

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 [<i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i>]. One hundred thirty-eight (138) notices were mailed to those property owners in the mailing area. A community meeting was held for this request on Thursday, October 5, 2017, at Riverdale Elementary School.
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.

Community Meeting Summary

A community meeting was held for this request on Thursday, October 5, 2017, at Riverdale Elementary School. A verbal summary of the community meeting will be provided at the Board of County Commissioners' public hearing for this request.

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	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:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	25 ft.
<i>Side:</i>	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

Water:	<u>Existing service or provider</u> 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 (Single-Family Dwelling 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