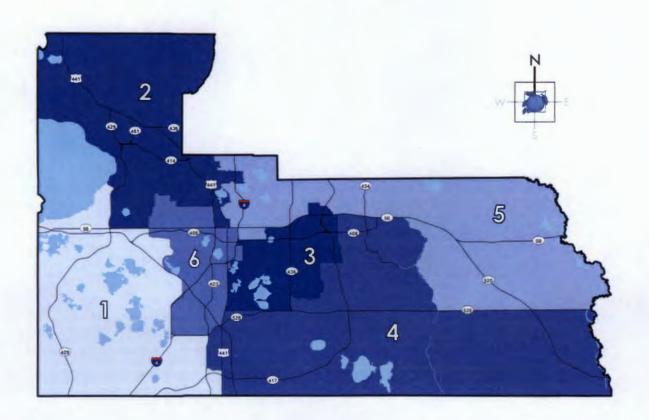


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

APRIL 20, 2017



PREPARED BY:

ORANGE COUNTY GOVERNMENT

PLANNING DIVISION | CURRENT PLANNING SECTION

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

James Dunn

District #1

Vice-Chairperson

William Gusler

District #2

Tina Demostene

District #3

Pat DiVecchio

District #4

J. Gordon Spears

District #5

JaJa J. Wade

District #6

Chairperson

Paul Wean

At Large

Yog Melwani

At Large

Jose Cantero

At Large

Planning and Joning Commission Version Agency (PZG/ILPA)

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TABLE OF HEARINGS

Planning and Zoning Commission April 20, 2017

Case #
Applicant

Request

Commission District Recommendations Staff PZC BCC Hearing Required

I. CONVENTIONAL REZONING PUBLIC HEARINGS

RZ-17-04-011 Charles Yang R-1 to C-3

2

Denial

Denial

No

SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements

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

One-family dwelling, 4,500 Two DUs, 8,000 Three DUs, 11,250 Four or more DUs, 1,000 plus 2,000 per DU Townhouse, 1,800 Non-residential and mixed use development, 6,000 One-family dwelling, 4,500	1,000 500 per DU 500 per DU 500 per DU 750 per DU 500	45***** 80/90***** 85 85 20 50	20 20 20 20 25, 15 for rear entry driveway	20 20 20 20 20 20, 15 for rear	5 5 10 10	height (ft.) 35/3 stories †† 35/3 stories †† 35/3 stories †† 50/4 stories	•
Three DUs, 11,250 Four or more DUs, 1,000 plus 2,000 per DU Townhouse, 1,800 Non-residential and mixed use development, 6,000 One-family dwelling, 4,500	500 per DU 500 per DU 750 per DU	85 85 20	20 25, 15 for rear entry driveway	20	10	11 35/3 stories 11 50/4 stories	•
11,250 Four or more DUs, 1,000 plus 2,000 per DU Townhouse, 1,800 Non-residential and mixed use development, 6,000 One-family dwelling, 4,500	500 per DU 750 per DU	85	25, 15 for rear entry driveway	20		†† 50/4 stories	100
Four or more DUs, 1,000 plus 2,000 per DU Townhouse, 1,800 Non-residential and mixed use development, 6,000 One-family dwelling, 4,500	750 per DU	20	25, 15 for rear entry driveway		10		•
1,800 Non-residential and mixed use development, 6,000 One-family dwelling, 4,500			entry driveway	20, 15 for rear			
and mixed use development, 6,000 One-family dwelling, 4,500	500	50		entry garage	0, 10 for end units	40/3 stories	
dwelling, 4,500			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 ††	•
	1,000	45****	20	20	5	35/3 stories ††	•
Two DUs, 8,000	500 per DU	80*****	20	20	5	35/3 stories	*
Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories	*
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 ††	*
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	
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 ††	
One-family dwelling, 4,500	1,000	45****	20	20	5	35/3 stories	•
Two DUs, 8,000	500 per DU	80*****	20	20	5	35/3 stories	•
Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories ††	
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 ††	
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	*
10,000	500	85	25	30	10 for one- and two-story	35**	
					for each add. story		
6,000	500	80 on major streets (see Art. XV); 60 for all other streets#; 100 ft. for corner lots on major	25	20	0; or 15 ft. when abutting residential district; side street, 15 ft.	50; or 35 within 100 ft. of all residential districts	
	1,800 Non-residential and mixed use development, 8,000 One-family dwelling, 4,500 Two DUs, 8,000 Three DUs, 11,250 Four or more DUs, 1,000 plus 2,000 per DU Townhouse 10,000	1,800 Non-residential and mixed use development, 8,000 One-family 1,000 dwelling, 4,500 Two DUs, 8,000 500 per DU Three DUs, 1,250 Four or more DUs, 1,000 plus 2,000 per DU Townhouse 750 per DU	1,800 Non-residential and mixed use development, 8,000 500 One-family dwelling, 4,500 1,000 45***** Two DUs, 8,000 500 per DU 80****** Three DUs, 11,250 500 per DU 85 Four or more DUs, 1,000 plus 2,000 per DU 500 per DU 85 Townhouse 750 per DU 20 10,000 500 85 6,000 500 80 on major streets (see Art. XV); 60 for all other streets#; 100 ft. for corner	1,800 entry driveway Non-residential and mixed use development, 8,000 50 0/10 maximum, 60% of building frontage must conform to max. setback One-family dwelling, 4,500 1,000 45***** 20 Two DUs, 8,000 500 per DU 80****** 20 Three DUs, 11,250 500 per DU 85 20 Four or more DUs, 1,000 plus 2,000 per DU 85 20 Townhouse 750 per DU 20 25, 15 for rear entry driveway 10,000 500 85 25 6,000 500 80 on major streets (see Art. XV); 60 for all other streets#; 100 ft. for corner 25	1,800 SOO SO	1,800 Solution S	1,800 S00 S0



