

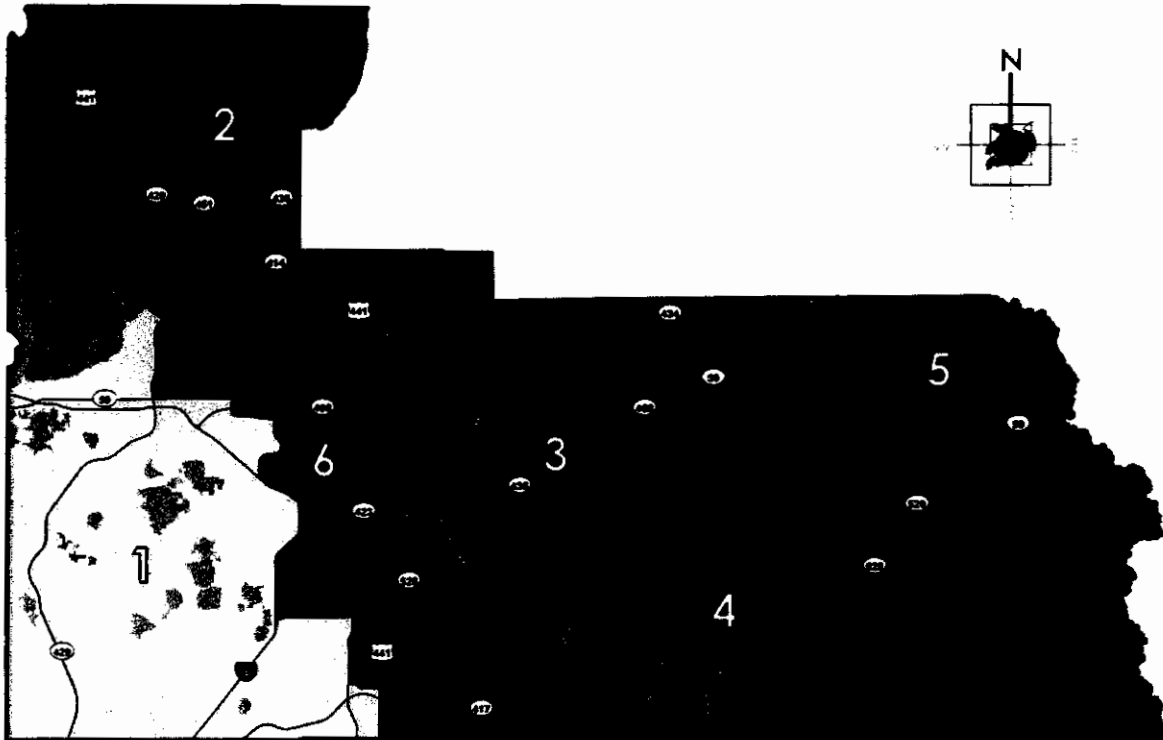


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

# REZONING RECOMMENDATIONS

JULY 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

**TABLE OF CONTENTS**  
**Planning and Zoning Commission**  
**July 20, 2017**

**Table of Contents** .....viii

**Table of Hearings** ..... ix

**Site and Building Requirements**.....x

**Buffer Yard Requirements**..... xiii

**REZONING PUBLIC HEARINGS**

RZ-17-07-017  
District 5.....1

RZ-17-07-021  
District 2.....11

RZ-17-07-026  
District 2.....21

# **TABLE OF HEARINGS**

## **Planning and Zoning Commission**

**July 20, 2017**

<b><u>Case #</u> <u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Commission</u> <u>District</u></b>	<b><u>Recommendations</u> <u>Staff</u></b>	<b><u>PZC</u></b>	<b><u>BCC Hearing</u> <u>Required</u></b>
<b>I. REZONING PUBLIC HEARINGS</b>					
RZ-17-07-016 Oanh Vo	<i>A-2 to R-T-1</i>	5	Approval	<i>Continued to August 17, 2017</i>	No
RZ-17-07-017 Quang Lam	<i>A-2 to R-1A</i>	5	Approval	Approval	No
RZ-17-07-021 Donald Guldi	<i>C-1 to C-2</i>	2	Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-17-07-026 Allison E. Turnbull	<i>A-2 and I-1A to I-1 / I-5</i>	2	Approval with three (3) restrictions	Approval with three (3) restrictions	No

# SITE and BUILDING REQUIREMENTS

## Orange County Code Section 38-1501. Basic Requirements

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

District	Min. lot area (sq. ft.) <sup>m</sup>	Min. living area (sq. ft.) <sup>j</sup>	Min. lot width (ft.)	Min. front yard (ft.) <sup>a</sup>	Min. rear yard (ft.) <sup>a</sup>	Min. side yard (ft.)	Max. building height (ft.) <sup>k</sup>	Lake setback (ft.)
NR	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80/90 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories <i>k</i>	<i>a</i>
	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	<i>a</i>
NAC	Non-residential and mixed use development, 6,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	50 feet <i>k</i>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 11,250	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50 feet/4 stories, 65 feet with ground floor retail <i>k</i>	<i>a</i>
Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	<i>a</i>	
NC	Non-residential and mixed use development, 8,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	65 feet <i>k</i>	<i>a</i>
	One-family dwelling, 4,500	1,000	45 <i>c</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Two DUs, 8,000	500 per DU	80 <i>d</i>	20	20	5	35/3 stories <i>k</i>	<i>a</i>
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories <i>k</i>	<i>a</i>
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	65 feet, 80 feet with ground floor retail <i>k</i>	<i>a</i>
Townhouse	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories <i>k</i>	<i>a</i>	
P-O	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35	<i>a</i>
C-1	6,000	500	80 on major streets (see Art. XV); 60 for all other streets <i>e</i> ; 100 ft. for corner lots on major streets (see Art. XV)	25	20	0; or 15 ft. when abutting residential district; side street, 15 ft.	50; or 35 within 100 ft. of all residential districts	<i>a</i>

District	Min. lot area (sq. ft.) <sup>m</sup>	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) <sup>a</sup>	Min. rear yard (ft.) <sup>a</sup>	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 <sup>f</sup>	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	50; or 35 within 100 feet of all residential districts	a
C-3	12,000	500	125 on major streets (see Art. XV); 100 for all other streets <sup>g</sup>	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	75; or 35 within 100 feet of all residential districts	a

District	Min. front yard (feet)	Min. rear yard (feet)	Min. side yard (feet)	Max. building height (feet)
I-1A	35	25	25	50, or 35 within 100 ft. of any residential use or district
I-1 / I-5	35	25	25	50, or 35 within 100 ft. of any residential use or district
I-2 / I-3	25	10	15	50, or 35 within 100 ft. of any residential use or district
I-4	35	10	25	50, or 35 within 100 ft. of any residential use or district

**NOTE:** These requirements pertain to zoning regulations only. The lot areas and lot widths noted are based on connection to central water and wastewater. If septic tanks and/or wells are used, greater lot areas may be required. Contact the Health Department at 407-836-2600 for lot size and area requirements for use of septic tanks and/or wells.

**FOOTNOTES**

- a Setbacks shall be a minimum of 50 feet from the normal high water elevation contour on any adjacent natural surface water body and any natural or artificial extension of such water body, for any building or other principal structure. Subject to the lakeshore protection ordinance and the conservation ordinance, the minimum setbacks from the normal high water elevation contour on any adjacent natural surface water body, and any natural or artificial extension of such water body, for an accessory building, a swimming pool, swimming pool deck, a covered patio, a wood deck attached to the principal structure or accessory structure, a parking lot, or any other accessory use, shall be the same distance as the setbacks which are used per the respective zoning district requirements as measured from the normal high water elevation contour.
- b Side setback is 30 feet where adjacent to single-family district.
- c For lots platted between 4/27/93 and 3/3/97 that are less than 45 feet wide or contain less than 4,500 sq. ft. of lot area, or contain less than 1,000 square feet of living area shall be vested pursuant to Article III of this chapter and shall be considered to be conforming lots for width and/or size and/or living area.
- d For attached units (common fire wall and zero separation between units) the minimum duplex lot width is 80 feet and the duplex lot size is 8,000 square feet. For detached units the minimum duplex lot width is 90 feet and the duplex lot size is 9,000 square feet with a minimum separation between units of 10 feet. Fee simple interest in each half of a duplex lot may be sold, devised or transferred independently from the other half. For duplex lots that:
  - (i) are either platted or lots of record existing prior to 3/3/97, and
  - (ii) are 75 feet in width or greater, but are less than 90 feet, and
  - (iii) have a lot size of 7,500 square feet or greater, but less than 9,000 square feet are deemed to be vested and shall be considered as conforming lots for width and/or size.
- e Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets.
- f Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.
- g Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.
- h For lots platted on or after 3/3/97, or unplatted parcels. For lots platted prior to 3/3/97, the following setbacks shall apply: R-1AA, 30 feet, front, 35 feet rear, R-1A, 25 feet, front, 30 feet rear, R-1, 25 feet, front, 25 feet rear, 6 feet side; R-2, 25 feet, front, 25 feet rear, 6 feet side for one (1) and two (2) dwelling units; R-3, 25 feet, front, 25 feet, rear, 6 feet side for two (2) dwelling units. Setbacks not listed in this footnote shall apply as listed in the main text of this section.
- j Attached units only. If units are detached, each unit shall be placed on the equivalent of a lot 45 feet in width and each unit must contain at least 1,000 square feet of living area. Each detached unit must have a separation from any other unit on site of at least 10 feet.
- k Maximum impervious surface ratio shall be 70%, except for townhouses, nonresidential, and mixed use development, which shall have a maximum impervious surface ratio of 80%.
- m Based on gross square feet.

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

# BUFFER YARD REQUIREMENTS

---

## Orange County Code Section 24-5.

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

### (a) *Buffer classifications:*

- (1) **Type A, opaque buffer:** This buffer classification shall be used to separate heavy industrial (I-4 and M-1) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least eight (8) feet and shall be a minimum of fifty (50) feet wide. The type A buffer shall utilize a masonry wall.
- (2) **Type B, opaque buffer:** This buffer classification shall be used to separate commercial (general and wholesale) (C-2 and C-3) and industrial (general and light) (I-2/I-3 and I-1/I-5) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of twenty-five (25) feet wide. The type B buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be four (4) feet high and seventy (70) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (3) **Type C, opaque buffer.** This buffer classification shall be used to separate neighborhood retail commercial (C-1), 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-17-07-017**

Commission District: # 5

**GENERAL INFORMATION**

**APPLICANT** Quang Lam, Lam Civil Engineering, Inc.

**OWNERS** Hong Do, Bon Luu; Rosa Do; Chuong Do; and Hannah Hein Vuong

**HEARING TYPE** Planning and Zoning Commission

**REQUEST** A-2 (Farmland Rural District) to R-1A (Single-Family Dwelling District)

**LOCATION** 3200 Lake Twylo Road; or generally on the west side of Lake Twylo Road, approximately 800 feet north of Buck Road.

