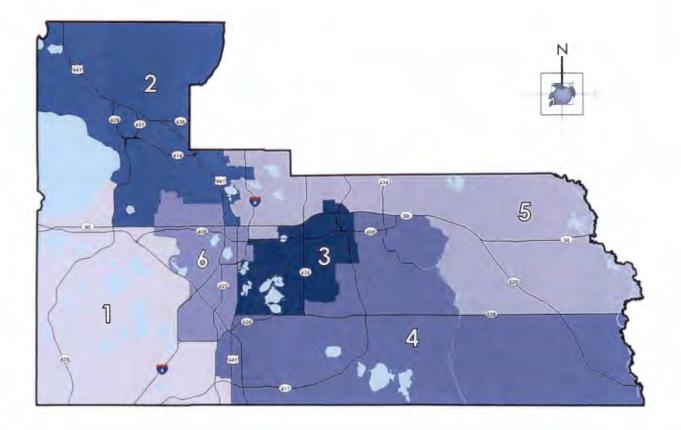


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

FEBRUARY 15, 2024



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

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

10001	
David Boers	District #1
George Wiggins	District #2
Eddie Fernandez	District #3
Walter Pavon	District #4
J. Gordon Spears Vice Chairperson	District #5
Camille Evans	District #6
Michael Arrington	At Large
Evelyn Cardenas	At Large
Nelson Pena Chairman	At Large

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CONVENTIONAL & PLANNED DEVELOPMENT REZONING PUBLIC HEARINGS

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RZ-24-01-123 District 2		2
RZ-24-01-130 District 2		2
RZ-24-02-133 District 3	2	3

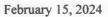


TABLE OF HEARINGS Planning and Zoning Commission February 15, 2024

Case # <u>Applicant</u>	<u>Request</u>	Commission <u>District</u>	n Recomm <u>Staff</u>	endations <u>PZC</u>	BCC Hearing <u>Required</u>
I. Conventional	Rezoning Hearing				
RZ-23-09-085 Dustin Auckland	R-1A to <i>R</i> -2	5	Postpone	Postpone	No
RZ-24-01-123 Mark Batia	I-1/I-5 Restricted to I-1/I-5 Restricte	_	Approval with one (1) restriction	Approval with one (1) restriction	No
RZ-24-01-130 Olivia Parsley	C-3 and R-2 to C-1 Restricted	2	Approval with one (1) restriction	Approval with one (1) restriction	No
RZ-24-02-133 Patricia Tanner	R-1A to R-1 with lot width variance	3	Approve	Approve	No

SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements

	38-1501 – Basic Site and Principal Building Requirements										
District	Min. Lot	Min.	Min.	^A Min.	AMin.	^A Min.	^A Min.	Max.	NHWE	Max.	Additiona
	Area ^M	Living Area/ floor area	Lot width	Front yard	Rear yard	Side yard	Side street Yard	Building	Setback	FAR/ Density	
	(sq.ft.)	(sq.ft.)	(ft.)	(ft.)	(ft.)	(ft.)	(ft.)	Height (ft.)	(ft.)	Sq.ft./ du/ac	
A-1	SFR 21,780 (1/2 acre)	850	100	35	50	10	15	35	50 ⁴	L	
	Mobile home 2 acres	850	100	35	50	10	15	35	50 ^A	L	
A-2	SFR 21,780 (1/2 acre)	850	100	35	50	10	15	35	50 ⁴	L	
	Mobile home 2 acres	850	100	35	50	10	15	35	50 ^A	L	
A-R	108,900 (2½ acres)	950	270	35	50	25	15	35	50 ^A	L	
R-CE	43,560 (1 acre)	1,500	130	35	50	10	15	35	50 ^A	L	
R-CE-2	2 acres	1,200	185	45	50	30	15	35	50 ^A	L	
R-CE-5	5 acres	1,200	250	50	50	45	15	35	50 ^A	L	
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	15	35	50 ⁴	L	
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	15	35	50 ^A	L	
R-1AA	10,000	1,200	85	25/30 ^H	35/35 ^H	7.5	15	35	50 ^A	L	
R-1A	7,500	1,200	75	20/25 ^H	25/30 ^H	7.5	15	35	50 ^A	L	
R-1	5,000	1,000	50	20/25 ^H	20/25 ^H	5/6 ^H	15	35	50 ^A	L	
R-2	One-family dwelling, 4,500	1,000	45°	20/25 ^H	20/25 ^H	5/6 ^H	15	35	50 ^A	L	38-456
	Two dwelling units, 8,000/9,000	500 / 1,000 per dwelling unit ^D	80 / 90 ⁰	20/25 ^H	25	5/6 ^H	15	35	504	L	38-456
	Three dwelling units, 11,250	500 per dwelling unit	85)	20/25 ^H	30	10	15	35 ^E	50 ^A	L	38-456
	Four or more dwelling units, 15,000	500 per dwelling unit	85 ¹	20/25 ^H	30	10 ⁸	15	35 ^E	50 ⁴	L	38-456; limited to 4 units per building
R-3	One-family dwelling, 4,500	1,000	45 ^c	20/25 ^H	20/25 ^H	5/6 ^H	15	35	50 ^A	L	38-481

District	Min. Lot	Min.	Min.	^A Min.	^A Min.	^A Min.	^A Min.	Max.	NHWE	Max.	Additiona Standard
	Area ^M	Living Area/ floor area	Lot width	Front yard	Rear yard	Side yard	Side street Yard	Building	Setback	FAR/ Density	
	(sq.ft.)	(sq.ft.)	(ft.)	(ft.)	(ft.)	(ft.)	(ft.)	Height (ft.)	(ft.)	Sq.ft./ du/ac	
	Two dwelling units, 8,000/9,000	500 / 1,000 per dwelling unit ^D	80 / 90 ^p	20/25 ^H	25/20 ^H	R-2	15	35	50 ^A	L	38-481
	Three dwelling units, 11,250	500 per dwelling unit	85 ^J	20/25 ^H	30	10	15	35 ^E	50 ^A	L	38-481
	Four or more dwelling units, 15,000	500 per dwelling unit	85 ^J	20/25 ^H	30	10 ⁸	15	35 ^E	50 ⁴	L	38-481
R-L-D N/A N/A		N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10 ⁵	15	35 ^Q	50 ⁴	L	38-605	
R-T	7 spaces per gross acre	Park size min. 5 acres	Min. mobile home size 8 ft. x 35 ft.	7.5	7.5	7.5	15	35	50 ⁴	L	38-578
R-T-1 SFR	4,500 ^c	1,000	45	20	20	5	15	35	50 ^A	L	
Mobile Home	4,500 ^c	Min. mobile home size 8 ft. x 35 ft.	45	20	20	5	15	35	50 ^A	L	
R-T-2 (zoned prior to 1/29/73)	R-T-2 6,000 SFR 500 60 25 coned Min. rior to mobile		25	50	6	15	35	50 ⁴	L		
(zoned after 1/29/73)	21,780	SFR 600 Min. mobile home size 8 ft. x 35 ft.	100	35	50	10	15	35	50 ⁴	L	
NR	One family dwelling, 4,500	1,000	45 ^c	20	20	5	15	35/3 stories	50 ^A	L	38-1748
	Two dwelling units, 8,000	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 ^A	L	38-1748
	Three dwelling, 11,250	1,000	45 ^c	20	20	5	15	35/3 stories	50 ^A	L	38-1748

