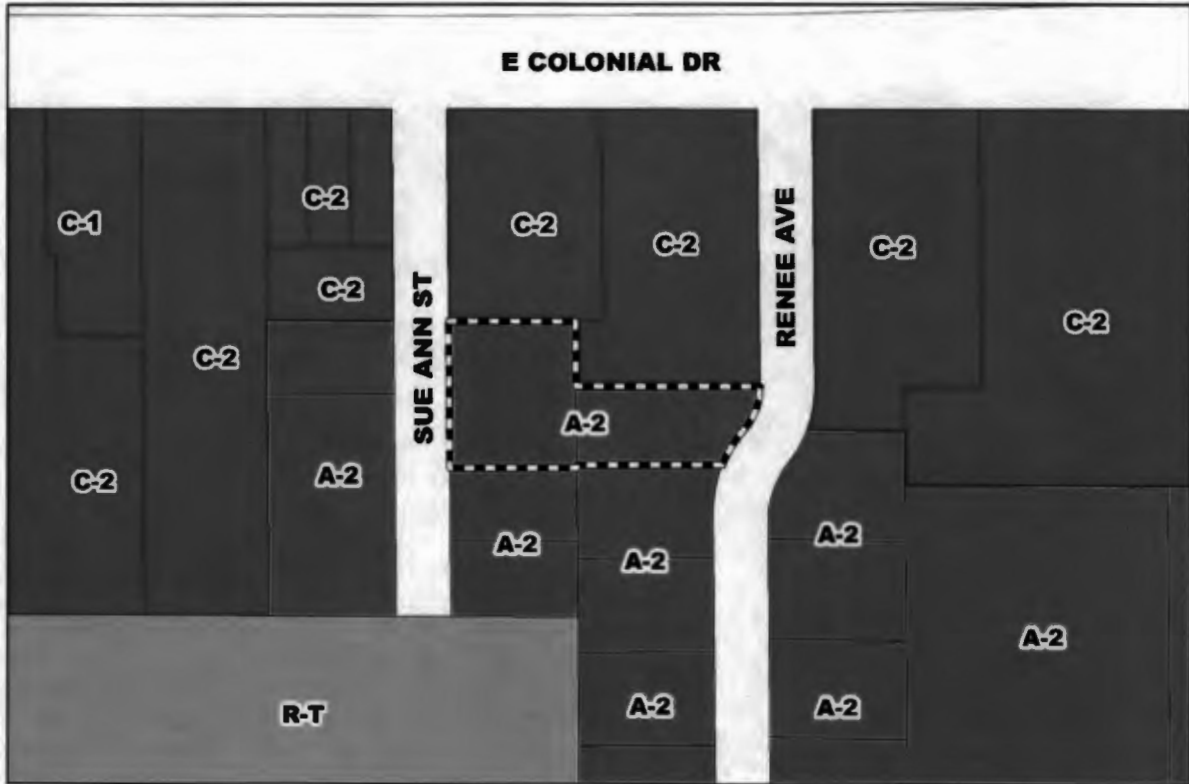
DISTRICT: #3

S/T/R: 30/22/24

1 inch = 165 feet



RZ-20-01-079



Subject Property



Subject Property

Zoning Map

ZONING: A-2 (Farmland Rural District) to C-1 (Retail Commercial District)

APPLICANT: Ravin Persaud

LOCATION: 1712 Renee Avenue and 1719 Sue Ann Street; generally on the east side of Sue Ann Street, 230 feet South of E. Colonial Drive

TRACT SIZE: 0.86-gross acre

DISTRICT: #3

S/T/R: 30/22/24

1 inch = 165 feet



RZ-20-01-079



 Subject Property



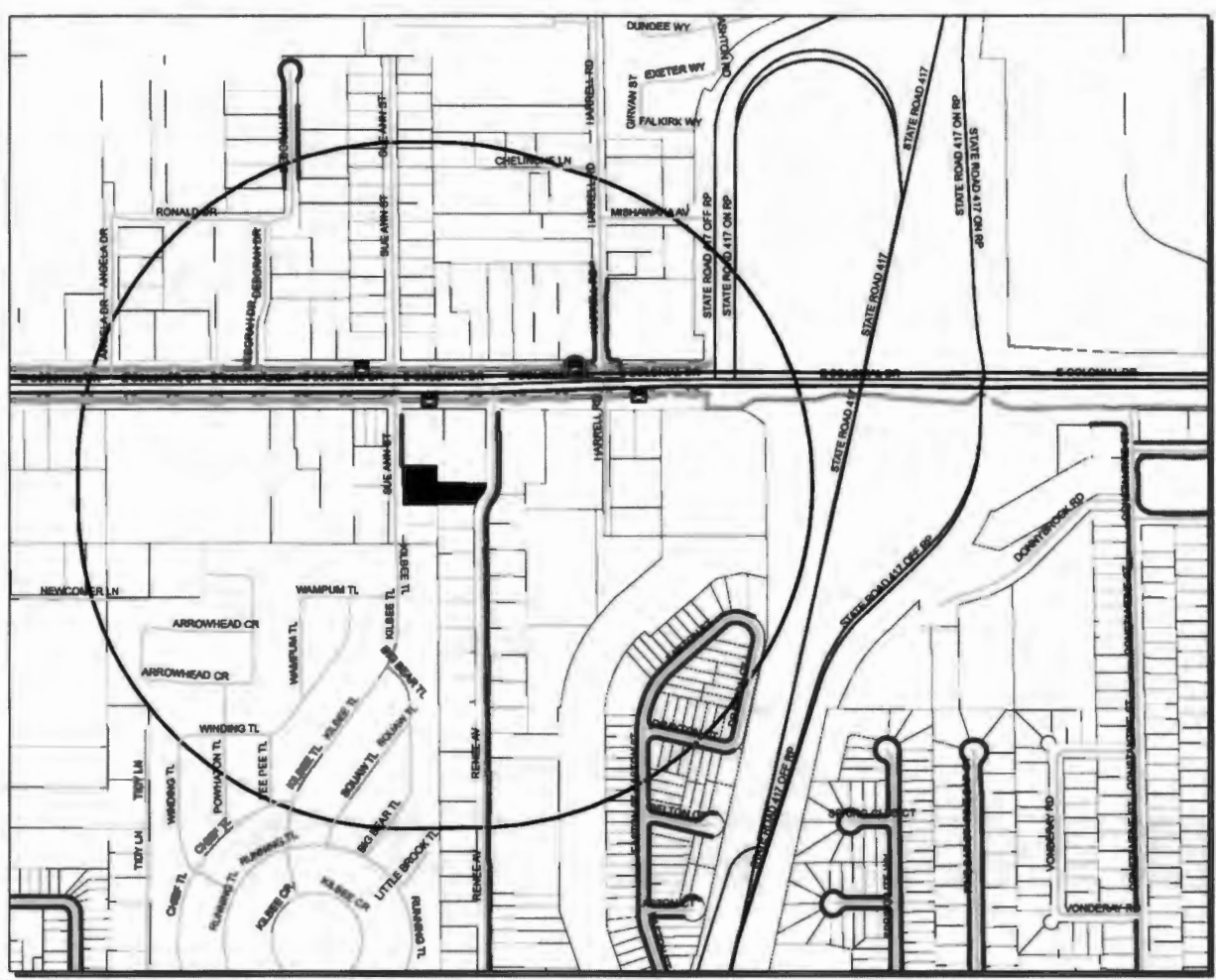
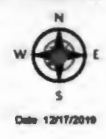
1 inch = 125 feet

Alternative Mobility Area Context Map

RZ-20-01-079

Legend

- LYNX Bus Stop
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Roads Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- PA_PARCELS_Buffer413
- Horizon West Boundary
- County Boundary
- Parcels

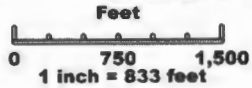
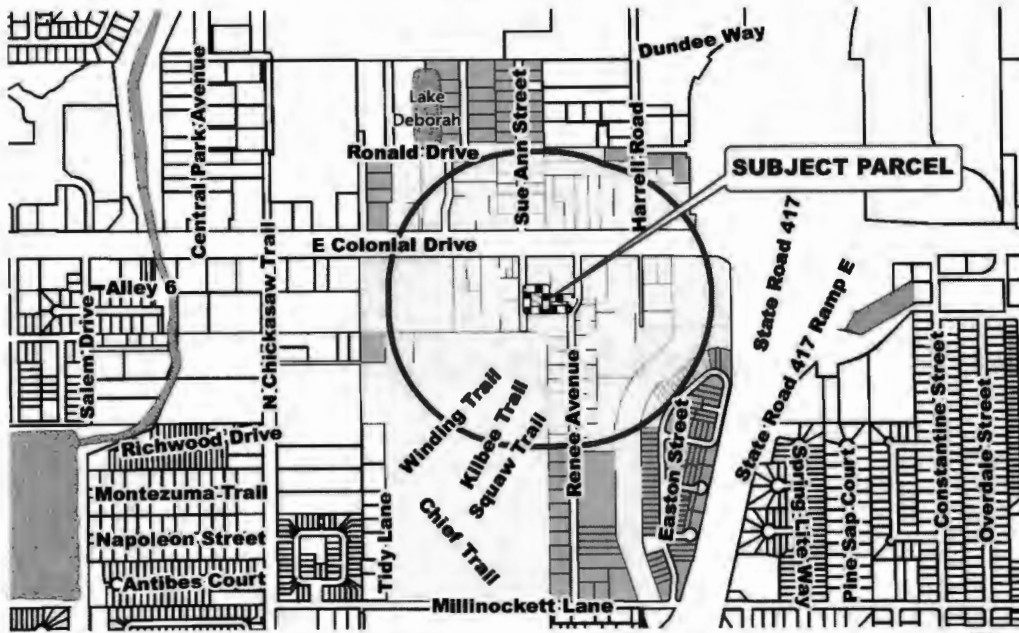


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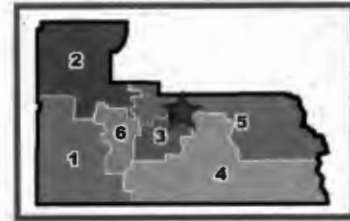
Public Notification Map

RZ-20-01-079



- MAP LEGEND**
- SUBJECT
 - 1000 FT BUFFER
 - HYDROLOGY
 - NOTIFIED PARCELS
 - COURTESY PARCELS
 - PARCELS

1000 : FT BUFFER
 227 : NOTICES
 185 : RESIDENTIAL COUNT



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 12/17/2019 9:27:04 AM

Notification Map

Case # RZ-20-01-079
 Orange County Planning Division
 PZC Hearing Date: August 20, 2020

CASE # RZ-20-02-081

Commission District: #4

GENERAL INFORMATION

APPLICANT	Jose Hernandez
OWNERS	Belkis Guzman, Luis Jose Guzman
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-2 (Farmland Rural District) to R-2 (Residential District)
LOCATION	1975 4th Street; generally south of Pine Street, west of Hoenstine Avenue and north of 4th Street.
PARCEL ID NUMBER	06-24-30-7268-00-040
TRACT SIZE	8.88 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred forty-seven (247) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	To construct thirteen (13) attached single-family units as part of Phase One (1)

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning, subject to the following restrictions:

- 1) Development shall be limited to thirteen (13) units.
- 2) No less than two (2) access points shall be provided.

