

CASE # RZ-26-03-017

Commission District: #3

GENERAL INFORMATION

APPLICANT: Edward Bharath, Maruthi Enterprise, LLC

OWNER: Oriel and Elizabeth Rosquete Revocable Trust

HEARING TYPE: Planning and Zoning Commission Recommendation

REQUEST: **A-2** (Farmland Rural District) **to**
R-2 Restricted (Residential District)

LOCATION: 8244 Curry Ford Road; generally located north of Pinar Elementary School, south of Curry Ford Road, east of Autumn Run Place, and west of Los Amigos Drive.

PARCEL ID NUMBER: 12-23-30-0000-00-016

SIZE / ACREAGE: 5.74 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]. Three hundred sixty-six (366) notices were mailed to those property owners in the surrounding area.

COMMUNITY MEETING: An in-person community meeting was held on March 12, 2026, and is summarized further in this report.

PROPOSED USE: Fifty-seven (57) Townhome Units

STAFF RECOMMENDATION

PLANNING

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

- 1) Along the southern 600 feet of the property, a 20-foot-wide landscape buffer shall be constructed along the east property line, or in lieu of a landscape buffer there shall be a minimum rear building setback of 40 feet for the primary structure. If no townhomes are proposed adjacent to the eastern property line within this 600 foot portion, then this restriction is satisfied.

SUBJECT PROPERTY ANALYSIS

Overview

The subject property was zoned A-2 (Farmland Rural District) in 1968, prior to the adoption of the Orange County Comprehensive Plan. It was later given the Future Land Use Map designation of Low-Medium Density Residential (LMDR), which allows consideration of up to 10 dwelling units per acre. The current zoning of A-2 is inconsistent with the LMDR Future Land Use.

Through this request the applicant is seeking to develop a maximum of 57 townhomes and to correct the inconsistency between the zoning and FLU. The parcel currently contains a single-family home. Staff is recommending a restriction to create either a 20' landscape buffer between the development and the existing single-family homes to the east or increase the rear setback from 20' to 40'.

The surrounding area consists of a mix of zoning districts with the most common use being single-family residences. Two of the parcels to the west are undeveloped and one contains a single-family home. These parcels were recently rezoned to R-2 for a 36-unit townhome development. On the other side of this development are subdivisions of single-family homes zoned R-2. There are larger-lot single-family homes and a tree farm zoned A-2 to the east and north. Both sides of Curry Ford Road also contain large-lot single-family homes zoned R-1A and R-CE. Further down along Curry Ford Road there are manufactured homes, townhomes, and apartments. The intersection of Curry Ford Road and S. Chickasaw Trail contains retail, restaurants, and a gas station, with either C-1 or Planned Development (PD) zoning.

Connection to wastewater and water utilities is required.

Land Use Compatibility

The R-2 Restricted zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

Site Analysis

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

No open cases.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is LMDR (Low-Medium Density Residential). The proposed R-2 zoning is consistent with the LMDR (Low-Medium Density Residential) FLUM designation, therefore a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

FLU1.4.4 states that the disruption of residential areas by poorly located and designed commercial activities shall be avoided.

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

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

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

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

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

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

SITE DATA

Existing Use	Single-family residence
Adjacent Zoning	N: Restricted R-2 (Residential District) 2018 and R-2 (Residential District) 1996 E: A-2 (Farmland Rural District) 1968 W: R-2 (Residential District) 2026 S: A-2 (Farmland Rural District) 1968
Adjacent Land Uses	N: Single-family residence E: Tree nursery and single-family residences W: Vacant and single-family residence (proposed townhomes) S: Elementary school

R-2 Development Standards

One-Family Dwelling

Min. Lot Area: 4,500 sq. ft.
Min. Lot Width: 45 ft.
Max. Height: 35 ft.
Min. Living Area: 1,000 sq. ft.
Building Setbacks:
Front: 20 ft.
Rear: 20 ft.
Side: 5 ft.
Side Street: 15 ft.