District	Min. lot area (sq. ft.) †††	Min. living area (sq. ft.)	Min. lot width (ft.)	*Min. front yard (ft.)	*Min. rear yard (ft.)	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
C-2	8,000	500	100 on major streets (see Art. XV); 80 for all other streets ##	25, except on major streets as provided in Art.	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	•
C-3	12,000	500	125 on major streets (see Art. XV); 100 for all other streets ###	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	

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 all residential districts; 100, when 500 ft. or more from residential districts
I-1 / I-5	35	25	25	50, or 35 within 100 ft. of all residential districts; 100, when 500 ft. or more from residential districts
1-2 / 1-3	25	10	15	50, or 35 within 100 ft. of all residential districts; 100, when 500 ft. or more from residential districts
1-4	35	10	25	50, or 35 within 100 ft. of all residential districts; 100, when 500 ft. or more from residential districts

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

- 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.
- ** Buildings in excess of 35 feet in height may be permitted as a special exception.
 - ** Buildings in excess of 1 story in height within 100 feet of the property line of any single-family residential district may be permitted as a special exception.
- **** Side setback is 30 feet where adjacent to single-family district.
- 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.
- 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.
- Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets.
- ## Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.
- ### Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.
 - For lots platted on or after 3/3/97, or un-platted 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.
- 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.

††	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%.
ttt	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), industrial-restricted (I-1A) and multi-family 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 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-17-04-011

Commission District: #2

GENERAL INFORMATION

APPLICANT

Charles Yang

OWNERS

Charles and Misook Yang I, LLC

HEARING TYPE

Planning and Zoning Commission

REQUEST

R-1 (Single-Family Dwelling District) to C-3 (Wholesale Commercial District)

LOCATION

7300 Edgewater Drive; or generally between Edgewater Drive and an existing CSX Railroad, approximately 500 feet

northwest of Mott Avenue

PARCEL ID NUMBERS

32-21-29-1240-02-010 (a portion of)

PUBLIC NOTIFICATION

The notification area for this public hearing extended beyond 700 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred six (206) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.