SUBJECT PROPERTY ANALYSIS

Overview

The applicant is seeking to rezone the subject parcel from A-2 (Farmland Rural District) to R-2 (Residential District) with the intent to construct fifty-five (55) single-family units. However, only thirteen (13) of those units will be built at this time, until formal capacity with Orange County Public Schools is determined.

Per Code Section 30-741, a rezoning that, if approved, results in a net increase of less than ten (10) residential units is considered a de minimis impact. This allowance, in addition to the three (3) vested units on the subject property, would permit up to thirteen (13) proposed units. To insure that the applicant complies with the request, a restriction is proposed stating that development shall be limited to thirteen (13) units. When the school capacity becomes available the applicant would come back and amend the restriction to allow another forty-two (42) units to be built as phase two (2).

The subject property is partially developed with abandoned single-family residence and is otherwise undeveloped. The area surrounding the subject property consists primarily of single-family residential developments to the east, south, and west. A religious use is also located to the west, and the industrial use to the north is within the City of Orlando. The Future Land Use Map (FLUM) designates the subject property as Low Medium Density Residential (LMDR) and this rezoning request will bring the property into conformance with the underlying FLUM designation.

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). The proposed R-2 (Residential District) zoning is consistent with the Low Medium Density Residential FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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.

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

Existing Use	Single-Family Residence
Adjacent Zoning	N: City of Orlando
	E: R-1AA (Single-Family Dwelling District)
	A-2 (Farmland Rural District)
	W: R-1 (Single-Family Dwelling District)
	City of Orlando
	S: City of Orlando

Adjacent Land Uses	N:	City of Orlando
	E:	Single-Family Residence
	W:	Church, Single-Family Residence
	S:	City of Orlando

R-2 (Residential District) 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.
Building Setbacks:	
<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
Building Setbacks:	
<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
Building Setbacks:	
<i>Front:</i>	20 ft.

Rear: 30 ft.
Side: 10 ft. (30 ft. where adjacent to single-family)
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 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 comment below
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 12/30/2019, there is available capacity to be encumbered for this project. However, a traffic study may be required. This information is dated and is subject to change.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

*Potentially hydric soils indicative of wetlands are present on site. Prior to development plan or permit approvals, the Environmental Protection Division (EPD) may require a completed Conservation Area Determination (CAD) consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

Development of the subject properties shall comply with all state and federal regulations regarding wildlife or plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

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 407-836-1434.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about

the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

All development is required to pretreat storm water runoff for pollution abatement purposes, per Orange County Code Section 34-227. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection (FDEP) by the developer.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orlando Utilities Commission
Wastewater:	City of Orlando
Reclaim Water:	City of Orlando

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 – (August 20, 2020)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) zoning, subject to the following restrictions:

- 1) Development shall be limited to thirteen (13) units.
- 2) No less than two (2) access points shall be provided.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

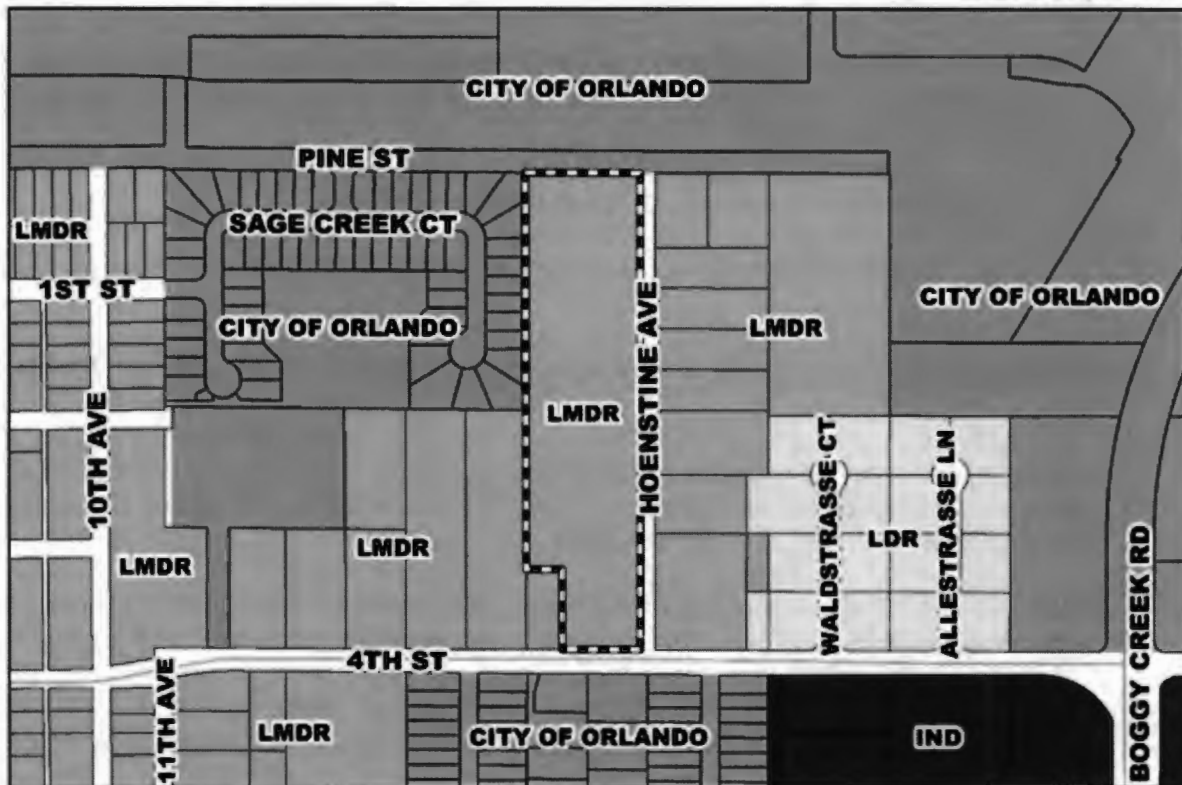
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 (Residential District) Zoning. The applicant was present and agreed with the staff recommendation and restrictions.


Staff indicated that two hundred forty-seven (247) notices were sent to property owners extending beyond 800 feet surrounding the property, and that staff had received twenty (20) responses in opposition of the request and two (2) in favor. Those in opposition stated concerns of incompatibility with the rural character of the neighborhood, traffic, flooding, loss of wildlife habitat, and their preference for the site to be developed with affordable housing that fits the Taft neighborhood. Three (3) members of the public were present to speak in opposition to this request.

After a brief discussion, a motion was made by Commissioner Nazario, and seconded by Commissioner Velazquez to recommend APPROVAL of the requested R-2 zoning, subject to restrictions. The motion carried on a 8-0 vote.

Motion / Second	<i>Carlos Nazario / Diane Velazquez</i>
Voting in Favor	<i>Carlos Nazario, Diane Velazquez, JaJa Wade, Evelyn Cardenas, Gordon Spears, Jimmy Dunn, Eddie Fernandez, and Mohammed Abdallah</i>
Voting in Opposition	<i>None</i>
Absent	<i>Neslon Pena</i>

RZ-20-02-081



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Medium Density Residential (LMDR)

APPLICANT: Jose Hernandez

LOCATION: 1975 4th St; generally south of Pine Street, west of Hoenstine Avenue and north of 4th Street.