Two Dwelling Units

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

Three Dwelling Units

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

Side Street: 15 ft.

Four or More Dwelling Units

Min. Lot Area: 15,000 sq. ft.

Min. Lot Width: 85 ft.

Max. Height: 35 ft.

Min. Living Area: 500 sq. ft. per dwelling unit

Building Setbacks:

Front: 20 ft.

Rear: 30 ft.

Side: 10 ft. (30 ft. where adjacent to single-family)

Side Street: 15 ft.

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

Intent, Purpose, and Uses

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

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

SPECIAL INFORMATION

Staff Comments

Environmental

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 or AsbestosInquiriesOrangeCounty@ocfl.net. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1).

Transportation / Access

Prior to any building permit approval, an approved Concurrency Application through the Concurrency Management office may be required. NOTE: Should this project be located near failing roadways then a traffic study will be required via a Capacity Encumbrance Letter (CEL) application. Please contact the Concurrency Management Office at concurrency@ocfl.net or 407-836-6110 for more information.

Schools

Capacity for this development is considered available (OC-26-014). This determination expires October 5, 2026.

Parks and Recreation

Parks and Recreation staff reviewed the request and did not identify any issues or concerns.

Community Meeting Summary

A community meeting was held on March 12th at Pinar Elementary School. Resident attendance was limited. One resident was concerned about stormwater running off onto his property, but it was later determined that his property was not adjacent to the development. Another resident expressed support for the development.

Utilities Service Area (Availability of services may vary)

Water: Orange County Utilities

Wastewater: Orange County Utilities

Reclaim Water: Orange County Utilities

Detailed Utility Information:

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

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

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

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

State of Florida Notice

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – April 16, 2026

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

- 1) Along the southern 600 feet of the property, a 20-foot-wide landscape buffer shall be constructed along the east property line, or in lieu of a landscape buffer there shall be a minimum rear building setback of 40 feet for the primary structure. If no townhomes are proposed adjacent to the eastern property line within this 600 foot portion, then this restriction is satisfied.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the Planning and Zoning Commission (PZC) with a recommendation that the Commission make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 Restricted (Residential District) zoning with an amended restriction. The applicant was present at the hearing and agreed with staff's recommendation and amended restriction.

Staff indicated that three hundred sixty-six (366) notices were sent to property owners. A community meeting was held on March 12, 2026, with two (2) residents in attendance, in addition to the applicant team. In total, staff received one (1) comment in favor and eleven (11) comments in opposition. The most frequent concern was flooding from residents of Autumn Run Court, with others noting privacy infringement, traffic, conservation, and property values. Three members of the public spoke during the public comment portion of the hearing. The first noted the flooding that the Autumn Run neighborhood experienced after the construction of Rio Pinar Elementary School and expressed other concerns including traffic. The other two speakers spoke in favor of increasing the required notification buffer.

The applicant shared a concept plan with their plans for stormwater and road connections to the neighboring development. Commissioner Rodriguez expressed support for increasing notification buffers, and general support for the project and providing affordable housing near public transit.

Commissioner Fernandez made a motion to make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-2 Restricted (Residential District) zoning. The motion was seconded by Commissioner Arrington and carried on a 6-1 vote.

Motion / Second

Eddie Fernandez / Michael Arrington

Voting in Favor

*Eddie Fernandez, Michael Arrington, Jorge L Berrios
Trinidad, Camille Evans, David Boers, and Giancarlo
Rodriguez*

