

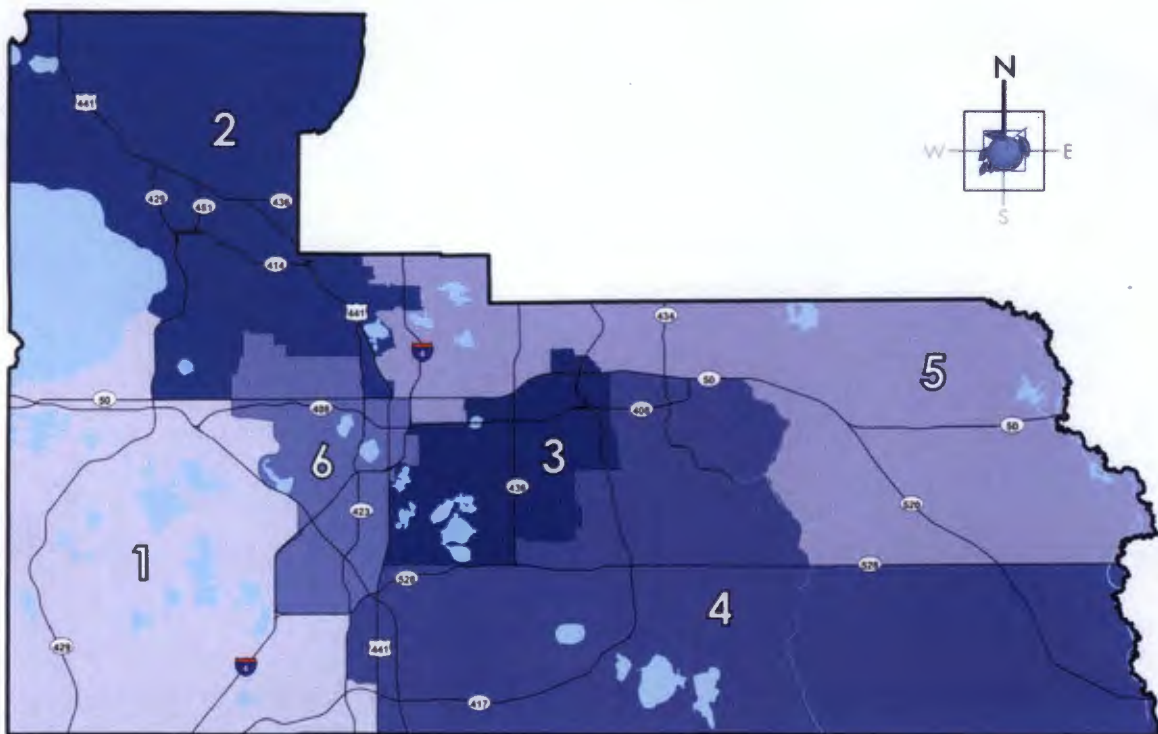


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

JANUARY 18, 2018



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

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



James Dunn Vice-Chairperson	District #1
--------------------------------	-------------

William Gusler	District #2
----------------	-------------

Tina Demostene	District #3
----------------	-------------

Pat DiVecchio	District #4
---------------	-------------

J. Gordon Spears	District #5
------------------	-------------

JaJa J. Wade Chairperson	District #6
-----------------------------	-------------

Paul Wean	At Large
-----------	----------

Yog Melwani	At Large
-------------	----------

Jose Cantero	At Large
--------------	----------

TABLE OF CONTENTS
Planning and Zoning Commission
January 18, 2018

<u>Table of Contents</u>	i
<u>Table of Hearings</u>	ii
<u>Site and Building Requirements</u>	iv
<u>Buffer Yard Requirements</u>	vii

REZONING PUBLIC HEARINGS

RZ-18-01-002 District 2.....	1
RZ-18-01-004 District 3.....	12
RZ-18-01-005 District 6.....	23
RZ-18-01-007 District 5.....	34
RZ-18-01-008 District 1.....	44
RZ-18-01-009 District 4.....	54
RZ-18-01-010 District 6.....	63

PLANNED DEVELOPMENT (PD) REZONING PUBLIC HEARING

LUP-16-08-260 District 4.....	74
LUP-17-08-251 District 1.....	96

TABLE OF HEARINGS
Planning and Zoning Commission
January 18, 2018

<u>Case #</u> <u>Applicant</u>	<u>Request</u>	<u>Commission</u> <u>District</u>	<u>Recommendations</u> <u>Staff</u>	<u>PZC</u>	<u>BCC Hearing</u> <u>Required</u>
-----------------------------------	----------------	--------------------------------------	--	------------	---------------------------------------

I. REZONING PUBLIC HEARINGS

RZ-18-01-002 Ellen M. McLatchey	<i>A-1 to I-4</i>	2	Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-18-01-004 Manuel Castanos	<i>C-1 to C-2</i>	3	Approval with four (4) restrictions	Approval with four (4) restrictions	No
RZ-18-01-005 Erika Hughes	<i>PD to I-2/I-3</i>	6	Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-18-01-007 James Hartman	<i>R-1A to R-1</i>	5	Approval	Approval	No
RZ-18-01-008 Miranda Fitzgerald	<i>A-1 to R-1A</i>	1	Approval	Approval	No
RZ-18-01-009 Robert E. Carrigan, Jr.	<i>A-2 to R-T-1</i>	4	Approval	Approval	No
RZ-18-01-010 Eugene Roberson, Jr.	<i>R-1A to P-O</i>	6	Approval with three (3) restrictions	Approval with Three (3) restrictions	No