TRACT SIZE: 8.88 gross acres

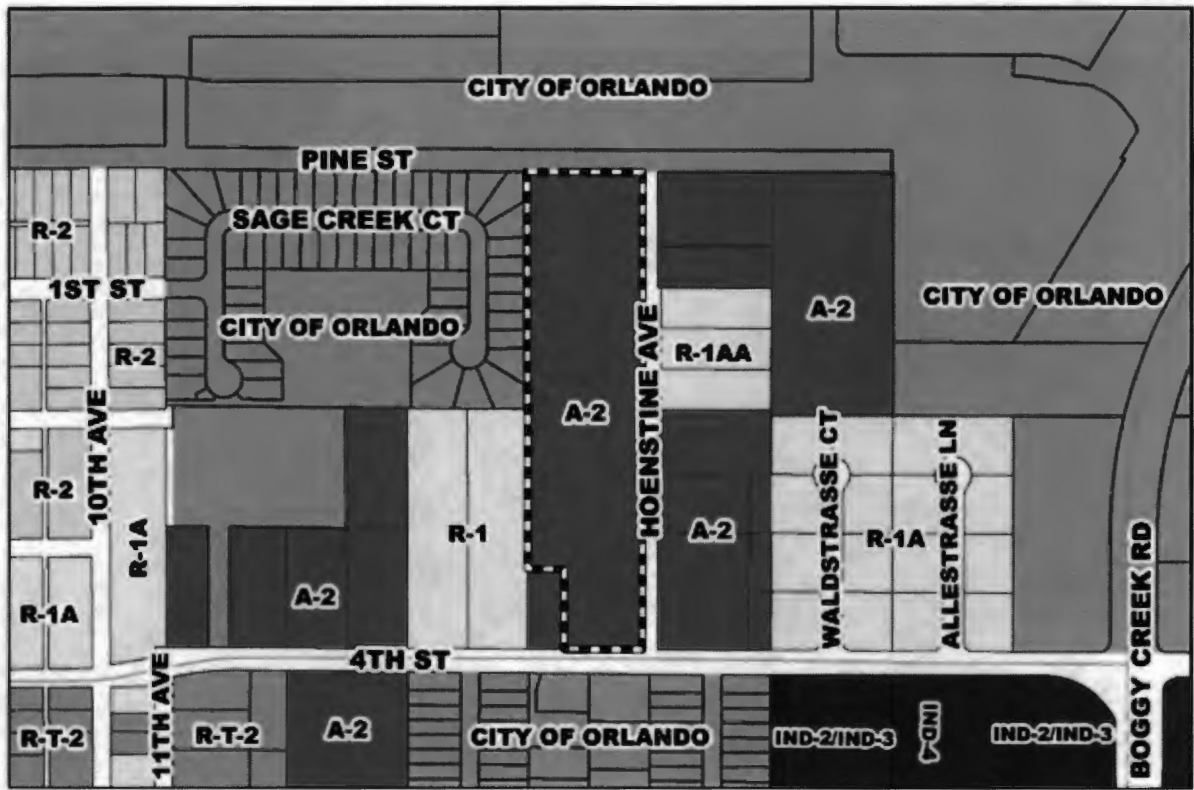
DISTRICT: #4

S/T/R: 06/24/30

1 inch = 415 feet



RZ-20-02-081



 Subject Property



★ Subject Property

Zoning Map

ZONING: A-2 (Farmland Rural District) to R-2 (Residential District)

APPLICANT: Jose Hernandez

LOCATION: 1975 4th St; generally south of Pine Street, west of Hoenstine Avenue and north of 4th Street.

TRACT SIZE: 8.88 gross acres

DISTRICT: #4


S/T/R: 06/24/30

1 Inch = 415 feet



RZ-20-02-081



 Subject Property

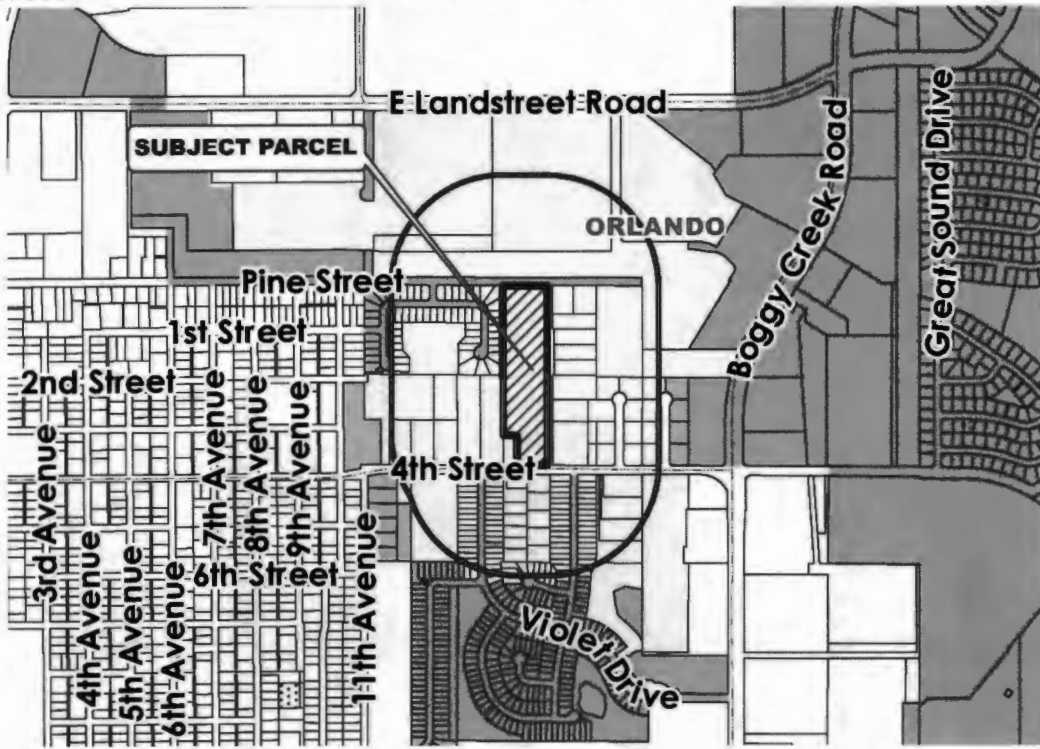


1 inch = 335 feet



Public Notification Map

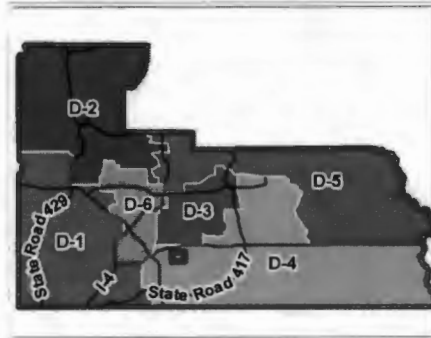
RZ-20-02-081



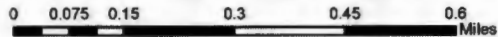
MAP LEGEND

- SUBJECT
- 800 FT BUFFER
- PARCELS
- NOTIFIED PARCELS
- COURTESY PARCELS

BUFFER DISTANCE: 800
OF NOTICES: 247
RESIDENTIAL ADDRESSES: 167



SUBJECT



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Notification Map

Case # RZ-20-02-081
 Orange County Planning Division
 PZC Hearing Date: August 20, 2020

CASE # RZ-20-07-051
Commission District: #2

GENERAL INFORMATION

APPLICANT	S. Brent Spain, Esq. Theriaque & Spain
OWNERS	Lorenzo Yeinel, Goyne Ashley
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District)
LOCATION	3605 Cilia Street; or generally north of Willow Street and approximately 435 feet west of Day Care Center Road.
PARCEL ID NUMBER	21-20-27-0000-00-087
TRACT SIZE	0.21-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Forty-four (44) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	One (1) manufactured home

STAFF RECOMMENDATION

PLANNING

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

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject property from R-1A (Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District) in order to accommodate a manufactured home.

The subject property has direct access to both Willow Street to the south and a private non-maintained access easement known as "Cillia Street" to the west. The

surrounding area is developed with single-family dwelling units on lots ranging in width from one-hundred (100) feet to two-hundred fifteen (215) feet. The Comprehensive Plan encourages a mixture of lot types and sizes, and the immediate area of the subject property has a variety of single-family residential lot types. The proposed rezoning would be compatible with the existing development pattern.

The subject property was previously rezoned in February, 2020, from R-CE-2 (Rural Residential District) to R-1A (Single-Family Dwelling District) to construct one (1) single-family dwelling unit. However, the applicant intended to state that a manufactured home was desired. Therefore, this new request is being considered in order to allow a manufactured home.

Land Use Compatibility

The R-T-1 (Mobile Home Subdivision 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 checked="" type="checkbox"/>	<input type="checkbox"/>	The subject property is located within Otter Lake Rural Settlement.
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 subject property is located within the Otter Lake Rural Settlement and has an underlying Future Land Use Map (FLUM) designation of Low Density Residential (LDR). The proposed R-T-1 (Mobile Home Subdivision District) zoning is consistent with the Low Density Residential Rural Settlement FLUM designation; therefore, a CP amendment is not necessary. The proposed request is consistent with the following CP 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.

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

Existing Use	Undeveloped Land
Adjacent Zoning	N: R-CE-2 (Rural Residential District) (1982) E: R-1A (Single-Family Dwelling District) (2005) W: R-CE-2 (Rural Residential District) (1982) S: A-2 (Farmland Rural District) (1982) <i>*No restrictions apply to the above zoning districts</i>
Adjacent Land Uses	N: Single-Family Dwelling E: Single-Family Dwelling W: Single-Family Dwelling S: Single-Family Dwelling

R-T-1 (Mobile Home Subdivision District) Development Standards:

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

Side: 5 ft.

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

Permitted Uses

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

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

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>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.</p> <p>Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction, and permits shall be applied for and issued by the appropriate agencies.</p> <p>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.</p> <p>The adjacent land use within 0.5 miles includes publicly managed property. These practices include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the concurrency database dated 1/10/20, the roadway segment of Orange Blossom Trail between Sadler Road and the Lake County Line is failing; therefore, any new development within the subject sit will require a traffic study.
Rural Settlement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The subject parcel is within the Otter Lake Rural Settlement.

Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: City of Apopka

Wastewater: 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 – (August 20, 2020)

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The applicant was present and agreed with the staff recommendation.

Staff indicated that forty-four (44) notices were mailed to surrounding property owners within a buffer of 500 feet from the subject property, and that staff had received one (1) response in favor, and zero (0) responses in opposition of the request. No members of the public were present to speak on this request.

After a brief discussion, a motion was made by Commissioner Velazquez and seconded by Commissioner Nazario to recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District) zoning. The motion carried on a 8-0 vote.