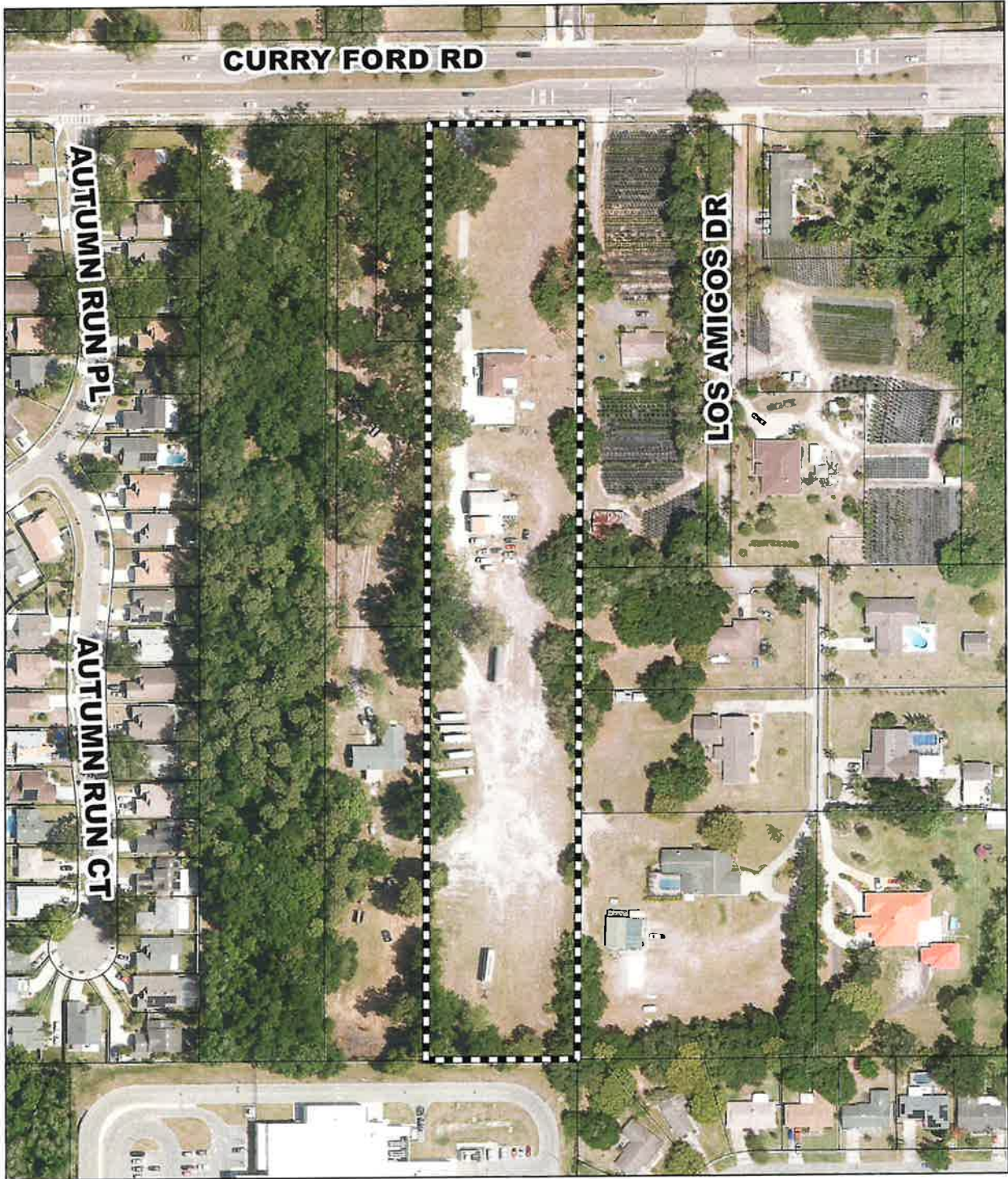
Voting in Opposition

George Wiggins

Absent

Marjorie Holt and Eric Gray