District	Min. Lot	Min.	Min.	^A Min.	^A Min.	^A Min.	^A Min.	Max.	NHWE	Max.	Additional Standards
3	Area ^M	Living Area/ floor area	Lot width	Front yard	Rear yard	Side yard	Side street Yard	Building	Setback	FAR/ Density	
1	(sq.ft.)	(sq.ft.)	(ft.)	(ft.)	(ft.)	(ft.)	(ft.)	Height (ft.)	(ft.)	Sq.ft./ du/ac	
	Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit	500 per dwelling unit	85	20	20	10	15	50/4 stories	50 ⁴	L	38-1748
	Townhouse 1,800	750 per dwelling unit	20	25, 15 for rear entry driveway	20,15 for rear entry garage	0,10 for end units	15	40/3 stories	50 ^A	L	38-1748
NAC	Nonresidential and mixed use development, 6,000	500	50	0/10 maximum 60% of building frontage must conform to maximum setback	15,20 adjacent to single- family zoning district	10,0 if buildings are adjoining	15	50 feet	50 ⁴	L	38-1741
	One family dwelling, 4,500	1,000	45 ^c	20	20	5	15	35/3 stories	50 ^A	L	38-1741
	Two dwelling units, 11,250	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 ^A	L	38-1741
	Three dwelling, 11,250	500 per dwelling unit	85	20	20	10	15	35/3 stories	50 ⁴	L	38-1741
	Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit	500 per dwelling unit	85	20	20	10	15	50 feet/4 stories, 65 feet with ground floor retail	50 ^A	L	38-1741
	Townhouse 1,800	750 per dwelling unit	20	25, 15 for rear entry driveway	20,15 for rear entry garage	0,10 for end units	15	40/3 stories	50 ⁴	L	38-1741
NC	Nonresidential and mixed use development, 8,000	500	50	0/10 maximum 60% of building frontage must conform to maximum setback	15,20 adjacent to single- family zoning district	10,0 if buildings are adjoining	15	65 feet	50 ⁴	L	38-1734
	One family dwelling, 4,500	1,000	45 ^c	20	20	5	15	35/3 stories	50 ^A	L	38-1734
	Two dwelling units, 8,000	500 per dwelling unit	80	20	20	5	15	35/3 stories	50 ^A	L	38-1734

District	Min. Lot	Min.	Min.	^A Min.	^A Min.	^A Min.	^A Min.	Max.	NHWE	Max.	Additiona Standard
	Area ^M	Living Area/ floor area	Lot width		yard Rear yard	Side yard	Side street Yard	Building	Setback	FAR/ Density	
	(sq.ft.)	(sq.ft.)	(ft.)	(ft.)	(ft.)	(ft.)	(ft.)	Height (ft.)	(ft.)	Sq.ft./ du/ac	
	Three dwelling, 11,250	500 per dwelling unit	85	20	20	10	15	35/3 stories	50 ⁴	L	38-1734
	Four or more dwelling, units, 1,000 plus, 2,000 per dwelling unit	500 per dwelling unit	85	20	20	10	15	65 Feet, 80 feet with ground floor retail	50 ⁴	L	38-1734
	Townhouse 1,800	N/A	20	25, 15 for rear entry driveway	20,15 for rear entry garage	0,10 for end units	15	40/3 stories	50 ⁴	L	38-1734
Р-О	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 feet for each add. Story	15	35	50 ⁴	L	38-806
C-1	6,000	500		25	20	0; or 15 ft. when abutting residential district	15	50; or 35 within 100 ft. of any residential use or district	50 ⁴	L	38-830
C-2	8,000	500	25		15; or 25 when abutting residential district	5; or 25 when abutting residential district	15	50; or 35 within 100 ft. of any residential use or district	50 ⁴	L	38-855
C-3	12,000	500		25	15; or 30 when abutting residential district	5; or 25 when abutting residential district	15	75; or 35 within 100 ft. of any residential use or district	50 ⁴	L	38-880
I-1A	N/A	N/A	N/A	35	25, or 30 ft. when abutting residential district [№]	25, or 30 ft. when abutting residential district [№]	15	50; or 35 within 100 feet of any residential use or district	50 ⁴	L	38-907
I-1/I-5	N/A	N/A	N/A	35	25, or 50 ft. when abutting residential district ^N	25, or 50 ft. when abutting residential district ^{N/O}	15	50; or 35 within 100 feet of any residential use or district	50 ⁴	L	38-932

			38-1	501 – Basic S	iite and Prin	cipal Building	, Require	ments		ane an	
District	Min. Lot	Min.	Min.	^A Min.	^A Min.	^A Min.	^A Min.	Max.	NHWE	Max.	Additional Standards
	Area™	Living Area/ floor area	Lot width	Front yard	Rear yard	Side yard	Side street Yard	Building	Setback	FAR/ Density	
	(sq.ft_)	(sq.ft.)	(ft.)	(ft.)	(ft.)	(ft.)	(ft.)	Height (ft.)	(ft.)	Sq.ft./ du/ac	
I-2/1-3	N/A	N/A	N/A	25	10, or 60 ft. when abutting residential district ⁹	15, or 60 ft. when abutting residential district ^P	15	50; or 35 within 100 feet of any residential use or district	50 ⁴	L	38-981
-4	N/A	N/A	N/A	35	10, or 75 ft. when abutting residential district ^N	25, or 75 ft. when abutting residential district ^N	15	50; or 35 within 100 feet of any residential use or district	50 ⁴	L	38-1008
U-R-3	Four or more dwelling units, 15,000	500 per dwelling unit	85 ¹	20/25 ^H	30	10 ⁸	15	35	50 ⁴	L	

FOOTNOTES

A. Setbacks shall be measured from the normal high water elevation contour on any adjacent natural surface water body and any natural or artificial extension of such water body, for any building or other principal structure. Subject to Chapter 15, Article VII, Lakeshore Protection, and Chapter 15, Article X, Wetland Protection, the minimum setbacks from the normal high water elevation contour on any adjacent natural surface water body, and any natural or artificial extension of such water body, for an accessory building, a swimming pool, swimming pool deck, a wood deck attached to the principal structure or accessory structure, a parking lot, or any other accessory use, shall be the same distance as the setbacks which are used per the respective zoning district requirements as measured from the normal high water elevation contour.

