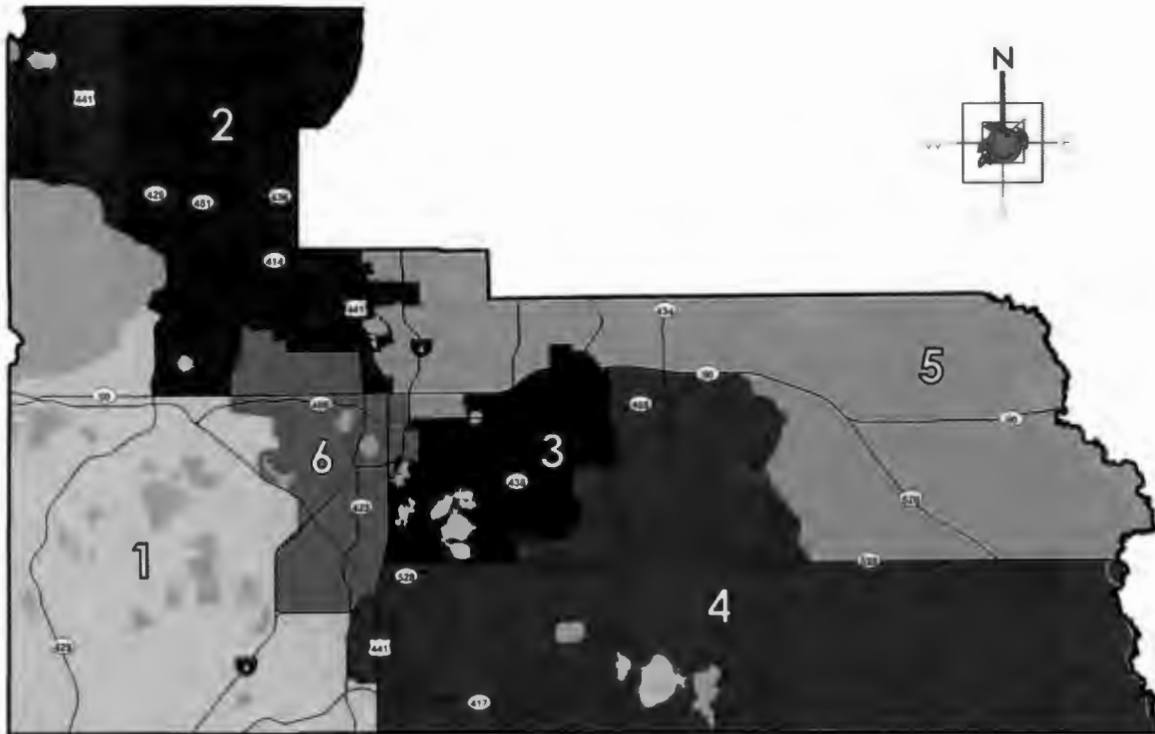




PLANNING AND ZONING COMMISSION
LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

MARCH 17, 2022



PREPARED BY:

ORANGE COUNTY GOVERNMENT
PLANNING DIVISION | CURRENT PLANNING SECTION

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

Trevor Sorbo
Vice Chairman

District #1

George Wiggins

District #2

Eddie Fernandez

District #3

Walter Pavon

District #4

J. Gordon Spears

District #5

JaJa J. Wade

District #6

Mohammed Abdallah

At Large

Evelyn Cardenas

At Large

Nelson Pena
Chairman

At Large

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I. Conventional Rezoning Hearing					
RZ-20-10-064 Giovanni Fernandez	<i>R-1A to R-1</i>	3	Approval	Approval	No
RZ-20-10-065 Giovanni Fernandez	<i>R-1A to R-1</i>	3	Approval	Approval	No
RZ-20-12-069 Steven Radcliffe	<i>R-1A to R-1</i>	3	Approval	Approval	No
RZ-22-02-005 Angel Pinero	<i>C-3 to I-1/I-5</i>	6	Approval w/ one (1) restriction	Approval w/ one (1) restriction	No
RZ-22-03-008 Chris & Diane Schroettinger	<i>R-1AA to R-1</i>	5	Approval	Approval	No
RZ-22-03-011 Juan Gonzalez	<i>R-1A to R-1</i>	6	Approval	Approval	No
RZ-22-03-016 Ranel J Castro Jr	<i>I-1/I-5 to I-4</i>	4	<i>Continue to the April 21st PZC Hearing</i>	<i>Continued to the April 21st PZC Hearing</i>	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 (¼ acre)	850	100	35	50	10	35	A
	Mobile Home - 2 acres							
A-2	SFR - 21,780 (¼ acre)	850	100	35	50	10	35	A
	Mobile Home - 2 acres							
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 ¼ 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

<i>District</i>	<i>Min. lot area (sq. ft.) m</i>	<i>Min. living area (sq. ft.)</i>	<i>Min. lot width (ft.)</i>	<i>Min. front yard (ft.) a</i>	<i>Min. rear yard (ft.) a</i>	<i>Min. side yard (ft.)</i>	<i>Max. building height (ft.)</i>	<i>Lake setback (ft.)</i>
NAC	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
	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
NC	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
	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
P-O	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.) ^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-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-21-10-064

Commission District: #3

GENERAL INFORMATION

APPLICANT	Giovanni Fernandez
OWNER	FL Acquisition, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	2509 Raehn Street; generally located on the northeast corner of Russell Avenue and Raehn Street, approximately 300 feet north of Curry Ford Road.
PARCEL ID NUMBER	31-22-30-3324-02-090
TRACT SIZE	0.323 gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred eighty (180) notices were mailed to those property owners and residents in the surrounding area. A community meeting was held on March 8, 2022, and is summarized further in this report.
PROPOSED USE	Two (2) 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 0.323-gross acres was platted in 1925 as Lots 9 and 10 of the "B" block of the Handsonhurst plat. Lots 9 and 10 each measure 50' in width. The applicant intends to revert to the underlying platted lots. The current zoning district of R-1A requires 75' wide lots whereas the requested R-1 district only requires 50' wide lots.

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 two (2) lots would create a density of 6.19 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, except as exempted through Comprehensive Plan Policy FLU8.1.1.

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

Existing Use	Vacant Single-Family Residential
Adjacent Zoning	N: R-1A (Single-Family Dwelling District) (1957) E: R-1 (Single-Family Dwelling District) (2020) W: R-1A (Single-Family Dwelling District) (1957) S: P-O Restricted (Professional Office) (2010)
Adjacent Land Uses	N: Single-Family Residential E: Vacant Single-Family Residential W: Single-Family Residential S: Office

R-1 [Single-Family Dwelling District] Development Standards

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

Building Setbacks

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

Intent, Purpose, and Uses

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is to provide residential development similar in general character to the R-1AA and R-1A 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 below
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area. The proposed development of two (2) single family units is De minimus.
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.

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.

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property and into open drainage facilities. 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 ½ inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto roadways. Periodic street sweeping may be required. Adjacent drainage ditches and affected storm drains shall be protected.

Community Meeting Summary

A community meeting for this request was held on March 8, 2022, with five (5) residents in attendance expressing general concern for drainage and a desire to see greater density.

Utilities

Water:	Orlando Utilities Commission	Available
Waste Water:	City of Orlando	Not Available – Reliant on Septic
Reclaim Water:	City of Orlando	

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

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (March 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

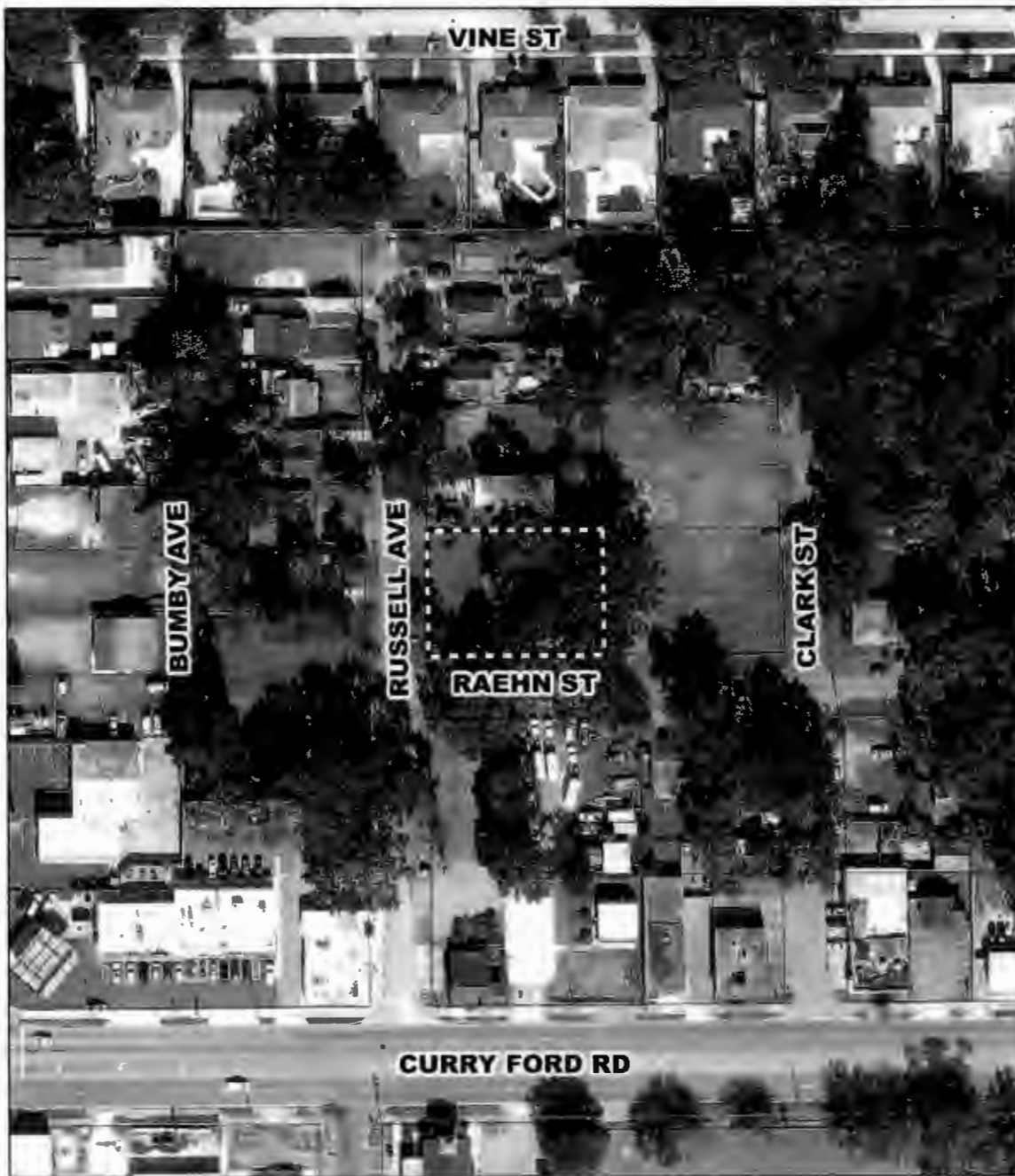
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning. The applicant's representative was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred eighty (180) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received one (1) response in favor, and zero (0) responses in opposition of the request.

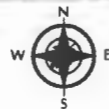
A motion was made by Commissioner Fernandez, and seconded by Commissioner Pavon to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District). The motion carried 7 to 1 vote with Commissioner Spears voting in opposition.

Motion / Second	<i>Eddie Fernandez / Walter Pavon</i>
Voting in Favor	<i>Eddie Fernandez, Walter Pavon, Evelyn Cardenas, Mohammed Abdallah, George Wiggins, JaJa Wade, and Trevors Sorbo</i>
Voting in Opposition	<i>Gordon Spears</i>
Absent	<i>Nelson Pena</i>

RZ-21-10-064



 Subject Property

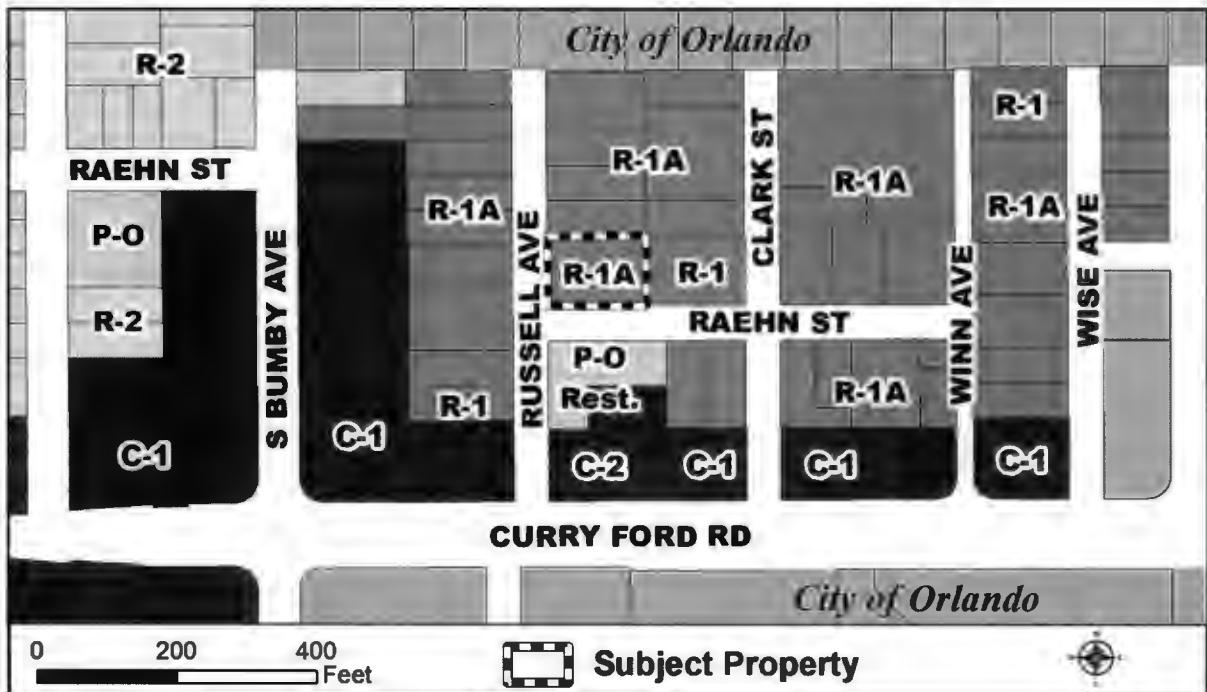


1 inch = 104 feet

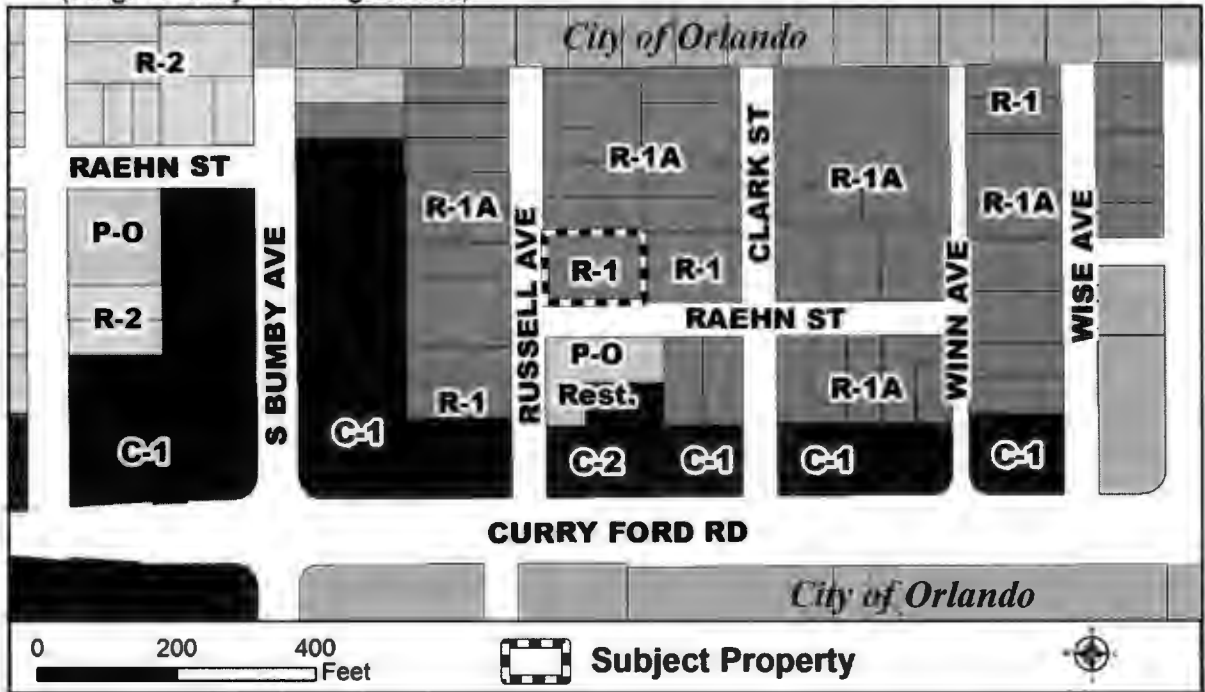
FUTURE LAND USE - CURRENT
 Low Density Residential