Motion / Second

Diane Velazquez / Carlos Nazario

Voting in Favor

Diane Velazquez, Carlos Nazario, JaJa Wade, Gordon Spears, Evelyn Cardenas, Mohammed Abdallah, Eddie Fernandez, and Jimmy Dunn

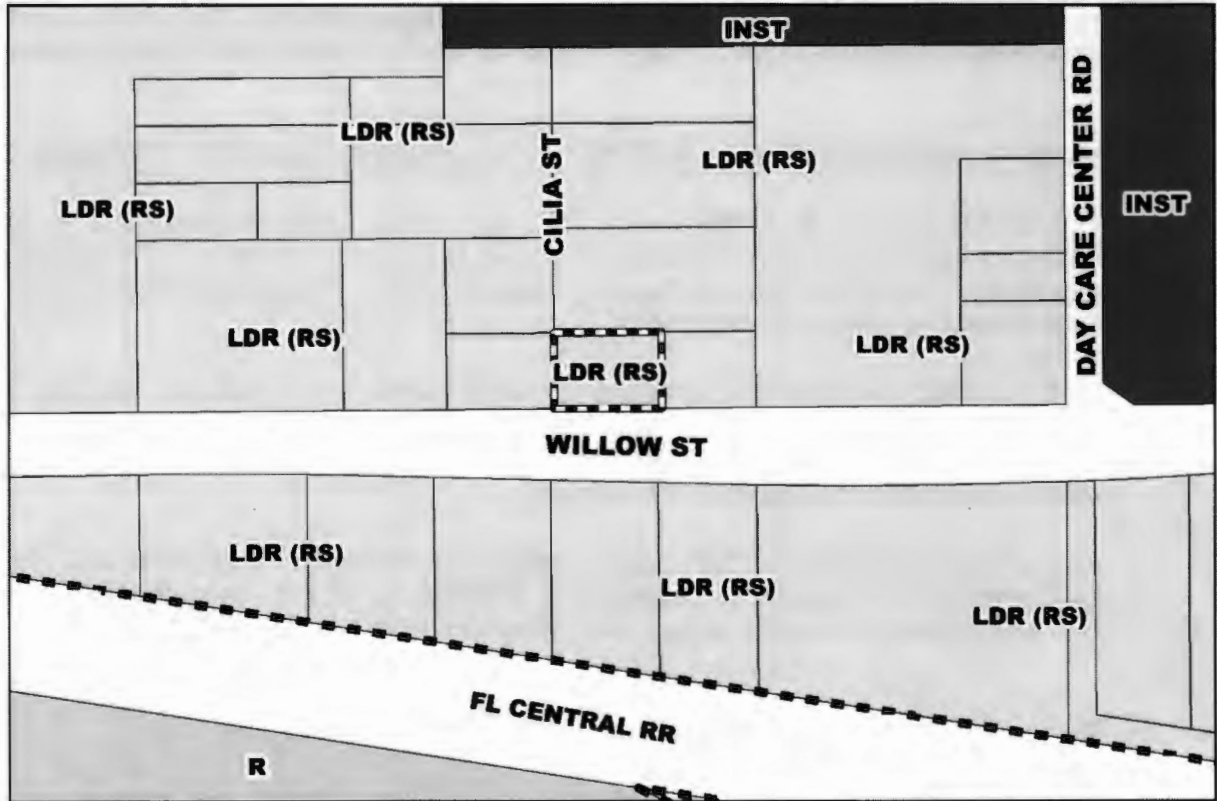
Voting in Opposition

None

Absent

Nelson Pena

RZ-20-07-051



Subject Property



Subject Property

Future Land Use Map

FLUM: Low Density Residential Rural Settlement (LDR (RS))

APPLICANT: S.Brent Spain, Esq. Theriaque & Spain

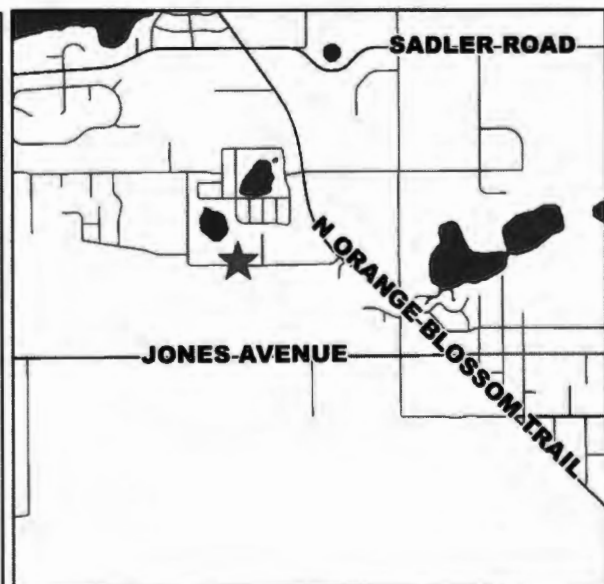
LOCATION: 3605 Cilia Street; generally north of Willow Street approximately 435 feet west of Day Care Center Road.

TRACT SIZE: 0.21-gross acre

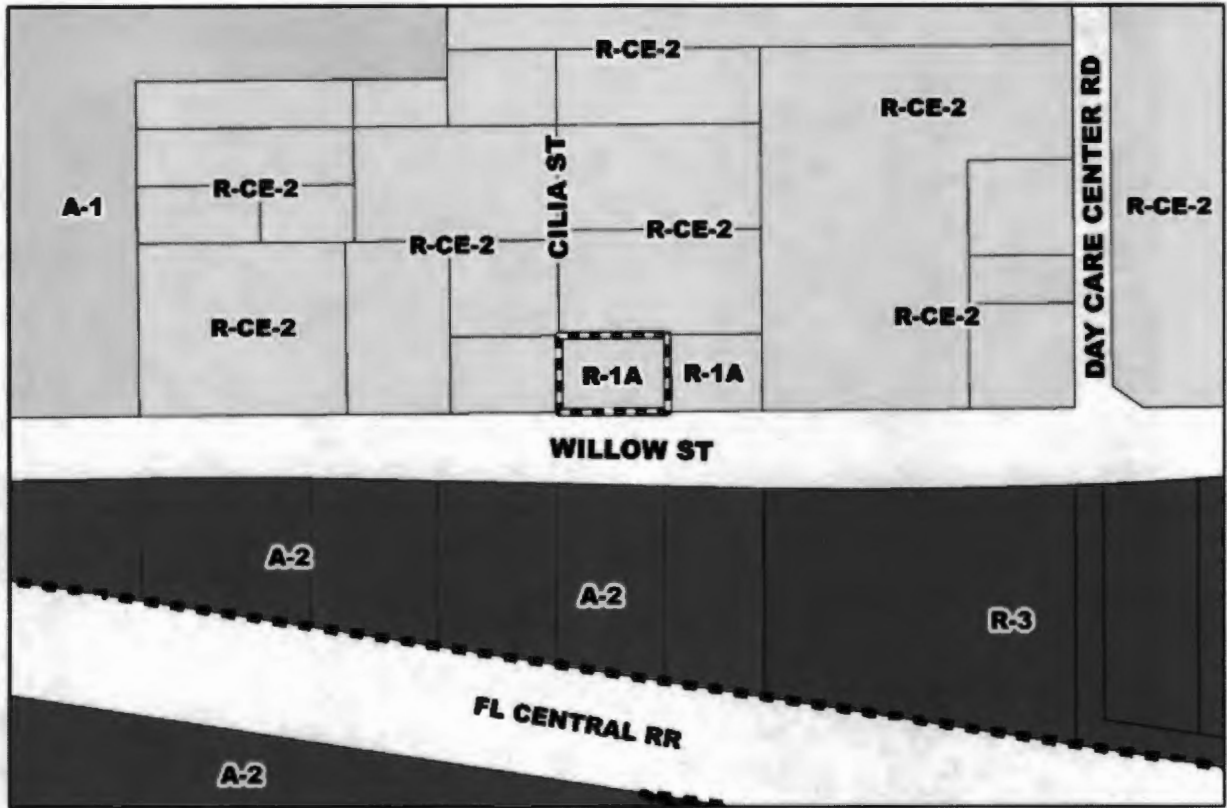
DISTRICT: #2

S/T/R: 27/20/21

1 inch = 165 feet



RZ-20-07-051



Subject Property



Subject Property

Zoning Map

ZONING: R-1A (Single-Family Dwelling District) to R-T-1 (Mobile Home Subdivision District)

APPLICANT: S.Brent Spain, Esq. Theriaque & Spain

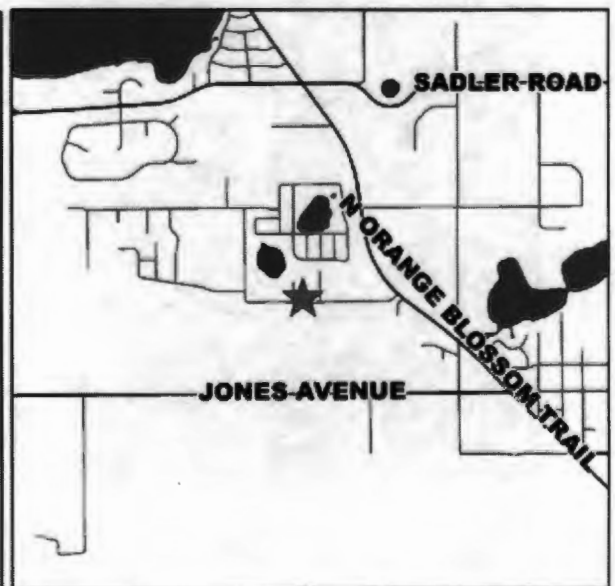
LOCATION: 3605 Cilia Street; generally north of Willow Street approximately 435 feet west of Day Care Center Road.