A lot which is part of a subdivision, the plat of which has been lawfully recorded, or a parcel of land, the deed of which was lawfully recorded on or before August 31, 1982, either of which has a depth of less than one hundred fifty (150) feet above the normal high water elevation contour, shall be exempt from the fifty-foot setback requirement set forth in section 38-1501. Instead, the setbacks under the respective zoning district requirements shall apply as measured from the normal high water elevation contour.

B. Side setback is 30 feet where adjacent to single-family district.

C. For lots platted between 4/27/93 and 3/3/97 that are less than 45 feet wide or contain less than 4,500 sq. feet of lot area, or contain less than 1,000 square feet of living area shall be vested pursuant to Article III of this chapter and shall be considered to be conforming lots for width and/or size and/or living area.

D. For attached units (common fire wall and zero separation between units) the minimum duplex lot width is 80 feet, the minimum duplex lot size is 8,000 square feet, and the minimum living area is 500 square feet. For detached units, the minimum duplex lot width is 90 feet, the minimum duplex lot size is 9,000 square feet, and minimum living area is 1,000 square feet, with a minimum separation between units of 10 feet. Fee simple interest in each half of a duplex lot may be sold, devised or transferred independently from the other half. Existing developed duplex lots that are either platted or lots of record existing prior to 3/3/97, and are at least 75 feet in width and have a lot size of 7,500 square feet or greater, shall be deemed to be vested and shall be considered as conforming lots for width and/or size.

E. Multifamily residential buildings in excess of one story in height within 100 feet of the property line of any single family dwelling district and use (exclusive of 2 story single family and 2 story two-family dwellings), requires a special exception.

- F. Reserved.
- G. Reserved.

H. For lots platted on or after 3/3/97, or unplatted parcels. For lots platted prior to 3/3/97, the following setbacks shall apply: R-1AA, 30 feet front, 35 feet rear; R-1A, 25 feet front, 30 feet rear; R-1A, 25 feet front, 25 feet front, 25 feet front, 25 feet rear, 6 feet side for one (1) and two (2) dwelling units; R-3, 25 feet front, 25 feet rear, 6 feet side for two (2) dwelling units. Setbacks not listed in this footnote shall apply as listed in the main text of this section.

J. Attached units only. If units are detached, each unit shall be placed on the equivalent of a lot 45 feet in width and each unit must contain at least 1,000 square feet of living area. Each detached unit must have a separation from any other unit on site of at least 10 feet.

K. Maximum impervious surface ratio shall be 70%, except for townhouses, nonresidential, and mixed use development, which shall have a maximum impervious surface ratio of 80%.

L. Subject to the Future Land Use designation.

M. Developable land area.

N. Rear yards and side yards may be reduced to zero (0) when the rear or side property lines abut the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities.

O. One of the side yards may be reduced to zero (0) feet, provided the other side yard on the lot shall be increased to a minimum building setback of fifty (50) feet. This provision cannot be used if the side yard that is reduced is contiguous to a residential district.

P. Rear yards and side yards may be reduced to zero when the rear or side property lines abut the boundary of a railroad right-of-way, but only in those cases where an adjacent wall or walls of a building or structure are provided with railroad loading and unloading capabilities; however, no trackage shall be located nearer than three hundred (300) feet from any residential district. The maximum height of any structure shall be two (2) stories or thirty-five (35) feet; provided, that no structure (exclusive of single-family and two-family dwellings) shall exceed one (1) story in height within one hundred (100) feet of the side or rear lot line of any existing single-family residential district.

Q. The maximum height of any structure shall be two stories or thirty-five (35) feet; provided, that no structure (exclusive of single-family and two-family dwellings) shall exceed one story in height within one hundred (100) feet of the side or rear lot line of any existing single-family residential district.

R. A ten-foot front setback may also be permitted for the dwelling unit when a front entry garage is set back at least twenty (20) feet from the front property line.

S. Minimum side building separation is ten (10) feet. The side setback may be any combination to achieve this separation. However, if the side setback is less than five (5) feet, the standards in section 38-605(b) of this district shall apply.

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

Orange County Code Section 24-5.

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

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

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

Case Planner: Irina Pashinina

Rezoning Staff Report Orange County Planning Division PZC Hearing Date: February 15, 2024

CASE # RZ-23-09-085

Commission District: #5

GENERAL INFORMATION

APPLICANT:	Dustin Aukland (applicant), Griffin Scott (previous appl	icant)

OWNERS: Andrea EL Darragi, Dustin Aukland

HEARING TYPE: Planning and Zoning Commission

- **REQUEST:R-1A** (Single-Family Dwelling District) to**R-2** (Residential District)
- LOCATION: 3446 Rouse Rd, generally west of Rouse Rd, north of University Blvd.
- PARCEL ID NUMBER: 04-22-31-0000-00-024
- SIZE/ ACREAGE: 1.756 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]. Three hundred thirty-five (335) notices were mailed to those property owners in the surrounding area.
- COMMUNITY MEETING: An in-person community meeting was held on January 29, 2024
- PROPOSED USE: Up to 14 townhome units

STAFF RECOMMENDATION

PLANNING

This case is requested to be postponed due to a change in applicant. When it returns, notices will be sent out to the surrounding community.

Case Planner: Irina Pashinina

CASE # RZ-24-01-123

Commission District: #2

GENERAL INFORMATION

APPLICANT:	Mark Batia
OWNERS:	SB OBT, LLC and Transdiesel of Florida, LLC
HEARING TYPE:	Planning and Zoning Commission
REQUEST:	I-1 / I-5 Restricted (Industrial District Light), to I-1 / I-5 Restricted (Industrial District Light) (in order to remove the existing restriction which required aggregation of lots)
LOCATION:	N. Orange Blossom Trl; generally located south of Shader Rd, east of N. John Young Pkwy, west of N. Orange Blossom Trail.
PARCEL ID NUMBER:	09-22-29-3460-00-090 and 09-22-29-3460-00-100
SIZE/ ACREAGE:	1.28-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]. Fifty-one (51) notices were mailed to those property owners in the surrounding area.
COMMUNITY MEETING:	A community meeting was not required for this application.
PROPOSED USE:	I-1 / I-5 uses

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

In 2009, a rezoning of the two subject parcels (case number RZ-08-12-097) to I-1 / I-5 (Industrial District Light) was approved by the Board subject to the following two restrictions:

- The aggregation of the two subject parcels shall be required, and a unified development plan for the site shall be submitted to the County for review and approval.
- 2. Billboards and pole signs shall be prohibited.