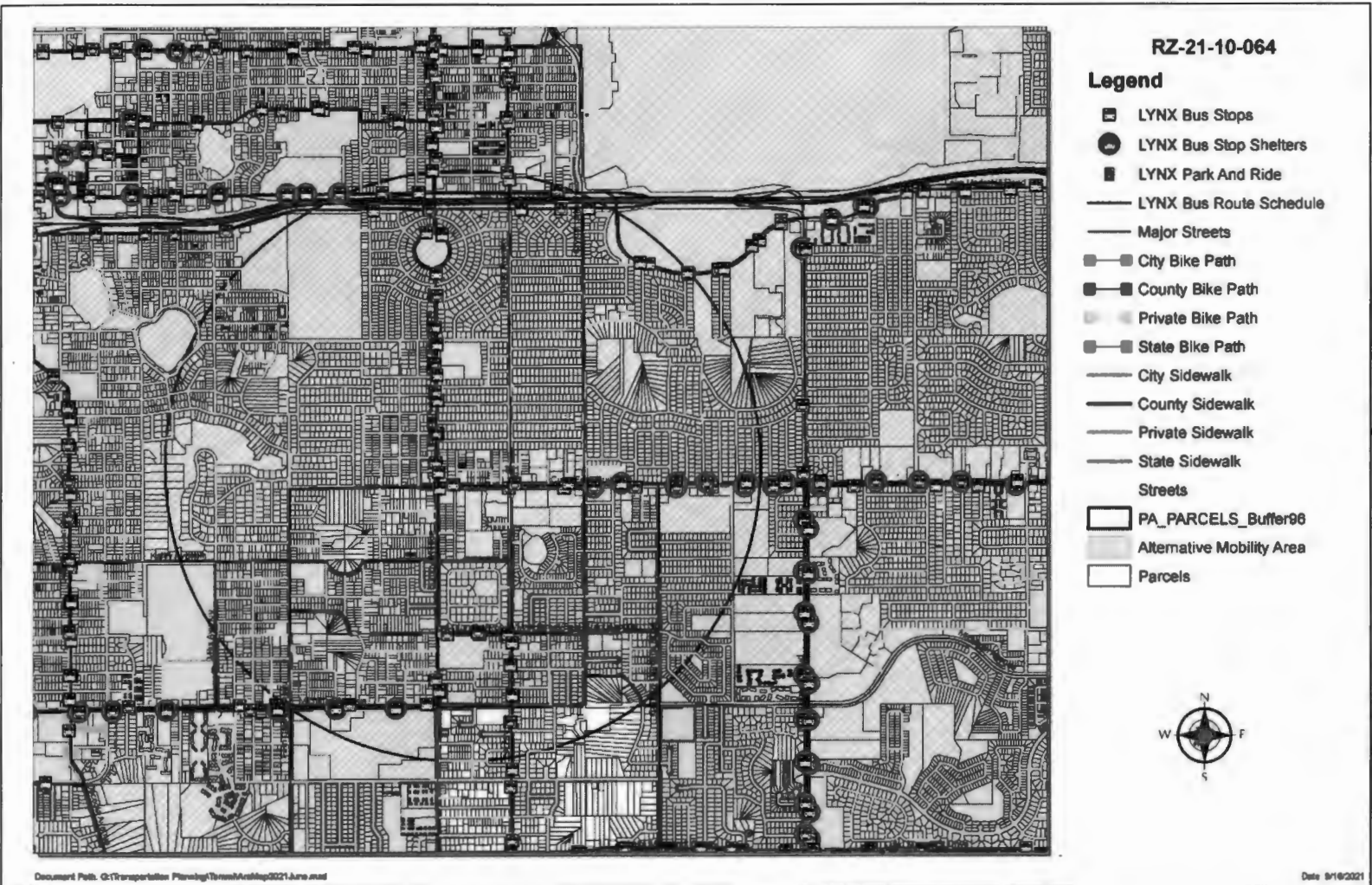
ZONING – CURRENT
 R-1A (Single-Family Dwelling District)



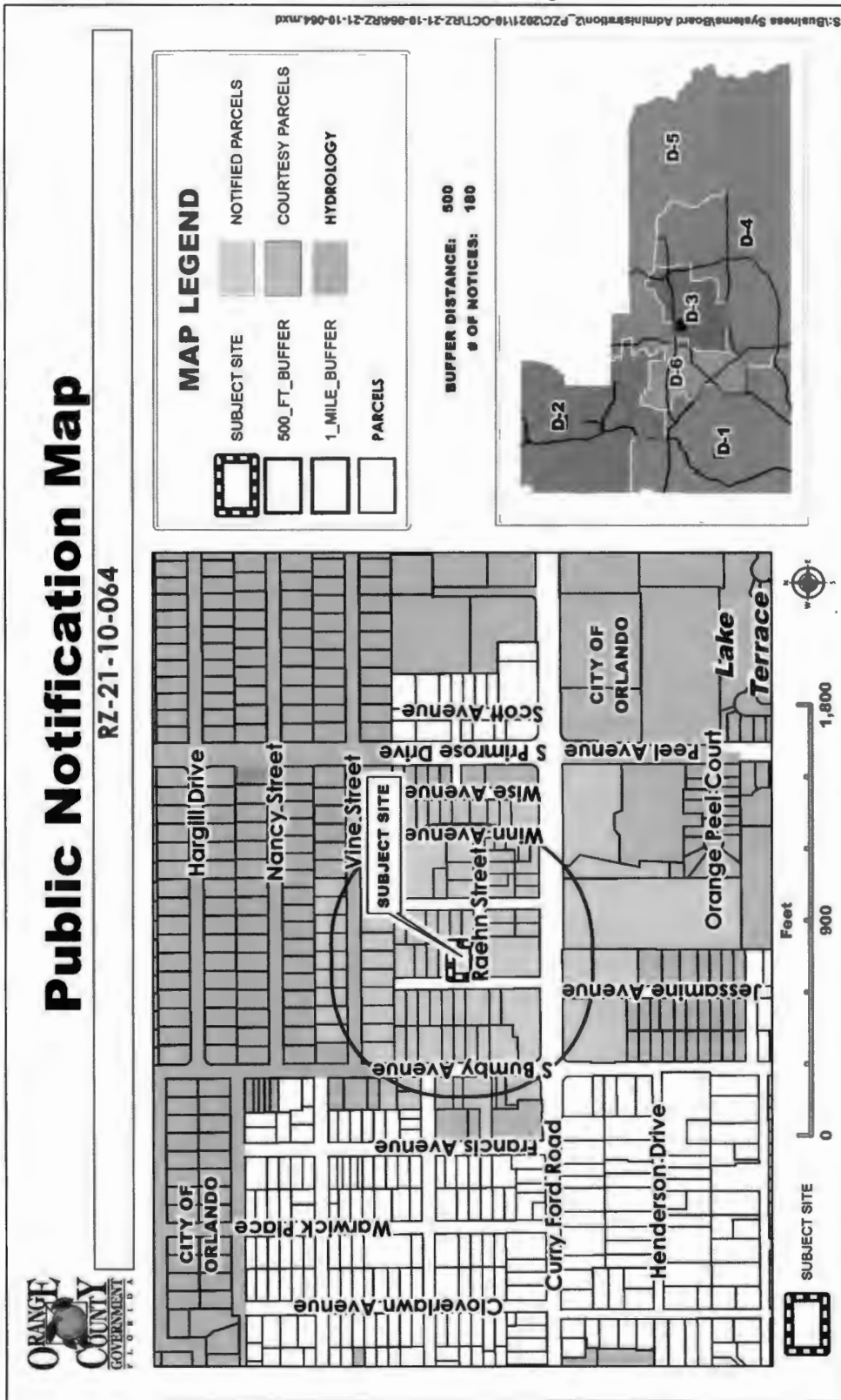
ZONING – PROPOSED
R-1 (Single-Family Dwelling District)



Alternative Mobility Area Context Map



Notification Map



CASE # RZ-21-10-065

Commission District: #3

GENERAL INFORMATION

APPLICANT	Giovanni Fernandez
OWNER	FL Acquisition, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	1500 Russell Street; generally located on the west side of Russell Avenue at the western terminus of Raehn Street, approximately 250 feet north of Curry Ford Road.
PARCEL ID NUMBER	31-22-30-6268-00-090
TRACT SIZE	0.344 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred fifteen (115) notices were mailed to those property owners and residents in the surrounding area. A community meeting was held on March 8, 2022, and is summarized further in this report.
PROPOSED USE	Two (2) 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 0.344-gross acres was platted in 1927 as Lots 9 and 10 of the Orange Villa plat. Lots 9 and 10 each measure 50' in width. The applicant intends to revert to the underlying platted lots. The current zoning district of R-1A requires 75' wide lots whereas the requested R-1 district only requires 50' wide lots.

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 two (2) lots would create a density of 5.81 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, except as exempted through Comprehensive Plan Policy FLU8.1.1.

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

Existing Use	Vacant Single-Family Residential
Adjacent Zoning	N: R-1A (Single-Family Residential Dwelling District) (1957) E: R-1A (Single-Family Residential Dwelling District) (1957) W: C-3 Restricted (Whole Sale Commercial District) (1983) S: R-1A (Single-Family Residential Dwelling District) (1957)
Adjacent Land Uses	N: Single-Family Residential E: Single-Family Residential W: Commercial (Billboard, warehouse) S: Single-Family Residential

R-1 [Single-Family Dwelling District] Development Standards

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

Building Setbacks

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

Intent, Purpose, and Uses

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is to provide residential development similar in general character to the R-1AA and R-1A 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 below
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This project is located within the Orange County Alternative Mobility Area. The proposed development of two (2) single family units is De minimus.
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.

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.

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property and into open drainage facilities. 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 ½ inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto roadways. Periodic street sweeping may be required. Adjacent drainage ditches and affected storm drains shall be protected.

Community Meeting Summary

A community meeting for this request was held on March 8, 2022, with five (5) residents in attendance expressing general concern for drainage and a desire to see greater density.

Utilities

Water: Orlando Utilities Commission Available

Waste Water: City of Orlando Not Available – Reliant on
Septic

Reclaim Water: City of Orlando

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

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (March 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’s representative 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 one hundred fifteen (115) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received two (2) response in favor, and zero (0) responses in opposition of the request.

A motion was made by Commissioner Fernandez, and seconded by Commissioner Pavon to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District). The motion carried 7-1 with Commissioner Spears voting in opposition.

- | | |
|-----------------------------|--|
| Motion / Second | <i>Eddie Fernandez / Walter Pavon</i> |
| Voting in Favor | <i>Eddie Fernandez, Walter Pavon, JaJa Wade, Mohammed Abdallah, Trevor Sorbo, George Wiggins, Evelyn Cardenas,</i> |
| Voting in Opposition | <i>Gordon Spears</i> |
| Absent | <i>Nelson Pena</i> |