II. PLANNED DEVELOPMENT REZONING PUBLIC HEARINGS

LUP-16-08-260 Tom Daly (Camino Reale PD)	<i>A-2 to PD</i>	4	Approval with twenty-six (26) conditions	Approval with Twenty-eight (28) conditions	Yes
LUP-17-08-251 Jonathan P. Huels (Windermere Springs PD)	<i>R-CE-2 to PD</i>	1	Approval with fourteen (14) conditions	Approval with fourteen (14) conditions	Yes

SITE and BUILDING REQUIREMENTS

Orange County Code Section 38-1501. Basic Requirements

District	Min. lot area (sq. ft.) ^m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) ^a	Min. rear yard (ft.) ^a	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
A-1	SFR - 21,780 (¼ acre)	850	100	35	50	10	35	<i>a</i>
	Mobile Home - 2 acres							
A-2	SFR - 21,780 (¼ acre)	850	100	35	50	10	35	<i>a</i>
	Mobile Home - 2 acres							
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	<i>a</i>
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	<i>a</i>
R-CE-2	2 acres	1,200	250	45	50	30	35	<i>a</i>
R-CE-5	5 acres	1,200	185	50	50	45	35	<i>a</i>
R-1AAAA	21,780 (1/2 acre)	1,500	110	30	35	10	35	<i>a</i>
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	<i>a</i>
R-1AA	10,000	1,200	85	25 <i>h</i>	30 <i>h</i>	7.5	35	<i>a</i>
R-1A	7,500	1,200	75	20 <i>h</i>	25 <i>h</i>	7.5	35	<i>a</i>
R-1	5,000	1,000	50	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	<i>a</i>
R-2	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	<i>a</i>
	Two dwelling units (DUs), 8,000/9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	30	5 <i>h</i>	35	<i>a</i>
	Three DUs, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	<i>a</i>
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	<i>a</i>
R-3	One-family dwelling, 4,500	1,000	45 <i>c</i>	20 <i>h</i>	20 <i>h</i>	5	35	<i>a</i>
	Two DUs, 8,000/ 9,000	500/1,000 per DU	80/90 <i>d</i>	20 <i>h</i>	20 <i>h</i>	5 <i>h</i>	35	<i>a</i>
	Three dwelling units, 11,250	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10	35	<i>a</i>
	Four or more DUs, 15,000	500 per DU	85 <i>j</i>	20 <i>h</i>	30	10 <i>b</i>	35	<i>a</i>
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10	35	<i>a</i>
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	<i>a</i>
R-T-1								
SFR	4,500 <i>c</i>	1,000	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	<i>a</i>
Mobile home	4,500 <i>c</i>	Min. mobile home size 8 ft. x 35 ft.	45	25/20 <i>k</i>	25/20 <i>k</i>	5	35	<i>a</i>
R-T-2	6,000	SFR 500	60	25	25	6	35	<i>a</i>
(prior to 1/29/73)		Min. mobile home size 8 ft. x 35 ft.						
R-T-2 (after 1/29/73)	21,780 ¼ acre	SFR 600	100	35	50	10	35	<i>a</i>
		Min. mobile home size 8 ft. x 35 ft.						

<i>District</i>	<i>Min. lot area (sq. ft.)^m</i>	<i>Min. living area (sq. ft.)</i>	<i>Min. lot width (ft.)</i>	<i>Min. front yard (ft.)^a</i>	<i>Min. rear yard (ft.)^a</i>	<i>Min. side yard (ft.)</i>	<i>Max. building height (ft.)</i>	<i>Lake setback (ft.)</i>
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.) ^m	Min. living area (sq. ft.)	Min. lot width (ft.)	Min. front yard (ft.) ^a	Min. rear yard (ft.) ^a	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 ^f	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 ^g	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) and industrial-restricted (I-1A) from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of fifteen (15) feet wide. The type C buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (4) **Type D, opaque buffer:** This buffer classification shall be used to separate professional office (P-O) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type D buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (5) **Type E, mobile home and RV park buffer:** This buffer classification shall be used to separate mobile home and RV parks from all abutting uses. This buffer shall be twenty-five (25) feet wide. Where the park abuts an arterial highway, the buffer shall be fifty (50) feet wide. This buffer shall not be considered to be part of an abutting mobile home space, nor shall such buffer be used as part of the required recreation area or drainage system (ditch or canal). This buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof. This buffer must be at least five (5) feet in height and fifty (50) percent opaque within eighteen (18) months after installation.
- (6) **Type F, residential subdivision buffer:** See subdivision regulations (Chapter 34, Orange County Code).

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

Case Planner:
Steven Thorp

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: January 18, 2018

CASE # RZ-18-01-002

Commission District: # 2

GENERAL INFORMATION

APPLICANT	Ellen M. McLatchey
OWNER	Ellen Margaret McLatchey, Trustee, Phyllis A. McLatchey et al., Margaret Ellen McLatchey
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-1 (Citrus Rural District) to I-4 (Industrial District)
LOCATION	6106 Beggs Road; or generally on the southwest corner of Beggs Road and N. Pine Hills Road
PARCEL ID NUMBER	31-21-29-0000-00-001
PUBLIC NOTIFICATION	The notification area for this public hearing extended beyond 800 feet [<i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i>]. One hundred twenty-three (123) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	16.25 gross acres
PROPOSED USE	Industrial Uses

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-4 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited; and
- 2) 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-4 uses.