Through this request, the applicant is requesting to amend restriction #1 in order to allow the parcels to be developed independently. Parcel 09-22-29-3460-00-100 is already developed with a warehouse. The other parcel, Parcel 09-22-29-3460-00-090, was sold to a new owner who wants to develop it with a 15,050 square foot warehouse. Both parcels are now owned by separate entities and the restriction to aggregate these parcels is not applicable.

The area surrounding the subject property can be characterized as developed with a mix of restricted industrial and retail commercial uses.

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 adjacent properties.

Site Analysis

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Industrial (IND). The proposed I-1 / I-5 Restricted (Industrial District - Light) zoning is consistent with the Industrial (I) 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	War	Warehouse, vacant industrial					
Adjacent Zoning	N: I-1/I-5 Restricted (Industrial District Light) 2						
	E:	C-1 (Retail Commercial District) 1957					
	W:	I-1/I-5 Restricted (Industrial District Light) 2009					
	S:	C-2 (General Commercial District) 1957					
Adjacent Land Uses	N:	Warehouse, Office					
	E:	Commercial Vacant Land, Quadraplex					
	W:	Warehouse					
	S:	Office / Single-Family Residential					

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

Floor Area Ratio:≤0.75Max. Height:50 ft. (35 ft. within 100 ft. of a residential zoning district)Building SetbacksFront:35 ft.Rear:25 ft.Side:25 ft.

Intent, Purpose, and Uses

The I-1/I-5 (Industrial District) zoning is composed of lands and structures used primarily for the operation of general industrial 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. Permitted uses include, but are not limited to, religious institutions, warehouses, offices, contractors storage and offices, food processing and packaging; wood chipping, mulching, and composting; textile manufacturing; garment manufacturing; manufacturing of furniture and fixtures; manufacturing of medicinal chemicals and botanical products; manufacturing of commercial and industrial machinery motor vehicle assembly; boat manufacturing; aluminum recycling collection drop-off sites; community correction centers; juvenile correction homes; etc.

SPECIAL INFORMATION

Staff Comments

Environmental

Wekiva Study Area - This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations apply, but are not limited to: septic tank criteria, open space, stormwater treatment and conservation, and increased buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

Enhanced Septic/Sewer Requirement Not Applicable - This site is located within the Wekiva River Basin Management Action Plan (BMAP) Area. However, Section 373.811 and Section 403.067, Florida Statutes, is not applicable to this site since this site is greater than one acre.

Gopher Tortoise Burrowing Suitability - This site has soil that is suitable for gopher tortoise habitat. There is an increased likeliness for presence of gopher tortoise burrows. The applicant shall comply with the Florida Fish & Wildlife Conservation Commission (FWC) regulations. Forward any related permits to the Orange County Environmental Protection Division.

Proximity to FDEP Cleanup Site - This site is located within 1 mile proximity to several parcels with known FDEP cleanup sites and/or solid waste facilities. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained

through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S

Transportation / Access

Based on the Concurrency Management database (CMS) dated 01/09/2023, capacity exists within the project's impact area. This information is dated and subject to change. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office will be required. A traffic study may be required at this time.

Schools

The applicant is proposing to utilize the property for commercial purposes. Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities Service Area (Availability of services may vary)

Water:	OUC
Wastewater:	City of Orlando
Reclaim Water:	City of Orlando

Detailed Utility Information:

This property is within Orlando Utilities Commission Water Service Area.

This property is within City of Orlando 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 – February 15, 2024

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

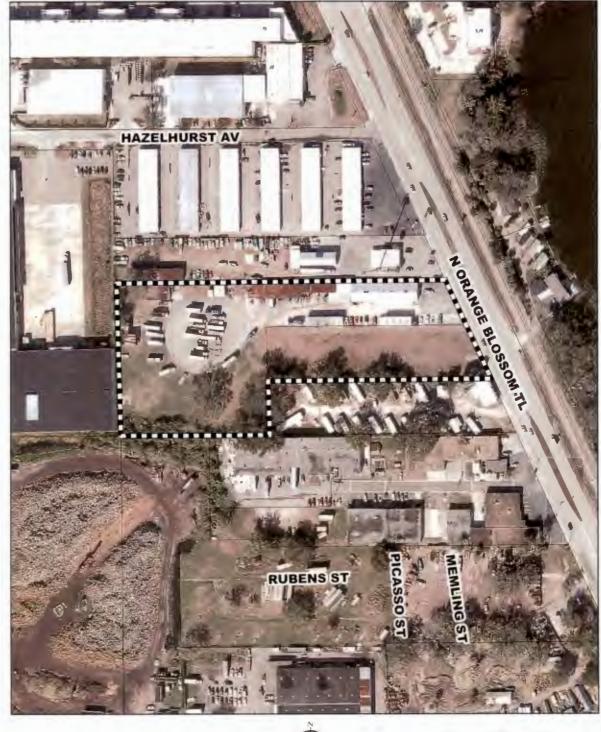
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the I-1/I-5 Restricted (Industrial District-Light) zoning, subject to one (1) restriction. The applicant was present and agreed with the staff recommendation. No members of the public appeared in favor or in opposition during public comment of the request.

Staff indicated that fifty-one (51) notices were sent to property owners and residents extending beyond 800 feet surrounding the property, and that staff had received zero (0) responses in favor and zero (0) responses in opposition of the request.

After a brief discussion regarding the rezoning request and wastewater connection, a motion was made by Commissioner Wiggins and seconded by Commissioner Pavon to recommend APPROVAL of the I-1 / I-5 Restricted (Industrial District-Light) zoning, subject to one (1) restriction. The motion carried 8-0.