RZ-21-10-065

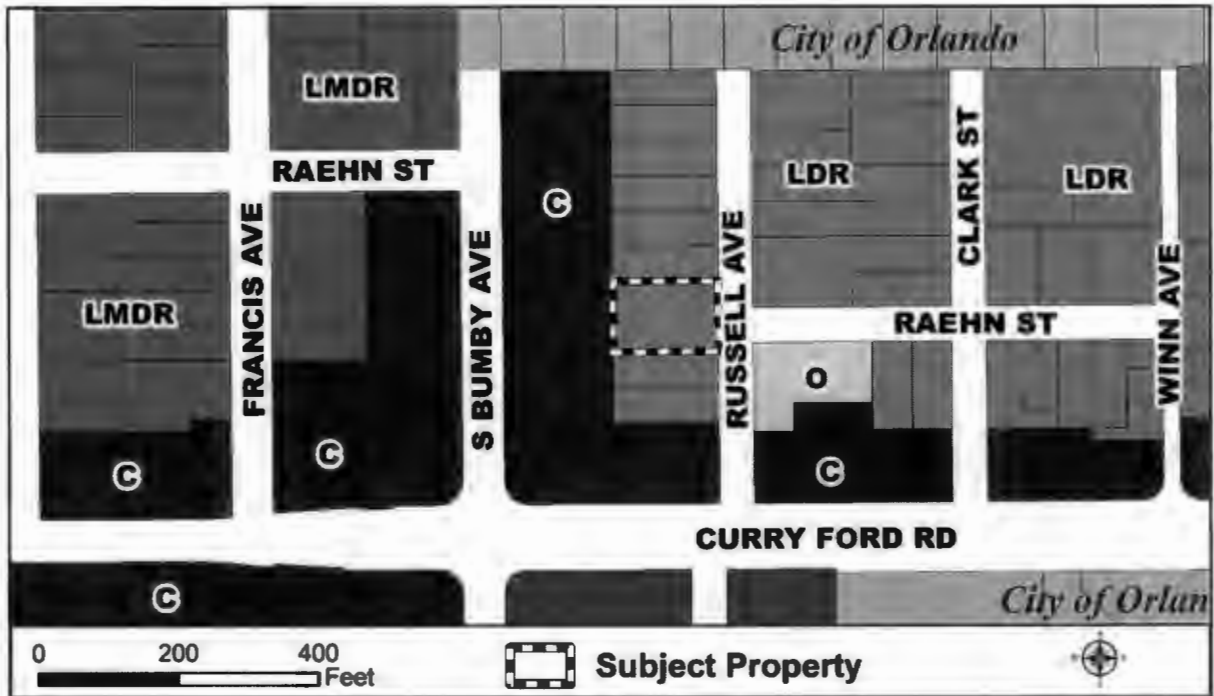


 Subject Property

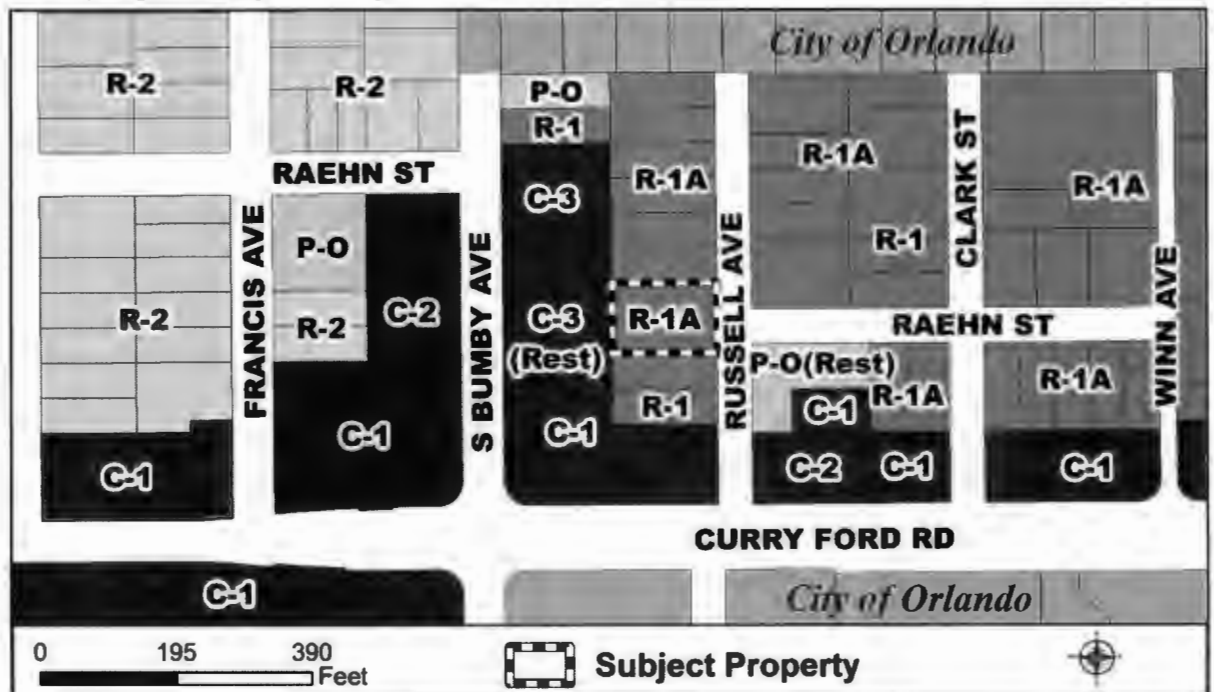


1 inch = 104 feet

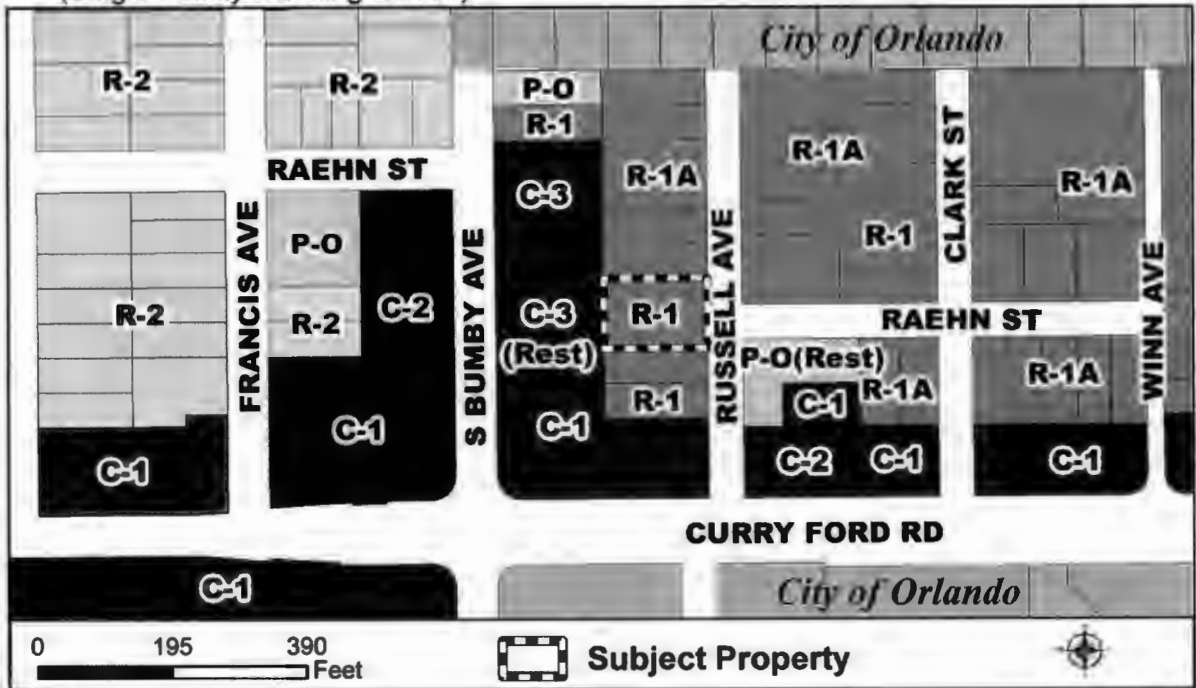
FUTURE LAND USE - CURRENT
 Low Density Residential



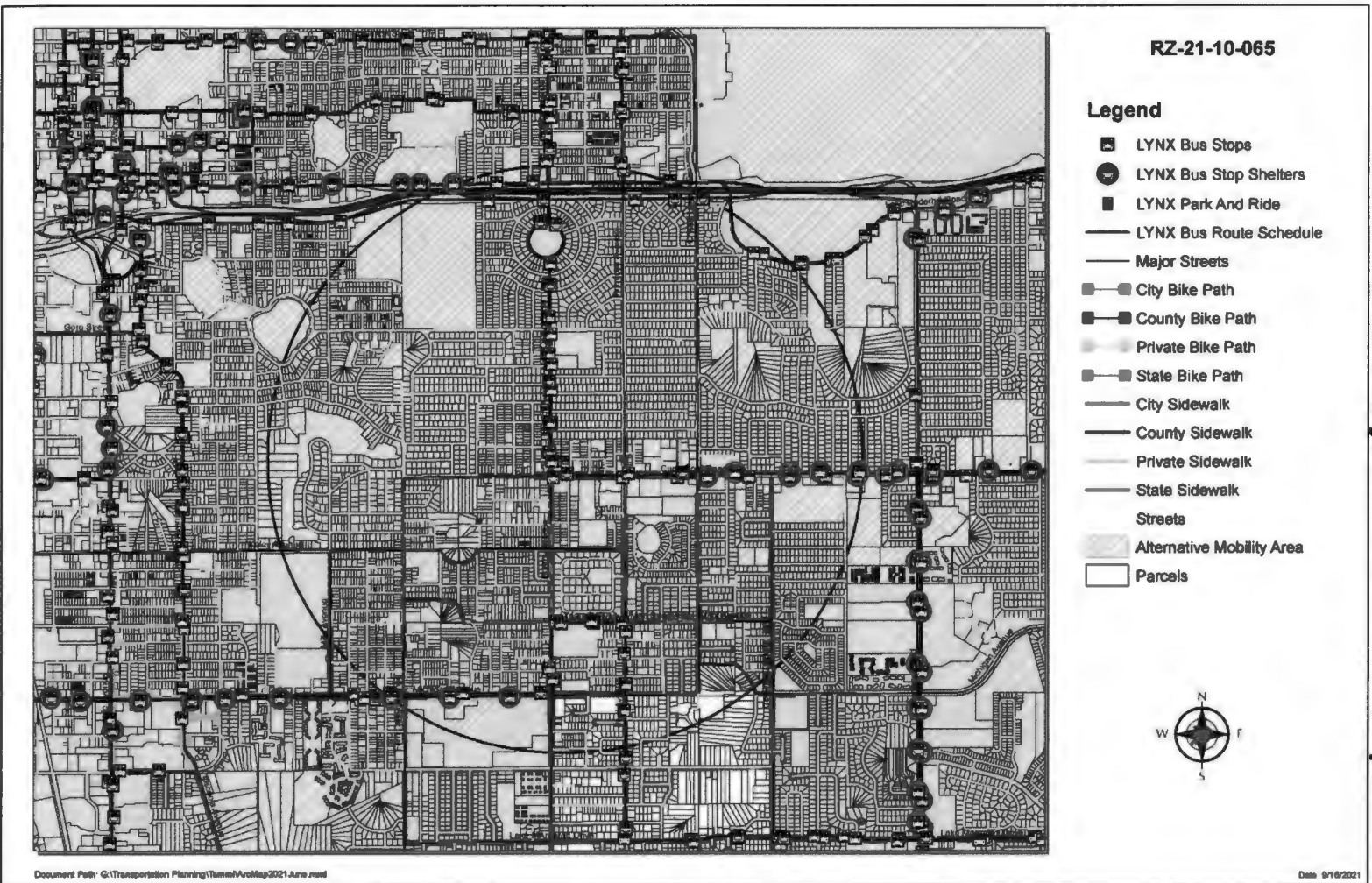
ZONING - CURRENT
 R-1A (Single-Family Dwelling District)



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



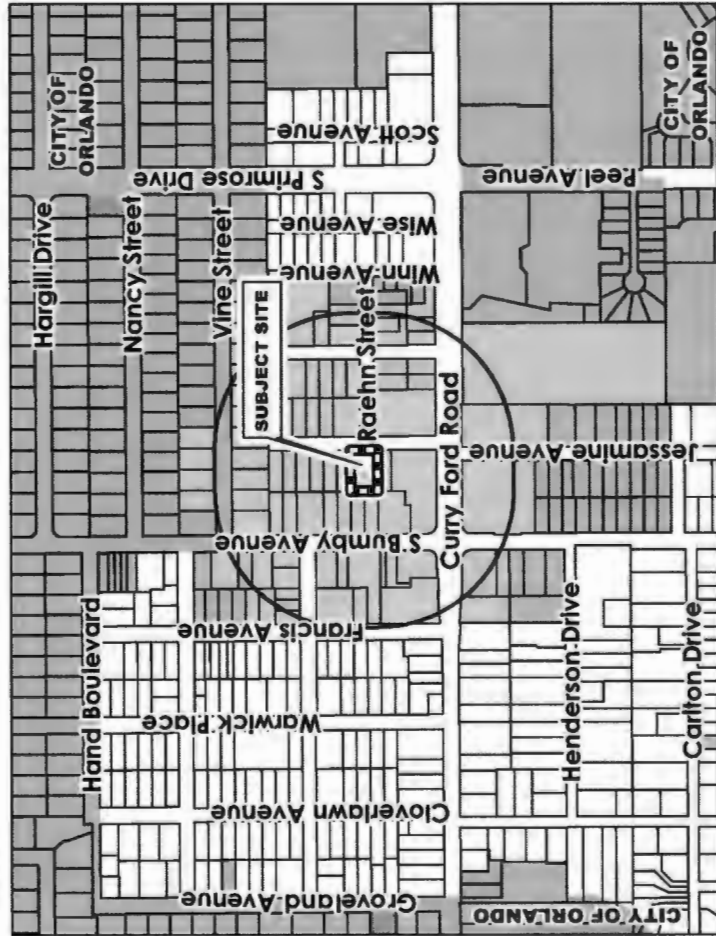
Alternative Mobility Area Context Map



Notification Map

Public Notification Map

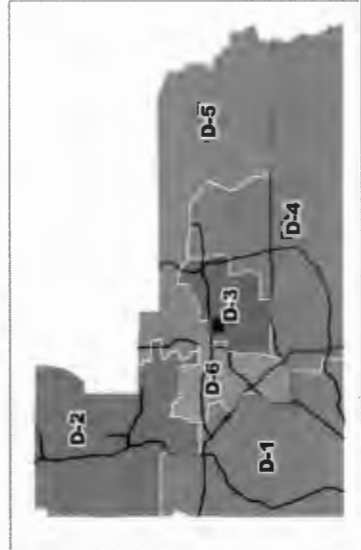
RZ-21-10-065



MAP LEGEND

	SUBJECT SITE		NOTIFIED PARCELS
	500_FT_BUFFER		COURTESY PARCELS
	1_MILE_BUFFER		HYDROLOGY
	PARCELS		

BUFFER DISTANCE: 500
 # OF NOTICES: 115



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CASE # RZ-20-12-069
Commission District: #3

GENERAL INFORMATION

APPLICANT	Steven Radcliffe
OWNER	Kalex Corp.
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	1030 Wilks Avenue; generally located on the south side of Wilks Avenue, approximately 200 feet west of Marinell Drive.
PARCEL ID NUMBER	24-23-29-4012-00-090
TRACT SIZE	0.408 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Seventy-nine (79) notices were mailed to those property owners in the surrounding area. A community meeting was held for this request on March 3, 2022, with no residents in attendance.
PROPOSED USE	Three (3) 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 0.408-gross acres was platted in 1923 as Lots 9, 10, and 11 of the J. Johns Pinecastle plat. Lots 9, 10, and 11 each measure 52' in width. The applicant intends to revert to the underlying platted lots. The current zoning district of R-1A requires 75' wide lots whereas the requested R-1 district only requires 50' wide lots.

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 three (3) lots would create a density of 7.35 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, except as exempted through Comprehensive Plan Policy FLU8.1.1.

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

Existing Use	Vacant Residential
Adjacent Zoning	N: R-1A (Single-Family Dwelling District) (1957) E: R-1A (Single-Family Dwelling District) (1957) W: R-1 (Single-Family Dwelling District) (2005) S: R-1A (Single-Family Dwelling District) (1957)
Adjacent Land Uses	N: Single-Family Residential E: Single-Family Residential W: Single-Family Residential S: Single-Family Residential

R-1 [Single-Family Dwelling District] Development Standards

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

Building Setbacks

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

Intent, Purpose, and Uses

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is to provide residential development similar in general character to the R-1AA

and R-1A 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"/>	<p>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.</p> <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. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>This project is located within the Orange County Alternative Mobility Area (AMA). The following is a list of alternative options within the project area: There are existing County maintained sidewalks along Waltham Avenue and Hoffner Avenue. There are State maintained sidewalks and bike paths along Hansel Avenue and S. Orange Avenue from Hoffner Avenue to E. Lancaster Road. LYNX bus link #18 S. Orange Avenue/Kissimmee; #7 S. Orange Avenue/Florida Mall; #11 S. Orange Avenue/ Orlando International Airport. There are (2) two bus stops and (1) one sheltered stop within the project area.</p>
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Community Meeting Summary

A community meeting for this request was held on March 3, 2022, with no residents in attendance.

Utilities

Water: Orlando Utilities Commission

Waste Water: Orange County Utilities

Reclaim Water: Orange County Utilities

***Detailed Utility Information:**

This property is within Orlando Utilities Commission water Service Area.

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 – (March 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. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred fifteen (115) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received one (1) response in favor, and one (1) response in opposition of the request.

A motion was made by Commissioner Fernandez, and seconded by Commissioner Abdallah to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District). The motion carried 7-1 with Commissioner Spears voting in opposition.

Motion / Second

Eddie Fernandez / Mohammed Abdallah

Voting in Favor

Eddie Fernandez, Mohammed Abdallah, JaJa Wade, Evelyn Cardenas, Trevor Sorbo, George Wiggins, and Walter Pavon