TRACT SIZE

1.89 gross acres (overall parcel)

1.31 gross acres (subject portion of parcel)

PROPOSED USE

Redevelopment of subject property with C-3 (Wholesale Commercial uses). No specific development program has

been identified.

STAFF RECOMMENDATION

PLANNING

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-3 (Wholesale Commercial District) zoning.

IMPACT ANALYSIS

Land Use Compatibility

The C-3 (Wholesale Commercial District) zoning would allow for development that is incompatible with the adjacent residential neighborhood (including an elementary school) and would adversely impact adjacent properties.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject properties is Commercial (C). While the requested C-3 (Wholesale Commercial District) zoning is consistent with the "C" FLUM designation, it is inconsistent with the following Comprehensive Plan provisions:

FLU1.4.2 states that land use 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.

FLU6.6.10 states that development and redevelopment within the Wekiva Study Area shall provide as much open space as possible. Priority for open space protection shall be given to the following resources, as required to be protected by the Wekiva Act: the most effective recharge areas, karst features, and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities. A minimum of fifty percent (50%) of any sensitive natural habitat occurring shall be preserved on-site.

The purposes of open space design development are to minimize site disturbance, reduce land development costs, reduce infrastructure costs, provide more cost effective and efficient site infrastructure, provide better management of facilities, and permanently protect open space providing assured environmental protection, while remaining density and intensity neutral.

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.

OBJ N1.1 states that future land use changes are shall be compatible with or do not adversely impact existing or proposed neighborhoods.

PS3.1.1 states that Orange County will continue to utilize the Land Development Code to ensure the compatibility of land uses adjacent to existing schools and reserved school sites, including uses serving an at-risk clientele.

SITE DATA

Existing Use Two (2) Single-Family Detached Residential Dwellings

Adjacent Zoning N: R-1 (Single-Family Dwelling District) (1957)

E: C-3 (Wholesale Commercial District) (1965)

W: R-1 (Single-Family Dwelling District) (1957)
 C-3 (Wholesale Commercial District) (1994)

S: C-3 (Wholesale Commercial District) (1981)

Adjacent Land Uses N: Church

E: Barber Shop, Furniture Store, Offices

W: Single-Family Residential, Elementary School

S: Lumber Yard (across CSX Railroad)

C-3 (Wholesale Commercial District) Development Standards*

Min. Lot Area: 12,000 sq. ft.

Min. Lot Width: 125 ft. (150 ft. corner lot) (on major streets, see Article XV)

100 ft. (125 ft. corner lot) (on all other streets)

Max. Height: 75 ft. (35 ft. within 100 ft. of all residential districts)

Min. Floor Area: 500 sq. ft.

Building Setbacks:

Front: 25 ft.

Rear: 15 ft. (20 ft. when abutting residential districts)
Side: 5 ft. (25 ft. when abutting residential districts)

Side Street: 15 ft.

Permitted Uses

The intent and purpose of the C-3 district is to implement and be consistent with the commercial land use designation of the Future Land Use Map (FLUM). The C-3 district is composed of land and structures where more intense commercial activity is located. This district must be located away from residential districts because it allows uses that are not compatible with residential districts.

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

^{*}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.

SPECIAL INFORMATION

Subject Property Analysis

The subject property is located at 7300 Edgewood Drive; or generally between Edgewater Drive and an existing CSX Railroad, approximately 500 feet northwest of Mott Avenue. The subject portion of the property is currently developed with two (2) single-family detached residential dwelling units.

The subject parcel has split zoning, with the front portion of the parcel along Edgewater Drive zoned C-3 (Wholesale Commercial District) and the rear portion along Grimm Avenue and towards the CSX Railroad zoned R-1 (Single-Family Dwelling District).