IMPACT ANALYSIS

Land Use Compatibility

The I-4 (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 is generally used to designate those areas of concentrated industrial development that involve the processing of both hazardous and non-hazardous / toxic and non-toxic materials and create a measurable degree of impact to the surrounding environment. However, the varying types and intensity of industrial activity is governed by the more specific industrial zoning district. In this case, the proposed I-4 (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

Existing Use	Mobile Home Park
Adjacent Zoning	N: A-1 (Citrus Rural District) (1957) R-T (Mobile Home Park District) (1957) I-4 (Industrial District) (1965) E: I-4 (Industrial District) (1975) W: A-1 (Citrus Rural District) (1957) S: A-1 (Citrus Rural District) (1957)
Adjacent Land Uses	N: Mobile Home Park Warehouse E: Warehouse W: Stormwater Pump Station S: Electrical Substation

I-4 (INDUSTRIAL DISTRICT) DEVELOPMENT STANDARDS*

Floor Area Ratio:	≤0.75
Max. Height:	50 ft. (35 ft. within 100 ft. of a residential zoning district)
Building Setbacks:	
Front:	35 ft.
Rear:	10 ft.
Side:	25 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 intent and purpose of the I-4 (Industrial District) are as follows:

1. To provide for industrial operations of all types, which may produce such by-products such as odor, smoke, dust, and noise;
2. To provide space for industries which employ the processing of bulk materials and which require space for open storage of materials;
3. To establish and maintain standards which will permit a wide variety of processing activities; and

4. To establish and maintain standards which will protect adjacent residential and commercial developments.

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, truck terminal facilities, automobile dealers and repair facilities, metal fabrication, wholesale food production, cardboard and paper manufacturing, trade shops, storage yards, commercial plant nurseries, on-site fuel storage, community centers, private educational facilities, and miscellaneous repair services.

SPECIAL INFORMATION

Subject Property Analysis

The subject property is located at 6106 Beggs Road; or generally on the southwest corner of Beggs Road and N. Pine Hills Road and is currently developed with a legally, non-conforming mobile home park. The mobile home park is comprised of five (5) manufactured homes and one (1) single-family detached dwelling and has been in operation since 1968.

Through this request, the applicant is seeking to rezone the subject property from A-1 (Citrus Rural District) to I-4 (Industrial District) in order to redevelop the subject parcel with industrial development comparable with surrounding industrial properties.

This segment of N. Pine Hills Road and Beggs Road is characterized as having various intensities of industrial and commercial development. There are also single family residential and mobile home park uses located on the periphery of these industrial and commercial uses.

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 not located within a Joint Planning Area.

Overlay District Ordinance

The subject property is located within the Wekiva Study Area. The developer will be required to provide a minimum of 25% permanently protected open space per Orange County Comprehensive Plan Policy OS1.3.6.

Airport Noise Zone

The subject property is not located within an airport noise zone.

Environmental

Wetlands are located on site. Prior to any Orange County permits or development plan approvals, the Environmental Protection Division (EPD) will require a completed Conservation Area Determination (CAD), and if encroachments are proposed, a Conservation Area Impact (CAI) Permit, consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas. Approval of this request does not authorize any direct or indirect impacts to conservation areas or protective buffers.

Until wetland permitting is complete, the developable acreage is only an approximation. The applicant is advised not to make financial decisions based upon development within wetland or any required upland buffer areas. Any plan showing development in a wetland or buffer area without Orange County and other jurisdictional governmental agency permits is speculative and may not be approved.

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 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. Regulations include, but are not limited to septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability.

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 to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

Prior to commencement of any earthwork 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.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division about the septic system permit application, modification or abandonment.

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

Any miscellaneous garbage, waste, construction or demolition debris, or waste material found on site during clearing and grading shall be properly disposed of off-site according to the solid waste and hazardous waste regulations.

Fugitive dust emissions shall not be allowed from any activity including: vehicular movement, transportation of materials, construction, alteration, loading, unloading, storing or handling, without taking reasonable precautions to prevent such emissions. Reasonable precautions include application of water, dust suppressants, and other measures defined in Orange County Code Section 15-89.1.

Transportation / Access

Based on the Concurrency Management System database dated November 28, 2017, there are two failing roadway segments within a one mile radius of this project: 1) Edgewater Drive from Clarcona-Ocoee Road to Beggs Road and 2) Maitland Boulevard from State Road 429 to Orange Blossom Trail are currently and operating at level of service F. This information is dated and is subject to change. A traffic study will be required prior to obtaining an approved Capacity Encumbrance Letter and 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 Utilities	There are 12-inch and 16-inch watermains located in the Beggs Road and N. Pine Hills Road rights-of-way.
Wastewater:	Orange County Utilities	There are 6-inch, 12-inch and 30-inch forcemains located in the Beggs Road and N. Pine Hills Road rights-of-way.
Reclaim Water:	Orange County Utilities	Reclaim 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 – (January 18, 2018)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-4 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited; and
- 2) 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-4 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-4 (Industrial District) zoning, subject to two (2) restrictions.

Staff indicated that one hundred twenty-three (123) notices were mailed to surrounding property owners within a buffer extending beyond 800 feet from the subject property, with one (1) commentary received in support of this request and one (1) received in opposition. The applicant was present and agreed with the staff recommendation of approval. There was one member of the public present that spoke in opposition to the request stating that existing industrial development has negatively impacted the living environment and that any new construction should be adequately buffered.

Following limited discussion about possible uses on the subject property, a motion was made by Commissioner Gusler to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the I-4 (Industrial District) zoning district, subject to two (2) restrictions. Commissioner Spears seconded the motion, which was then carried on an 8-0 vote.