**PARCEL ID NUMBERS** 08-22-31-0000-00-022; 08-22-31-0000-00-185; and 08-22-31-0000-00-186

**PUBLIC NOTIFICATION** The notification area for this public hearing extended beyond 600 feet [*Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet*]. One hundred thirty-eight (138) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.

**TRACT SIZE** 3.56 gross acres

**PROPOSED USE** Ten (10) single-family residential dwelling units

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (Single-Family Dwelling District) zoning.**

**IMPACT ANALYSIS**

**Land Use Compatibility**

The R-1A (Single-Family Residential District) zoning would allow for development that is compatible with the adjacent residential neighborhood and would not adversely impact adjacent properties.

**Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR) which allows consideration of up to four (4) residential dwelling units per developable acre. The requested R-1A (Single-Family Dwelling District) zoning is consistent with the LDR FLUM designation and the following CP provisions:

**FLU1.4.1** states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

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

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

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

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

**SITE DATA**

<b>Existing Use</b>	Undeveloped Land
<b>Adjacent Zoning</b>	N: A-2 (Farmland Rural District) (1957)
	E: A-2 (Farmland Rural District) (1957)
	W: R-1A (Single-Family Dwelling District) (1983)
	S: R-1A (Single-Family Dwelling District) (2008)

**Adjacent Land Uses**    N:    Single-Family Residential  
                                  E:    Single-Family Residential  
                                  W:    Single-Family Residential  
                                  S:    Undeveloped Residential

**R-1A (Residential District) Development Standards**

Min. Lot Area:                    7,500 sq. ft.  
Min. Lot Width:                 75 ft.  
  
Max. Height:                    35 ft.  
Min. Living Area:               1,200 sq. ft.  
Building Setbacks:  
    *Front:*                        20 ft.  
    *Rear:*                         25 ft.  
    *Side:*                         7.5 ft.

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

**Permitted Uses**

The R-1A (Single-Family Dwelling District) zoning district is composed of lands and structures used primarily for single-family residential areas with large lots and low population densities.

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**

**Subject Property Analysis**

The subject undeveloped property is located at 3200 Lake Twylo Road; or generally on the west side of Lake Twylo Road, approximately 800 feet north of Buck Road. The subject property originally contained one (1) 3.56-acre parcel, but was later split into three (3) 1.19-acre lots on November 3, 2005.

The surrounding neighborhood can be characterized as having a mixture of large and small lots with single family detached residential dwelling homes and undeveloped land. Directly west of the property is the University Woods Subdivision, containing smaller, quarter-acre sized lots. To the east of the property, across Lake Twylo Road, are large un-platted residential lots which vary in size from one half-acre to over one-acre.

As the Comprehensive Plan encourages a mixture of lot types and sizes, and the immediate area of the subject property has a variety of single-family residential lot sizes,

the proposed 10-unit subdivision would be compatible with the existing development pattern. Further, the proposed subdivision would serve as a transition between the smaller lots to the west and the larger lots to the east.

Through this request, the applicant is seeking to rezone the subject parcel from A-2 (Farmland Rural District) to R-1A (Single-Family Residential District) with the intent to further split and reconfigure the existing parcels into a ten (10) unit single-family subdivision.

**Comprehensive Plan (CP) Amendment**

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Low Density Residential (LDR) 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**

Environmental Protection Division (EPD) staff reviewed the request but did not identify any issues or concerns.

**Transportation / Access**

Based on the concurrency management system database dated 06/16/17, there is one (1) failing roadway within the 1-mile radius of the subject property. The failing roadway segment is located along University Boulevard between Dean Road and Rouse Road, and has no existing roadway capacity. Based on the 9th Edition of the Institute of Transportation Engineers (ITE) Manual, ten (10) single family dwelling units will generate ten (10) PM peak-hour trips. Due to the failing roadway segment within the project impact area, a traffic study will be required prior to obtaining a building permit.

**Code Enforcement**

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

**Water / Wastewater / Reclaim**

	<u>Existing service or provider</u>
Water:	Orange County
Wastewater:	Orange County ( <i>not currently available</i> )
Reclaim Water:	Orange County ( <i>not currently available</i> )

**Schools**

Orange County Public Schools (OCPS) reviewed the request and determined it to be a *de minimus* increase; therefore, a Capacity Enhancement Agreement (CEA) to address capacity mitigation was not required.

**Parks and Recreation**

Orange County Parks and Recreation reviewed the request, but did not identify any issues or concerns.

**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 – (July 20, 2017)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1A (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-1A (Single-Family Dwelling District) zoning.

Staff indicated that one hundred thirty-eight (138) notices were mailed to surrounding property owners within a buffer extending beyond 600 feet from the subject property, with two (2) commentaries received in support and eight (8) in opposition. The applicant was present and agreed with the staff recommendation of approval. Two (2) members of the public spoke in opposition to the request with concerns about traffic and increased density.

Following limited discussion about the compatibility and possible code violations, a motion was made by Commissioner Spears to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the R-1A (General Commercial

District) zoning. Commissioner DiVecchio seconded the motion, which was then carried on a 9-0 vote.

**Motion / Second**

*Gordon Spears / Pat DiVecchio*

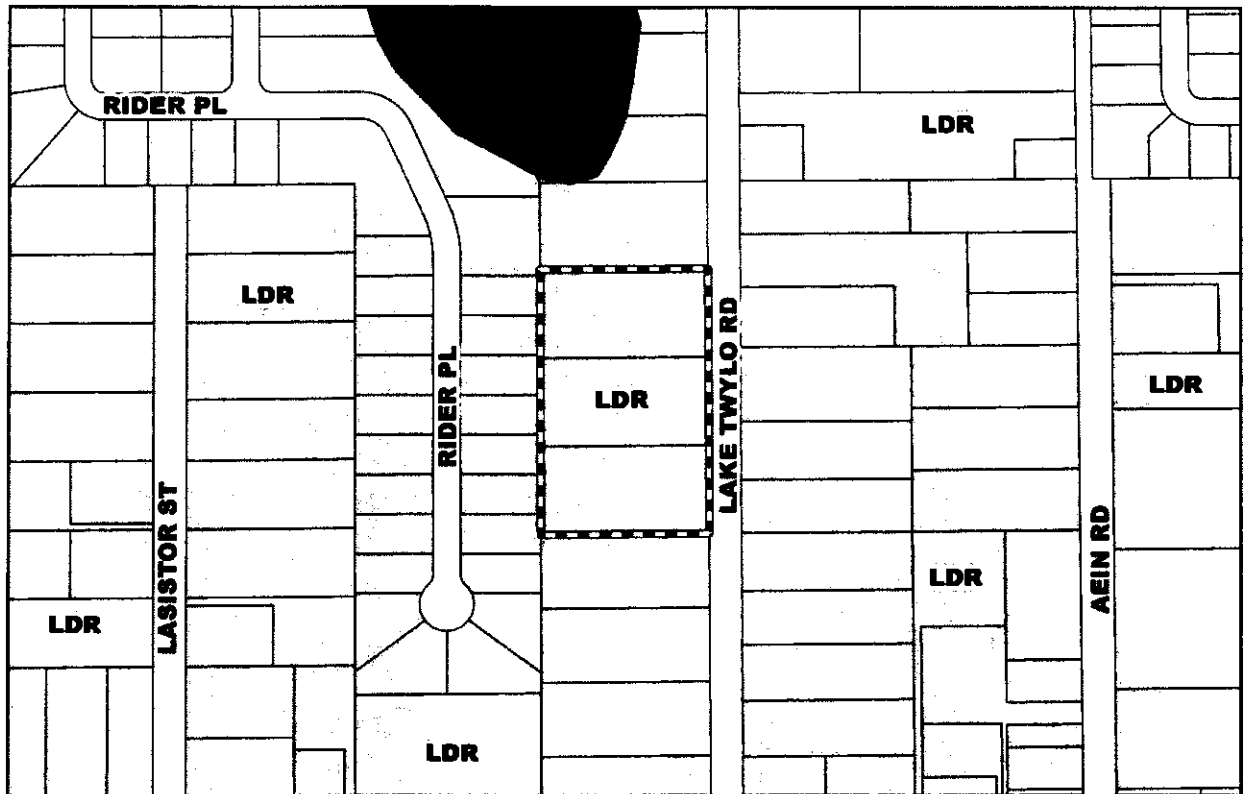
**Voting in Favor**

*Gordon Spears, Pat DiVecchio, Tina Demostene, Jaja Wade, Jose Cantero, William Gusler, Yog Melwani, Paul Wean, and Jimmy Dunn*