TRACT SIZE: 0.21-gross acre

DISTRICT: #2

S/T/R: 27/20/21

1 Inch = 165 feet



RZ-20-07-051

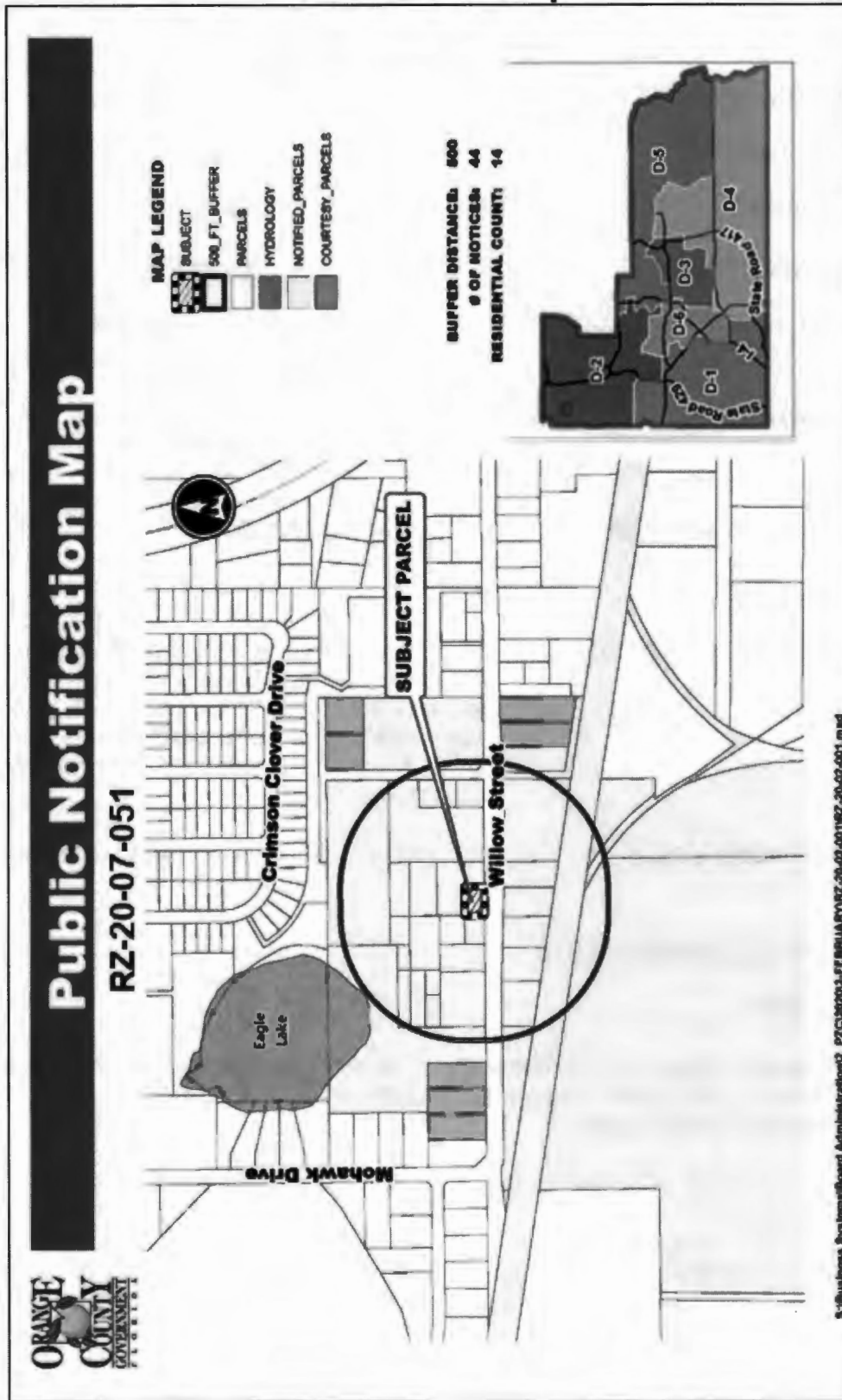


 Subject Property



1 inch = 125 feet

Notification Map



CASE # RZ-20-08-052

Commission District: #6

GENERAL INFORMATION

APPLICANT	Natasha Nicolas, Canaan Church of Orlando, Inc.
OWNERS	Canaan Church of Orlando, Inc.
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-3 (Multiple-Family Dwelling District) to P-O (Professional Office)
LOCATION	5265 Alhambra Drive; generally on the north side of Alhambra Drive, approximately 445 feet west of Sunniland Drive.
PARCEL ID NUMBER	19-22-29-6954-07-210
TRACT SIZE	0.85-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred sixteen (216) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Vocational School (in addition to the existing church)

STAFF RECOMMENDATION

PLANNING

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

- 1) New billboards and pole signs shall be prohibited; and
- 2) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate P-O uses.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the subject property from R-3 (Multiple-Family Dwelling District) to P-O (Professional Office District) in order to allow a vocational school in addition to the existing church. Specifically, LNP (Licensed Nurse Practitioner) and CMA (Certified Medical Assistant) programs would be offered.

The subject property is currently developed with two (2) buildings of 4,932 square feet and 5,120 square feet. The west building is currently used to host church services, while the vacant building on the east side is proposed to house the vocational school. In order to keep the existing church and operate a vocational school in the P-O (Professional Office District) zoning, a Special Exception application needs to be submitted after a rezoning is officially approved. These two (2) uses are only allowed in P-O zoning with the approval of a Special Exception from the Board of Zoning Adjustment (BZA).

The area surrounding the subject property consists of single-family residential to the north, multi-family residential to the west, religious use to the east, and commercial uses to the south. The office use will act as a transition between the commercial and residential uses. The Future Land Use Map (FLUM) designates the subject property as Office (O) and this rezoning request will bring the property into conformance with the underlying FLUM designation.

Land Use Compatibility

The P-O (Professional Office) 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 Office (O). The proposed P-O (Professional Office) zoning is consistent with the Office 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.

FLU8.2.11 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

Existing Use	Church
Adjacent Zoning	N: R-1A (Single-Family Dwelling District) 1957 E: R-3 (Multiple-Family Dwelling District) 1957 W: R-3 (Multiple-Family Dwelling District) 1957 S: C-2 (General Commercial District) 1957
Adjacent Land Uses	N: Single-Family Residence E: Church W: Multi-Family Residence S: Retail Community Center

P-O (Professional Office) 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.

Intent, Purpose, and Uses

The intent and purpose of the P-O (Professional Office District) zoning is 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 as well as establish standards which promote high quality site development of individual office structures and larger office centers, both of which are properly oriented toward arterial roads and compatible with adjoining properties. The P-O district also encourages 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.

Permitted Uses

The P-O (Professional Office District) zoning district is composed of lands and structures used primarily for the furnishing of commercial office locations.

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 checked="" type="checkbox"/>	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. This site is located within the Wekiva Priority Focus Area. If this property is on or is proposing septic tanks environmental regulations may apply.
Transportation / Access:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area (AMA). A Mobility Analysis may be required.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orlando Utilities Commission	
Wastewater:	Orange County Utilities	8-inch and 10-inch gravity sewer is located within Alhambra Drive right-of-way
Reclaim Water:	Orange County Utilities	Not currently available

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 – (August 20, 2020)

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

- 1) New billboards and pole signs shall be prohibited; and
- 2) The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate P-O uses.

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 (Professional Office) zoning, subject to the two (2) restrictions. The applicant was present and agreed with the staff recommendation.

Staff indicated that two hundred sixteen (216) notices were sent to property owners within 800 feet surrounding the property, and that staff had received one (1) response in favor, and zero (0) in opposition to the request. Zero (0) members of the public were present to speak on this request.

After a brief discussion, a motion was made by Commissioner Wade to make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested P-O (Professional Office) zoning, subject to the two (2) restrictions and seconded by Commissioner Dunn. The motion carried on a 7-0 vote.

Motion / Second

JaJa Wade / Jimmy Dunn

Voting in Favor

JaJa Wade, Jimmy Dunn, Diane Velazquez, Eddie Fernandez, Evelyn Cardenas, Carlos Nazario, and Gordon Spears

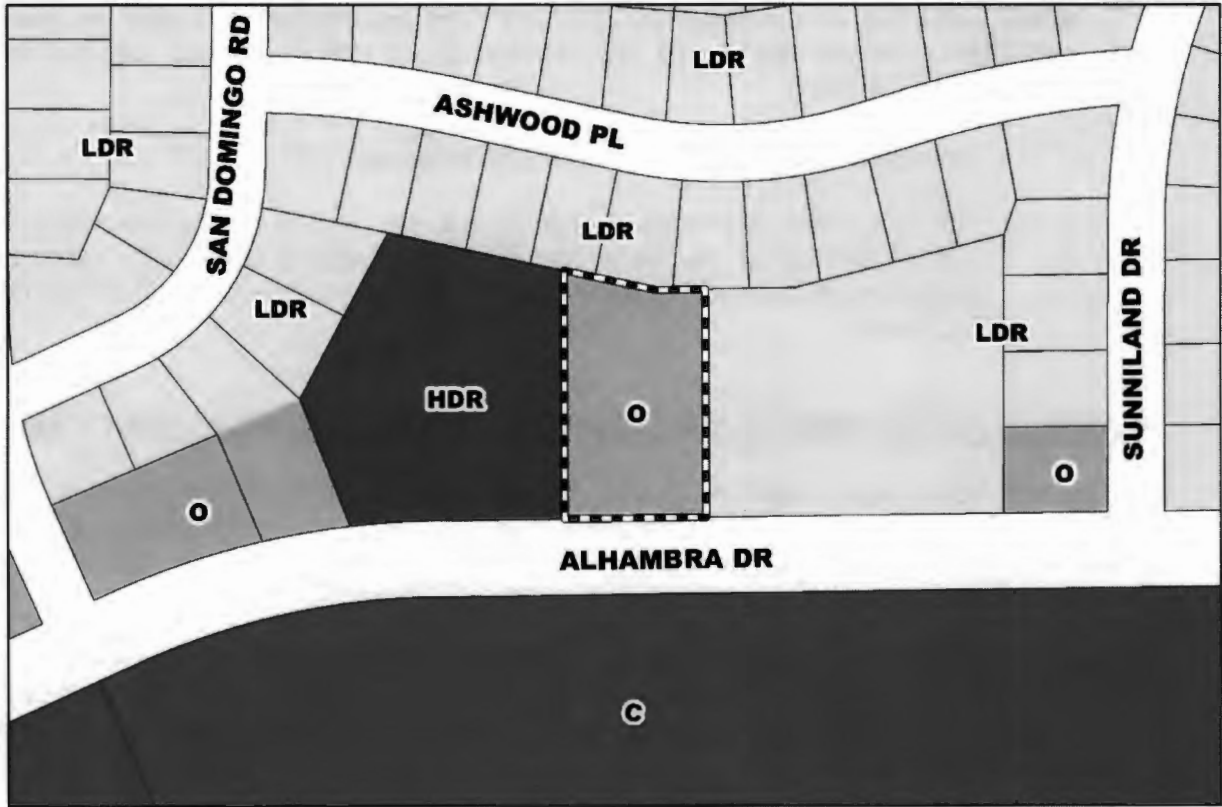
Voting in Opposition

None

Absent

Nelson Pena and Mohammed Abdallah

RZ-20-08-052



Subject Property



Subject Property

Future Land Use Map

FLUM: Office (O)

APPLICANT: Natasha Nicolas
 Canaan Church Of Orlando, Inc

LOCATION: 5265 Alhambra Drive; generally on the north side of Alhambra Drive, approximately 445 feet west of Sunniland Drive.