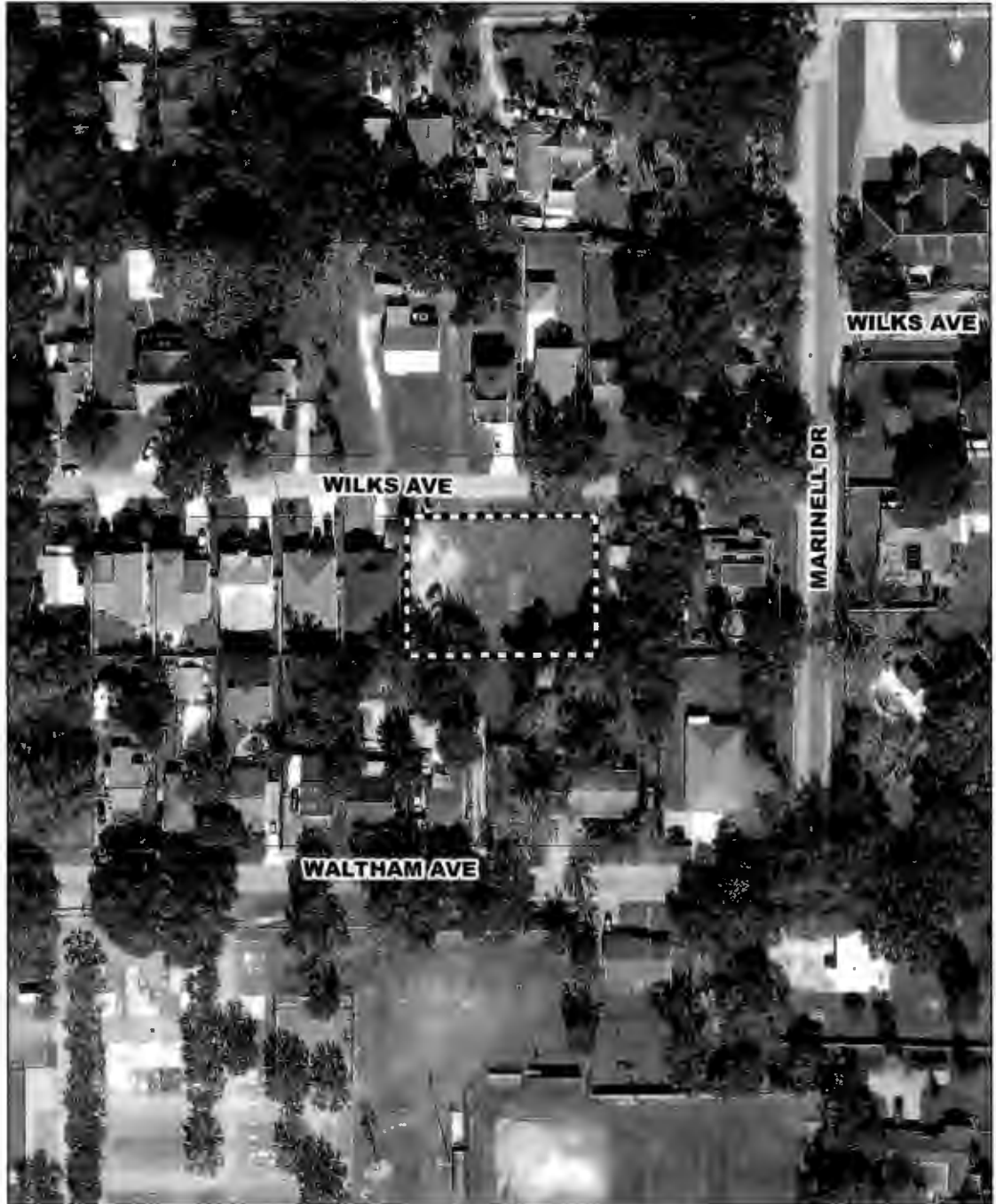
Voting in Opposition

Gordon Spears

Absent

Nelson Pena

RZ-20-12-069

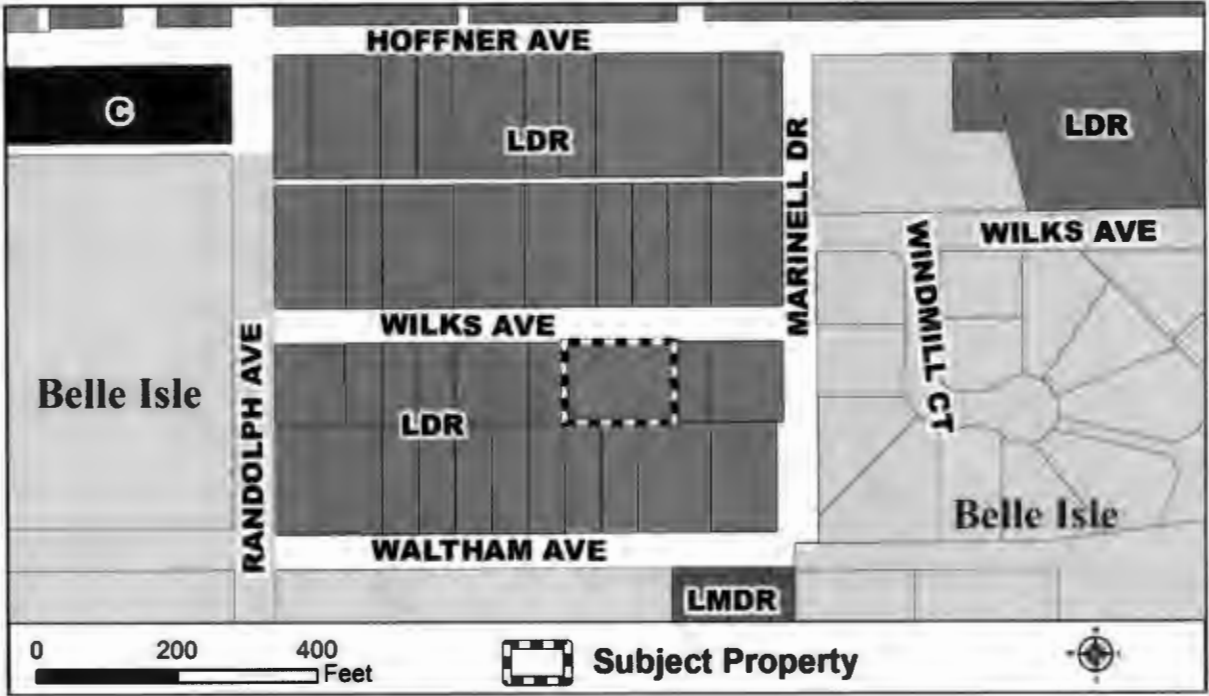


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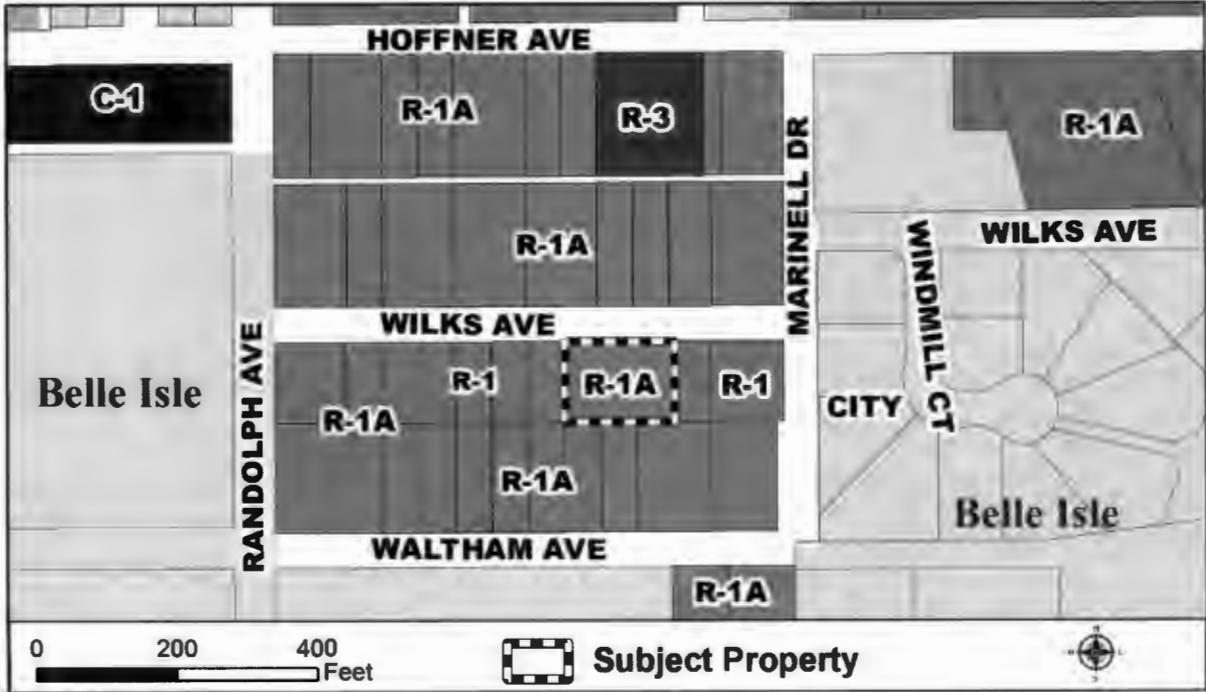


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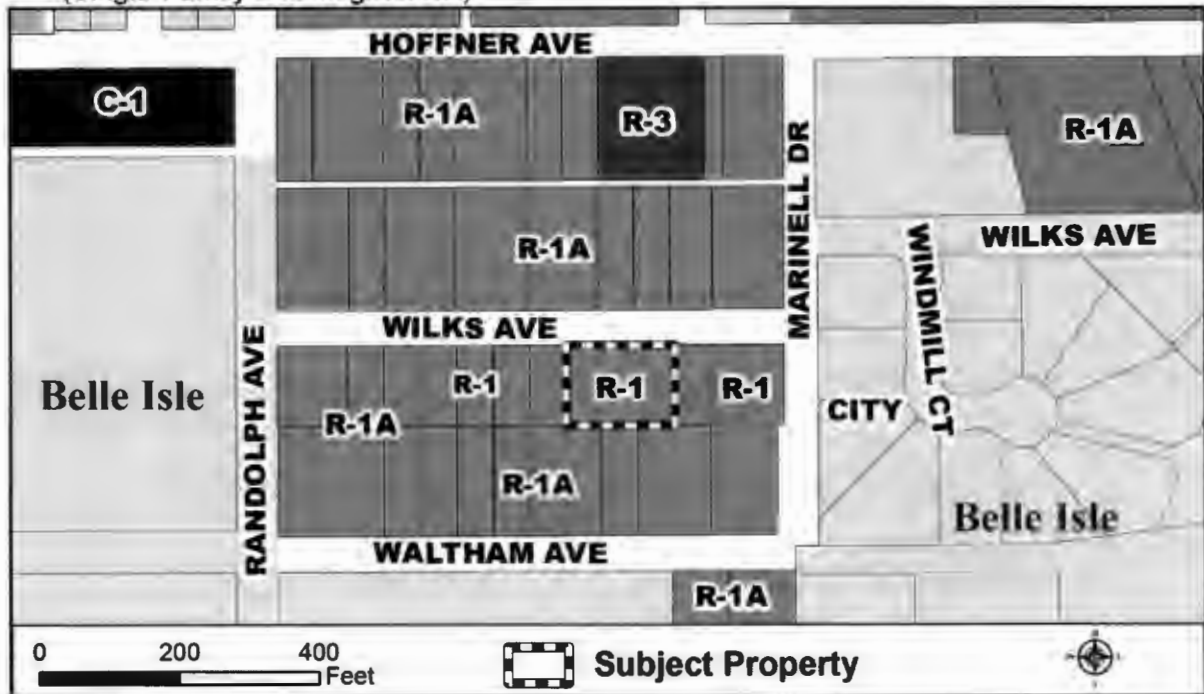
FUTURE LAND USE - CURRENT
Low Density Residential



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



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



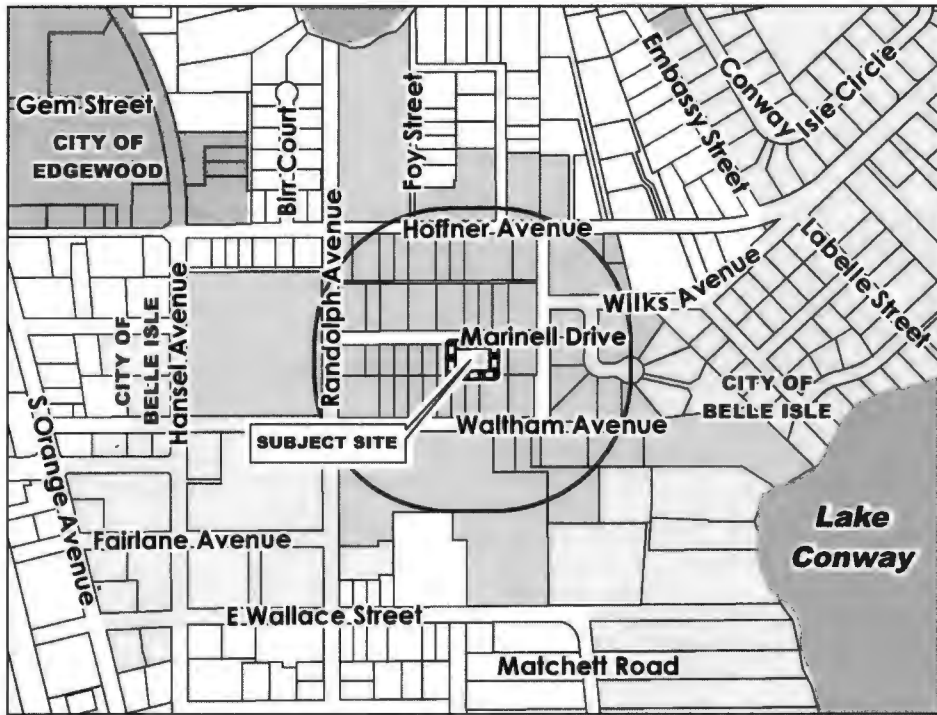
Alternative Mobility Area Context Map





Public Notification Map

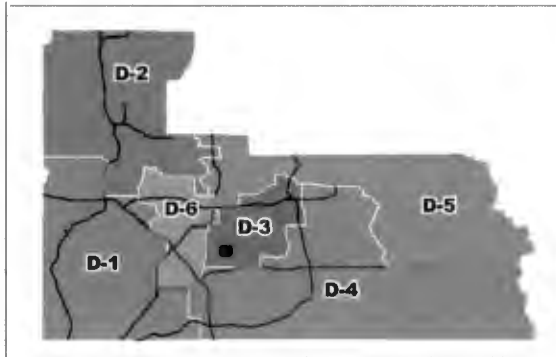
RZ-20-12-069



MAP LEGEND

- SUBJECT SITE
- NOTIFIED PARCELS
- 500 FT BUFFER
- HYDROLOGY
- PARCELS

BUFFER DISTANCE: 500
OF NOTICES: 79



SUBJECT SITE



S:\Business\Board\Administration\2_PZC\2022\02-FEB\RZ-20-12-069\RZ-20-12-069.mxd

Notification Map

Case # RZ-21-10-069
Orange County Planning Division
PZC Hearing Date: March 17, 2022

CASE # RZ-22-02-005
Commission District: #6

GENERAL INFORMATION

APPLICANT	Angel Pinero, Dynamic Engineering Consultants, PC
OWNER	Greater Orlando Commerce Center LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	C-3 (Wholesale Commercial District) to I-1 / I-5 Restricted (Industrial District- Light)
LOCATION	5410 Old Winter Road, generally located south of Old Winter Garden Road and approximately 910 feet east of S. Kirkman Road
PARCEL ID NUMBER	30-22-29-0000-00-053
TRACT SIZE	13.96 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 900 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred ninety-three (193) notices were mailed to those property owners and residents in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Warehouse for storage and distribution

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1 / I-5 Restricted (Industrial District- Light) zoning, subject to the following restriction:

- 1) New billboards and pole signs shall be prohibited.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property's Industrial Future Land Use designation is inconsistent with the current C-3 zoning classification on the site. Through this request, the proposed I-1 / I-5 Restricted (Industrial District-Light) zoning district will correct the inconsistency.

The site is currently undeveloped. The applicant's intent is to construct a warehouse on the site for storage and distribution. Per Orange County Code Section 38-932(9), the subject property is required to maintain an increased setback/buffer of fifty (50) feet when abutting residential. The subject property is adjacent to residential to the east and portions of the south.

The proposed uses are compatible with the surrounding area. The immediate area can be categorized as being developed with mostly heavy commercial and industrial uses along the Old Winter Garden Road corridor. Requests to rezone from C-3 to Industrial I-1 / I-5 for adjacent parcels to the northeast (Tremont Ave) and west (McKinley Ave) of the subject site have been approved by the BCC in 2008 and 2022.

Land Use Compatibility

The I-1 / I-5 Restricted (Industrial District-Light) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact most 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 Industrial (IND). The proposed zoning is consistent with the Industrial 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.

FLU1.4.21 states that Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.

FLU1.4.24 states that Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated.

FLU1.4.24 states that Orange County may require appropriate design controls for each industrial district such as, but not limited to, building setbacks, lot size building coverage ratios, impervious surface limitations and landscaping provisions to ensure industrial districts are compatible with surrounding areas.

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
Adjacent Zoning	N: C-3 (Wholesale Commercial District) (1972) E: I-1 / I-5 Restricted (Industrial District- Light) (2022) R-1 (Single-Family Dwelling District)(1957) W: C-3 (Wholesale Commercial District) (1980) I-1 / I-5 Restricted (Industrial District- Light) (2018) S: R-1 (Single-Family Dwelling District)(1957) C-3 (Wholesale Commercial District) (1980)

Adjacent Land Uses	N:	Commercial
	E:	Industrial Warehouse (Restricted) Single-Family Residence
	W:	Commercial (Vacant)
	S:	Commercial Single-Family Residence

I-1/I-5 (Industrial District Light) Development Standards

Max. Height: 50 ft. (35 within 100 ft. of residential use or district)

Building Setbacks*

Front: 35 ft.

Rear: 25 ft.

Side: 25 ft.

*50 feet required setback when abutting residential zoning.

Intent, Purpose, and Uses

The intent and purposes of the I-1/I-5 industrial district are as follows:

- (1) To provide areas for light manufacturing and industry. It is intended that this district will provide low intensity industrial development which will have minimal impact on the surrounding areas.
- (2) To provide space for those industries which required locations accessible to major transportation facilities.
- (3) To establish and maintain standards which will protect adjacent residential and commercial developments.
- (4) To provide space for those industries and other uses of land which require a location in close proximity to airports.
- (5) To provide locations for those industries which employ the processing of bulk material and which require space for open storage of materials.
- (6) To allow industrial uses where proximity to residential or commercial districts makes it desirable to limit the manner and extent of industrial operations.
- (7) To establish and maintain standards which promote development of a wide variety of industrial and related activities.