**Voting in Opposition**

*None*

RZ-17-07-017



Subject Property

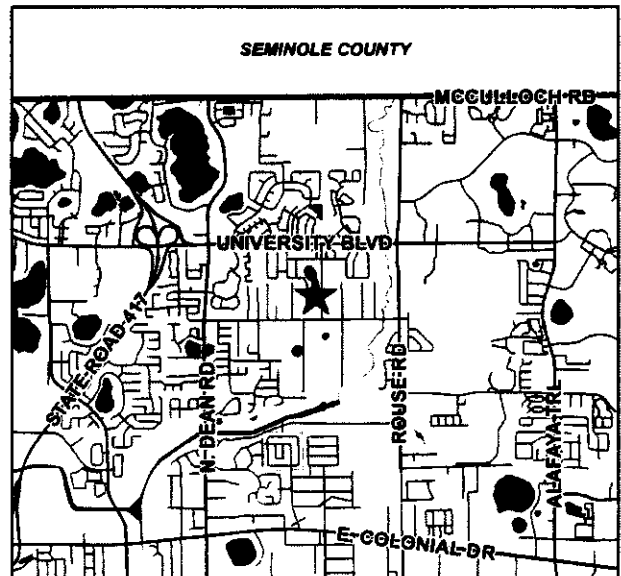


Subject Property

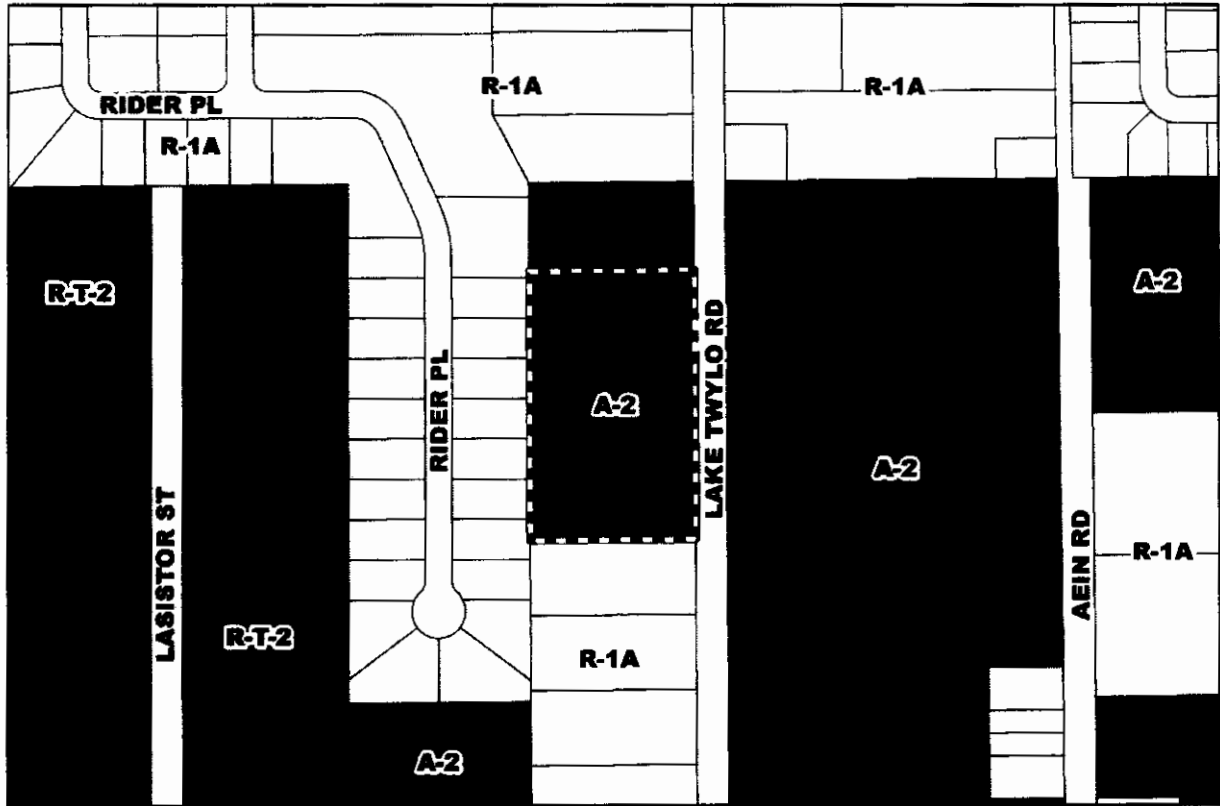
### Future Land Use Map

**FLUM:** Low Density Residential (LDR)  
**APPLICANT:** Quang Lam, Lam Civil Engineering Inc.  
**LOCATION:** 3200 Lake Twylo Road; or generally on the west side of Lake Twylo Road, approximately 800 feet north of Buck Road  
**TRACT SIZE:** 3.56 gross acres  
**DISTRICT:** # 5  
**S/T/R:** 08/22/31

1 inch = 292 feet



RZ-17-07-017



Subject Property



★ Subject Property

**Zoning Map**

**ZONING:** A-2 (Farmland Rural District) to R-1A (Single-Family Dwelling District)

**APPLICANT:** Quang Lam, Lam Civil Engineering Inc.

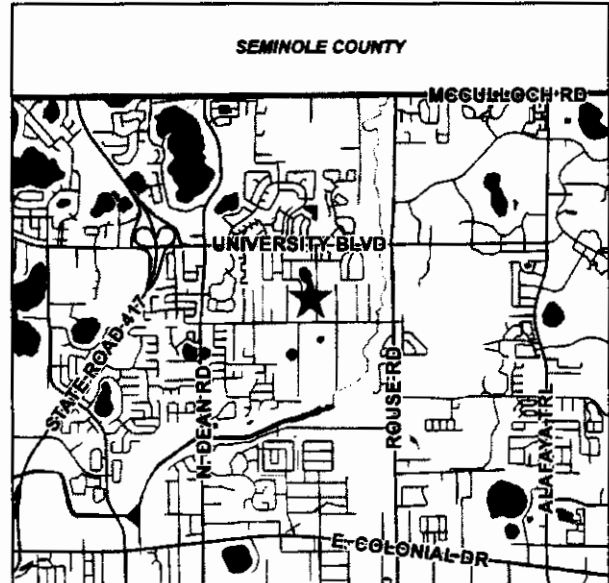
**LOCATION:** 3200 Lake Twylo Road; or generally on the west side of Lake Twylo Road, approximately 800 feet north of Buck Road