Motion / Second

William Gusler / Gordon Spears

Voting in Favor

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

Voting in Opposition

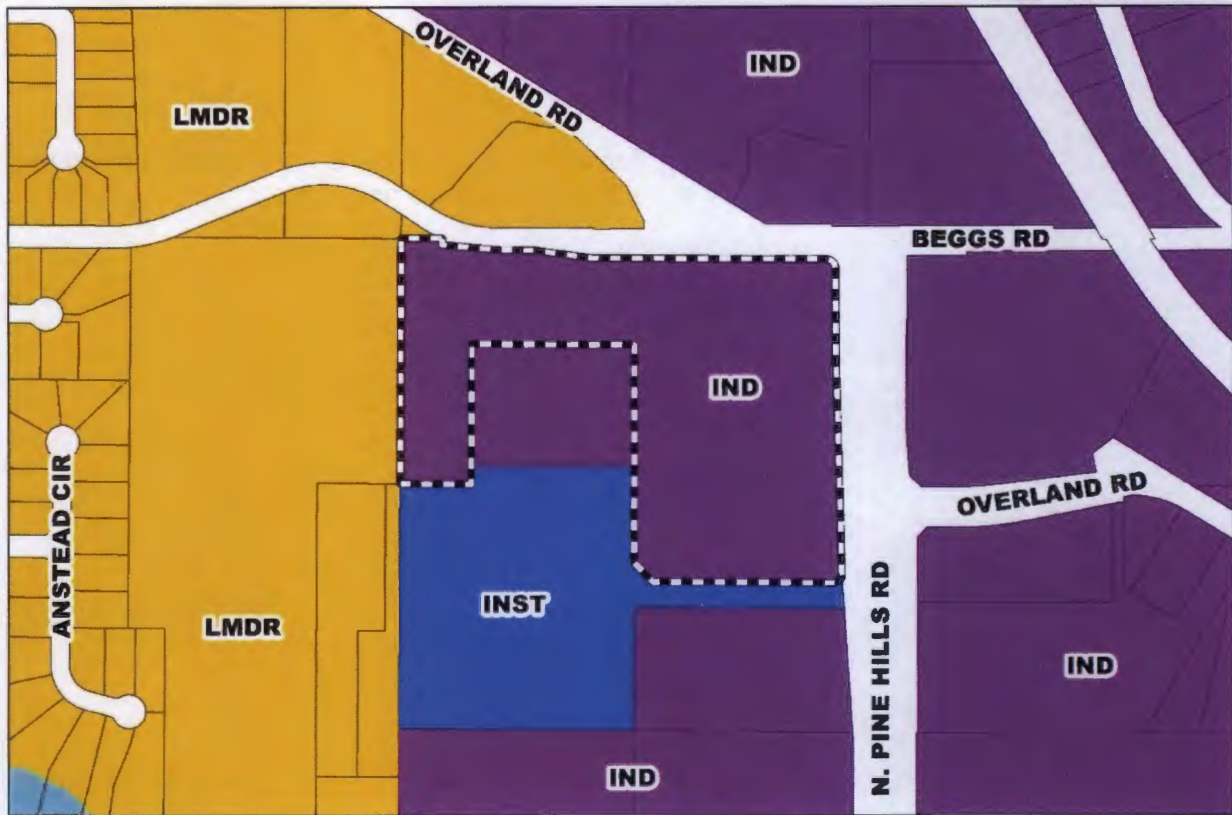
None


Absent


None

(Jose Cantero declared a conflict of interest and recused himself from the vote.)

RZ-18-01-002



 Subject Property

 Subject Property

Future Land Use Map

FLUM: Industrial (IND)

APPLICANT: Ellen M. McLatchey

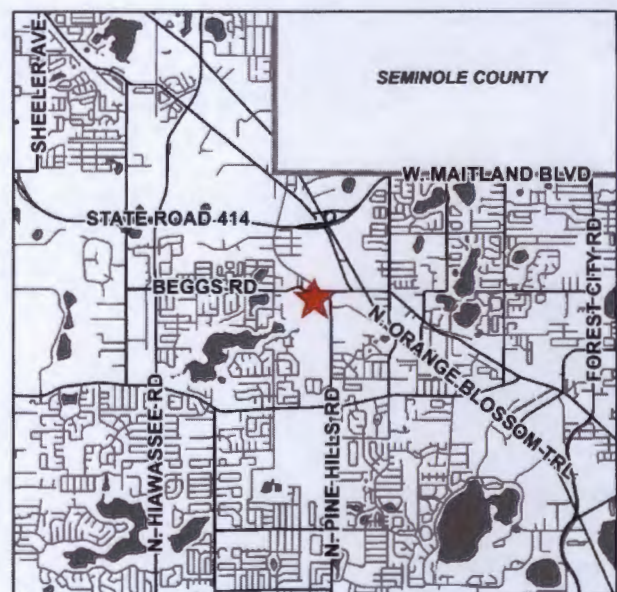
LOCATION: 6106 Beggs Road; or generally on the southwest corner of Beggs Road and N. Pine Hills Road