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"/>	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.
Neighborhood Review	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Information: This parcel is located within the Orlo Vista United Safe Neighborhood. Ensure appropriate buffering between the proposed use and adjacent residential uses.

* Surface Water Degradation - Discharged stormwater runoff shall not degrade receiving surface water bodies below the minimum conditions established by state water quality standards. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Treatment in areas of state designated impaired waters or basin management action plans may require additional treatment. No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a conservation area or easement (includes the conservation area and the wetland setback/buffer) without a wetland impact permit approved by the county and obtaining other applicable jurisdictional agency permits.

Debris existing on-site - A site review indicates that there is miscellaneous debris and concrete waste that will need to be disposed of off-site according to the solid waste and hazardous waste regulations.

Air Emission Limits from Commercial/Industrial - Contact the Orange County Environmental Protection Division to determine what applicable air pollution permits are required for the proposed site activity.

Habitat - A habitat assessment was conducted on this site 7/3/2020 and reported no species of concern were observed. 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 comply with required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Conservation Area Determination completed - CAD-20-01-015 is completed for 13.97 acres issued 5/5/2020 indicates: one Class I surface water connected to Shingle Creek,

one Class III surface water and three Class III wetlands. The total wetland and surface water acreage is 1.29 acres yielding a net developable acreage of 12.68 acres.

Conservation Area Impact permit: There is no record that an impact permit application nor a determination of mitigation for any proposed wetland encroachment/removal has been determined or received by Orange County EPD. Discuss the handling of the Class I surface water with EPD Permitting and if a Dredge and Fill permit may also be required.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Orlando Utilities Commission

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

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

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

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1 / I-5 Restricted (Industrial District- Light) 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 I-1 / I-5 Restricted (Industrial District- Light) zoning. The Agent was present and agreed with the staff recommendation. No member of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred ninety-three (193) notices were sent to property owners and residents extending beyond 900 feet surrounding the property, and that staff had received zero (0) response in favor, and zero (0) response in opposition of the request.

A motion was made by Commissioner Wade, and seconded by Commissioner Spears to recommend APPROVAL of the requested I-1 / I-5 Restricted (Industrial District- Light) zoning, subject to the restriction stating that new billboards and pole signs shall be prohibited. The motion carried unanimously.

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

RZ-22-02-005



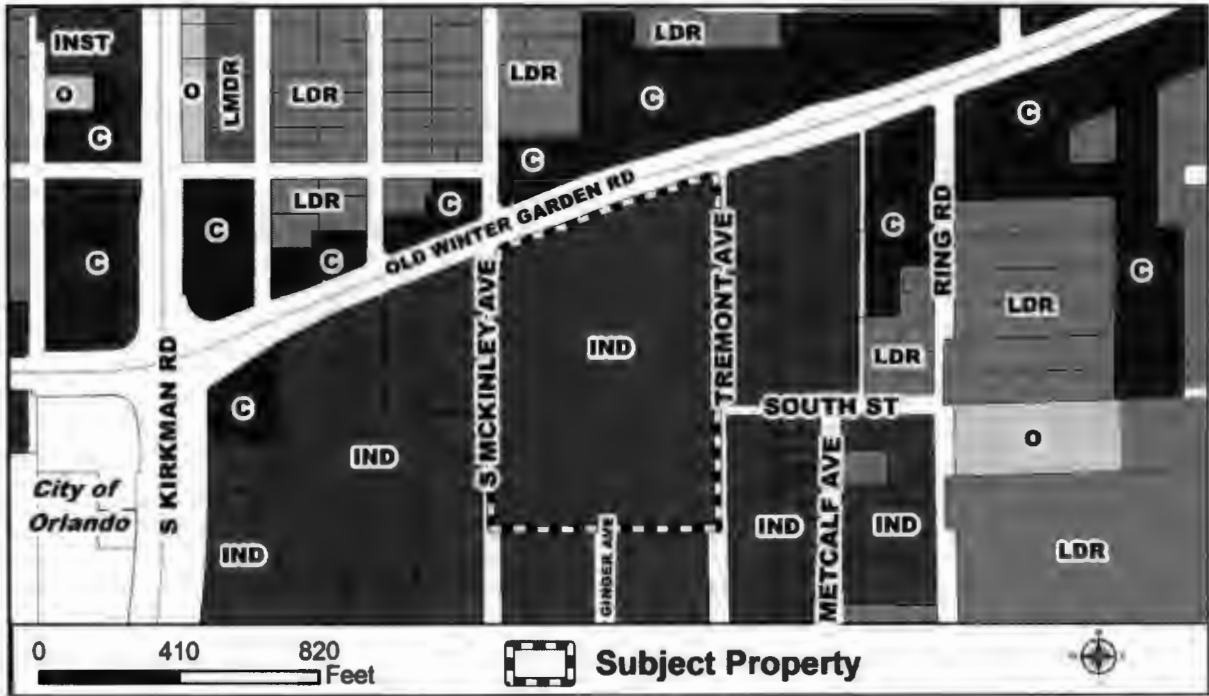
 Subject Property



1 inch = 208 feet

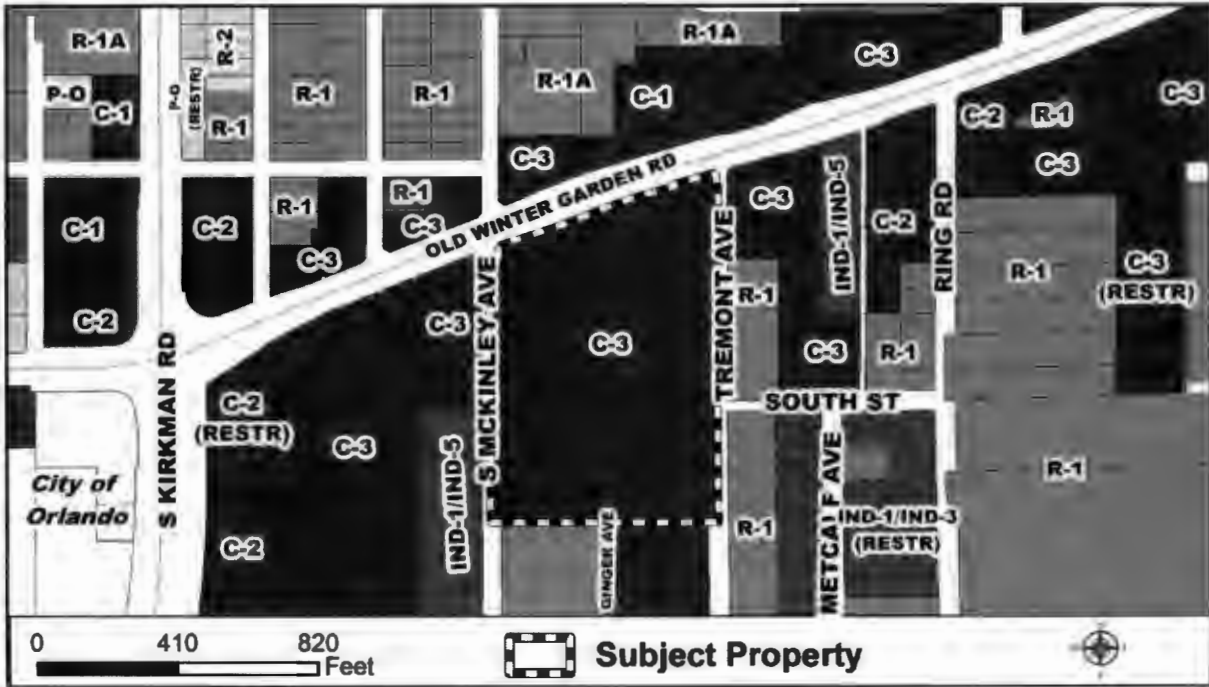
FUTURE LAND USE - CURRENT

Industrial



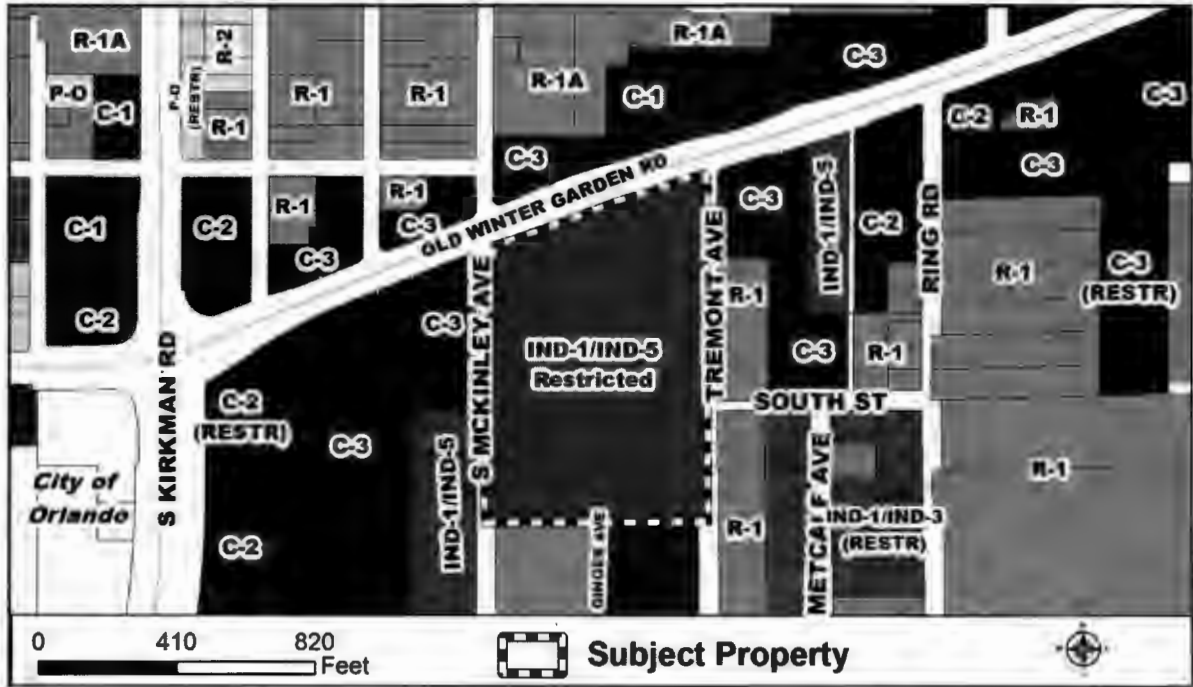
ZONING - CURRENT

C-3 (Retail Commercial District)



ZONING – PROPOSED

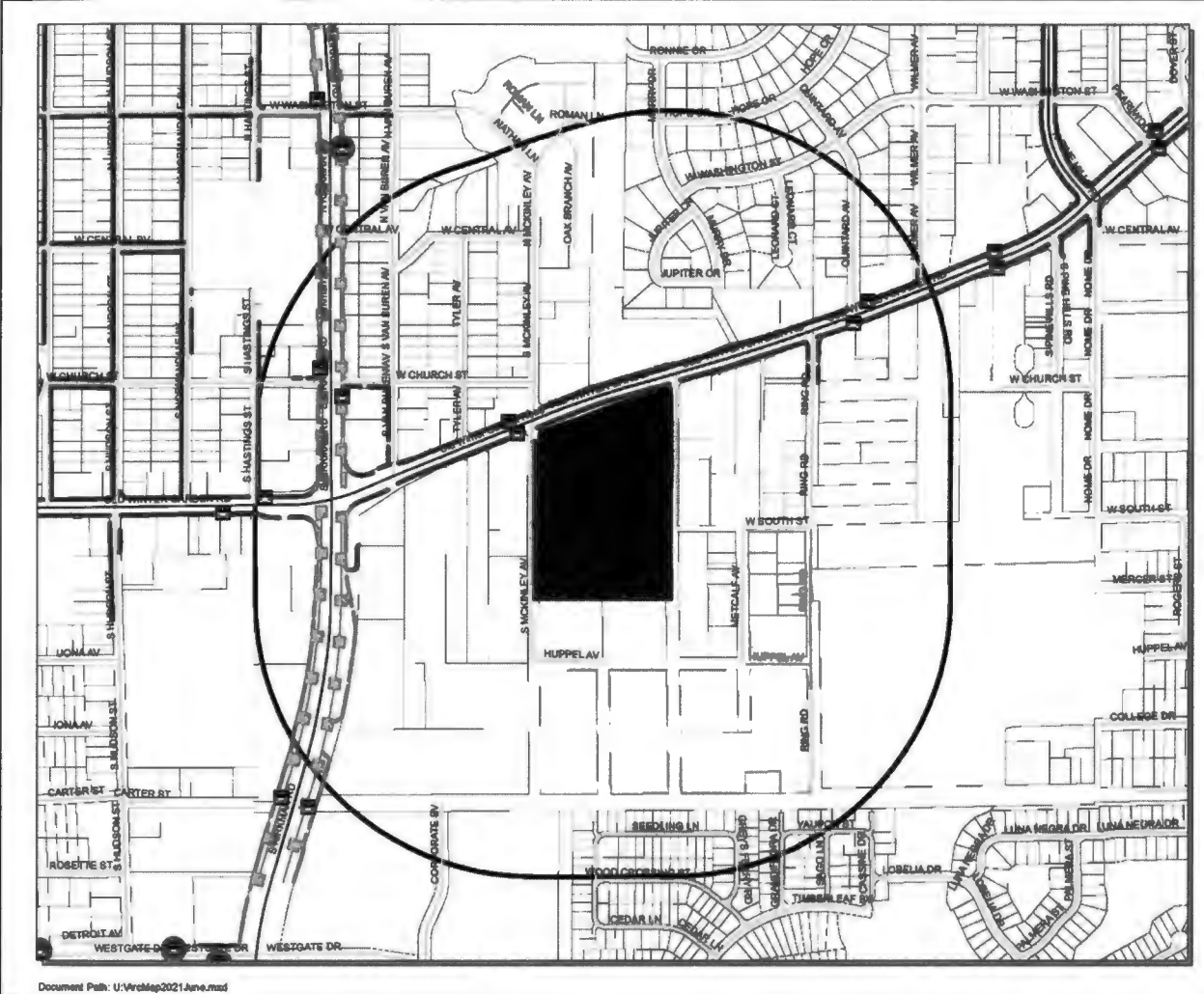
I-1 / I-5 Restricted (Industrial District- Light)



Alternative Mobility Area Context Map

RZ-22-02-005
 5410 OLD WINTER GARDEN RD

- Legend**
- LYNX Bus Stop
 - LYNX Bus Stop Shelters
 - LYNX Park And Ride
 - Major Streets
 - Major Streets
 - Roads Base
 - Segment_ID
 - City Bike Path
 - County Bike Path
 - Private Bike Path
 - State Bike Path
 - City Sidewalk
 - County Sidewalk
 - Private Sidewalk
 - State Sidewalk
 - Railroads
 - Major Streets
 - Streets
 - PA_PARCELS_Buffer10
 - Parcels
 - County Boundary
 - Parcels



Document Path: U:\VrdMap2021\Anne.mxd

CASE # RZ-22-03-008

Commission District: #5

GENERAL INFORMATION

APPLICANT	Chris and Diane Schroettinger
OWNER	Chris and Diane Schroettinger
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1AA (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	1815 Woodlawn Drive, generally located west of Winter Park Road, on the south east corner of Boyd Ave and Woodlawn Drive, approximately 125 feet north of Corrine Drive
PARCEL ID NUMBER	18-22-30-0568-01-030
TRACT SIZE	0.33-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred thirty-four (134) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Two (2) 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 0.33-gross acres was platted in 1925 as Lots 103, 104, of the Beeman Park Subdivision plat. Lot 103 is measured 55' and Lot 104 measures 60' in width. The applicant intends to revert to the underlying platted lots which would result in two (2) lots with a single-family detached home on each lot. The current zoning

district of R-1AA requires 85' wide lots whereas the requested R-1 district only requires 50' wide lots.

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 two (2) lots would create a density of 6.06 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, except as exempted through Comprehensive Plan Policy FLU8.1.1.