Through this request, the applicant is seeking to rezone the R-1 area of the subject parcel to C-3 with the intent of redeveloping it with more intense commercial activities. To date, the applicant has not identified any proposed development program.

This parcel is located in an area of the Lockhart neighborhood that has a mix of intense commercial activity and existing single-family residential development. More specifically, the area affected by the proposed C-3 zoning is adjacent to single-family development and Lockhart Elementary school.

Although a portion of the subject parcel has C-3 zoning, staff has determined that the proposed request to expand the C-3 zoning district would adversely impact the adjacent single-family development and Elementary school. This finding is supported by Orange County Comprehensive Plan Policies FLU 1.4.2 and 1.4.4 which respectfully require that all land use changes be compatible with existing neighborhoods and that poorly located / designed commercial activities near residential areas be avoided. Additionally, Orange County Code Section 38-876, states that the C-3 zoning district must be located away from residential districts because of compatibility concerns.

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Commercial (C) Future Land Use Map (FLUM) designation.

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.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is not located within an overlay district.

Airport Noise Zone

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

Environmental

This property is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Special area regulations may apply. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030 Destination 2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva.

If a septic system is required or in use, the applicant must notify the Florida Department of Health (FDOH), Environmental Health Division, about the septic system permit application, modification or abandonment. The applicant must also refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

Prior to demolition or construction activities associated with existing structures, the applicant is required to provide the Orange County Environmental Protection Division (EPD) with a Notice of Asbestos Renovation or Demolition form.

This site has a prior use as a dry cleaning facility that may have resulted in soil and/or groundwater contamination. No activity will be permitted that may disturb, influence, or otherwise interfere with any contaminated area, or within the hydrological zone of influence of any contaminated area, or with any remediation activities. Prior to any earthwork or construction, the applicant must provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulations.

The site discharges into an impaired water body. Discharged stormwater runoff shall not degrade receiving surface water bodies below the minimum conditions established by state water quality standards (F.A.C. 17-302 and 17-40.420), per Orange County Code Section 30-520(5)e. The site is located within the Wekiva Basin Management Action Plan.

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

Transportation / Access

This project is in the Alternative Mobility Area (AMA) and is exempt from transportation concurrency. Prior to obtaining a building permit, any proposed development will be subject to a mobility rewiew and approval thru the County's Concurrency Management Office. A mobility analysis in accordance with Objective T.2.3 and associated policies of the Comprehensive Plan may be required.

Code Enforcement

There are no active Code Enforcement violations on the subject property.

Water / Wastewater / Reclaim

Existing service or provider

Orange County Utilities An 8-inch main is located on

Edgewater Drive at Belasco

Avenue

Wastewater: Orange County Utilities A 20-inch forcemain is located on

Edgewater Drive

Reclaim Water: Orange County Utilities There are no reclaim water mains

located in the area.

Schools

Water:

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

Orange County Parks and Recreation did not comment on this case, as it does not involve an increase in residential units or density.

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 20, 2017)

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-3 (Wholesale Commercial District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of inconsistency with the Comprehensive Plan and recommend denial of the requested C-3 (Wholesale Commercial District) zoning.

Staff indicated that two hundred and six (206) notices were mailed to surrounding property owners within a buffer extending beyond 700 feet from the subject property, with zero (0) responses in support and zero (0) in opposition received. The applicant was present and opposed the staff recommendation of denial.

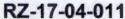
Following limited discussion about the applicant's intended C-3 use of the property, and the impacts it may have on adjacent single-family residential properties and Lockhart Elementary School, a motion was made by Commissioner Gusler to find the request to be inconsistent with the Comprehensive Plan and recommend **DENIAL** of the C-3 (Wholesale Commercial District) zoning. Commissioner Demostene seconded the motion, which was then carried on a 7-0 vote.