TRACT SIZE: 16.25 gross acres

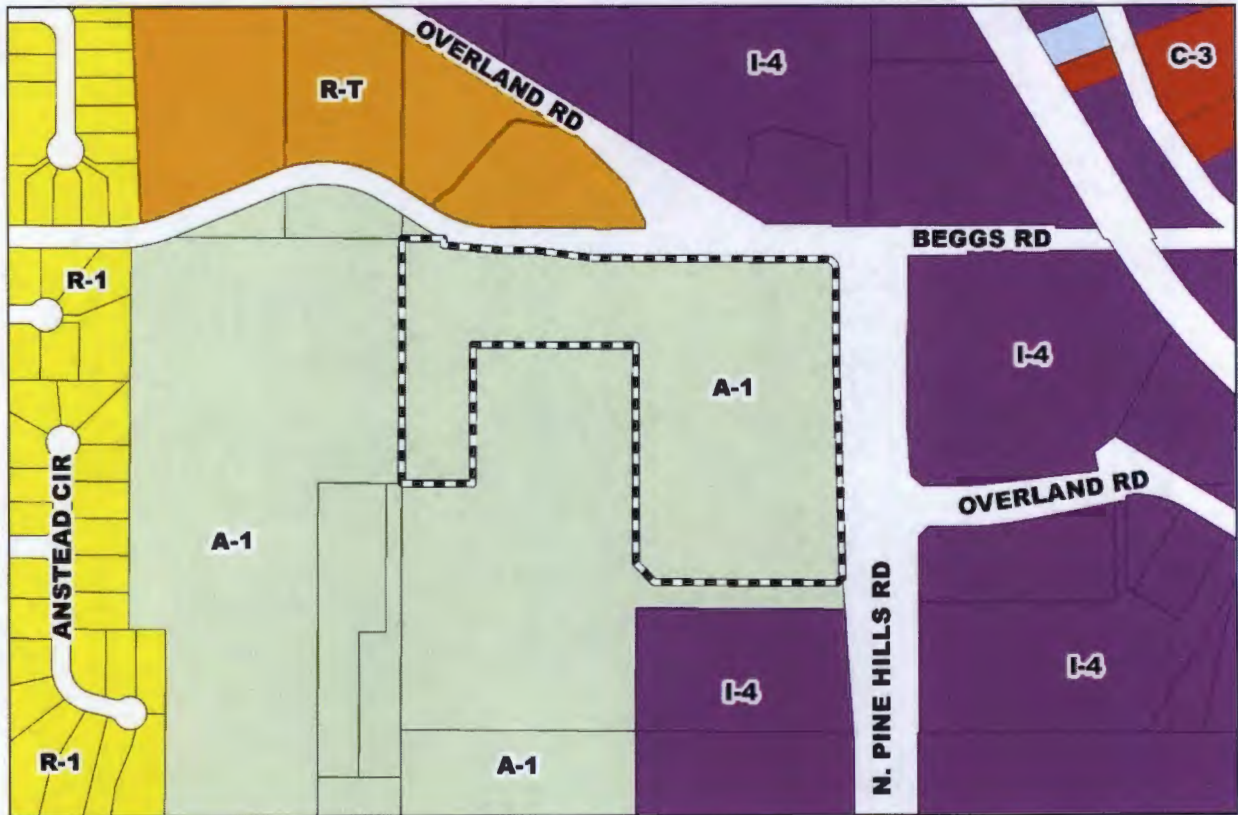
DISTRICT: # 2

S/T/R: 31/21/29

1 inch = 425 feet



RZ-18-01-002



Subject Property



Subject Property

Zoning Map

ZONING: A-1 (Citrus Rural District) to
 I-4 (Industrial District)

APPLICANT: Ellen M. McLatchey

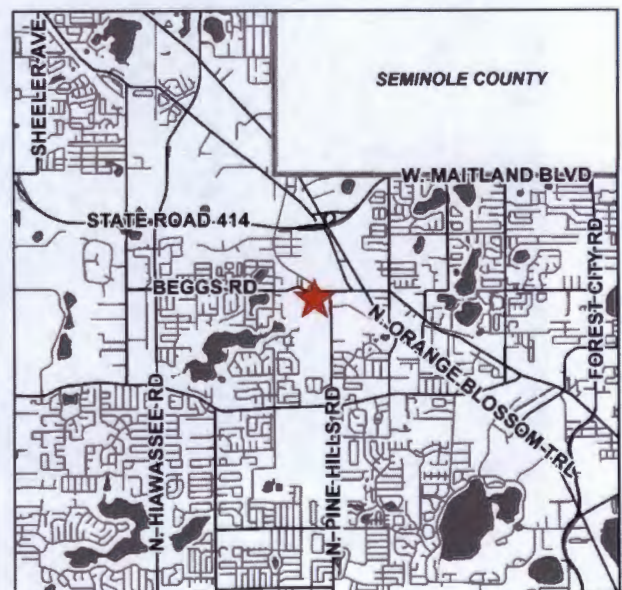
LOCATION: 6106 Beggs Road; or generally on the
 southwest corner of Beggs Road and N.
 Pine Hills Road