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

Existing Use	Residential
Adjacent Zoning	N: R-1AA (Single-Family Dwelling District) (1957) E: R-1AA (Single-Family Dwelling District) (1957) W: R-1AA (Single-Family Dwelling District) (1957) S: R-1AA (Single-Family Dwelling District) (1957)
Adjacent Land Uses	N: Single-Family Residential E: Single-Family Residential W: Single-Family Residential S: Single-Family Residential

R-1 [Single-Family Dwelling District] Development Standards

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

Building Setbacks

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

Intent, Purpose, and Uses

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is to provide residential development similar in general character to the R-1AA and R-1A 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"/>	<p>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.</p> <p>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.</p> <p>Solid Waste - Any 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.</p>
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the Concurrency Management database (CMS) dated 01/05/2022, there is a failing roadway within the project's impact area. However, this project is located within the Orange County Alternative Mobility Area and the proposed development of two (2) single family units is De minimus.
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 required for this request.

Utilities

Water:	Orlando Utilities Commission	Available
Waste Water:	City of Orlando	Per City of Orlando, Sanitary sewer is not readily available to serve property located at 1815 Woodlawn Dr. This development will be reliant on septic
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 – (March 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. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that one hundred thirty-four (134) notices were sent to property owners and residents extending beyond 500 feet surrounding the property, and that staff had received one (1) response in favor, and zero (0) responses in opposition of the request.

A motion was made by Commissioner Abdallah, and seconded by Commissioner Wade to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District). The motion carried 7-1 with Commissioner Spears voting in opposition.

Motion / Second

Mohammed Abdallah / JaJa Wade

Voting in Favor

Mohammed Abdallah, JaJa Wade, Evelyn Cardenas, Eddie Fernandez, George Wiggins, Walter Pavon, and Trevor Sorbo

Voting in Opposition

Gordon Spears

Absent

Nelson Pena

RZ-22-03-008



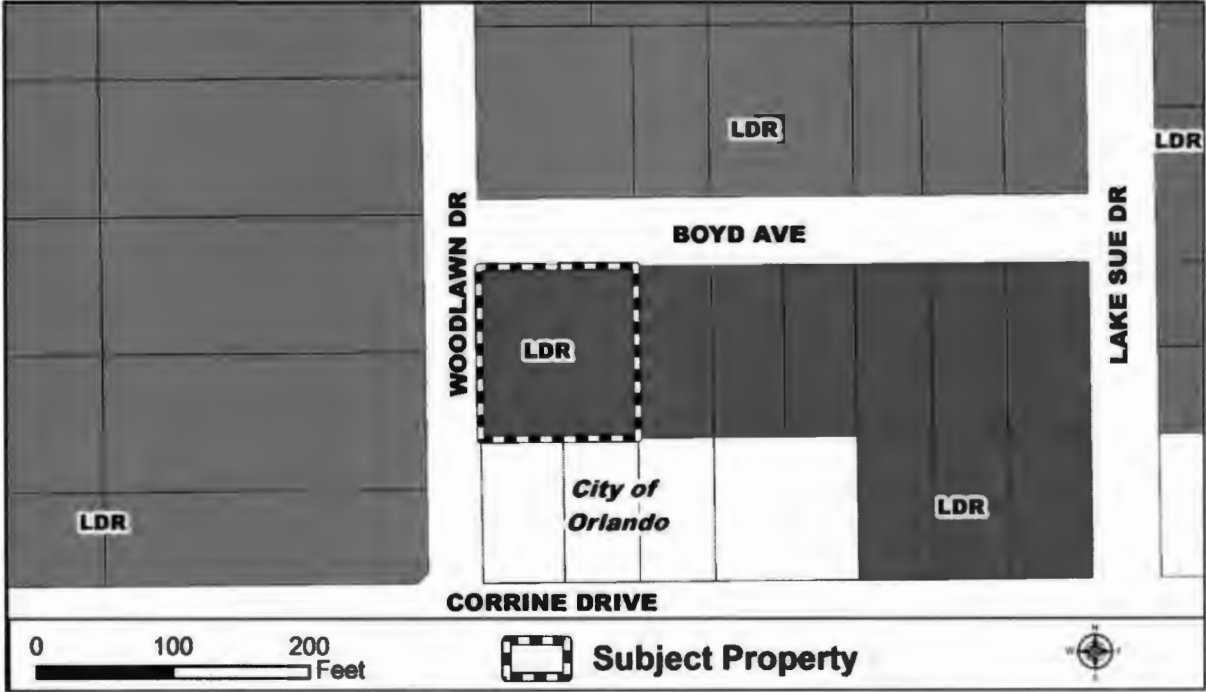
 Subject Property



1 inch = 125 feet

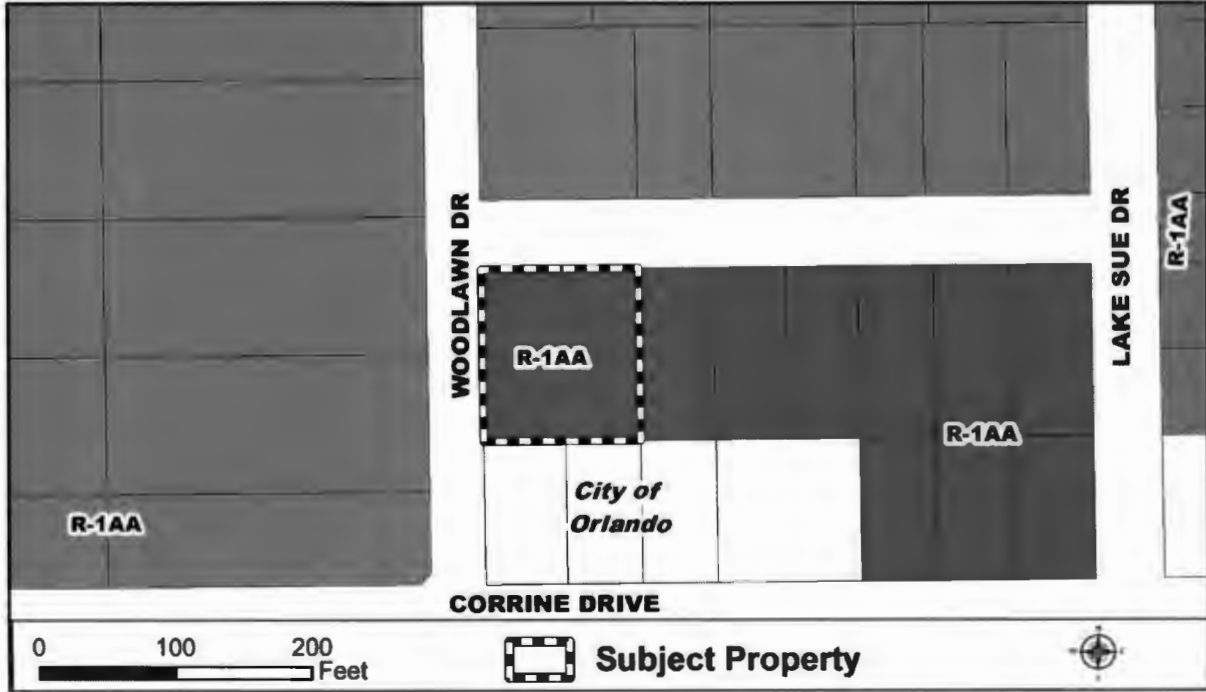
FUTURE LAND USE - CURRENT

Low Density Residential

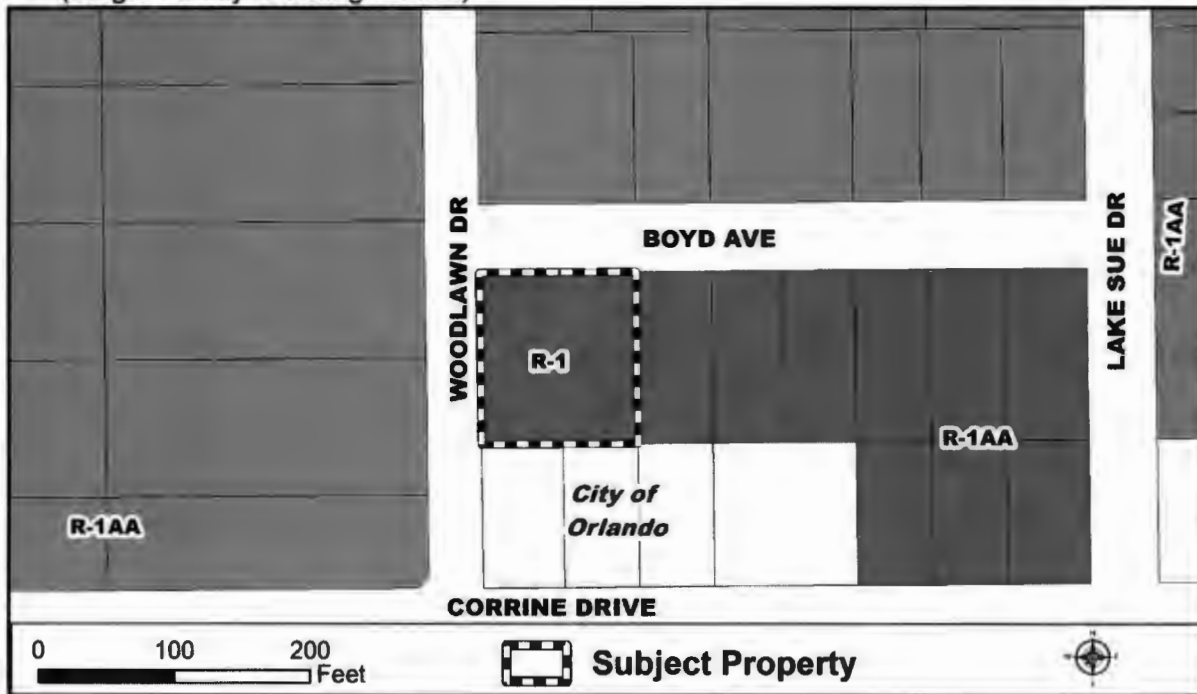


ZONING - CURRENT

R-1A (Single-Family Dwelling District)



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

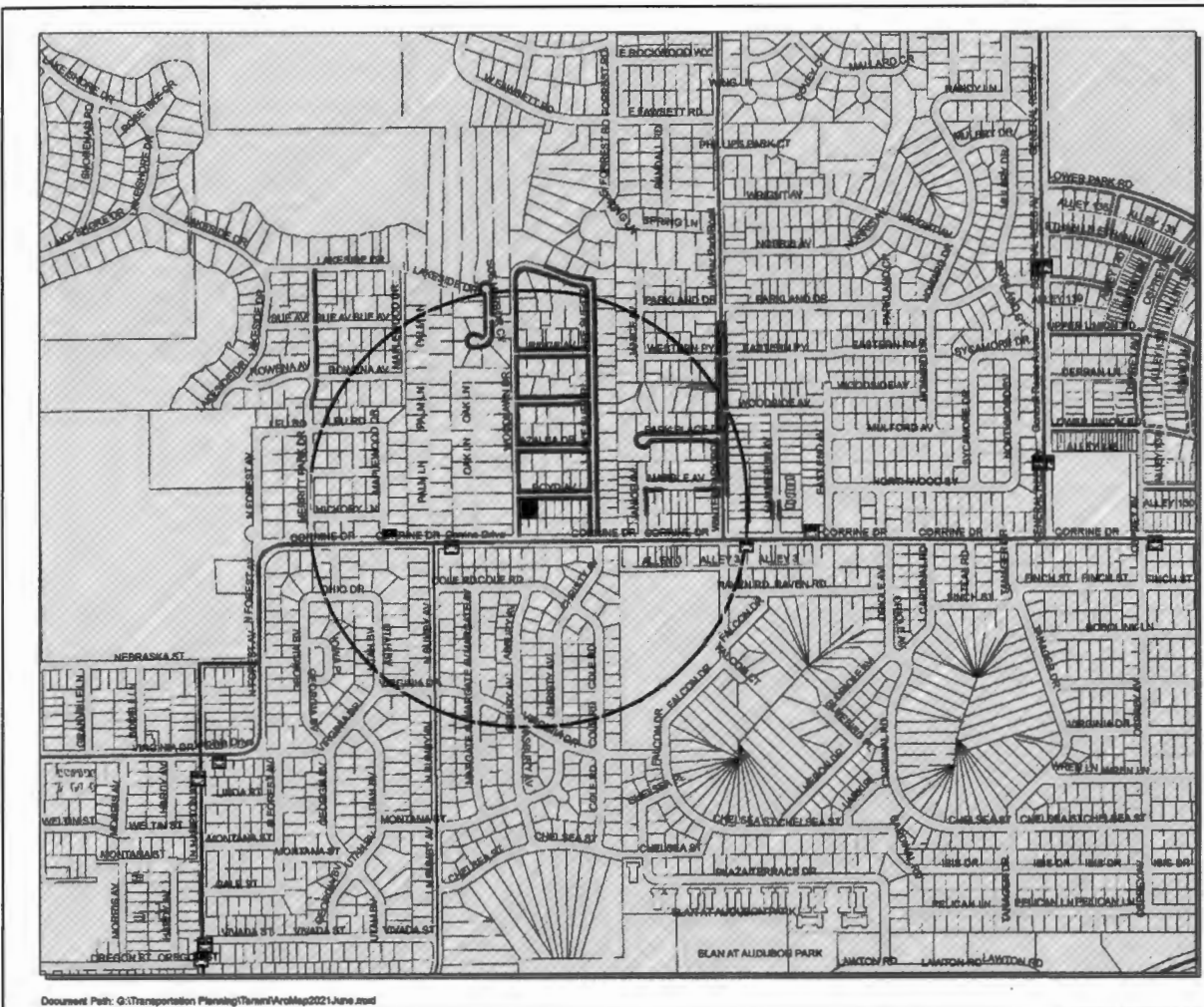


Alternative Mobility Area Context Map

RZ-22-03-008
 1815 Woodlawn Drive
 Parcel I.D. 18-22-30-0568-01-030

Legend

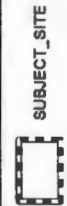
- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- Major Streets
- City Bike Path
- County Bike Path
- Private Bike Path
- State Bike Path
- City Sidewalk
- County Sidewalk
- Private Sidewalk
- State Sidewalk
- Streets
- PA_PARCELS_Buffer215
- Parcels
- Alternative Mobility Area
- URBAN
- - - County Boundary



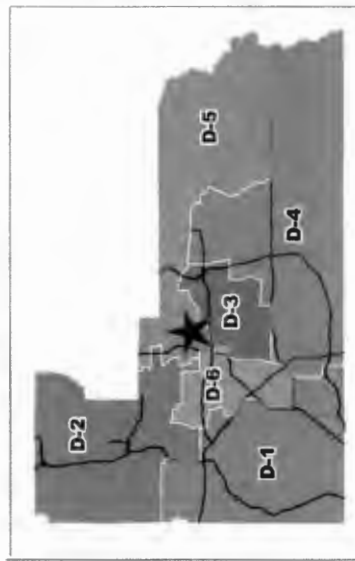
Notification Map

Public Notification Map

RZ-22-03-008



BUFFER DISTANCE: 500
 # OF NOTICES: 134



S:\Business Systems\Board Administration\2_PZC\2022\03-MAR\RZ-22-03-008\RZ-22-03-008.mxd

CASE # RZ-22-03-011
Commission District: #6

GENERAL INFORMATION

APPLICANT	Amanda Singh, P.A.
OWNER	Juan Gonzalez
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	1317 38th Street; generally east of S. Nashville Ave, South of 37th Street, approximately 300 ft., west of S. Orange Blossom Trail
PARCEL ID NUMBER	03-23-29-0183-10-170
TRACT SIZE	0.31-gross acre
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One hundred eighty-one (181) notices were mailed to those property owners in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Two (2) single family 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 0.31-gross acres was platted in 1953 as Lots 17 and 18 of the Angebilt plat. Lots 17 and 18 each measure 50' in width. The applicant intends to revert to the underlying platted lots. The current zoning district of R-1A requires 75' wide lots whereas the requested R-1 district only requires 50' wide lots.

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 two (2) lots would create a density of 6.45 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, except as exempted through Comprehensive Plan Policy FLU8.1.1.

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.

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

Existing Use	Single-Family Residential
Adjacent Zoning	N: R-1A (Single-Family Dwelling District)(1957) E: R-2 (Residential District) (1971) W: R-1A (Single-Family Dwelling District)(1957) S: R-1A (Single-Family Dwelling District)(1957)
Adjacent Land Uses	N: Single-Family Residential E: Single-Family Residential W: Single-Family Residential S: Single-Family Residential

R-1 [Single-Family Dwelling District] Development Standards

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

Building Setbacks

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

Intent, Purpose, and Uses

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is to provide residential development similar in general character to the R-1AA

and R-1A 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 below table
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Based on the Concurrency Management database (CMS) dated 01/05/2022, there are two failing roadways within the project's impact area. However, this project is located within the Orange County Alternative Mobility Area and the proposed development of two (2) single family units is De minimus.
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

* Existing Septic 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.