**TRACT SIZE:** 3.56 gross acres

**DISTRICT:** # 5

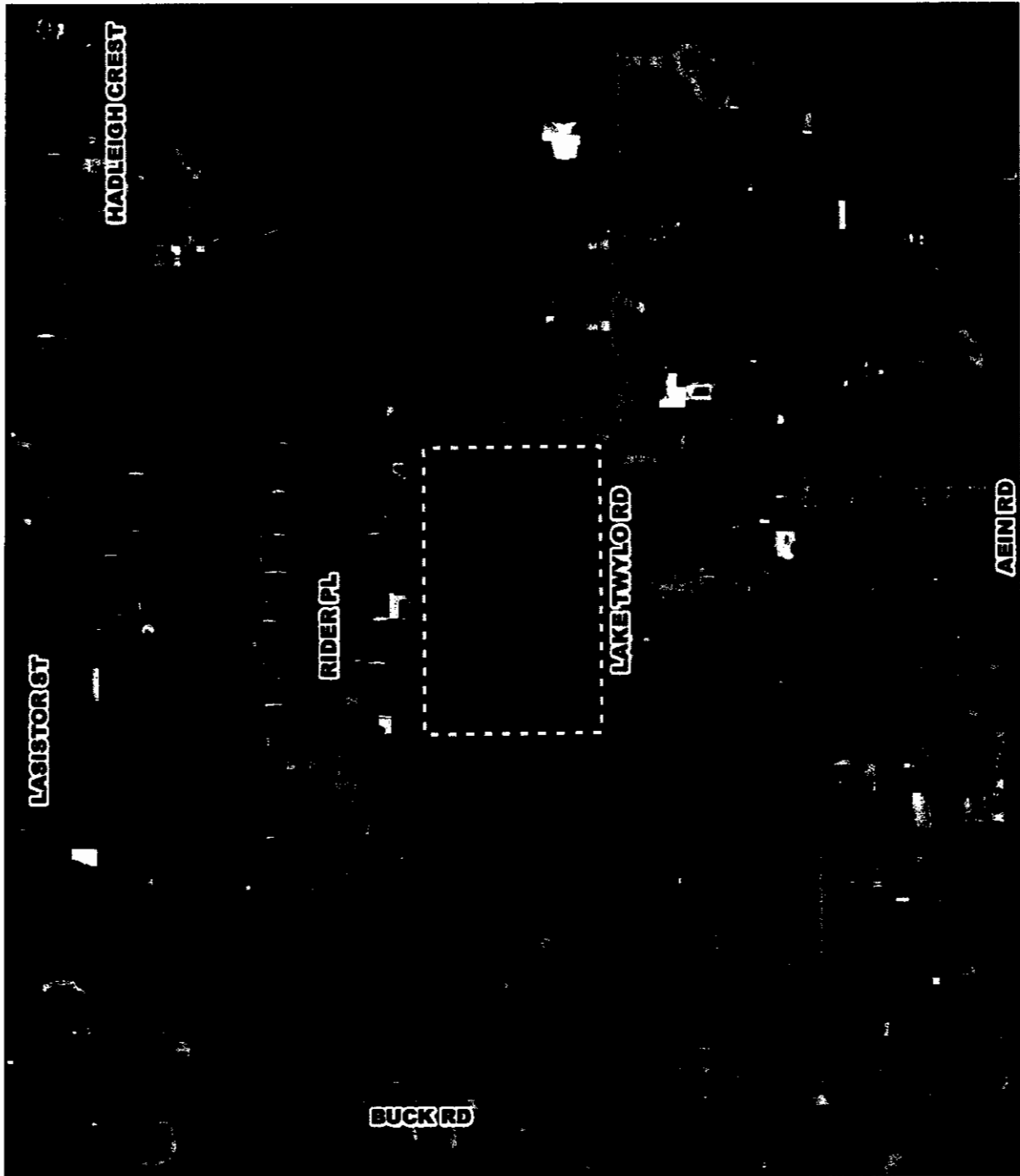
**S/T/R:** 08/22/31

1 inch = 292 feet

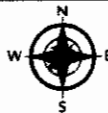




RZ-17-07-017



 Subject Property



1 inch = 229 feet



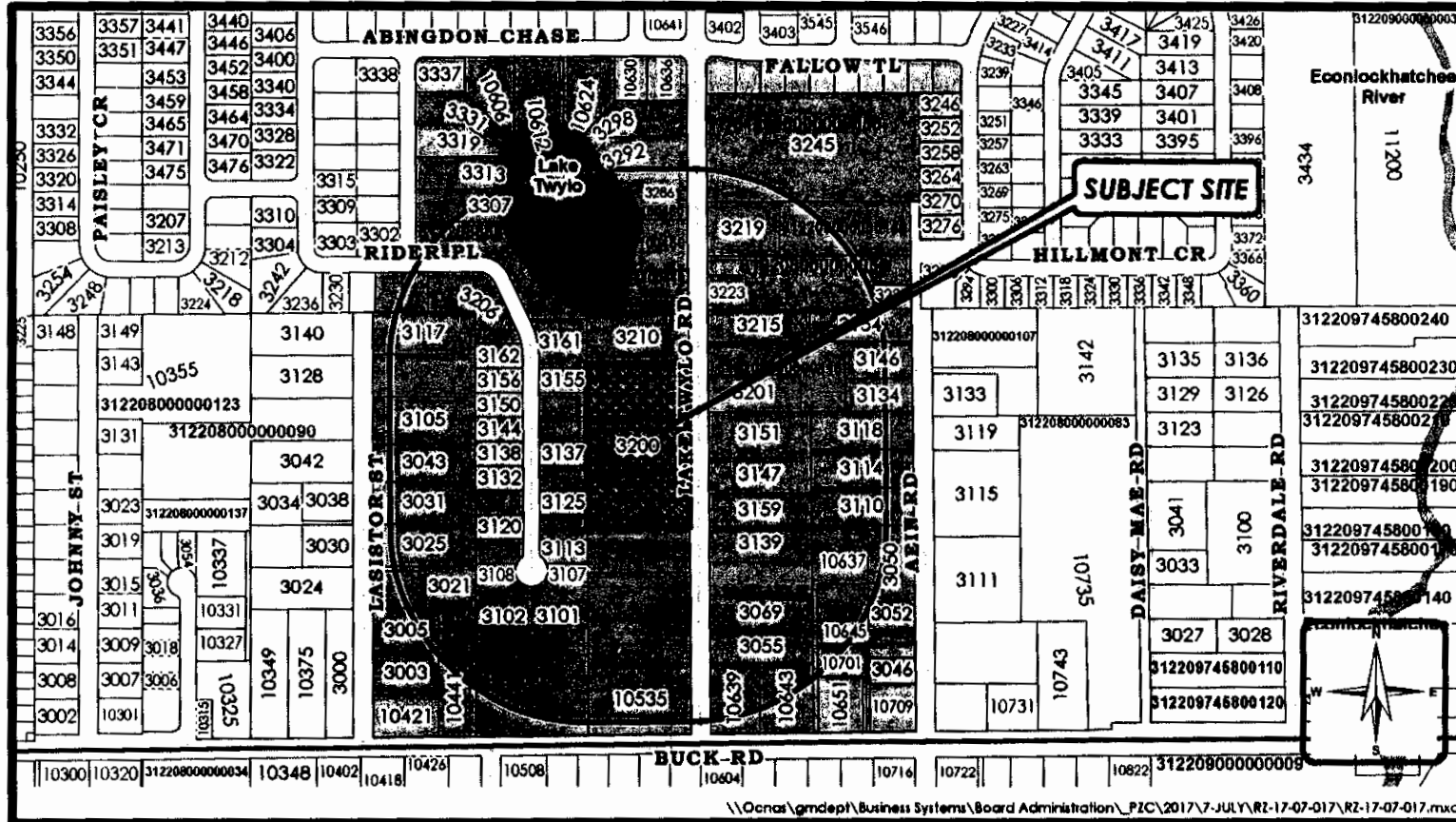
# Public Notification Map

RZ-17-07-017

600 FT BUFFER, 138 NOTICES

PZC Recommendation Book

Notification Map



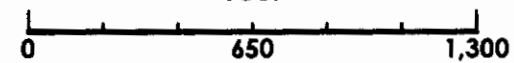
\\Ocnas\gndep\Business Systems\Board Administration\PZC\2017\7-JULY\RZ-17-07-017\RZ-17-07-017.mxd

### MAP LEGEND

- SUBJECT
- NOTIFIED PARCELS
- 600 FT BUFFER
- HYDROLOGY
- PARCELS
- COURTESY SELECTION



1 inch = 433 feet



July 20, 2017

Case # RZ-17-07-017  
 Orange County Planning Division  
 PZC Hearing Date: July 20, 2017

**CASE # RZ-17-07-021**

Commission District: # 2

**GENERAL INFORMATION**

<b>APPLICANT</b>	Donald D. Guldi
<b>OWNER</b>	Donald D. Guldi
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	C-1 (Retail Commercial District) to C-2 (General Commercial District)
<b>LOCATION</b>	6618 N. Orange Blossom Trail; or generally on the south side of N. Orange Blossom Trail, approximately 400 feet southeast of Mott Avenue
<b>PARCEL ID NUMBER</b>	32-21-29-0000-00-252
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing extended beyond 700 feet [ <i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i> ]. One hundred eighty-five (185) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
<b>TRACT SIZE</b>	0.46-gross acre
<b>PROPOSED USE</b>	Automobile Repair and Sales

**STAFF RECOMMENDATION**

**PLANNING**

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

- 1) New billboards and pole signs shall be prohibited; and
- 2) Upon rezoning, the property owner must submit a Use Permit application with Orange County for any existing uses and shall bring any existing building or property violations into compliance with all building and site development requirements. Such requirements include, but are not limited to, landscaping for all vehicular use areas, parking, and any required buffer yards. Prior to expansion of any existing structures or site improvements to accommodate C-2 uses, the applicant shall also demonstrate compliance with all building and site development requires with a submitted site plan.

**MPACT ANALYSIS**

**Land Use Compatibility**

Given the presence of adjacent general commercial activity, and no abutting residentially zoned parcels, the proposed rezoning from C-1 (Retail Commercial District) to C-2 (General Commercial District) would allow for compatible development without any adverse impact to impact adjacent properties.

**Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Commercial (C). The requested C-2 (General Commercial District) zoning is consistent with the Commercial FLUM designation and with the following Comprehensive Plan provisions:

**FLU1.4.1** states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

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

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

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

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

**FLU8.2.11** 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**

<b>Existing Use</b>	Automobile Repair and Sales, Auto Retail, Shuttle Service
<b>Adjacent Zoning</b>	N: C-1 (Retail Commercial District) (1957)
	E: C-3 (Wholesale Commercial District) (1992)
	W: C-2 (General Commercial District) (1981) C-2 (General Commercial District) (2016)
	S: C-2 (General Commercial District) (1981)
<b>Adjacent Land Uses</b>	N: Undeveloped Commercial
	E: Undeveloped Commercial
	W: Automobile Repair and Sales, Warehouse
	S: Automobile Repair and Sales, Warehouse

**C-2 (GENERAL COMMERCIAL DISTRICT) DEVELOPMENT STANDARDS\***

Min. Lot Area:	8,000 sq. ft.
Min. Lot Width:	100 ft. (on major streets, see Article XV) 80 ft. (on all other streets)
Max. Height:	50 ft. (35 ft. within 100 ft. of all residential districts)
Min. Floor Area:	500 sq. ft.
Building Setbacks:	
<i>Front:</i>	25 ft.
<i>Rear:</i>	15 ft. (20 ft. when abutting residential)
<i>Side:</i>	5 ft. (25 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.*

**Permitted Uses**

The intent and purpose of the C-2 zoning district is to provide for the retailing of commodities and the furnishing of several major services, selected trade shops and automotive repairs. This district is encouraged at locations along minor arterial and major arterial roads where general commercial uses would be compatible with the surrounding neighborhood, yet not adjacent to residential uses. This district typically occupies an area larger than that of the retail commercial district, serves a considerably greater population, and offers a wider range of services. This district is only promoted within the urban service area where uses of this intensity have already been established.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code and include new and used automobile sales; car rental and leasing; auto painting and body shops; special trade contractors' offices (storage, equipment yards, and offices with outdoor storage); automobile parking lots and parking garages; outdoor storage and display of equipment, products, and merchandise; landscaping and irrigation businesses; commercial kennels; caterers; etc

## **SPECIAL INFORMATION**

### **Subject Property Analysis**

The subject property is located at 6618 N. Orange Blossom Trail; generally on the south side of N. Orange Blossom Trail, approximately 400 feet southeast of Mott Avenue. The property is currently developed with a 2,286 square foot commercial building used for both automobile repair and automobile sales. Although the business has been operating under active business tax receipts and a State of Florida Vehicle Dealer license, there is no record that a Use Permit for the businesses was issued by the County. The applicant only recently became aware of the permit issue when they received a Code Enforcement violation (Incident #487048).

Therefore, through this request, the applicant is seeking to rezone the subject parcel from C-1 (Retail Commercial District) to C-2 (General Commercial District) to bring the zoning into consistency with the existing non-conforming automobile repair and sales uses.

### **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**

Orange County Environmental Protection Division (EPD) did not provide any comments on this case.

**Transportation / Access**

Proposed request is to validate a non conforming use and therefore no additional transportation analysis is required. Any changes to the proposed site beyond the analyzed use will require approval from the concurrency management office.

**Code Enforcement**

There is one (1) active Code Enforcement violation on the subject property (Incident #487048), regarding the operation of an auto repair and sales business without a use permit. A Code Enforcement Board hearing has been scheduled for September 11, 2017, pending resolution of the rezoning application and the use permit violation.

**Water / Wastewater / Reclaim**

	<u>Existing service or provider</u>	
Water:	Orange County Utilities	A 12-inch water main is located on the northeast side of N. Orange Blossom Trail.
Wastewater:	Orange County Utilities	There are no wastewater mains located in the area.
Reclaim Water:	Orange County Utilities	There are no reclaim water mains located in the area.

**Schools**

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 – (July 20, 2017)**

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

1. New billboards and pole signs shall be prohibited; and
2. Upon rezoning, the property owner must submit a Use Permit application with Orange County for any existing uses and shall bring any existing building or property violations into compliance with all building and site development requirements. Such requirements include, but are not limited to, landscaping for all vehicular use areas, parking, and any required buffer yards. Prior to expansion of any existing structures or site improvements to accommodate C-2 uses, the applicant shall also demonstrate compliance with all building and site development requires with a submitted site plan.

**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-2 (General Commercial District) zoning, subject to two (2) restrictions.

Staff indicated that one hundred eighty-five (185) notices were mailed to surrounding property owners within a notification buffer extending beyond 700 feet from the subject property. Twelve (12) commentaries were received in support and zero (0) received in opposition. The applicant was present and agreed with the staff recommendation of approval.

Following limited discussion, a motion was made by Commissioner Gusler to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the C-2 (General Commercial District) zoning. Commissioner Melwani seconded the motion, which was then carried on a 9-0 vote.