TRACT SIZE: 0.85-gross acre

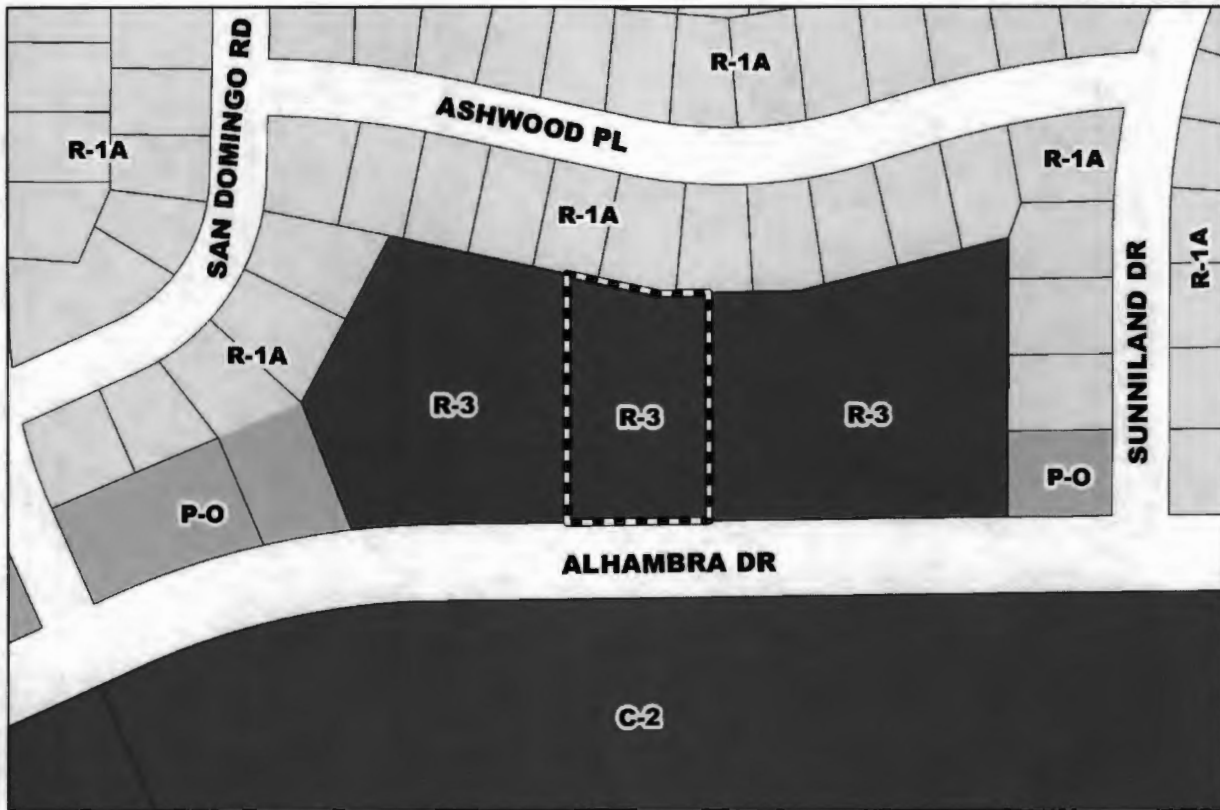
DISTRICT: #6


S/T/R: 19/22/29

1 inch = 165 feet




RZ-20-08-052



 Subject Property



 Subject Property

Zoning Map

ZONING: R-3 (Multiple-Family Dwelling District) to
 P-O (Professional Office)

APPLICANT: Natasha Nicolas,
 Canaan Church Of Orlando, Inc

LOCATION: 5265 Alhambra Drive; generally on the
 north side of Alhambra Drive,
 approximately 445 feet west of Sunniland
 Drive.

TRACT SIZE: 0.85-gross acre

DISTRICT: #6

S/T/R: 19/22/29

1 inch = 165 feet



RZ-20-08-052



 Subject Property



1 inch = 165 feet

Alternative Mobility Area Context Map

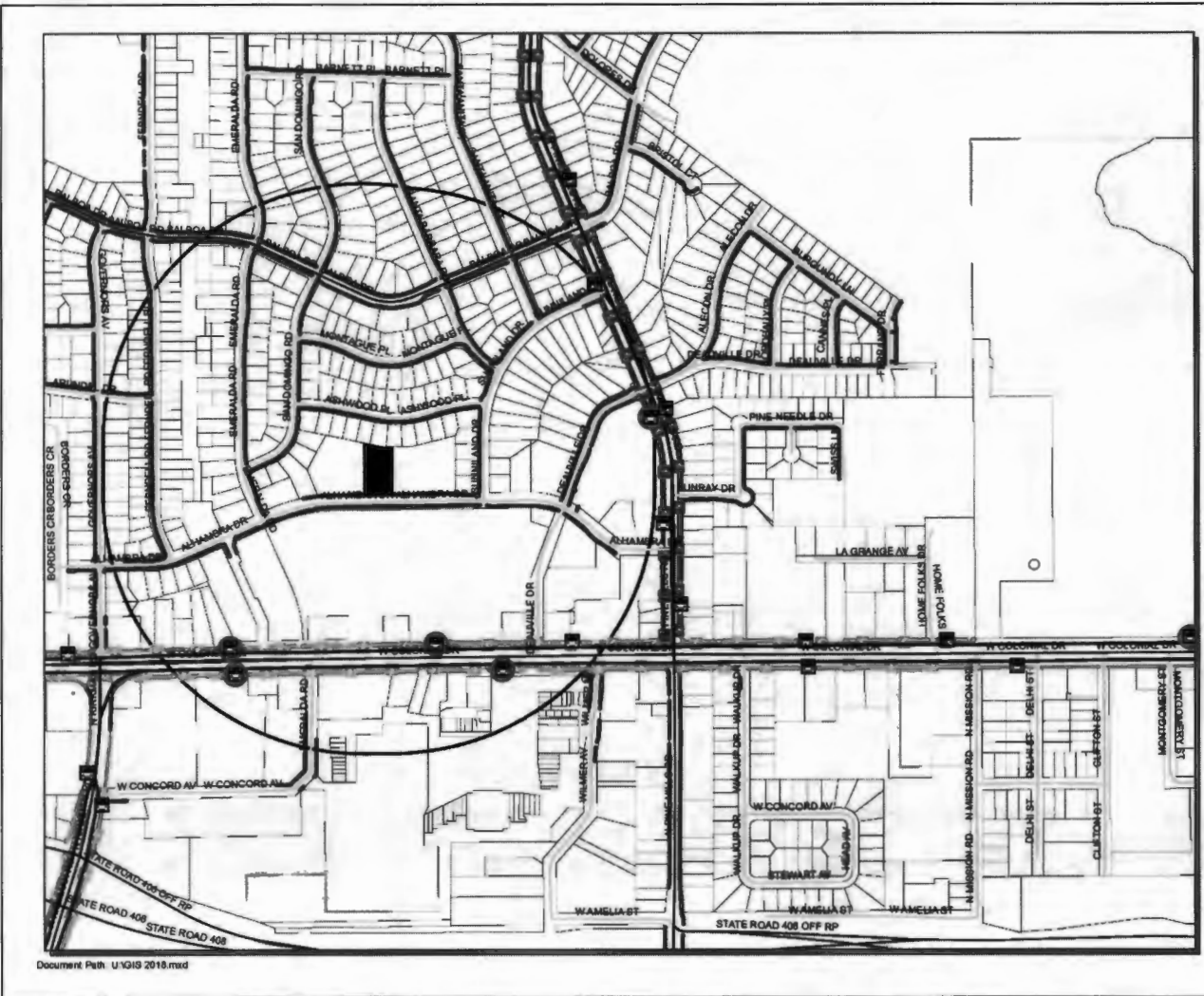
RZ-20-08-052
 5265 ALHAMBRA DR

Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- LYNX Bus Route Schedule
- Major Streets
- Roads Base
- Segment_ID
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Major Streets
- Streets
- PA_PARCELS_Buffer641
- Parcels
- Horizon West Boundary
- County Boundary
- Parcels