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

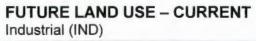
RZ-24-01-123

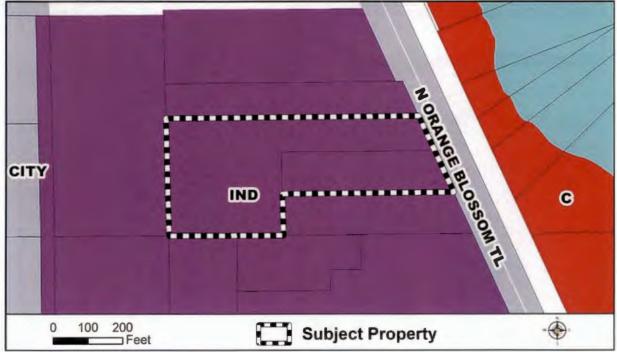


Subject Property



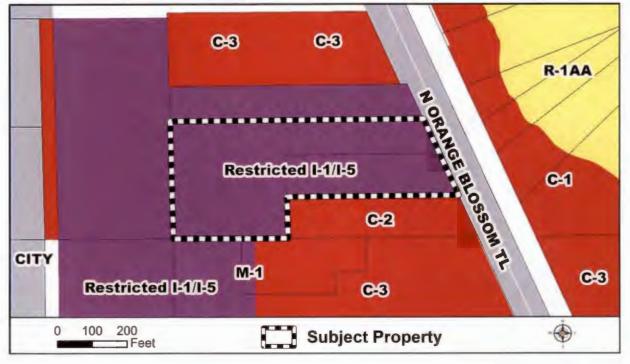
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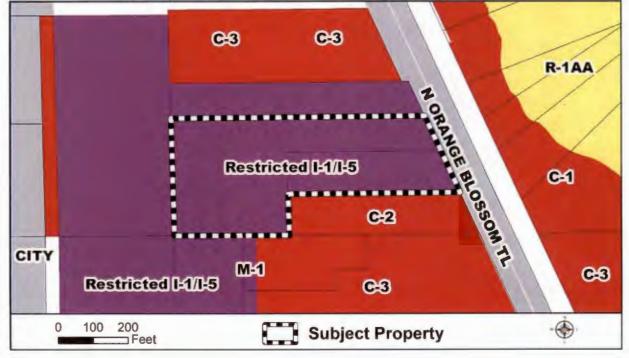
ZONING - CURRENT

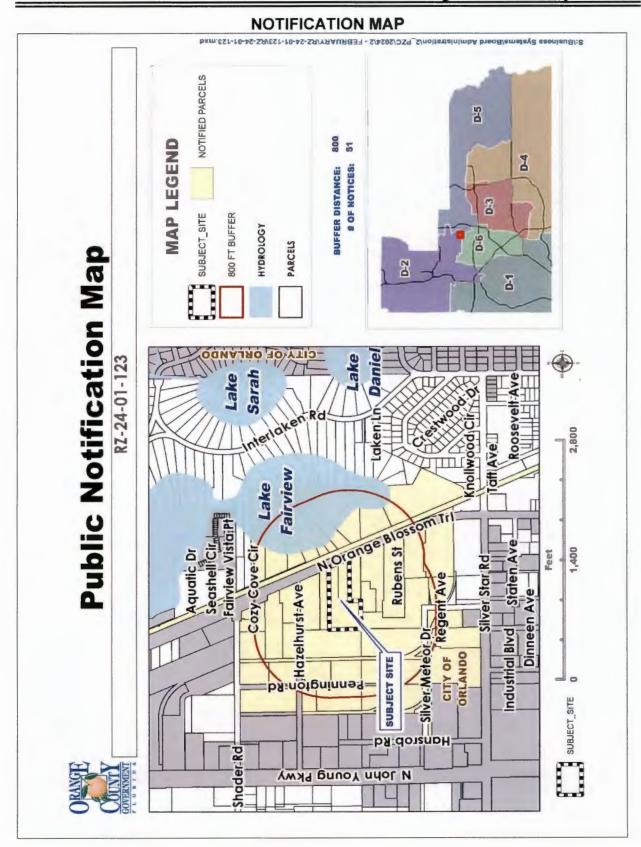
I-1/I-5 Restricted (Industrial District Light)



ZONING – PROPOSED (No change in District)

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





Case Planner: Sapho Vatel

CASE # RZ-24-01-130

Commission District: #2

GENERAL INFORMATION

APPLICANT:	Olivia Parsley, Catalyst Design Group, PC
OWNER:	Central Florida Regional Hospital, Inc.
HEARING TYPE:	Planning and Zoning Commission
REQUEST:	 C-3 (Wholesale Commercial District) and R-2 (Residential District) to C-1 (Retail Commercial District)
LOCATION:	2766 W. Highland Ave, 2715 W. Orange Blossom Trl., 2633 W. Orange Blossom Trl., 2728 W. Highland Ave; generally located north of W. Orange Blossom Trl., east of Plymouth Sorrento Rd., and south of W. Highland Ave.
PARCEL ID NUMBERS:	06-21-28-7172-02-061, 06-21-28-7172-02-073, 06-21-28-7172-02-062, and 06-21-28-7172-02-072
SIZE/ ACREAGE:	2.15-gross acres
PUBLIC NOTIFICATION:	The notification area for this public hearing was 1,500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Four hundred eleven (411) notices were mailed to those property owners in the surrounding area.
COMMUNITY MEETING:	An in-person community meeting was held on January 30, 2024, and is summarize further in this report.
PROPOSED USE:	C-1 Uses Including a Free-Standing Emergency Department

STAFF RECOMMENDATION

PLANNING

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

1. New billboards and pole signs shall be prohibited.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request the applicant intends to rezone three parcels from C-3 (Wholesale Commercial District) and one parcel from R-2 (Residential District) to a unified parcel of C-1 (Retail Commercial District) to allow for C-1 uses as allowed by Orange County Code, specifically the development of a 10,860 square foot free standing emergency department. No development can take place on the parcel with the R-2 residential zoning which has a commercial FLUM designation. A rezoning is required prior to development.

Per OC code sec 38-79 Permitted Use Table, the use is allowed by right in all commercial zoning districts. This means, today three of the parcels (zoned C-3), are permitted to develop the Emergency clinic. In addition to unifying the parcels, the C-1 zoning district was recommended by staff to help achieve compatibility with the adjacent residential parcels east of Highland Ave.

The surrounding area is developed with single-family homes and commercial businesses along the W. Orange Blossom Trail corridor. The immediate commercial uses are mainly gas stations and industrial warehouses.

This property is within City of Apopka Water, Wastewater and Reclaimed Water Service Area. Per the City of Apopka, the development is required to connect to public services.

These parcels are also within a Joint Planning agreement for the area. City of Apopka had no comments.

Land Use Compatibility

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

Site Analysis

Rural Settlement

The subject property is not located in the Rural Settlement.