**Motion / Second**

*William Gusler / Yog Melwani*

**Voting in Favor**

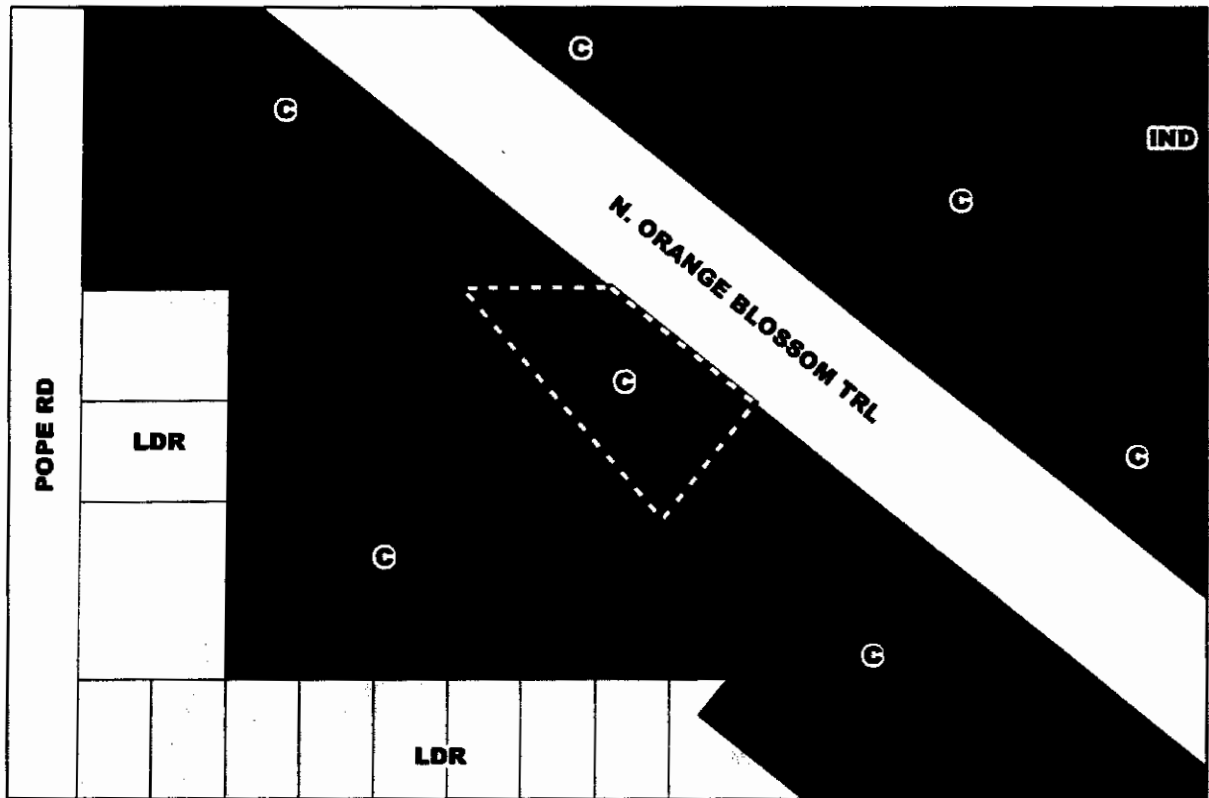
*William Gusler, Yog Melwani, Jose Cantero, Tina Demostene, Pat DiVecchio, JaJa Wade, Paul Wean, James Dunn, and Gordon Spears*

**Voting in Opposition**

*None*



RZ-17-07-021



Subject Property



★ Subject Property

**Future Land Use Map**

FLUM: Commercial (C)

APPLICANT: Donald Guldi

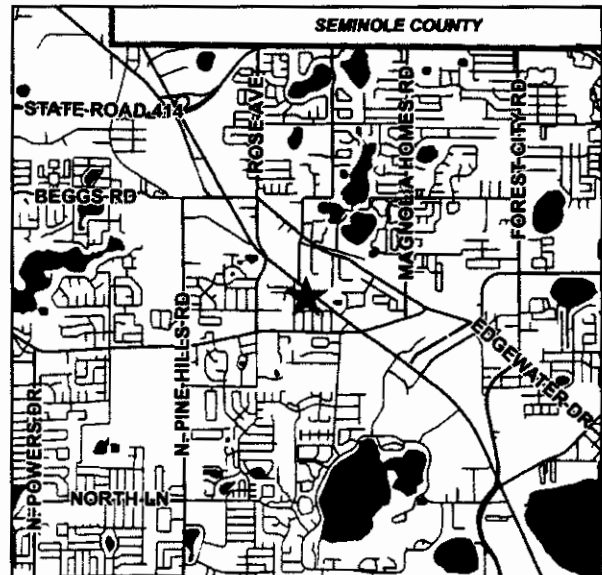
LOCATION: 6618 N. Orange Blossom Trail; or generally on the south side of N. Orange Blossom Trail, approximately 400 feet southeast of Mott Avenue

TRACT SIZE: 0.46 gross acre

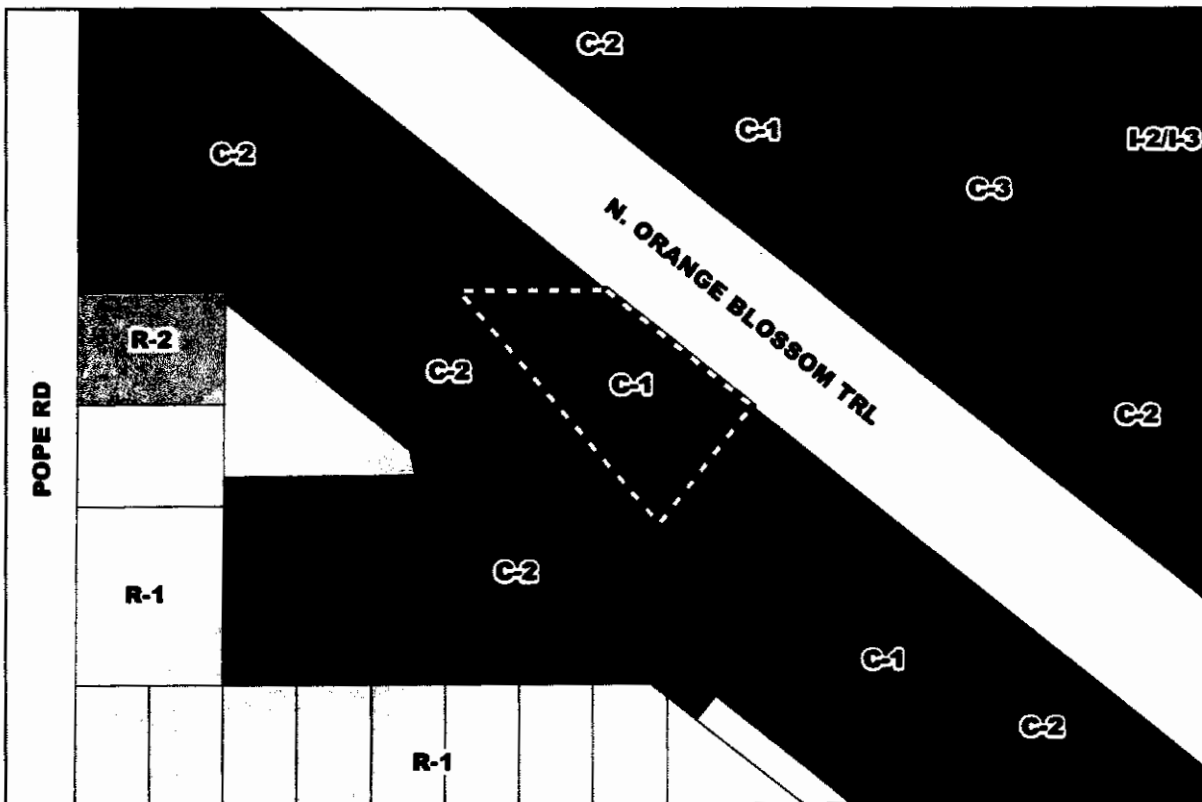
DISTRICT: # 2

S/T/R: 32/21/29

1 inch = 125 feet



RZ-17-07-021



Subject Property



★ Subject Property

**Zoning Map**

**ZONING:** C-1 (Retail Commercial District) to C-2 (General Commercial District)

**APPLICANT:** Donald Guidi

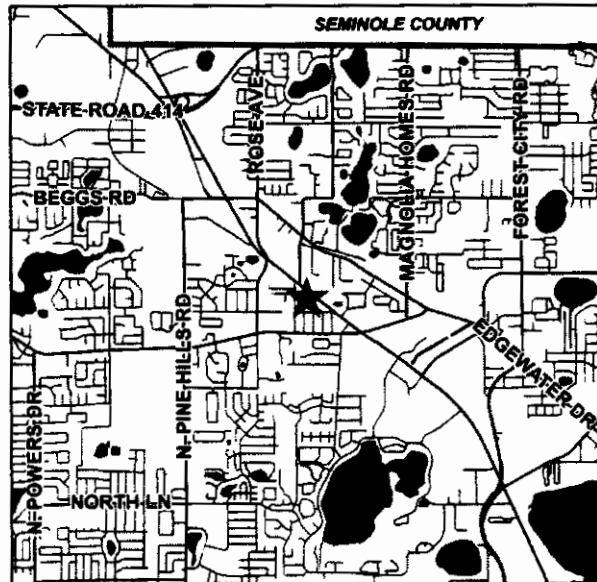
**LOCATION:** 6618 N. Orange Blossom Trail; or generally on the south side of N. Orange Blossom Trail, approximately 400 feet southeast of Mott Avenue