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.

Erosion Control - Use caution to prevent erosion during construction along the boundary of the property 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.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

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

***Detailed Utility Information**

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 – (March 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. One member of the public appeared during public comment of the request. As the resident of the parcel to the west of the subject property, she wanted clarification if the existing fence wall would be demolished. Part of the wall/fence is on her property. The applicant did not provide a definitive answer and agreed to follow-up with the resident.

Staff indicated that one hundred eighty-one (181) 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 Wade, and seconded by Commissioner Spears to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District). The motion carried unanimously.

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

RZ-22-03-011

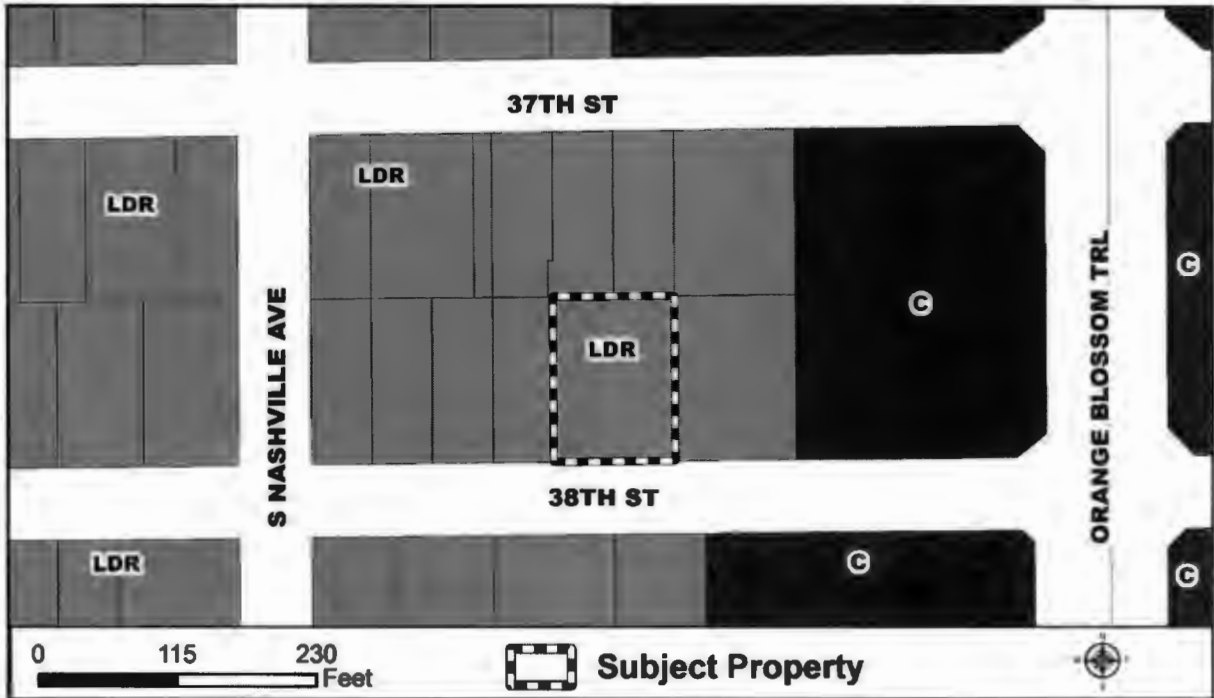


 Subject Property

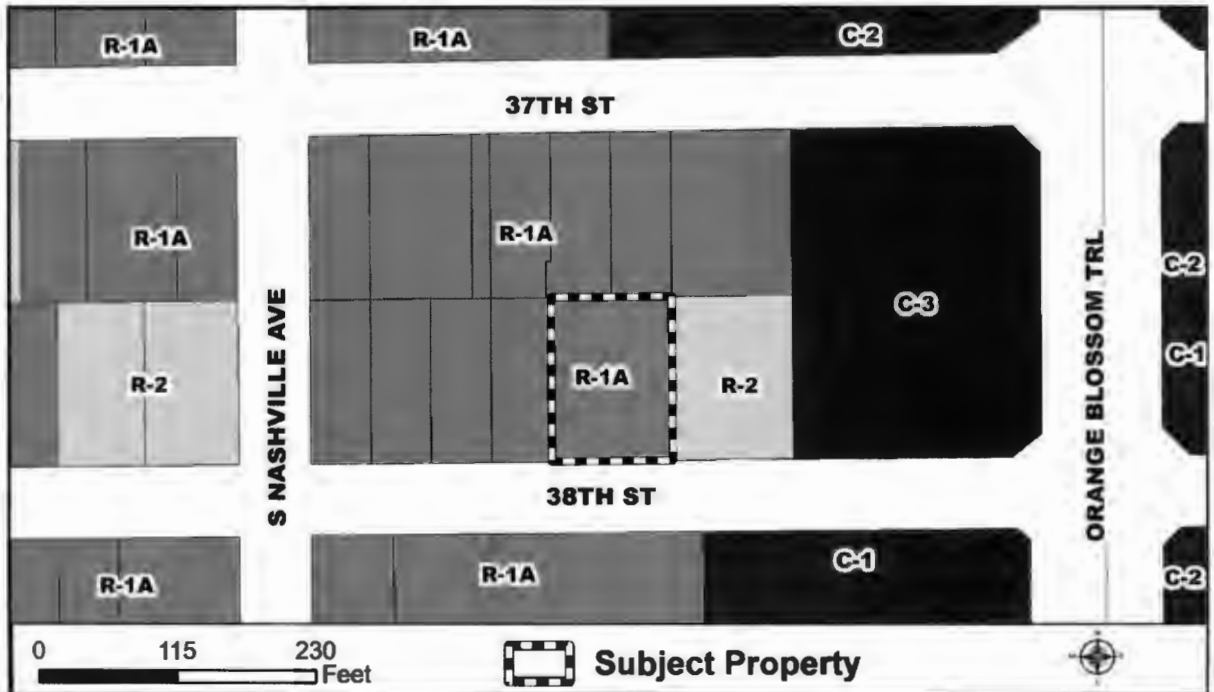


1 inch = 142 feet

FUTURE LAND USE - CURRENT
Low Density Residential (LDR)

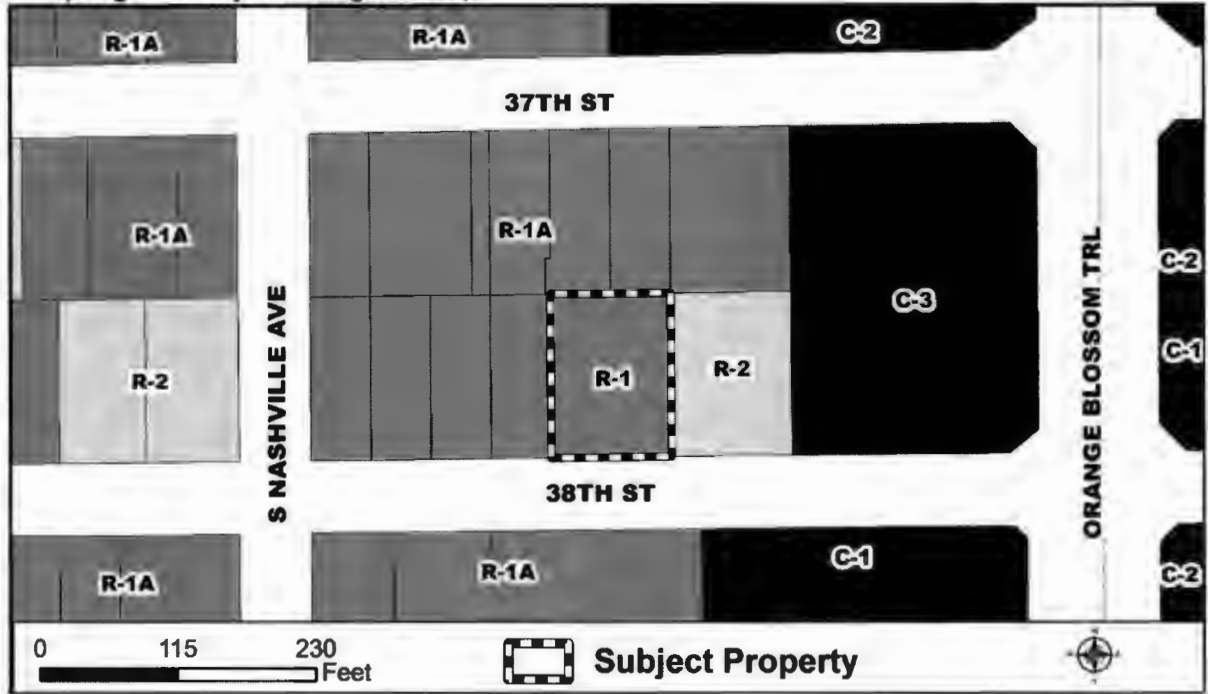


ZONING - CURRENT
R-1A (Single-Family Dwelling District)



ZONING – PROPOSED

R-1 (Single-Family Dwelling District)

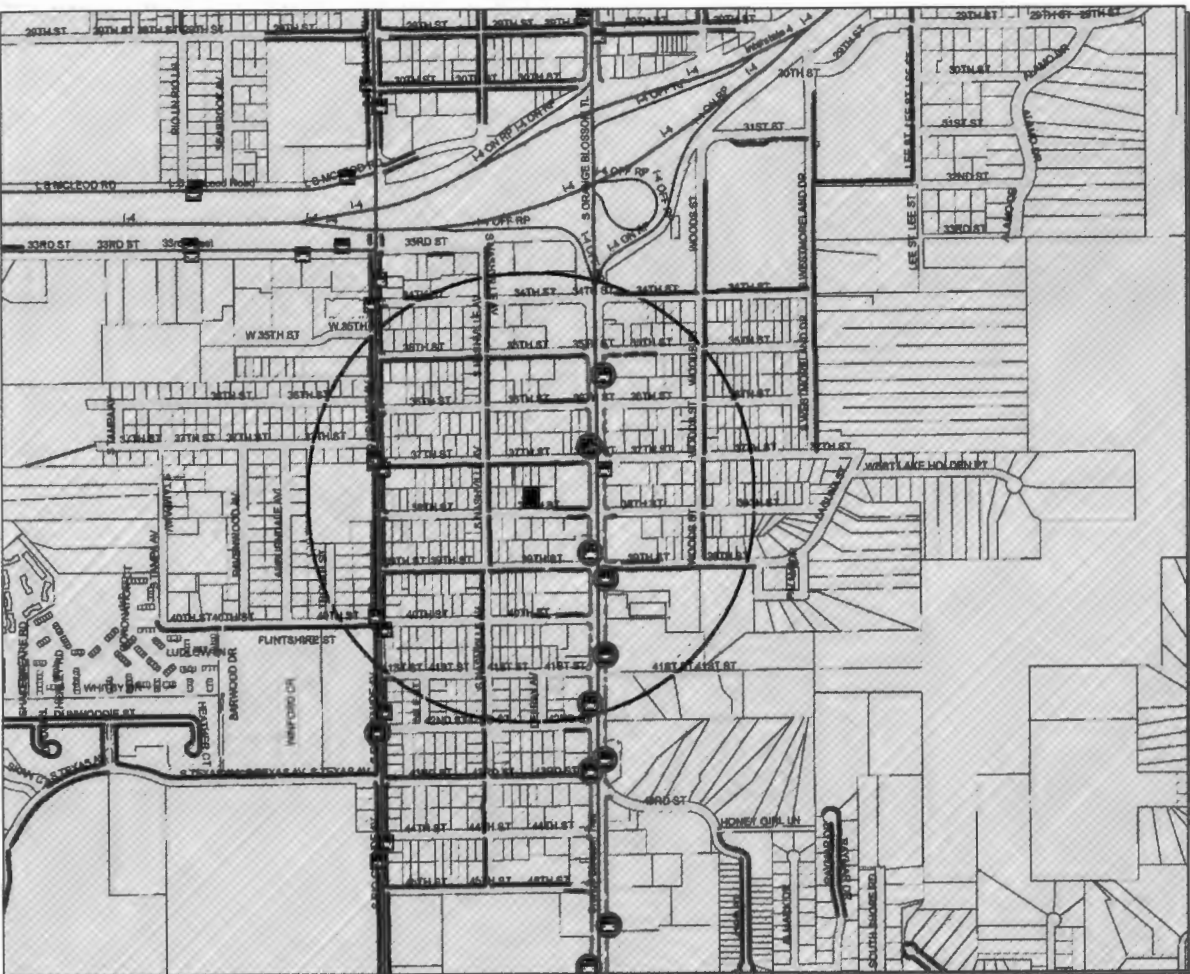


Alternative Mobility Area Context Map

RZ-22-03-011
 1317 38th Street
 Parcel I.D.# 03-23-29-0183-10-170

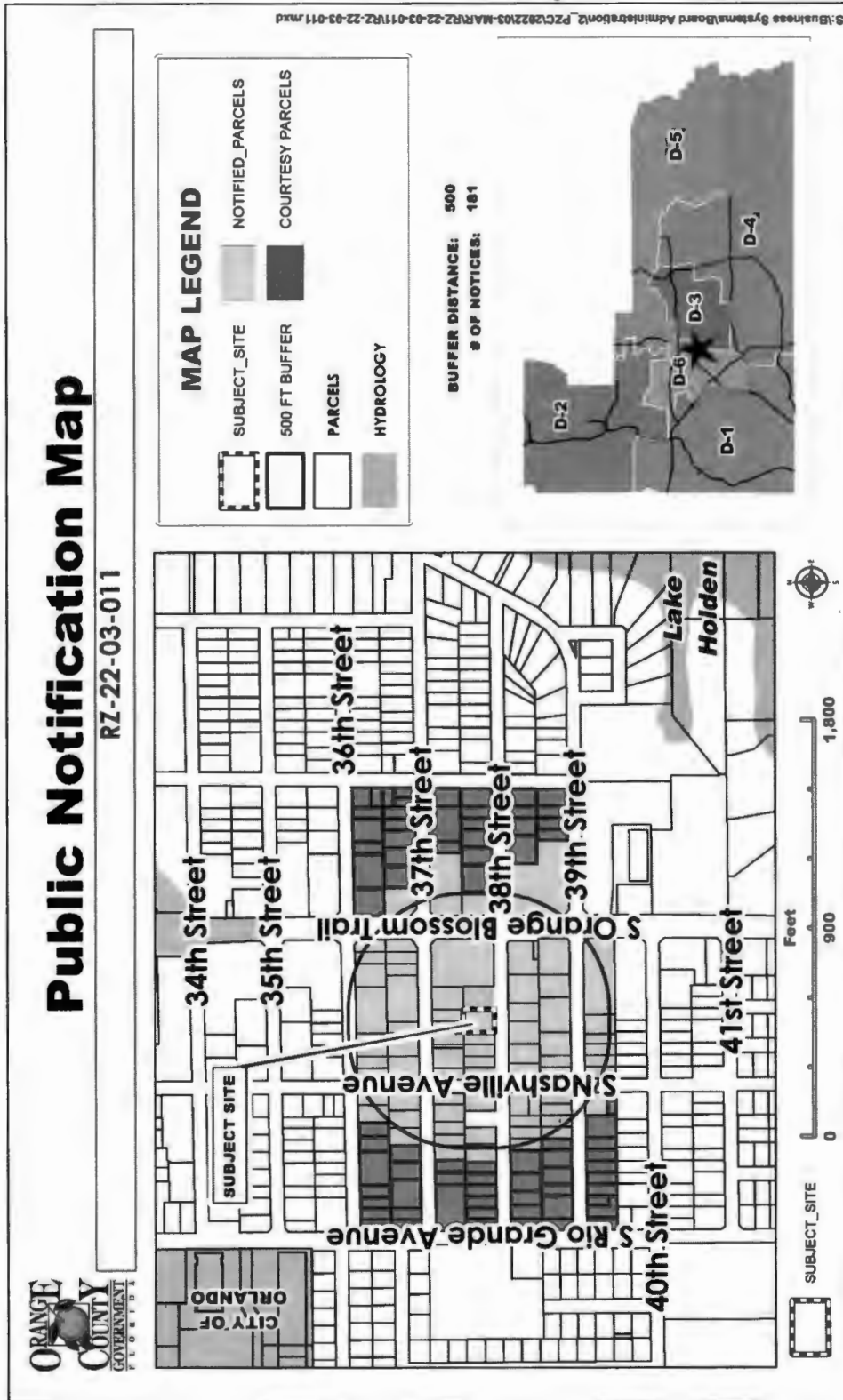
Legend

- LYNX Bus Stops
- LYNX Bus Stop Shelters
- LYNX Park And Ride
- 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_Buffer222
- Parcels
- Alternative Mobility Area
- URBAN
- County Boundary



Date: 2/8/2022

Notification Map



CASE # RZ-22-03-016

Commission District: #4

GENERAL INFORMATION

APPLICANT	Ranel J. Castro, Jr.
OWNER	Transpremier LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	I-1/I-5 (Industrial District - Light) to I-4 (Industrial District- Heavy)
LOCATION	7616 Narcoossee Road, generally located south of Lee Vista Blvd, East of S. Goldenrod Road, approximately 597 feet north of Dakota Dr.
PARCEL ID NUMBER	25-23-30-0000-00-038
TRACT SIZE	7.04-gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 1100 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Fifty-eight (58) notices were mailed to those property owners and residents in the surrounding area. A community meeting was not required for this application.
PROPOSED USE	Heavy construction and asphalt milling storage

STAFF RECOMMENDATION

PLANNING

Due to property posting issues, staff asks that this item be CONTINUED to the April 21, 2022 PZC hearing.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking to rezone the property to the I-4 zoning district to allow for heavy industrial uses as set forth under Section 38-77 of the Use Table. TransPremier LLC is an existing business which operates a business that provides services for material hauling, asphalt milling, full road clean-up and mobilization of paving and road construction equipment. Under the permitted use table this is classified as heavy construction (SIC Group 16). The storing of asphalt milling is only permitted in the I-4 zoning district. The applicant is also able to resolve an active code enforcement violation through this request.