TRACT SIZE: 16.25 gross acres

DISTRICT: # 2


S/T/R: 31/21/29

1 inch = 425 feet



RZ-18-01-002



 Subject Property



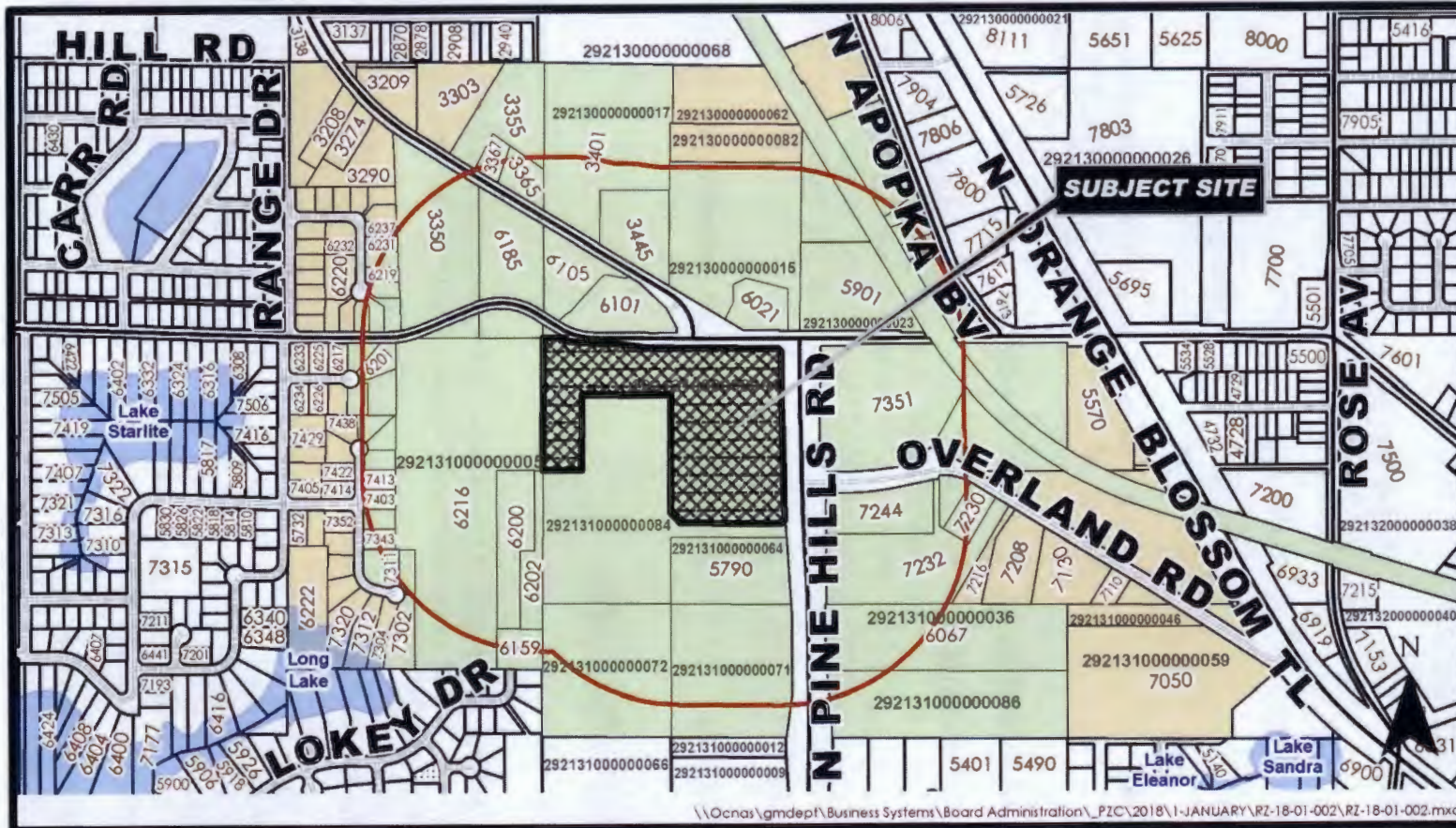
1 inch = 425 feet



Public Notification Map

RZ-18-01-002

800 FT BUFFER, 123 NOTICES



\\Ocnas\gmdept\Business Systems\Board Administration\PZC\2018\1-JANUARY\RZ-18-01-002\RZ-18-01-002.mxd

MAP LEGEND

	SUBJECT		COURTESY NOTICES
	800 FT BUFFER		PARCELS
	HYDROLOGY		
	NOTIFIED PARCELS		



1 inch = 703 feet

Feet



Notification Map

Case # RZ-18-01-002
Orange County Planning Division
PZC Hearing Date: January 18, 2018

Case Planner:
Steven Thorp

CASE # RZ-18-01-004

Commission District: # 3

GENERAL INFORMATION

APPLICANT	Manuel Castanos
OWNER	Mannys Tire One Corp.
HEARING TYPE	Planning and Zoning Commission
REQUEST	C-1 (Retail Commercial District) to C-2 (General Commercial District)
LOCATION	647 N. Semoran Boulevard; or generally at the southeast corner of N. Semoran Boulevard and Oleander Drive, approximately 1,200 feet south of E. Colonial Drive
PARCEL ID NUMBERS	27-22-30-3504-01-010
PUBLIC NOTIFICATION	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 fifty-nine (159) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	0.261-gross acre
PROPOSED USE	Addition of Automobile Dealership with Ancillary Uses

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;
- 2) A Type "B" buffer shall be used to separate commercial (C-2) 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 C-2 uses; and

- 4) The subject property shall be limited to C-1 (Retail Commercial District) uses, as well as the C-2 (General Commercial District) use of automobile sales with ancillary automobile repair. All other C-2 uses shall be prohibited.

IMPACT ANALYSIS

Land Use Compatibility

The C-2 (General Commercial 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 Commercial (C). The C-2 (General Commercial District) zoning is consistent with the Commercial FLUM designation and the following applicable 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.

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

Existing Use	Tire Sales and Installation
Adjacent Zoning	N: C-1 (Retail Commercial District) (1981)
	E: C-1 (Retail Commercial District) (1989)
	W: P-O (Professional Office District) (1976)
	S: C-2 (General Commercial District) (2004)
Adjacent Land Uses	N: Appliance Sales
	E: Single-Family Residential
	W: Office
	S: Automobile Repair

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:	
Front:	25 ft.
Rear:	15 ft. (20 ft. when abutting residential)
Side:	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 647 N. Semoran Boulevard; or generally at the southeast corner of N. Semoran Boulevard and Oleander Drive, approximately 1,200 feet south of E. Colonial Drive.

Through this request, the applicant is seeking to rezone the subject property from C-1 (Retail Commercial District) to C-2 (General Commercial District) in order to add an automobile sales with ancillary automobile repair use to the existing tire sales and installation facility. Per the Orange County Tax Collector, this business has been operation by the applicant since 2016.