**TRACT SIZE:** 0.46 gross acre

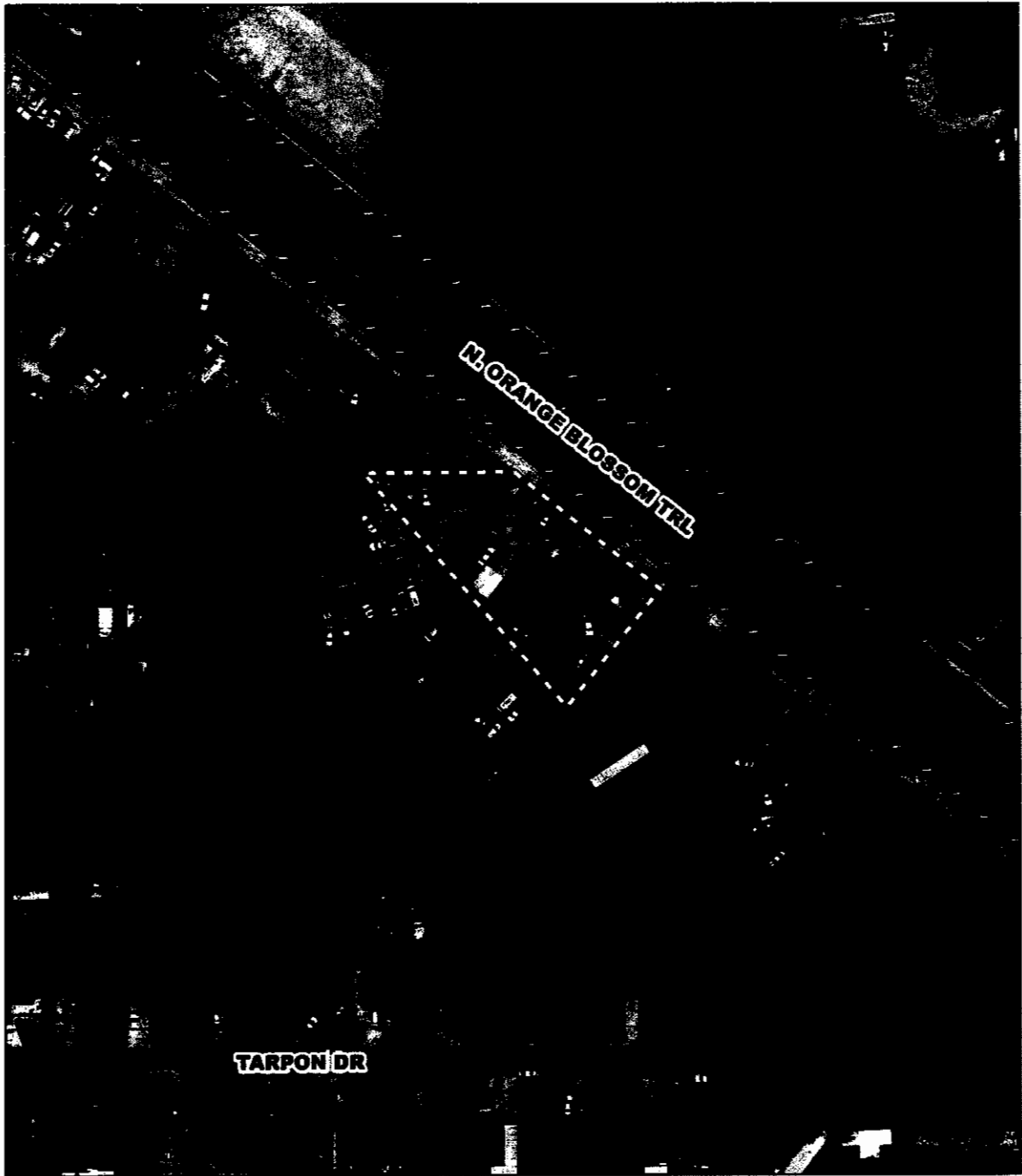
**DISTRICT:** # 2

**S/T/R:** 32/21/29

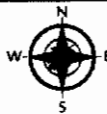
1 inch = 125 feet



RZ-17-07-021



 Subject Property



1 inch = 104 feet



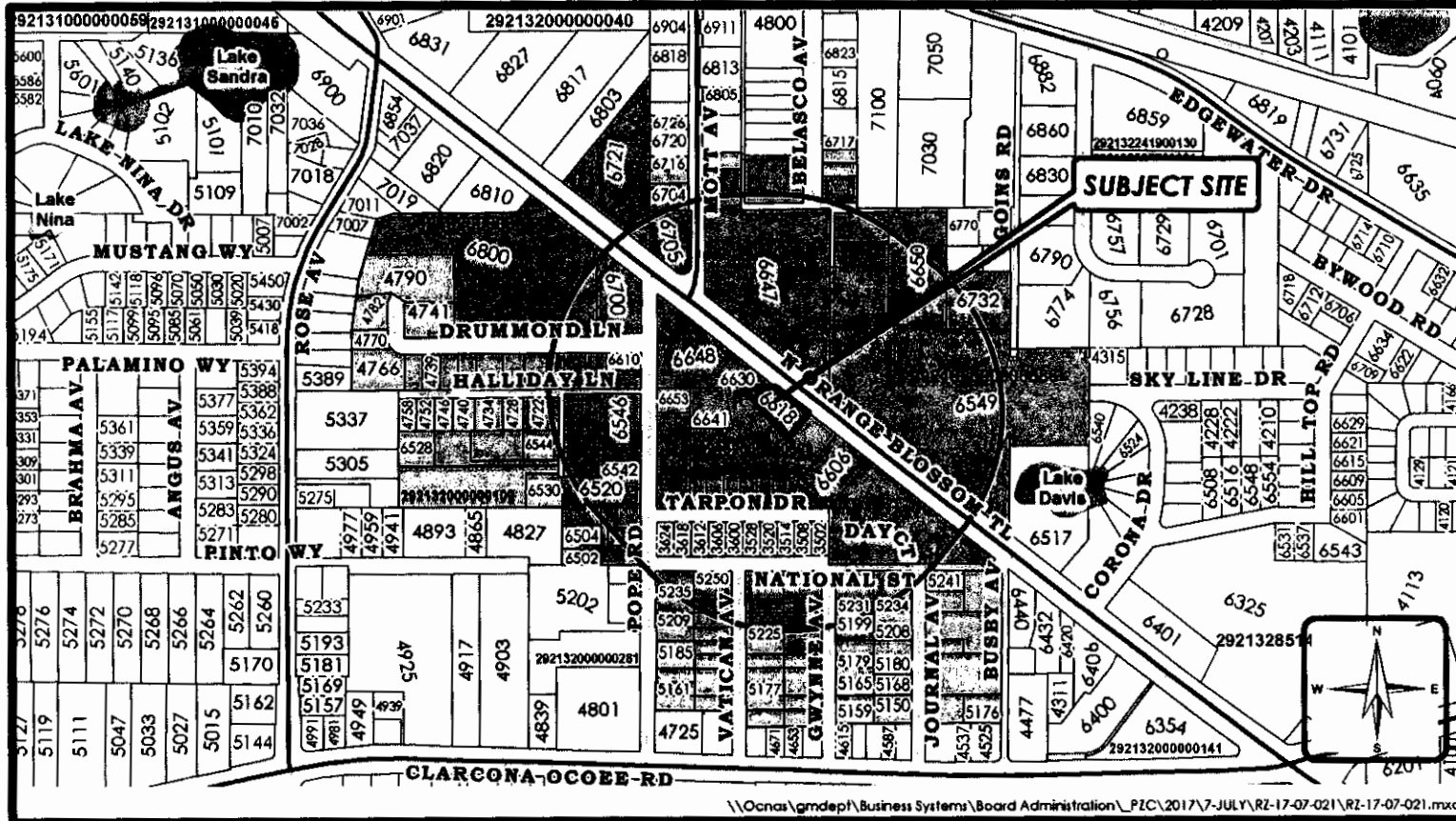
# Public Notification Map

RZ-17-07-021

700 FT BUFFER, 185 NOTICES

PZC Recommendation Book

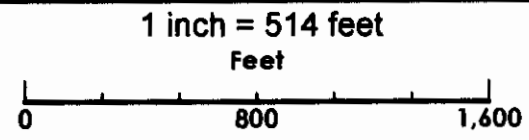
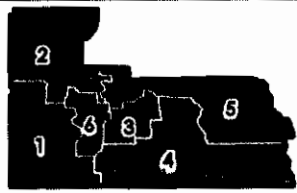
Notification Map



\\Ocnas\gmd\p\Business Systems\Board Administration\PZC\2017\7-JULY\RZ-17-07-021\RZ-17-07-021.mxd

**MAP LEGEND**

	SUBJECT		COURTESY NOTICES
	700 FT BUFFER		PARCELS
	HYDROLOGY		
	NOTICE PARCELS		



July 20, 2017

Case # RZ-17-07-021  
 Orange County Planning Division  
 PZC Hearing Date: July 20, 2017

**CASE # RZ-17-07-026**

Commission District: # 2

**GENERAL INFORMATION**

<b>APPLICANT</b>	Allison E. Turnbull, Gunster, Yoakley & Stewart, P.A.
<b>OWNERS</b>	Creative Signs, Inc. and Dearborn Street Holdings, LLC - Series 16
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	A-1 (Citrus Rural District) and I-1A (Restricted Industrial District) <del>to</del> I-1 / I-5 (Industrial District)
<b>LOCATION</b>	2301 and 2337 N. Hiawassee Road; or generally on the east side of N. Hiawassee Road, southeast of Shady Lane Drive, and approximately 2,400 feet south of S. Apopka Boulevard
<b>PARCEL ID NUMBERS</b>	24-2-28-0000-00-014, 24-21-28-0000-00-053
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing extended beyond 1,500 feet [ <i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i> ]. Ninety-one (91) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
<b>TRACT SIZE</b>	1.25 gross acres
<b>PROPOSED USE</b>	Sign Manufacturing Facility

**STAFF RECOMMENDATION**

**PLANNING**

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

1. New billboards and pole signs shall be prohibited;
2. A Type "B" buffer shall be used to separate commercial (C-2 and C-3) and industrial (I-1 / I-5) uses from all residential uses. The buffer shall be a minimum of twenty-five (25) feet wide, and must consist of a completely opaque feature such as a masonry wall, berm, planted and/or existing vegetation or any combination thereof. At a minimum, plantings must be four (4) feet high and seventy (70) percent opaque at planting and capable of attaining full height and opacity within three (3) years; and

3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate I-1 / I-5 uses.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The I-1 / I-5 (Industrial District) zoning would allow for development that is compatible with the character of the surrounding area and would not adversely impact adjacent properties.

### **Comprehensive Plan (CP) Consistency**

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Industrial (IND). The IND FLUM designation allows for the consideration of development of up to 40,837 square feet of industrial uses. The proposed I-1 / I-5 (Industrial District) zoning is consistent with the IND FLUM designation and the following CP provisions:

**FLU1.4.16** states the Future Land Use Map shall reflect appropriate locations for industrial use. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand and corresponding needs for job creation and economic development.

**FLU1.4.18** states that the Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, create more of a jobs/housing balance, avoid large concentrations of industrial traffic, provide adequate and sufficient locations for industrial uses, and provide a variety of locations with different transportation accessibility opportunities.

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

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

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

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

Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

### **SITE DATA**

<b>Existing Use</b>	Sign Manufacturing Business and Undeveloped Industrial
<b>Adjacent Zoning</b>	N: I-2 / I-3 (Industrial District) (2003)
	E: A-1 (Citrus Rural District) (1957)
	W: A-1 (Citrus Rural District) (1957)
	S: A-1 (Citrus Rural District) (1957)
<b>Adjacent Land Uses</b>	N: Single-Family Residential
	E: Single-Family Residential
	W: Single-Family Residential
	S: Single-Family Residential

### **I-1 / I-5 (INDUSTRIAL DISTRICT) DEVELOPMENT STANDARDS\***

Max. Height:	50 ft. (35 ft. within 100 ft. of all residential districts)
Max. Floor Area Ratio:	0.75
Building Setbacks:	
<i>Front:</i>	35 ft.
<i>Rear:</i>	25 ft. (50 ft. if abutting a residential district)
<i>Side:</i>	25 ft. (50 ft. if abutting a residential district)

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

### **Permitted Uses**

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; woodchipping, 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**

### **Subject Property Analysis**

The subject property is located at 2301 and 2337 N. Hiawassee Road; or generally on the east side of N. Hiawassee Road, southeast of Shady Lane Drive, and approximately 2,400 feet south of S. Apopka Boulevard. The property is currently developed with a 4,500 square foot warehouse and is being used as a sign manufacturing facility. The sign manufacturing business has been operating since 1987 and has an active Orange County Business Tax Receipt (BTR).