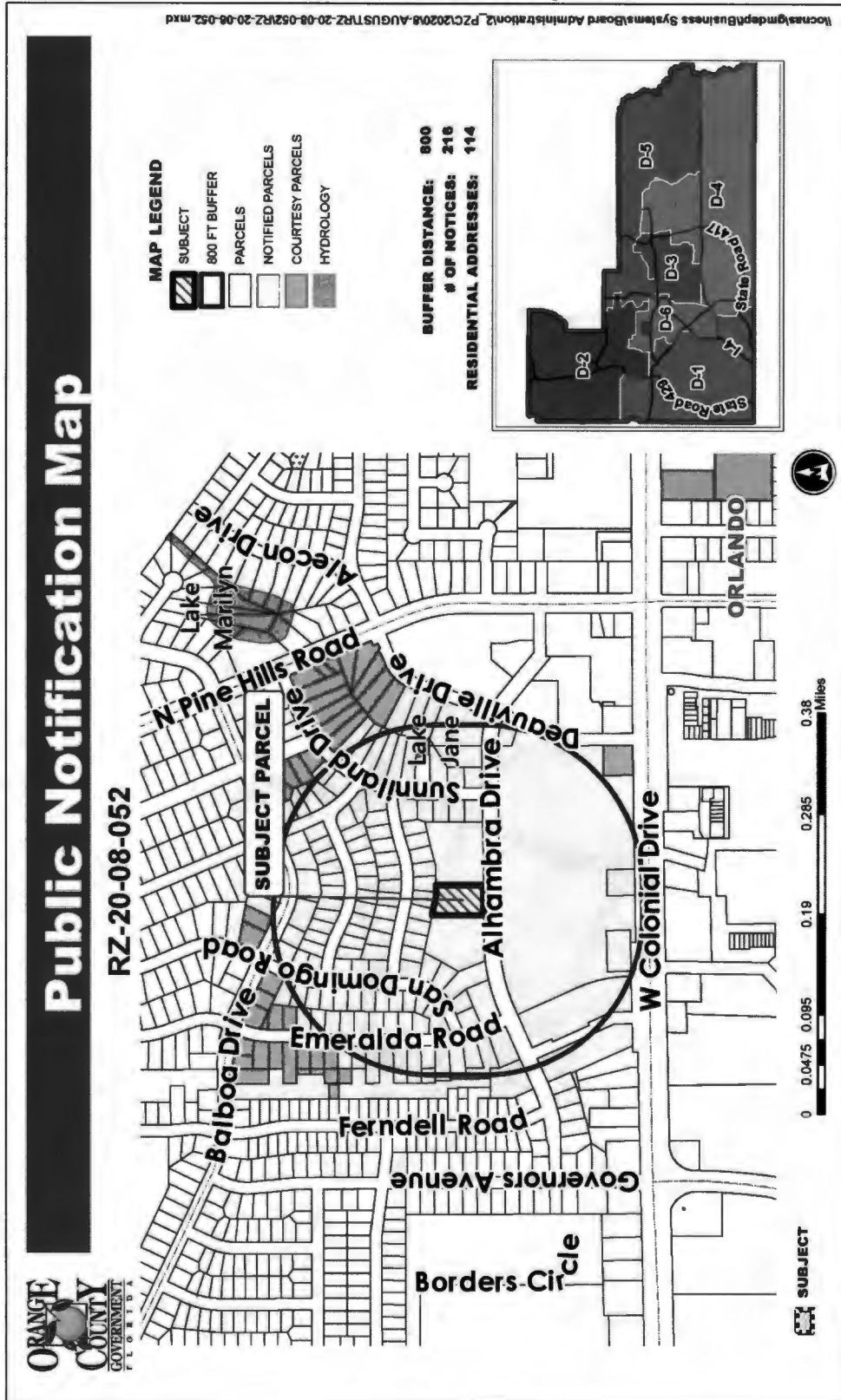


Date: 7/21/2020



Document Path: U:\GIS 2018.mxd

Notification Map



CASE # RZ-20-08-053

Commission District: #1

GENERAL INFORMATION

APPLICANT	Gregory Crawford, Florida Engineering Group, Inc.
OWNERS	Sri Shirdi Sai Investments, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-CE (Country Estate District) to R-1A (Single-Family Dwelling District)
LOCATION	4500 S. Hiawassee Road or generally located on the west side of S. Hiawassee Road, approximately 989 feet north of Conroy Windermere Road.
PARCEL ID NUMBER	11-23-28-0000-00-027
TRACT SIZE	3.90 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Five hundred twenty-one (521) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
PROPOSED USE	Up to Eight (8) Single-Family Residential Dwelling Units* <i>*Note: Assumes at least two (2) net acres of upland area. A Conservation Area Determination (CAD) will be required to determine net acreage. Wetland impacts are not approved with this rezoning request nor are they guaranteed in order to meet the proposed development program.</i>

STAFF RECOMMENDATION

PLANNING

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

- 1) The subject property shall be limited to a maximum of eight (8) lots with single-family detached residential dwelling units.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property is located on the west side of S. Hiawasse Road, approximately 989 feet north of Conroy Windermere Road. Through this request, the applicant is seeking to rezone the 3.90 acres property from R-CE (Country Estate District) to R-1A (Single-Family Dwelling District) in order to construct eight (8) single-family dwelling units.

Currently there is a residential structure on the property. The applicant has stated the structure will be demolish to allow compliance with building standards for the R-1A zoning district. The property also fronts a body of water, therefore, prior to approval of an Orange County permit, lot split, subdivision, or development plan, a Conservation Area Determination (CAD) will be required in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

The surrounding area is developed with varying levels of single-family residential developments, with some office uses nearby at the Conroy Windermere Road intersection. The parcel directly to the south of the subject property was rezoned from R-CE (Country Estate District) to R-1A (Single-Family Dwelling District) in 2019, which included the PZC recommended restriction of no more than eight (8) residential dwelling units. The property located approximately 145 feet north of the subject property was rezoned to R-1AAA (Single-Family Dwelling District) in 1991, and consists of minimum 125 foot wide lots. To the south along Conroy Windermere Road, there are Planned Developments (PD) with P-O (Professional Office District) zoned properties, while the development to the west of the subject property are currently zoned R-1AA (Single-Dwelling District). In summary, the proposed R-1A zoning district is consistent with the character of the area, and will allow for development that transitions from the offices uses to the south into the larger lot developments to the north.

Land Use Compatibility

The R-1A (Single-Family 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 Density Residential (LDR). The proposed R-1A (Single-Family Residential District) zoning is consistent with the LDR 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.

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.

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.

FLU8.2.2 Continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

OBJ H1.1 states that the County will support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

SITE DATA

Existing Use	Single-Family Dwelling Unit
Adjacent Zoning	N: R-CE (Country Estate District) (1968)
	E: R-1AA (Single-Family Dwelling District) (1978)
	W: R-1A (Single-Family Dwelling District) (1976)

S: R-1A (Single-Family Dwelling District) (2019)*
**Restricted to maximum of 8 single-family lots*

Adjacent Land Uses

N: Single-Family Residence
E: Single-Family Residence
W: Single-Family / Surface water
S: Single-Family Residence

R-1A (SINGLE-FAMILY DWELLING DISTRICT) DEVELOPMENT STANDARDS*

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

Building Setbacks

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

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

Intent, Purpose, and Uses

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1A zoning district is to provide residential development similar in general character to the R-1AA and R-1 zoning districts, but with smaller minimum lots and yards, and a corresponding increase in population density.

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 database dated 7/21/20, there is one failing roadway segment. Turkey Lake Road from Vineland Road to Conroy-Windermere Road. A traffic study will be required.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Impacts are De Minimis and a Capacity Determination or Agreement will not be required.
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Parks and rec staff reviewed but did not provide any comment or objection

*Wetlands and surface waters are located on site. Prior to approval of an Orange County permit, lot split, subdivision or development plan, a Conservation Area Determination application (CAD) must be completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas. Approval of this request does not authorize any direct or indirect conservation area impacts.

Until wetland permitting is complete, the net developable acreage is uncertain. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less protective buffer areas required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

Per Comprehensive Plan Policy FLU1.1.2 C., density and floor area ratio (FAR) calculations are determined by dividing the total number of units and the square footage by the net developable area. In order to include Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Impact (CAI) permit from the Orange County EPD in addition to an approved Conservation Area Determination (CAD). Impacts to Class I conservation areas require approval from the Orange County Board of County Commissioners (BCC).

The Normal High Water Elevation (NHWE) of Phillips Pond South was established at 121.91 feet NAVD. Clearly label and indicate the NHWE contour of the lake on all development plans or permit applications, in addition to any wetland, floodplain and setback lines.

Approval of this request does not grant permission for construction or alteration of boat ramps, docks, decks, observation piers, lake shore vegetation, or seawalls on the lake. Any person desiring these types of structures or to perform shoreline alterations shall first apply for a permit from the Orange County EPD prior to commencement of such activities.

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

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Reference Orange County Code Sections 30-277 and 30-278.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about

the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for requirements of Individual On-Site Sewage Disposal as well as the FDOH.

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, contact the EPD Air Quality Management staff at 407-836-1400.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water:	Orange County Utilities	12-inch watermain within Hiawassee right-of-way
Wastewater:	Orange County Utilities	Per Chapter 37, this development will be required to connect to central wastewater. 8-inch gravity sewer at the intersection of Dr. Phillips and Conroy-Windermere
Reclaim Water:	Orange County Utilities	6-inch reclaimed watermain within Hiawassee right-of-way

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 – (August 20, 2020)

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

- 1) The subject property shall be limited to a maximum of eight (8) lots with single-family detached residential dwelling units.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The applicant was present and agreed with the recommendation.

Staff indicated that five hundred twenty-one (521) notices were mailed to those property owners in the mailing area extending beyond 700 feet surrounding the property, and that staff received 4 commentaries in opposition of the project. During public comments two (2) members of the public were present to speak in opposition.

After a brief discussion on community meeting requirements, a motion was made by Commissioner Dunn and seconded by Commissioner Abdallah to make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning. The motion was carried on an 8-0 vote.

Motion / Second

Jimmy Dunn / Mohammed Abdallah

Voting in Favor

Jimmy Dunn, Mohammed Abdallah, JaJa Wade, Eddie Fernandez, Gordon Spears, Evelyn Cardenas, Carlos Nazario, and Diane Velazquez