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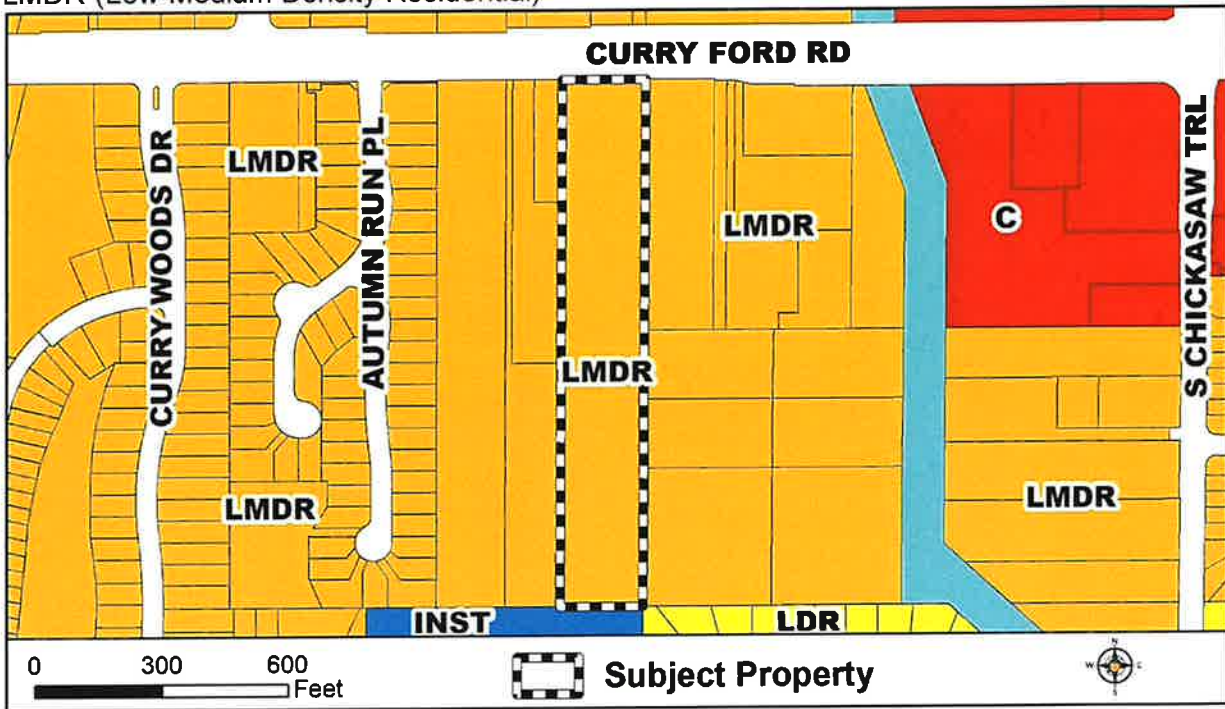