Through this request, the applicant is seeking to rezone the subject parcel from A-1 (Citrus Rural District) and I-1A (Restricted Industrial District) to I-1 / I-5 (Industrial District) in order to validate and expand the existing non-conforming sign manufacturing use, as sign manufacturing is not a permitted use within the existing zoning districts.

### **Comprehensive Plan (CP) Amendment**

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Industrial (IND) 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 located within the City of Apopka Joint Planning Area (JPA). The City has been notified of this request, but no comments have been received to date.

### **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 site 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, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva.

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

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 must provide Orange County Environmental Protection Division (EPD) with a Notice of Asbestos Renovation or Demolition form.

All development is required to treat runoff for pollution abatement purposes, and any discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

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**

Based on the Concurrency Management System database dated June 20, 2017, capacity is available to be encumbered for this project; however, this information is dated and is subject to change. Also, prior to obtaining any building permit, an approved Capacity Encumbrance Letter (CEL) will be required by the developer.

#### **Code Enforcement**

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

#### **Water / Wastewater / Reclaim**

	<u>Existing service or provider</u>	
Water:	Orange County Utilities	A 24-inch water main is located on the east side of N. Hiwassee Road
Wastewater:	Orange County Utilities	A 6-inch force main is located on the west side of N. Hiwassee Road

---

Reclaim Water:	City of Orlando	Reclaim water service is not available.
----------------	-----------------	---

---

**Schools**

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 – (July 20, 2017)**

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

1. New billboards and pole signs shall be prohibited;
2. A Type "B" buffer shall be used to separate commercial (C-2 and C-3) and industrial (I-1 / I-5) uses from all residential uses. The buffer shall be a minimum of twenty-five (25) feet wide, and must consist of a completely opaque feature such as a masonry wall, berm, planted and/or existing vegetation or any combination thereof. At a minimum, plantings must be four (4) feet high and seventy (70) percent opaque at planting and capable of attaining full height and opacity within three (3) years; and
3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate I-1 / I-5 uses.

**PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS**

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend approval of the requested I-1/I-5 (Industrial District) zoning, subject to three (3) restrictions.

Staff indicated that ninety-one (91) notices were mailed to surrounding property owners within a notification buffer extending beyond 1,500 feet from the subject property. No commentaries were received in opposition or support; however, the applicant provided two (2) letters of support from adjacent property owners, and agreed with the staff recommendation of approval.

Following limited discussion regarding the setback requirements of the requested zoning district, a motion was made by Commissioner Gusler to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the I-1 / I-5 (Industrial District) zoning. Commissioner Cantero seconded the motion, which was then carried on a 9-0 vote.

**Motion / Second**

*William Gusler / Jose Cantero*

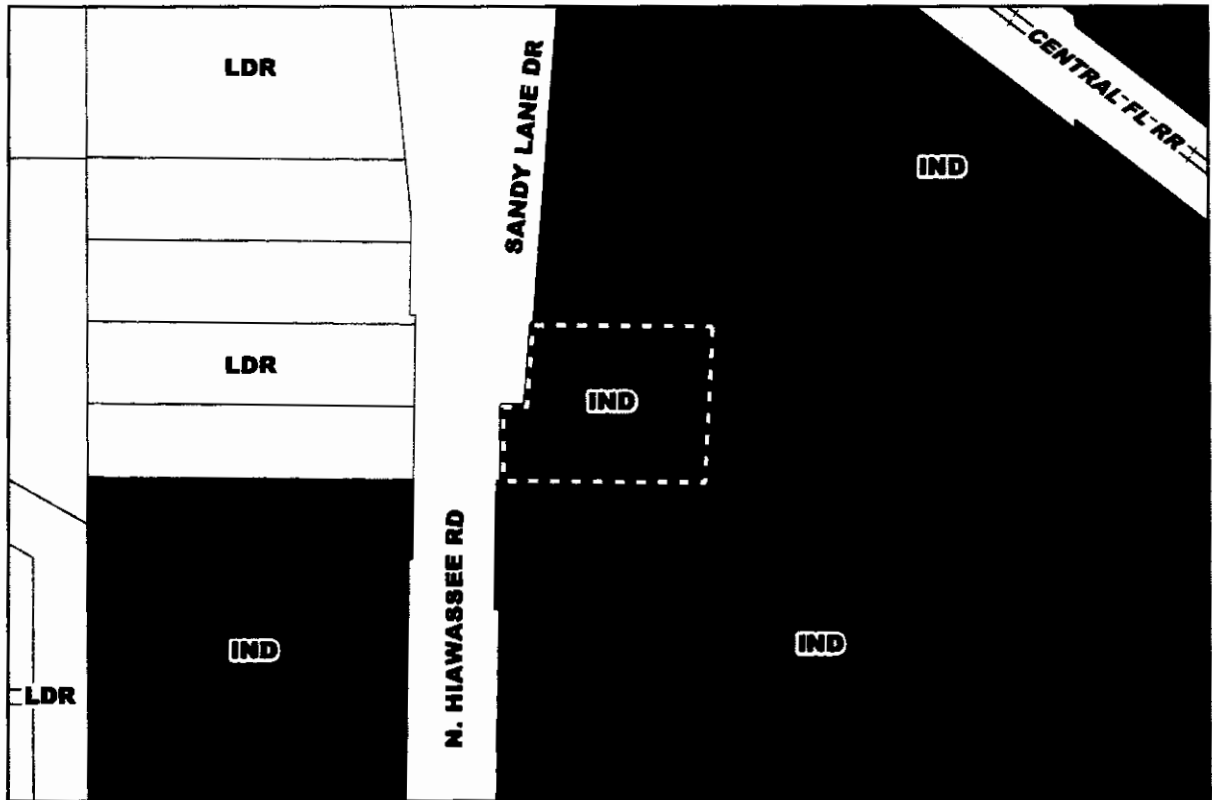
**Voting in Favor**

*William Gusler, Jose Cantero, JaJa Wade, Pat DiVecchio, Gordon Spears, James Dunn, Paul Wean, Tina Demostene, and Yog Melwani*

**Voting in Opposition**

*None*

RZ-17-07-026



Subject Property



★ Subject Property

**Future Land Use Map**

**FLUM:** Industrial (IND)

**APPLICANT:** Allison Turnbull, Gunster

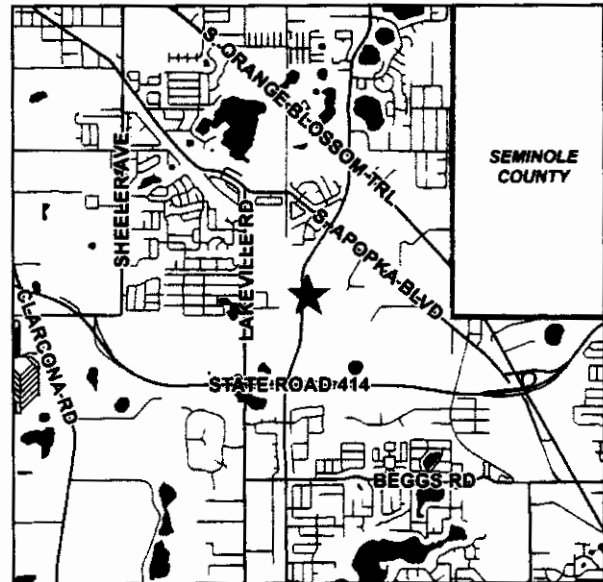
**LOCATION:** 2301 & 2337 N. Hiwassee Road; or generally on the east side of N. Hiwassee Road, southeast of Shady Lane Drive, and approximately 2,400 feet south of S. Apopka Boulevard