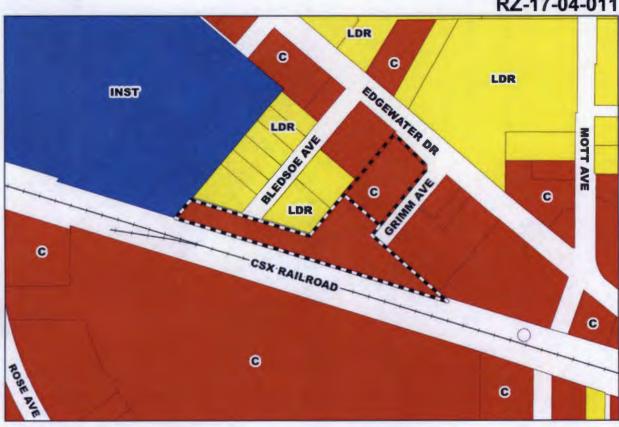
Motion / Second William Gusler / Tina Demostene

Voting in Favor William Gusler, Tina Demostene, Paul Wean, James

Dunn, Yog Melwani, Gordon Spears, and JaJa Wade

Absent Pat DiVecchio and Jose Cantero







Subject Portion of Parcel Overall Parcel



* Subject Property

Future Land Use Map

FLUM:

Commercial (C)

APPLICANT: Charles Yang

LOCATION: 7300 Edgewater Drive; or generally

between Edgewater Drive and an existing CSX Railroad, approximately 500 feet

northwest of Mott Avenue

TRACT SIZE: 1.89 gross acres (overall parcel)

1.31 gross acres (affected portion only)

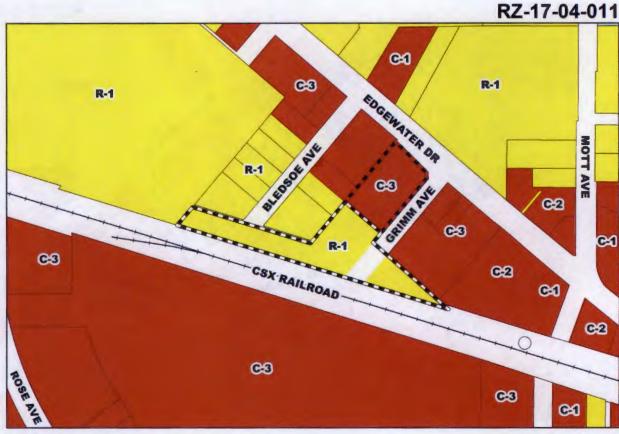
DISTRICT: #2

S/T/R:

32/21/29

1 inch = 208 feet







Subject Portion of Parcel Overall Parcel



★ Subject Property

Zoning Map

ZONING:

R-1 (Single-Family Dwelling District) to

C-3 (Wholesale Commercial District)

APPLICANT: Charles Yang

LOCATION: 7300 Edgewater Drive; or generally between Edgewater Drive and an existing CSX Railroad, approximately 500 feet

northwest of Mott Avenue

TRACT SIZE: 1.89 gross acres (overall parcel)

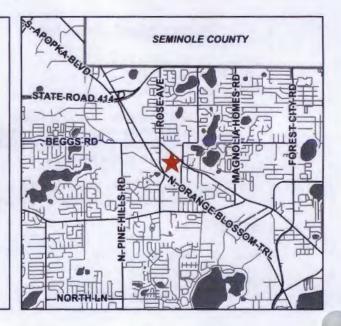
1.31 gross acres (affected portion only)

DISTRICT: #2

S/T/R:

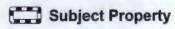
32/21/29

1 inch = 208 feet



RZ-17-04-011







1 inch = 208 feet

April 20, 2017

Alternative Mobilty Area (AMA) Map



NOTIFIED PARCELS

2 4

1 inch = 611 feet Feet 1,900 950

Public Notification Map

RZ-17-04-011 700 FT BUFFER, 206 NOTICES



Notification Map

Orange County Planning Division PZC Hearing Date: April 20, 2017