 Subject Property



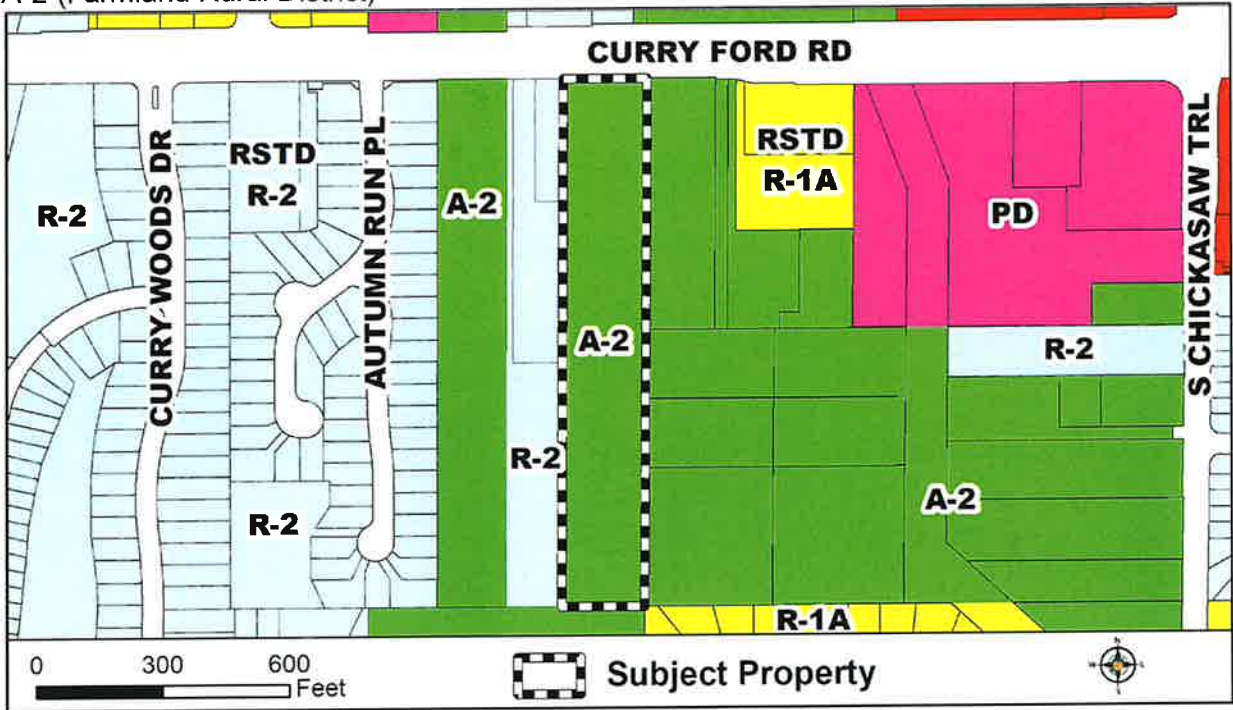
0 150 300 Feet

FUTURE LAND USE – CURRENT
LMDR (Low-Medium Density Residential)



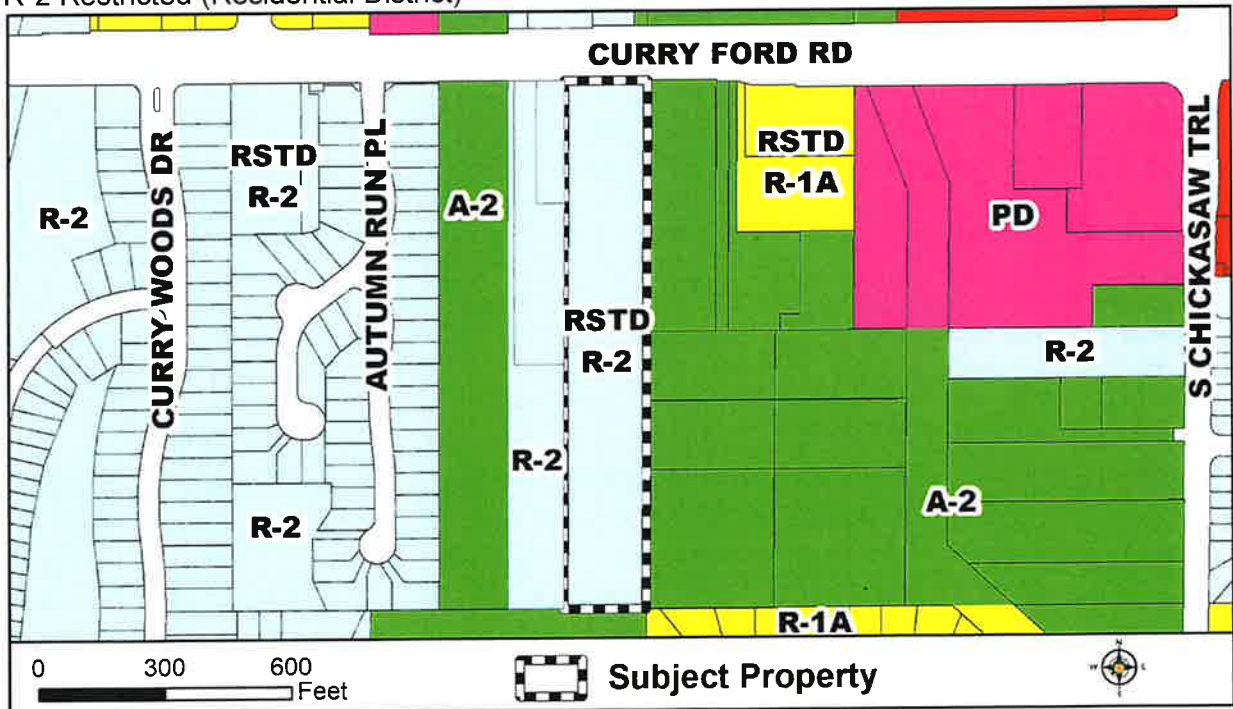
ZONING – CURRENT

A-2 (Farmland Rural District)