Joint Planning Area (JPA)

The subject property is located in the City of Apopka JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

No cases found.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C). The proposed C-1 (Retail Commercial District) zoning is consistent with the Commercial 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	Commercial Vacant Land	
Adjacent Zoning	N:	R-1 (Single-Family Dwelling Districts) 1957
	E:	C-3 (Wholesale Commercial District) 1998

	W:	Restricted C-2 (General Commercial District) 2007
	S:	City of Apopka
Adjacent Land Uses	N:	Single-Family Residential
	E:	Warehouse
	W:	Retail Convenience Store
	S:	City of Apopka
C-1 (Retail Commercial	Dist	rict) Development Standards
Min. Lot Area:	6,00	00 sq. ft.
Min. Lot Width:		0 ft. (on major streets, see Article XV)
	6	60 ft. (on all other streets)
Max. Height:	5	50 ft. (35 ft. within 100 ft. of residential)
Min. Floor Area:	50	00 sq. ft.
Max Floor Area:	3.	0.
Building Setbacks		
Front:	25 f	
Rear:	20 fi	t. (20 ft. when abutting residential)
Side:	0 f	t. (15 ft. when abutting residential)

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

Intent, Purpose, and Uses

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

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

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

SPECIAL INFORMATION

Staff Comments

Environmental

Wekiva Study Area - This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations apply, but are not limited to: septic tank criteria, open space, stormwater treatment and conservation, and increased buffer widths. Reference OC Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

Wekiva Priority Focus Area - This site is located within the Wekiva Priority Focus Area.

Proximity to FDEP Cleanup Site - Proximity to parcels with known FDEP cleanup sites associated with the Diamond Food Mart located adjacent. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County.

Enhanced Septic/Sewer Requirement - This site is located within the Ocklawaha, Wekiwa/Rock Springs, and Wekiva River/Rock Springs Run Basin Management Action Plan (BMAP) Area, a Reasonable Assurance Plan (RAP) Area, or a Pollution Reduction Plan (PRP) Area and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended;

Within a BMAP Area, a RAP Area, or a PRP Area, the installation of new onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within a BMAP Area, a RAP Area, or a PRP Area where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required.

Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction.

Gopher Tortoise Burrowing Suitability - This site has soil that is suitable for gopher tortoise habitat. There is an increased likeliness for presence of gopher tortoise burrows. The applicant shall comply with the Florida Fish & Wildlife Conservation Commission (FWC) regulations. Forward any related permits to the Orange County Environmental Protection Division.

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

Proximity to Managed Public Lands - This site is located 1 mile east of the Lake Apopka Restoration Area managed by SJRWMD.

Transportation / Access

Based on the Concurrency Management database (CMS) dated 12/19/2023, capacity exists within the project's impact area. This information is dated and subject to change. Prior to any building permit approval, a Concurrency Application through the Concurrency Management office will be required.

Schools

The applicant is proposing to utilize the property for commercial purposes. Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

Parks and Recreation

No comments.

Community Meeting Summary

A community meeting was held on January 30, 2024, for this application. Ten members of the community and the applicant team was present. A conceptual site plan was shared to depict the building and parking layout, stormwater placement, and access. The applicant provided an overview of the use and how the facility would function. Questions were asked and concerns were expressed regarding ambulances accessing Highland Ave, all hours of the day with open sirens. Compatibility of the use in the area, and traffic generated from the use.

Utilities Service Area (Availability of services may vary)

Water:	Apopka	
Wastewater:	Apopka	

Reclaim Water: Apopka

Detailed Utility Information:

This property is within City of Apopka Water, Wastewater and Reclaimed Water Service Area. Connection is 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 recluisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that

result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – February 15, 2024

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

1. New billboards and pole signs shall be prohibited.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

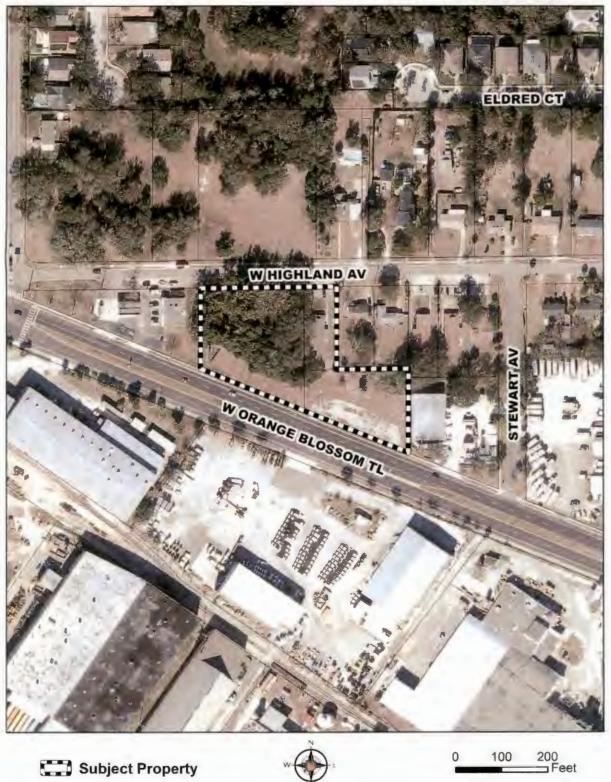
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the requested C-1 Restricted (Retail Commercial District) zoning, subject to one (1) restriction. The applicant was present and agreed with the staff recommendation. No member of the public appeared in favor or in opposition during public comment of the request.

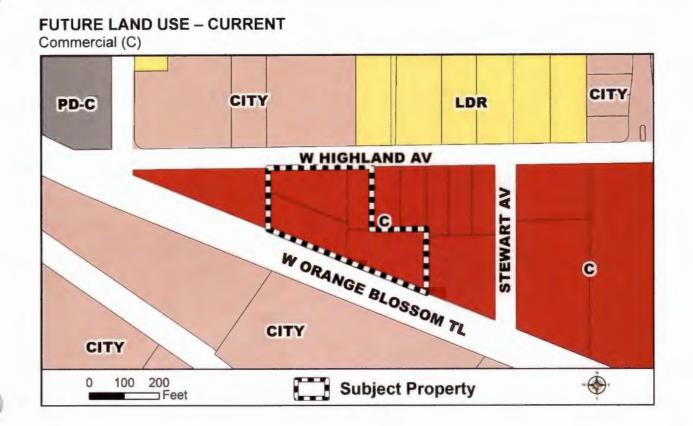
Staff indicated that four hundred eleven (411) notices were sent to property owners and residents extending beyond 1500 feet surrounding the property, and that staff had received one (1) response in favor, and one (1) response in opposition of the request.