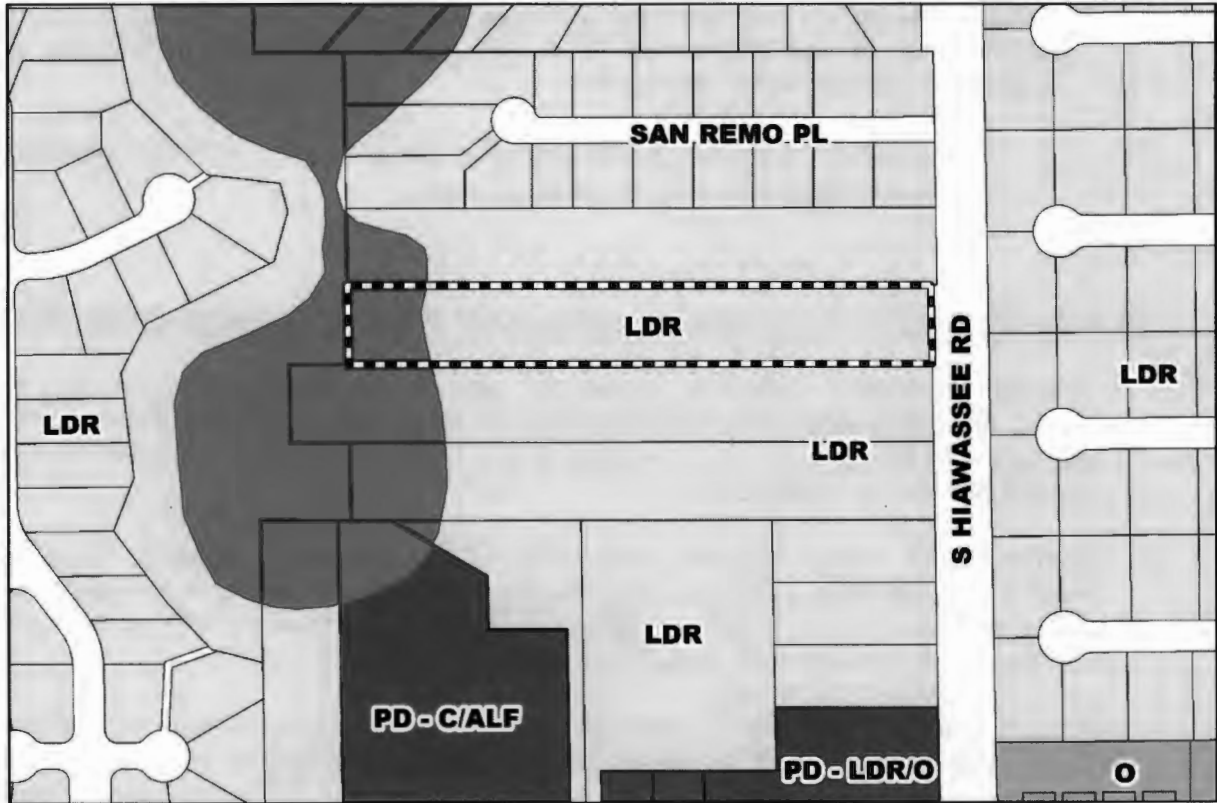
Voting in Opposition

None

Absent

Nelson Pena

RZ-20-08-053



Subject Property



★ Subject Property

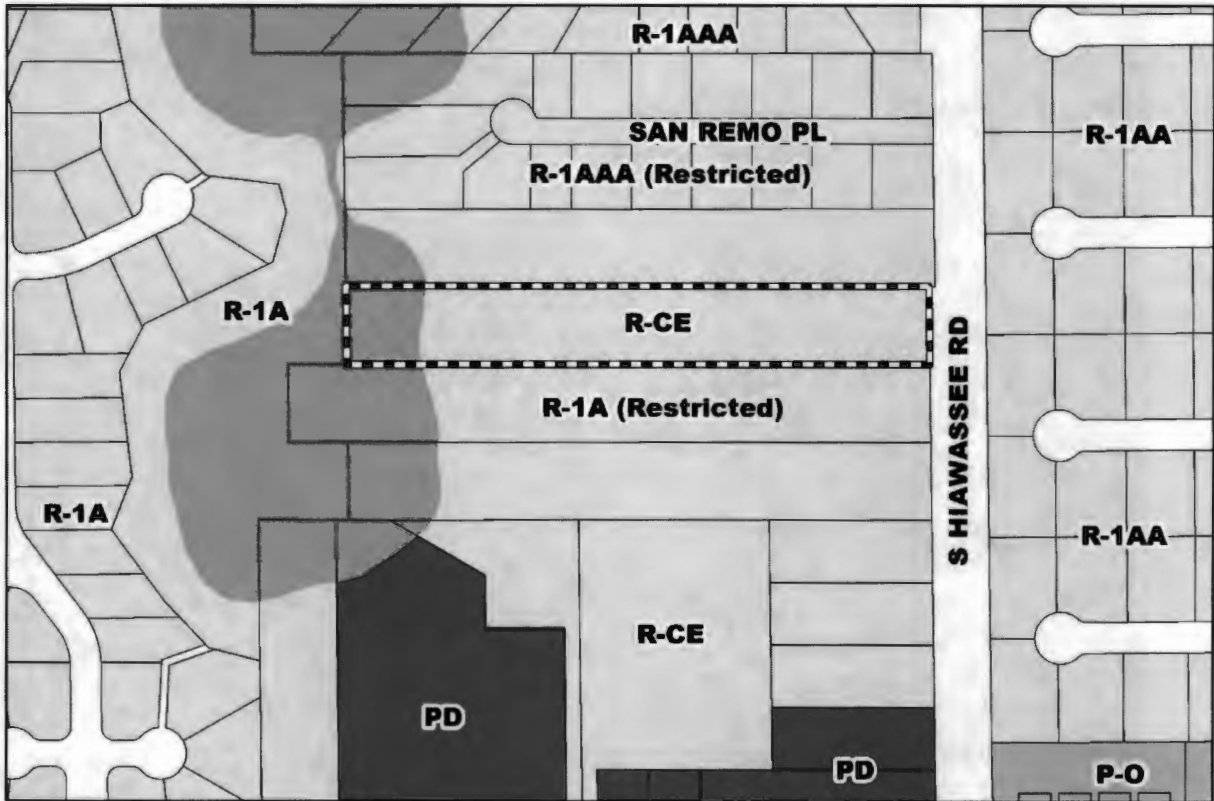
Future Land Use Map

FLUM: Low Density Residential (LDR)
APPLICANT: Annapoorna Raju,
 Sri Shirdi Sai Investments, LLC
LOCATION: 4500 S. Hiwassee Rd., or generally
 located on the west side of S. Hiwassee
 Road, approximately 989 feet north of
 Conroy Windermere Road.
TRACT SIZE: 3.9 gross acres
DISTRICT: # 1
S/T/R: 11/23/28

1 inch = 300 feet



RZ-20-08-053



Subject Property



Subject Property

Zoning Map

ZONING: R-CE (Country Estate District) to
 R-1A (Single-Family Dwelling District)

APPLICANT: Annapoorna Raju,
 Sri Shirdi Sai Investments, LLC

LOCATION: 4500 S. Hiwassee Rd., or generally
 located on the west side of S. Hiwassee
 Road, approximately 989 feet north of
 Conroy Windermere Road.

TRACT SIZE: 3.9 gross acres

DISTRICT: # 1

S/T/R: 11/23/28

1 inch = 300 feet



RZ-20-08-053

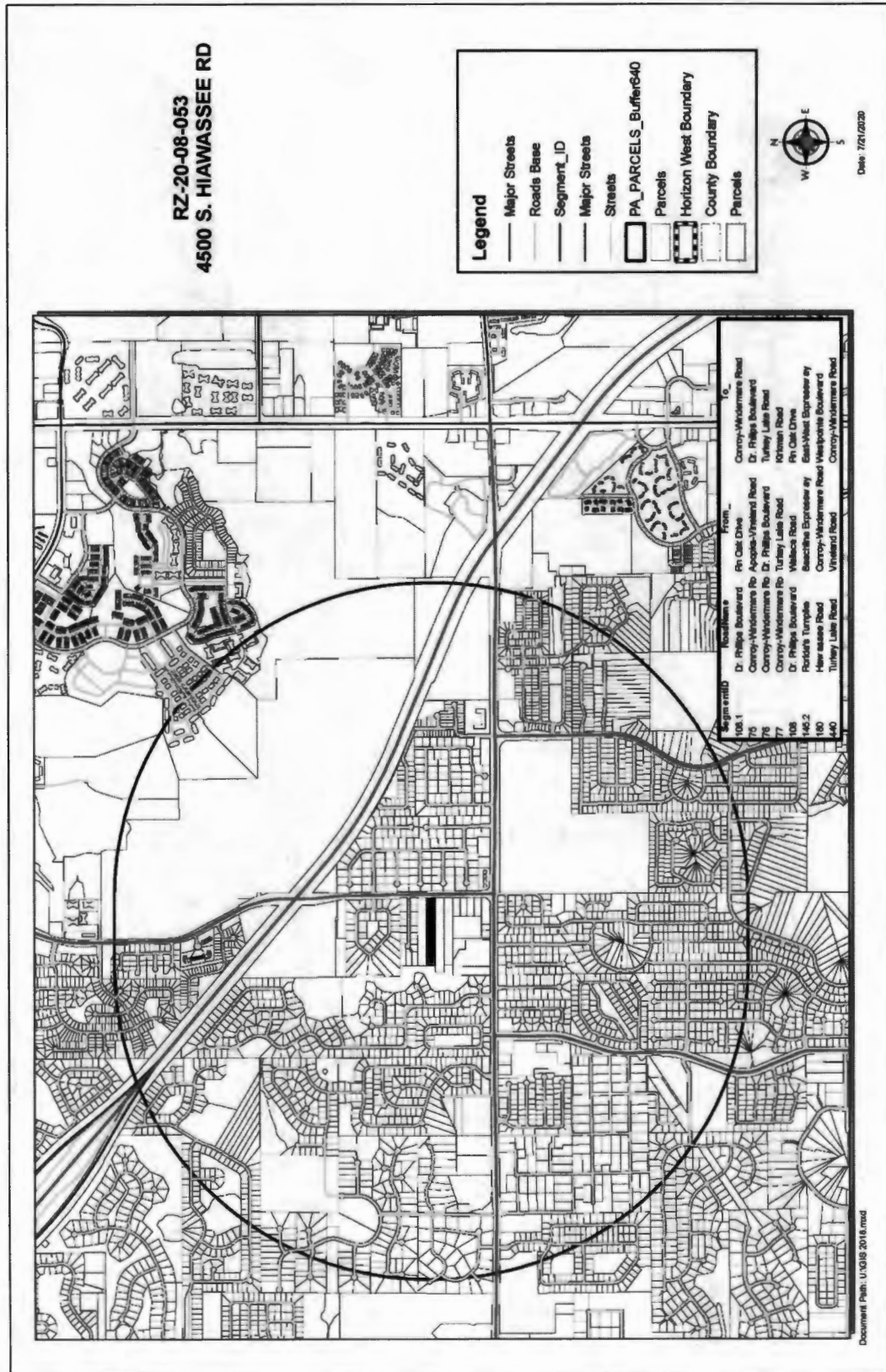


 Subject Property



1 inch = 300 feet

Alternative Mobility Area Map



Notification Map