Additionally, though this new C-2 zoning will be adjacent to a parcel to the east with a single-family residential use, the applicant of this rezoning is also the adjacent property owner and has consented to the new use being next to their single-family dwelling. In order to increase compatibility of the proposed use, staff is recommending that only the proposed C-2 use be permitted and all other C-2 uses be prohibited in order to reduce any negative impacts this use may have on the existing adjacent residential use. All C-1 uses will still be permitted.

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 located within the State Road 436 / State Road 50 Corridor Overlay District. The proposed use associated with this rezoning is compliant with this overlay.

Airport Noise Zone

The subject property is located within Airport Noise Zone "C". The proposed use is subject to the land use restrictions stated in Orange County Code Article XV – "Airport Noise Impact Areas".

Environmental

Orange County Environmental Protection Division reviewed this request and did not have any comments on this case.

Transportation / Access

This project is located within in the Alternative Mobility Area and is exempt from transportation concurrency. Based on LYNX's current bus schedule, transit service is available within a quarter mile walk distance along Semoran Boulevard. The area is well served by an interconnected network of public sidewalks and the proposed development will connect to the existing sidewalk network. There is no signed bicycle route/lane within the project impact area.

Code Enforcement

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

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>
Water:	Orlando Utilities Commission
Wastewater:	City of Orlando
Reclaim Water:	City of Orlando

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 – (January 18, 2018)

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;
- 2) A Type "B" buffer shall be used to separate commercial (C-2) 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 C-2~~ accommodation of C-2 uses; and
- 4) The subject property shall be limited to C-1 (Retail Commercial District) uses, as well as the C-2 (General Commercial District) use of automobile sales with ancillary automobile repair. All other C-2 uses shall be prohibited.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

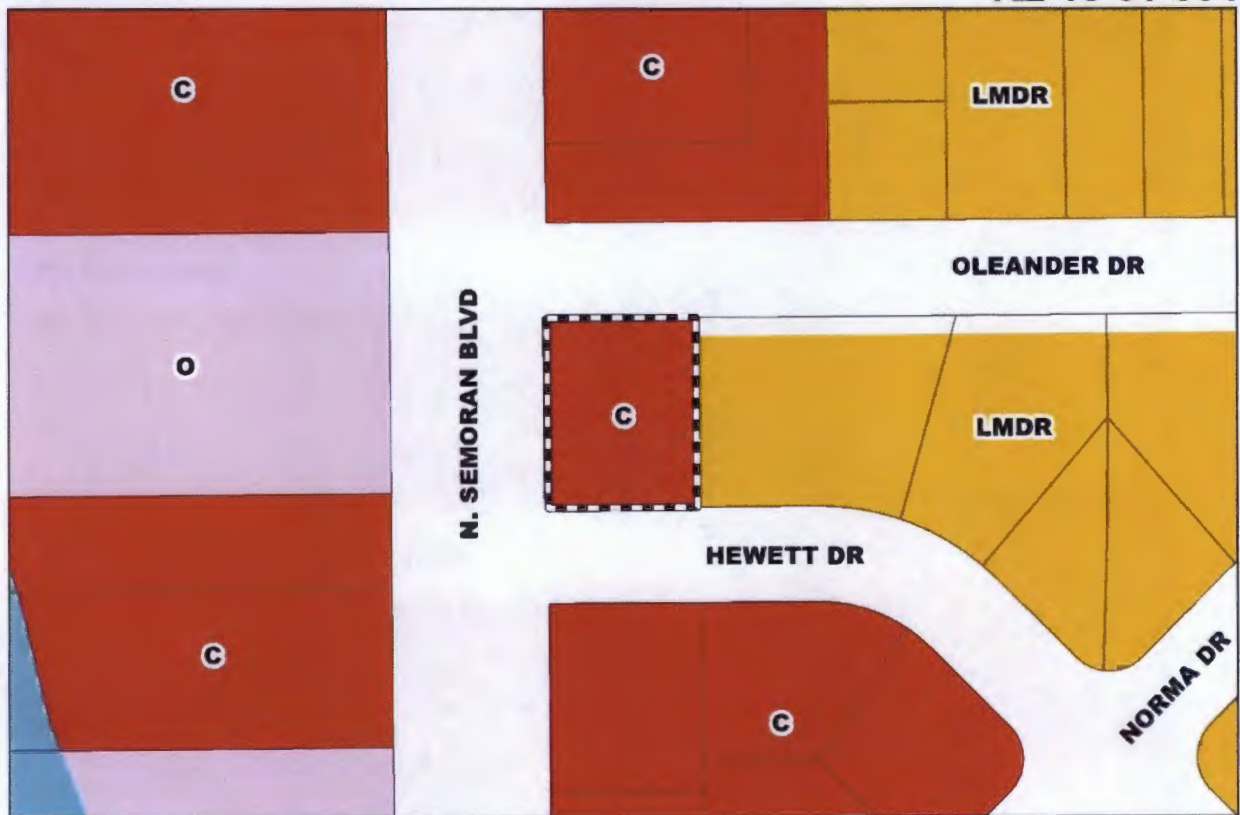
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend approval of the requested C-2 (General Commercial District) zoning, subject to four (4) restrictions.

Staff indicated that one hundred forty-eight (159) notices were mailed to surrounding property owners within a buffer extending beyond 700 feet from the subject property, with one (1) commentary received in opposition to this request, two (2) received in support, and one (1) received with a neutral position. The applicant was present and agreed with the staff recommendation of approval. There were no members of the public present to speak about this request.