The site is currently development with multiple structures. Accessory office uses are conducted on the eastern portion of the site. The asphalt milling and storing takes place only on the western portion of the property. All uses are existing and deemed compatible with the surrounding area.

The immediate area can be categorized as being developed with mostly industrial uses along the Narcoossee Road corridor. Adjacent properties to the subject site are zoned I-1/I-5. The I-4 zoning classification does exist to the north. Properties east of the subject site are within the City of Orlando. The City had no comments regarding this request, since the uses are existing and no improvement or redevelopment is proposed.

Land Use Compatibility

The I-4 Restricted (Industrial District-Heavy) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact most 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"/>	Incident#: 600908 Stock piling materials on property

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Industrial (IND). The proposed zoning is consistent with the Industrial 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.

FLU1.4.21 states that Orange County will encourage the use of vacant land within the Urban Service Area for redevelopment to improve existing conditions on-site.

FLU1.4.24 states that Orange County shall not approve industrial uses that produce or emit noises, significant vibrations or noxious/hazardous wastes/fumes resulting in adverse impacts to adjacent residential uses, unless such impacts are mitigated.

FLU1.4.24 states that Orange County may require appropriate design controls for each industrial district such as, but not limited to, building setbacks, lot size building coverage ratios, impervious surface limitations and landscaping provisions to ensure industrial districts are compatible with surrounding areas.

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	Industrial – Heavy construction
Adjacent Zoning	N: I-1 / I-5 (Industrial District- Light) (1991) E: I-1 / I-5 (Industrial District- Light) (1983) W: City of Orlando S: I-1 / I-5 (Industrial District- Light) (1973)
Adjacent Land Uses	N: Undeveloped

E: Industrial Warehouse
 W: City of Orlando
 S: Industrial Warehouse

I-4 (Industrial District - Heavy) Development Standards

Max. Height: 50 ft. (35 within 100 ft. of residential use or district)

Building Setbacks*

Front: 35 ft.
 Rear: 10 ft.
 Side: 25 ft.

*50 feet required setback when abutting residential zoning.

Intent, Purpose, and Uses

The intent and purpose of the I-4 industrial district are as follows:

- (1) To provide for industrial operations of all types, which may produce such by-products as odor, smoke, dust, and noise.
- (2) To provide space for industries which employ the processing of bulk materials and which require space for open storage of materials.
- (3) To establish and maintain standards which will permit a wide variety of processing activities.
- (4) To establish and maintain standards which will protect adjacent residential and commercial developments.

A use shall be permitted in the I-4 district if the use is identified by the letter "P" in the use table set forth in

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 upon the concurrency data base dated 2/14/22, there is a failing roadway segment within the project area. Capacities indicated are a snapshot and are subject to change at any time. A traffic study may be required prior to building permit approval.
Neighborhood Review	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

* Surface Water Degradation - Discharged stormwater runoff shall not degrade receiving surface water bodies below the minimum conditions established by state water quality standards. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited. Treatment in areas of state designated impaired waters or basin management action plans may require additional treatment. No construction, clearing, filling, alteration or grading is allowed within or immediately adjacent to a conservation area or easement (includes the conservation area and the wetland setback/buffer) without a wetland impact permit approved by the county and obtaining other applicable jurisdictional agency permits.

Debris existing on-site - A site review indicates that there is miscellaneous debris and concrete waste that will need to be disposed of off-site according to the solid waste and hazardous waste regulations.

Air Emission Limits from Commercial/Industrial - Contact the Orange County Environmental Protection Division to determine what applicable air pollution permits are required for the proposed site activity.

Habitat - A habitat assessment was conducted on this site 7/3/2020 and reported no species of concern were observed. 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 comply with required habitat permitting of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

Conservation Area Determination completed - CAD-20-01-015 is completed for 13.97 acres issued 5/5/2020 indicates: one Class I surface water connected to Shingle Creek, one Class III surface water and three Class III wetlands. The total wetland and surface water acreage is 1.29 acres yielding a net developable acreage of 12.68 acres.

Conservation Area Impact permit: There is no record that an impact permit application nor a determination of mitigation for any proposed wetland encroachment/removal has been determined or received by Orange County EPD. Discuss the handling of the Class I surface water with EPD Permitting and if a Dredge and Fill permit may also be required.

Dust Control - No person shall cause, let, suffer, allow, or permit the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities, such as loading, unloading, storing, or handling; without taking reasonable precautions to prevent such emissions including but not limited to application of water, dust suppressants, planting of vegetation, point of activity controls (hoods, filters, etc.) and other measures. Reference Orange County Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 2 Rules, Section 89.1 Air Pollution Prohibited, Subsection B Unconfined emissions of particulate matter (2)(c).

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.

Community Meeting Summary

A community meeting was not required for this request.

Utilities

Water: Orange County Utilities

Waste Water: City of Orlando

Reclaim Water: Orange County Utilities

***Detailed Utility Information**

This property is within the City of Orlando's wastewater service area.

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

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

Reclaimed Water: Development within this property will be required to connect to Orange County Utilities reclaimed water 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 – (March 17, 2022)

Due to property posting issues, staff asks that this item be CONTINUED to the April 21, 2022 PZC hearing.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

A motion was made by Commissioner Pavon, and seconded by Commissioner Spears to CONTINUE the item to the April 21, 2022 PZC hearing. The motion passed.

Motion / Second

Walter Pavon / Gordon Spears

Voting in Favor

Walter Pavon, Gordon Spears, Mohammed Abdallah, George Wiggins, Evelyn Cardenas, Trevor Sorbo, and JaJa Wade

Voting in Opposition

None

Absent

Nelson Pena

Eddie Fernandez has a conflict of interest

RZ-22-03-016

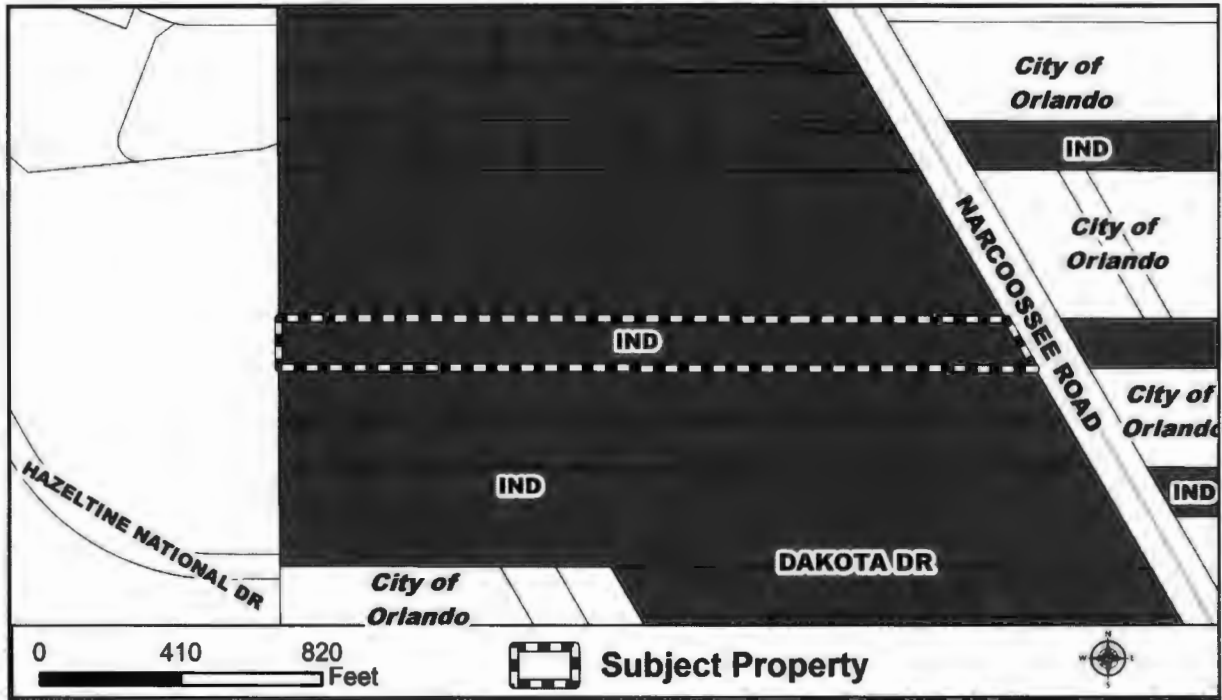


 Subject Property

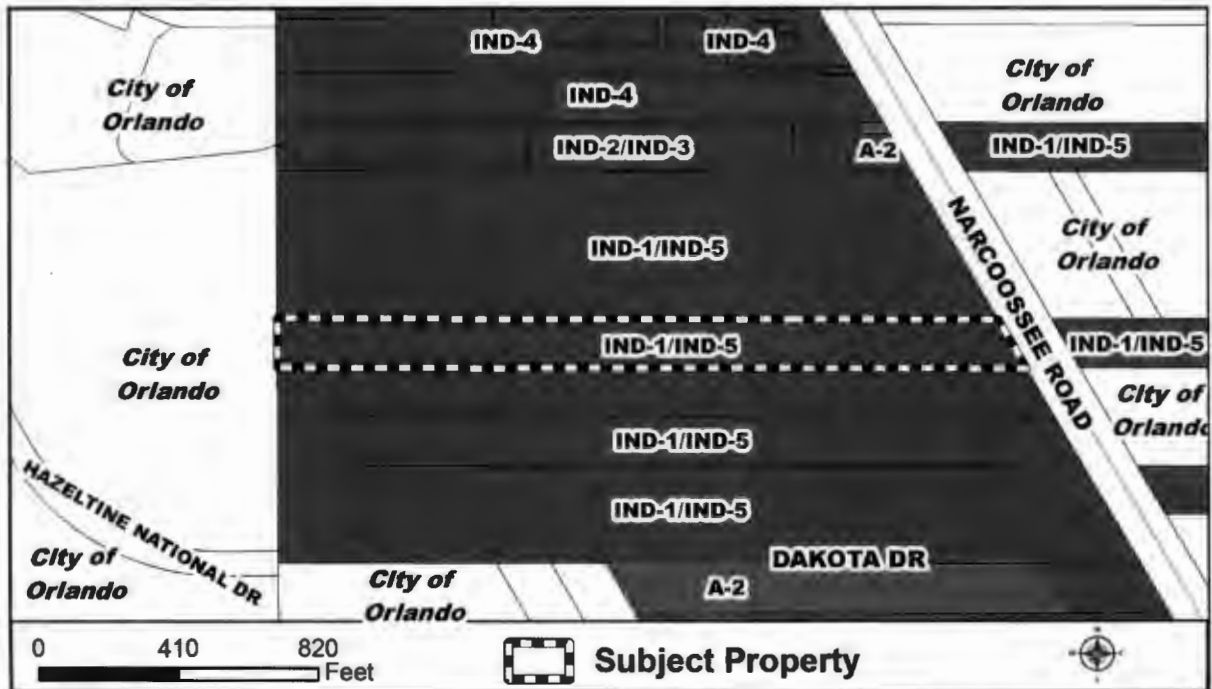


1 inch = 458 feet

FUTURE LAND USE - CURRENT
Industrial (IND)

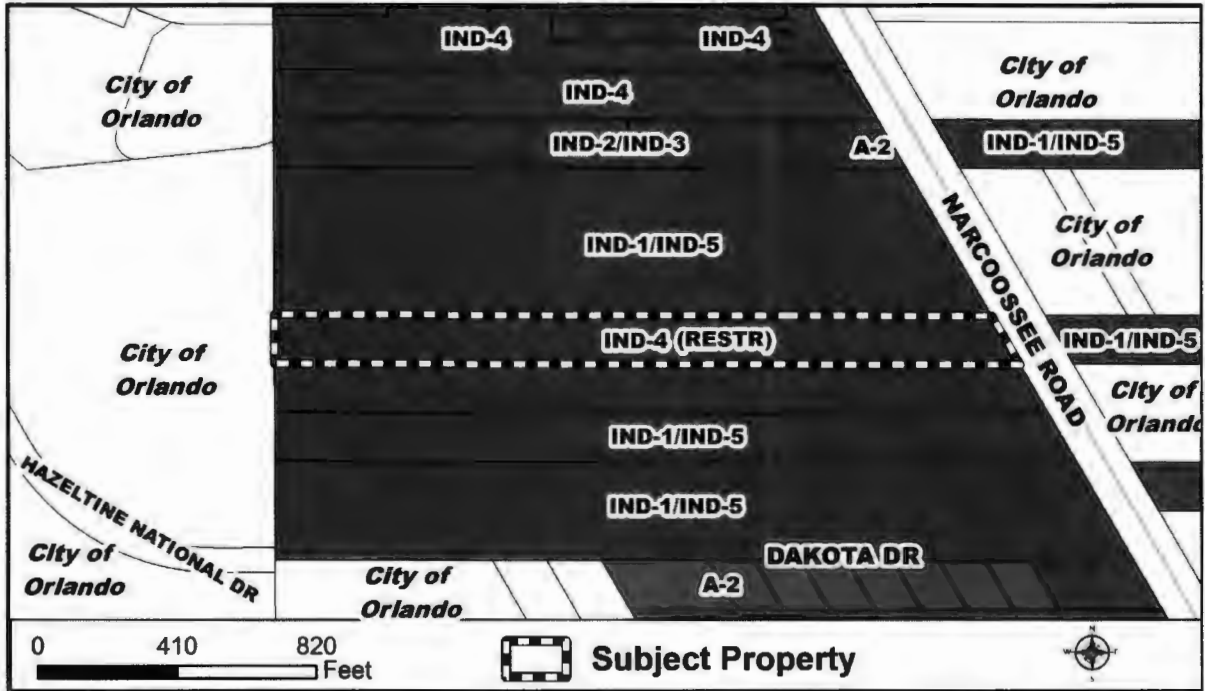


ZONING - CURRENT
I-1 / I-5 (Industrial District- Light)



ZONING – PROPOSED

I-4 Restricted (Industrial District- Heavy)



Alternative Mobility Area Context Map

RZ-22-03-016
7616 Narcoossee Road
Parcel I.D. # 25-23-30-0000-00-038

- Legend**
- LYNX Bus Stops
 - LYNX Bus Stop Shelters
 - 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_Buffer235
 - Parcels
 - Alternative Mobility Area
 - URBAN
 - County Boundary



Document Path: C:\Transportation Planning\Tbrenn\AvalMap2021\June.mxd

Date: 2/15/2022