A thorough discussion was had about proposed access points to the site, specifically the one on Highland Avenue for ambulances. Staff noted final access points will be determined at time of permitting by Development Engineering. A motion was made by Commissioner Wiggins and seconded by Commissioner Evans to recommend APPROVAL of the requested C-1 Restricted (Retail Commercial District) zoning, subject to tone restriction. The motion carried unanimously.

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

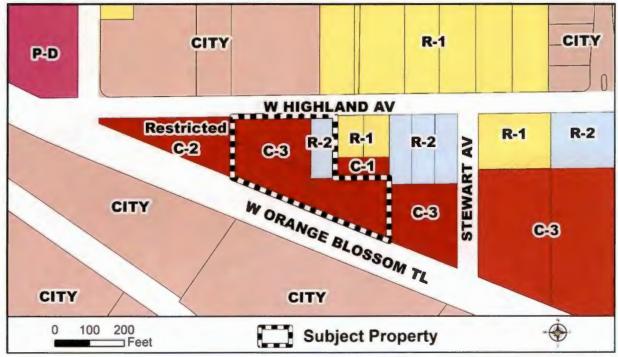
RZ-24-01-130





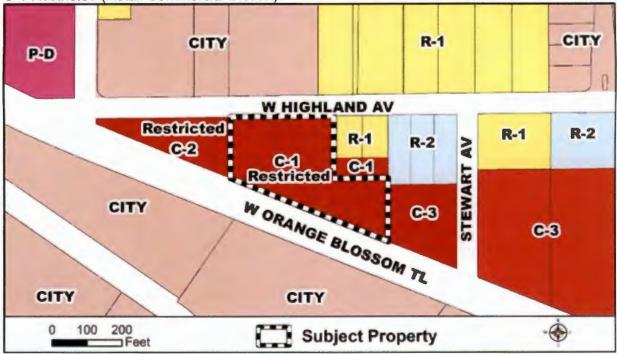
ZONING - CURRENT

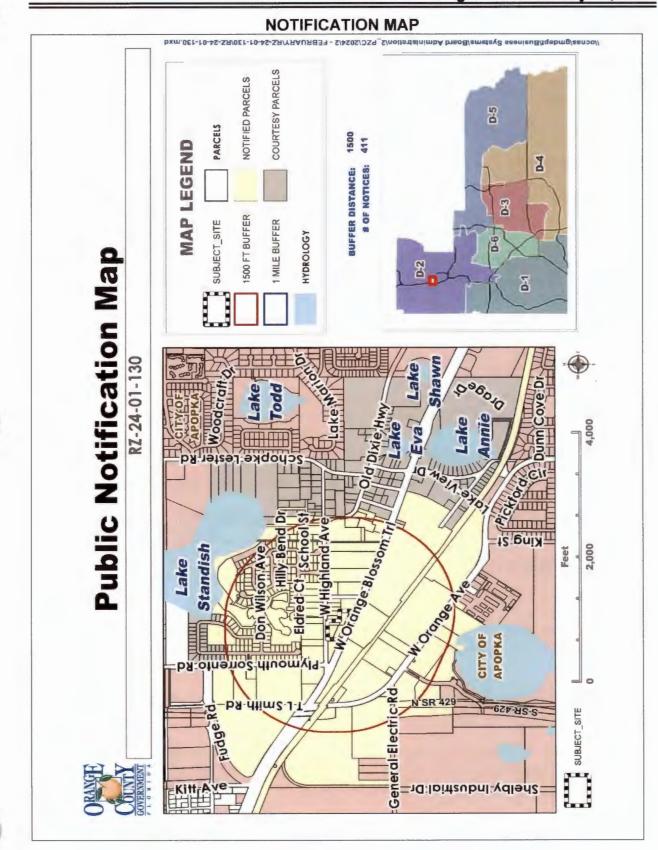
R-2 (Residential District), C-3 (Wholesale Commercial District)



ZONING - PROPOSED

C-1 Restricted (Retail Commercial District)





Case Planner: Sara M. Haid

Rezoning Staff Report Orange County Planning Division PZC Hearing Date: February 15, 2024

CASE # RZ-24-02-133

Commission District: #3

GENERAL INFORMATION

APPLICANT:	Patricia Tanner, Multhai Asset Management Services
OWNER:	Adrian Collazo
HEARING TYPE:	Planning and Zoning Commission
REQUEST:	R-1A (Single-Family Dwelling District) <i>to</i> R-1 (Single-Family Dwelling District) and Lot width variance to allow for a 48 ft wide lot in lieu of 50 ft
LOCATION:	2401 Sheffield Ave; generally located north of Lake Margaret Dr, east of S. Bumby Ave, south of Raeford Rd, and approximately 1,200 ft. west of Peel Ave.
PARCEL ID NUMBER:	07-23-30-0000-00-034
SIZE/ ACREAGE:	0.15 - 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]. Two hundred nineteen (219) notices were mailed to those property owners in the surrounding area.
COMMUNITY MEETING:	A community meeting was not required for this application.
PROPOSED USE:	One Detached Single-Family Residential Home

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 was zoned R-1A in 1957, prior to the implementation of the Orange County Comprehensive Plan. The current future land use designation is Low Density Residential. Today the lot has a detached single-family residential home that was built in 1959.

Through this request, the applicant is seeking to rezone from R-1A to R-1 in order to meet lot width and setback requirements and request a lot width variance to allow for a 48 ft wide lot in lieu of 50 ft on 0.15- gross acres. This rezoning is necessary to become a conforming lot and complete the proper permitting process for additions in the front and rear that have received code violations and been deemed deficient in permit applications.

The immediate area is developed with single-family residential dwelling units zoned R-1A as well as some multifamily residential units to the west of the subject property zoned R-3. Lot sizes in this area range from 48 feet to 150 feet in width.

The existing home is not connected to an Orange County wastewater main, and connection is considered unavailable. The property is reliant on septic. This property resides within the Okeechobee Basin Management Action Plan (BMAP) Area and if a new septic tank is required through redevelopment of the property, an advanced septic tank may need to be provided.

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

Rural Settlement The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located in a JPA.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

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

Code Enforcement

Parcel ID: 07-23-30-0000-00-034 Inspector: John Raznoff Case #: SM-2021-433290Z / Incident #: 573773 Description: appears to be a building being constructed at the REAR of the property.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR). The proposed R-1 (Single-Family Dwelling District) zoning is consistent with the Low Density Residential (LDR) FLUM designation; therefore, a CP amendment is not necessary. The proposed request is consistent with the following Comprehensive Plan provisions:

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

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

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

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

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

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

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

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

SITE DATA

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

S: Single-Family Residential

R-1 (Single-Family Dwelling Distrcit) 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.
<u>Building Setbacks*</u> Front: Rear: Side:	20 ft. 20 ft. 5 ft.