**TRACT SIZE:** 1.23 gross acres

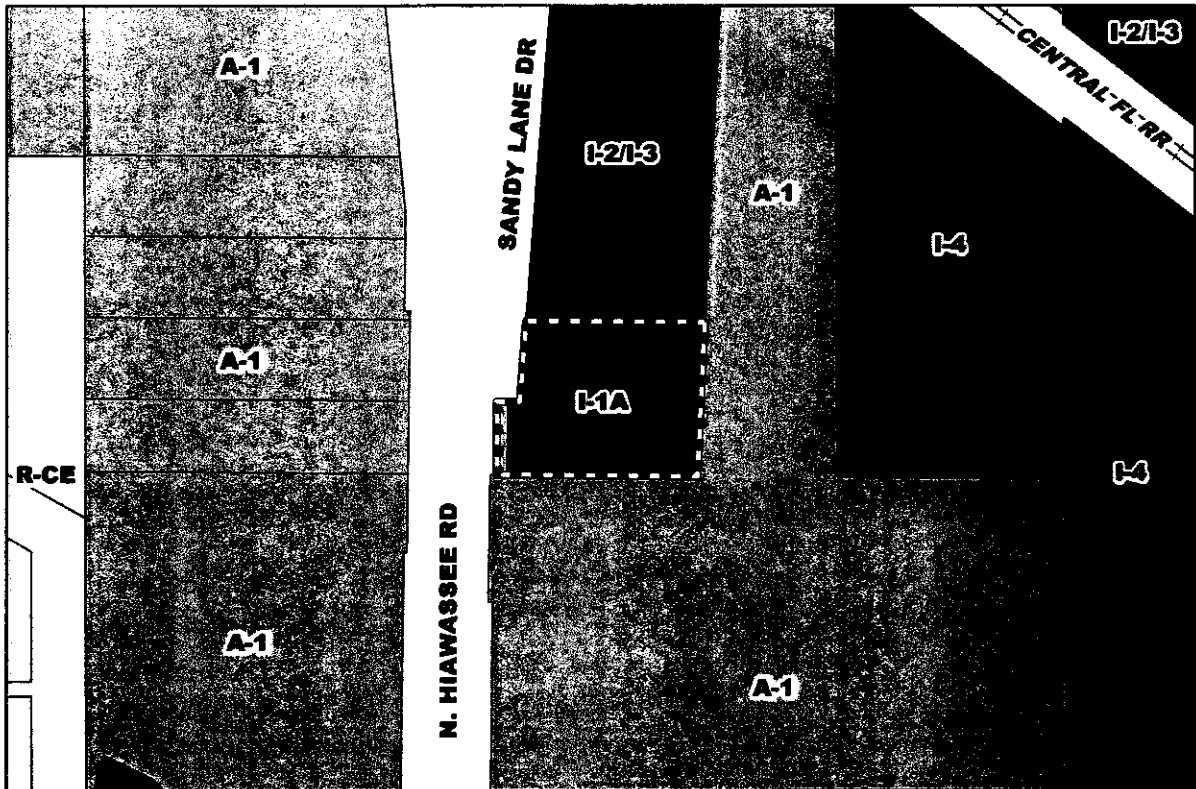
**DISTRICT:** # 2

**S/T/R:** 24/21/28

1 inch = 208 feet



RZ-17-07-026



Subject Property



Subject Property

**Zoning Map**

**ZONING:** A-1 (Citrus Rural District) and I-1A (Restricted Industrial District) to I-1/I-5 (Industrial District)

**APPLICANT:** Allison Turnbull, Gunster

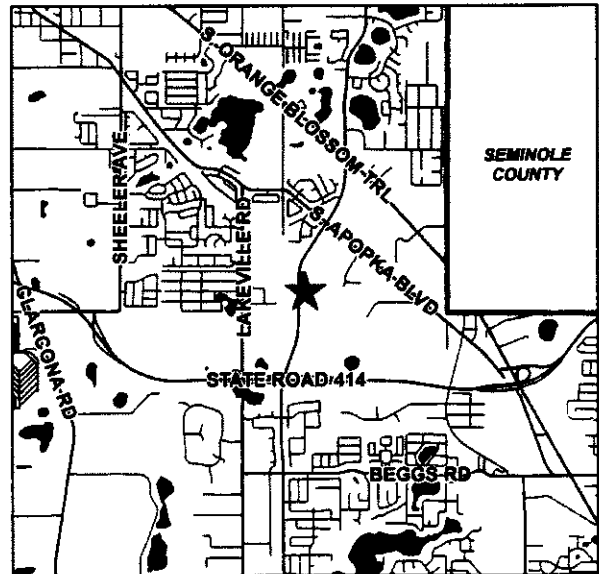
**LOCATION:** 2301 & 2337 N. Hiawasse Road; or generally on the east side of N. Hiawasse Road, southeast of Shady Lane Drive, and approximately 2,400 feet south of S. Apopka Boulevard

**TRACT SIZE:** 1.23 gross acres

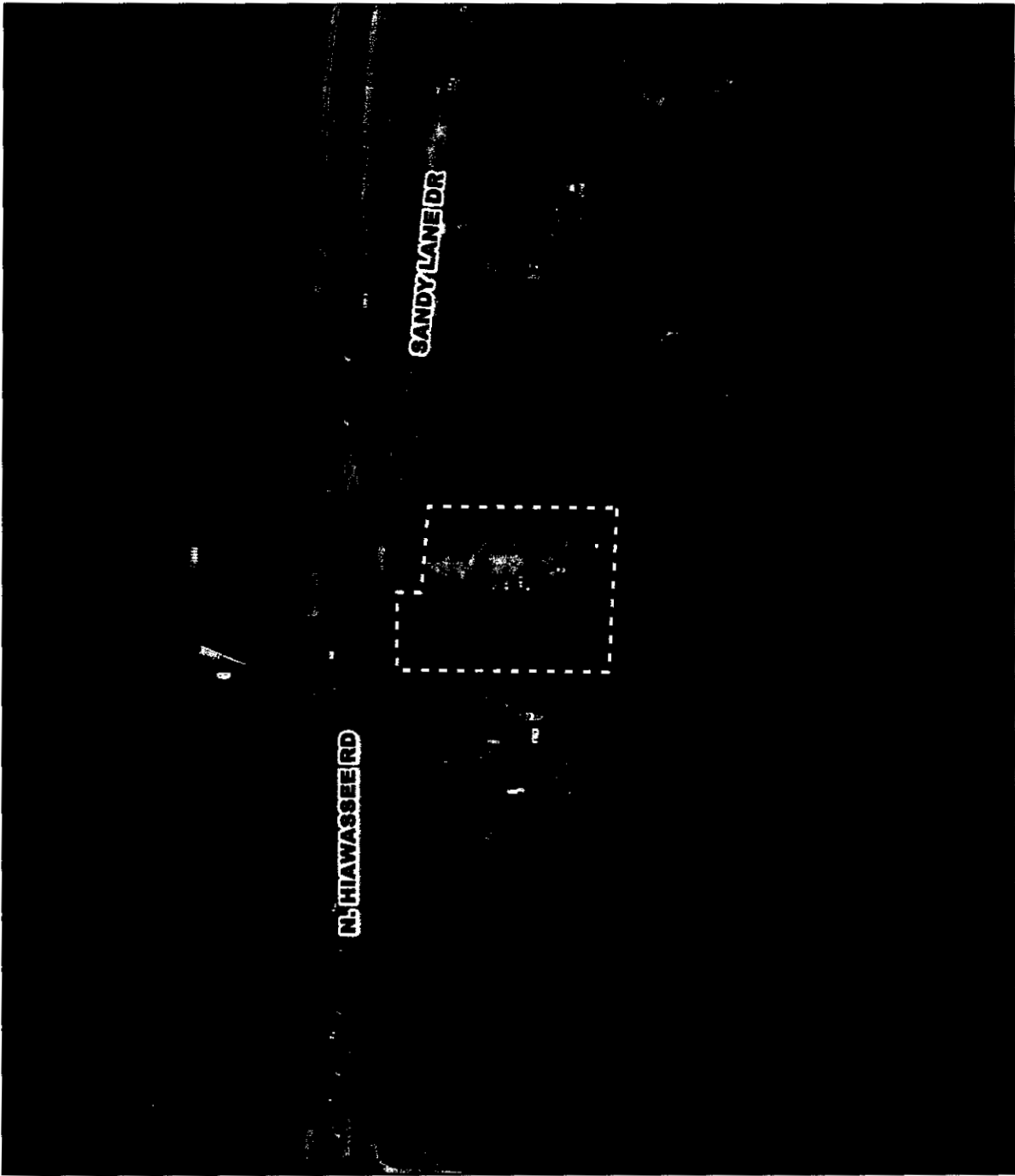
**DISTRICT:** # 2

**S/T/R:** 24/21/28

1 inch = 208 feet



RZ-17-07-026



 Subject Property



1 inch = 167 feet



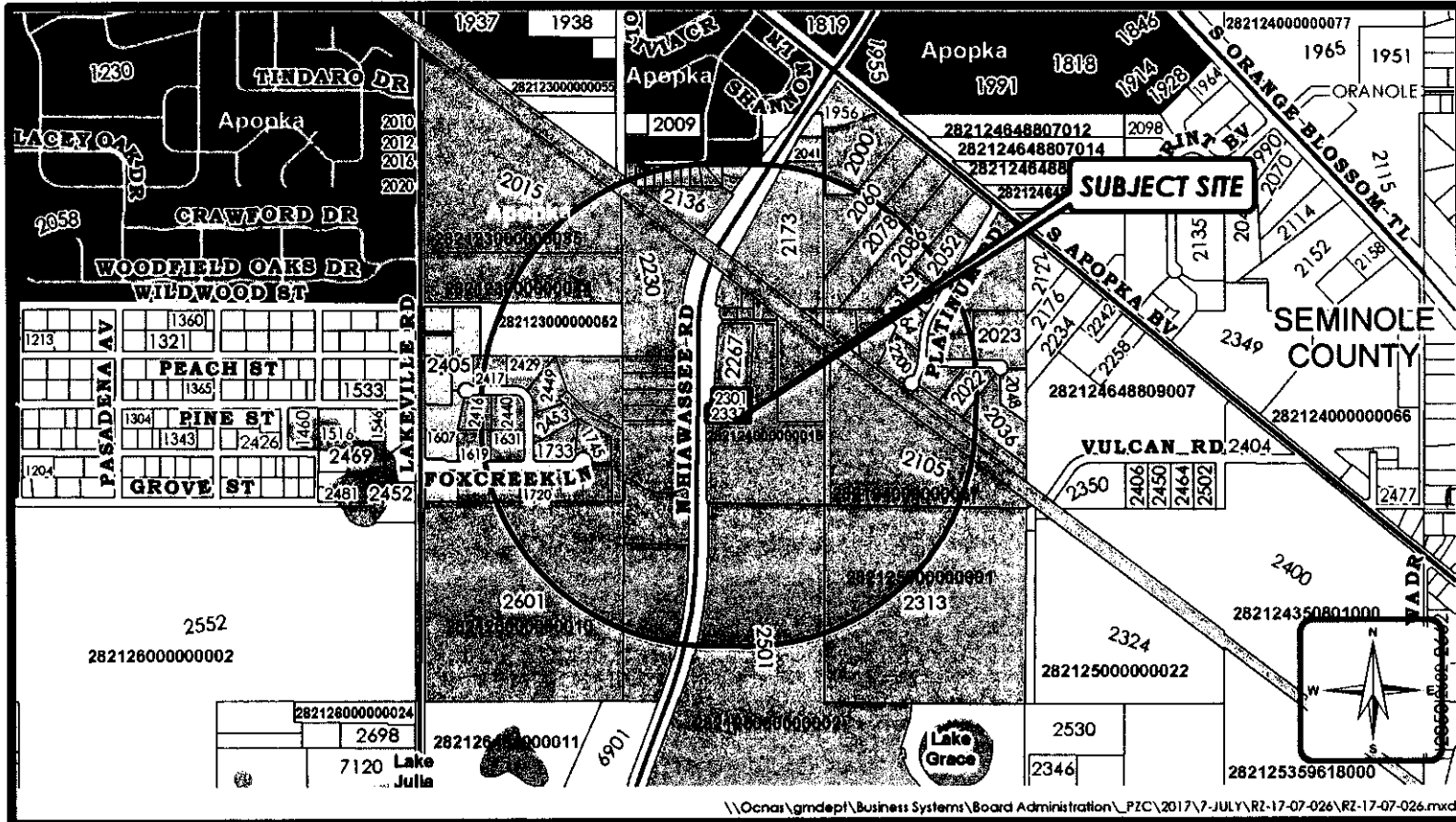
# Public Notification Map

RZ-17-07-026

1500 FT BUFFER, 91 NOTICES

PZC Recommendation Book

31



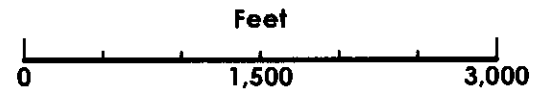
\\Ocnas\gmd\ep\Business Systems\Board Administration\PZC\2017\7-JULY\RZ-17-07-026\RZ-17-07-026.mxd

### MAP LEGEND

- SUBJECT
- 1500 FT BUFFER
- HYDROLOGY
- NOTIFIED PARCELS
- COURTESY NOTICES
- PARCELS



1 inch = 940 feet



Notification Map

Case # RZ-17-07-026  
 Orange County Planning Division  
 PZC Hearing Date: July 20, 2017

July 20, 2017