ZONING – PROPOSED

R-2 Restricted (Residential District)

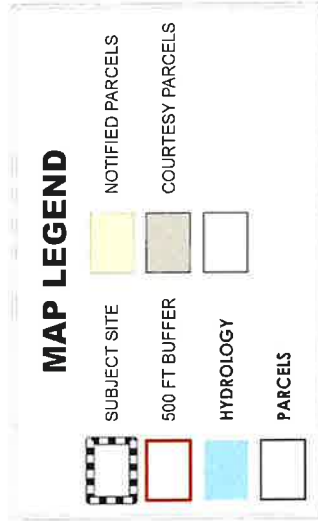
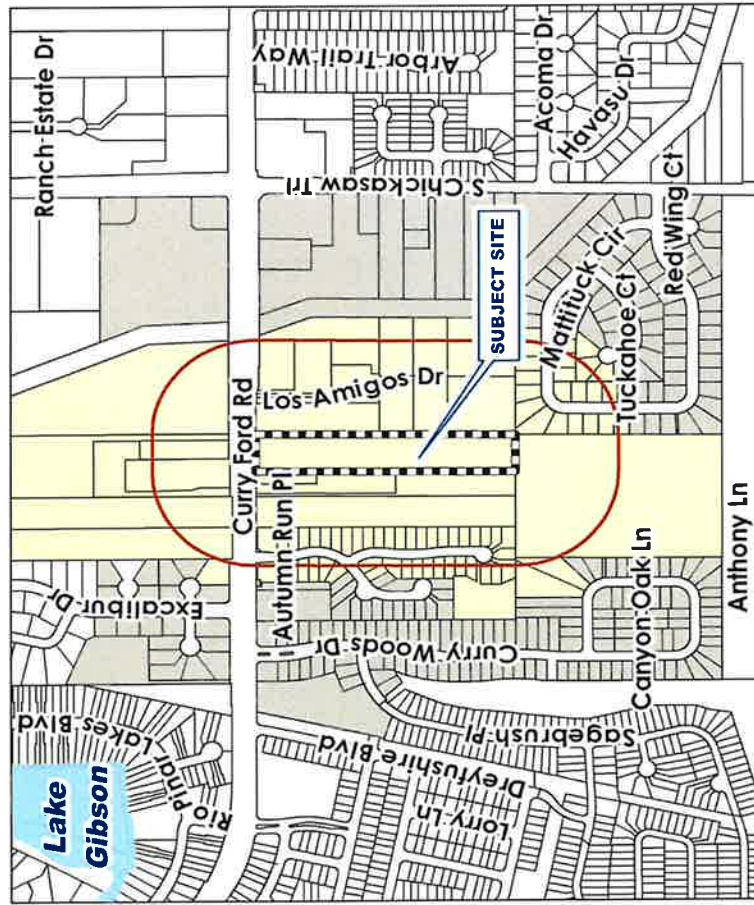


NOTIFICATION MAP

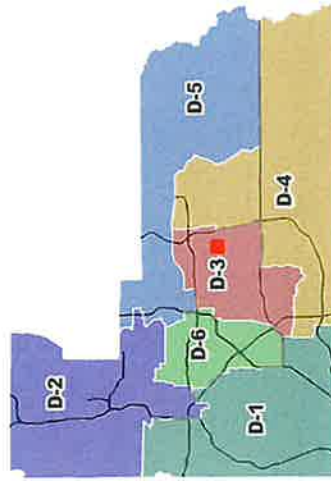


Public Notification Map

RZ-26-03-017



BUFFER DISTANCE: 500
 # OF NOTICES: 366



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