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

Intent, Purpose, and Uses

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is 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

Environmental

Enhanced Septic/Sewer Requirement - This site is located within the Okeechobee Basin Management Action Plan (BMAP) Area and must comply with the applicable requirements of Section 373.811 and Section 403.067, Florida Statutes, as amended; Within a BMAP Area, a RAP Area, or a PRP Area, the installation of new onsite sewage treatment and disposal systems (OSTDS) is prohibited where connection to a central wastewater system is available as defined in s. 381.0065(2)(a).

On lots of one acre or less within a BMAP Area, a RAP Area, or a PRP Area where a central wastewater system is not available, the installation of enhanced nutrient-reducing OSTDS that achieve at least 65 percent overall nitrogen reduction is required. Contact the Florida Department of Health (FDOH) for individual determination and details of this enhanced OSTDS. Contact the utility provider regarding options to connect to sewer.

Existing Septic and Well - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the

appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Solid Waste Disposal - Any miscellaneous regulated solid waste found or generated onsite including land clearing debris, construction and demolition debris, tires, garbage, and hazardous waste shall be properly managed through recycling and/or off-site disposal in accordance with local, state, and federal regulations.

Transportation / Access

One home is de minimis.

Schools One home is de minimis.

Parks and Recreation No comments.

Community Meeting Summary

A community meeting was not required for this request.

Utilities Service Area (Availability of services may vary)

vvater:	000
Wastewater:	Orange County Utilities
Reclaim Water:	Orange County Utilities

Detailed Utility Information:

This property is within the Orlando Utilities Commission Water Service Area.

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

Wastewater: Wastewater is considered unavailable. Development on this property will be reliant on septic tanks for wastewater disposal. There is an existing septic system, but redevelopment would require the installation of an advanced septic system. The owner must notify the Florida Department of Health and local Water Management District prior about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies.

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

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the

County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation - February 15, 2024

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 and lot width variance. The applicant was present for the hearing and agreed with the staff's recommendation. Two speaker cards were filled out, but both speakers chose not to speak during the public comment portion.

Staff indicated that two hundred nineteen (219) notices were sent to property owners and residents extending 500 feet surrounding the property, and that staff had received zero (0) responses in favor, one (1) response in opposition to the request, and one (1) inquiry to clarify the nature of the request.

A lengthy discussion ensued regarding the existing septic tank on the subject property and if the tank would be required to upgrade to an advanced treatment system during the permitting process. This conversation concluded that it was not in the purview of the board to make this decision, and a clear answer could not be given without review from the necessary departments. Clarification was also given as to why this request warranted a rezoning and not a variance through the Board of Zoning Adjustment. A motion was made by Commissioner Fernandez and seconded by Commissioner Arrington to recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning and lot width variance. The motion carried on a 8-0 vote.

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

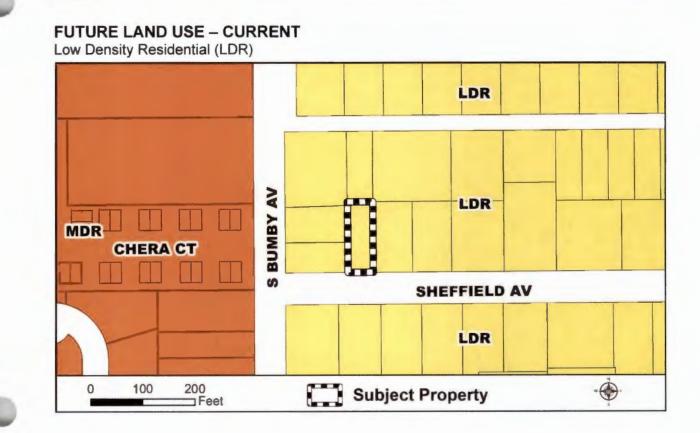
RZ-24-01-133



Subject Property

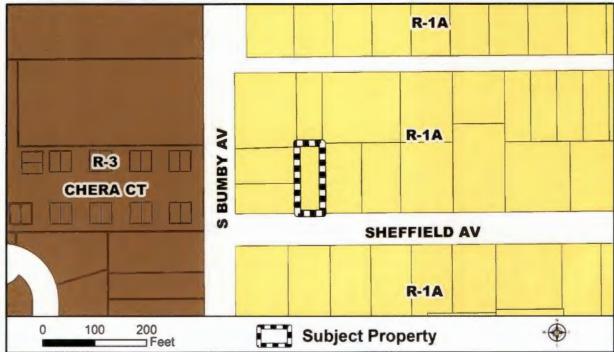


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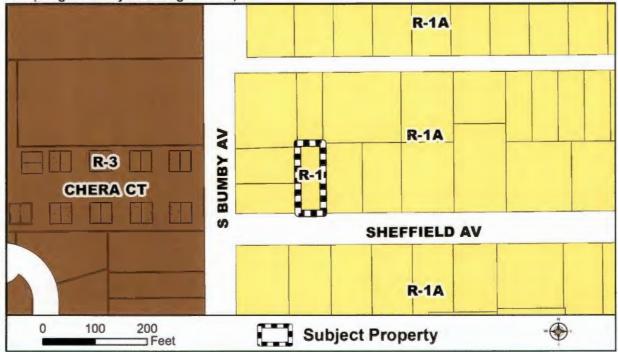
ZONING - CURRENT

R-1A (Single-Family Dwelling District)



ZONING – PROPOSED

R-1 (Single-Family Dwelling District)



NOTIFICATION MAP bxm.cct-so-as-SA/cct-so-as-SA/YAAUABB7 - S/SC(2024)2 - S/nothedelinimbA bisoB/ametey8 asenieu8/:8 COURTESY PARCELS NOTIFIED PARCELS D-S 219 MAP LEGEND 4 # OF NOTICES: **BUFFER DISTANCE:** E 500 FT BUFFER SUBJECT SITE HYDROLOGY 9-0 PARCELS **Public Notification Map** 650 2 Kingfisher Dr III DI ٢ RZ-24-02-133 **9VA 1999** SUBJECT SITE Nedwood Ave 1,600 ilton Ln Ave S Hawthorne 5 Sheffield Ave Clark St Marzel Margaret Dr. Gladstone Ave Rd Feet 800 deford -Lake Lake Boot 8 P Unkaterri Ln 88 - 8 Florene D IS. Forest SUBJECT SITE Ave A **Melvin** Baxter Greenmount Rd