Following limited discussion regarding site compliance with the new use, a motion was made by Commissioner Demostene to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the C-2 (General Commercial District) zoning district, subject to four (4) restrictions. Commissioner Gusler seconded the motion, which was then carried on a 9-0 vote.

Motion / Second	<i>Tina Demostene / William Gusler</i>
Voting in Favor	<i>Tina Demostene, William Gusler, Jose Cantero, Paul Wean, James Dunn, Pat DiVecchio, Jaja Wade, Gordon Spears, and Yog Melwani</i>
Voting in Opposition	<i>None</i>
Absent	<i>None</i>

RZ-18-01-004



Subject Property



Subject Property

Future Land Use Map

FLUM: Commercial (C)

APPLICANT: Manuel Castanos

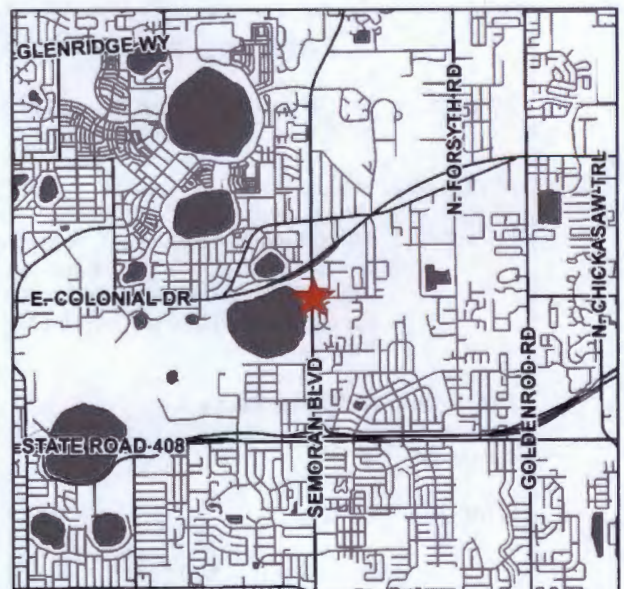
LOCATION: 647 N. Semoran Boulevard; or generally at the southeast corner of N. Semoran Boulevard and Oleander Drive, approximately 1,200 feet south of E. Colonial Drive

TRACT SIZE: 0.261-gross acre

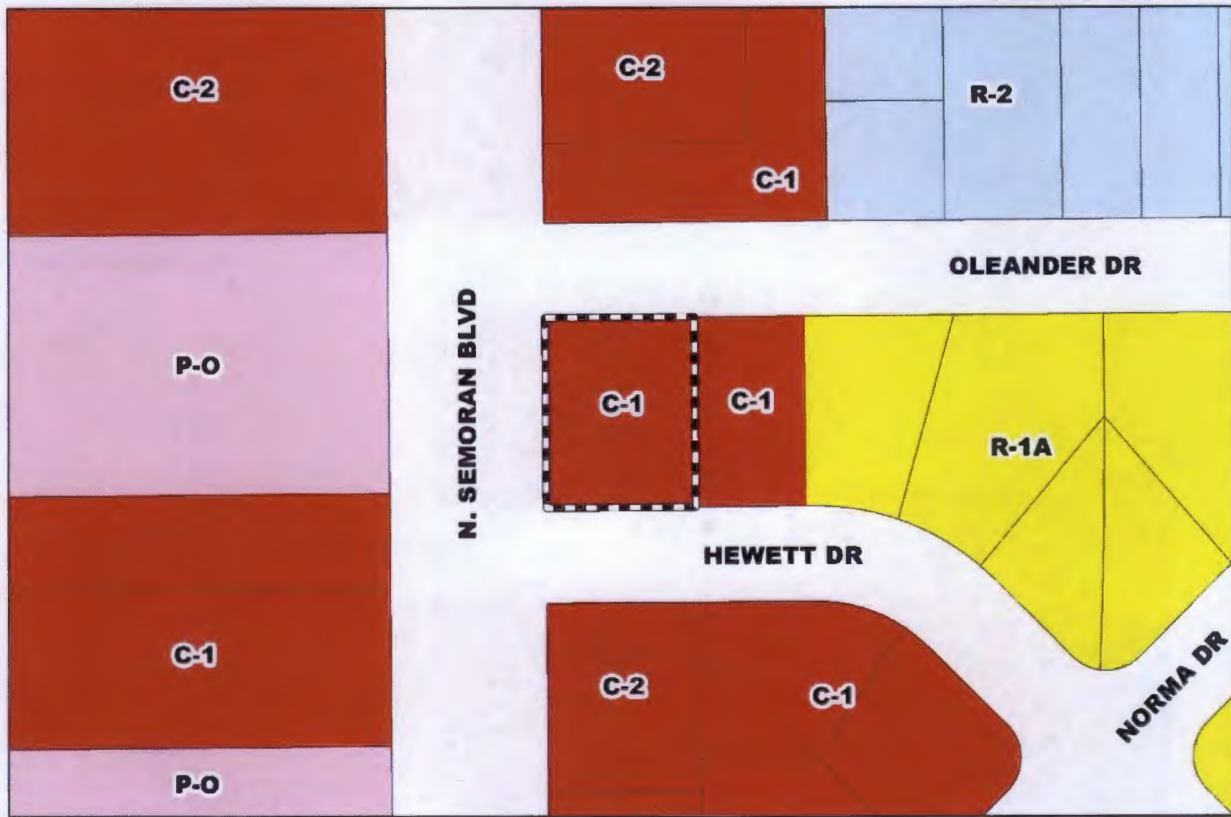
DISTRICT: # 3

S/T/R: 27/22/30

1 inch = 100 feet



RZ-18-01-004



Subject Property



Subject Property

Zoning Map

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

APPLICANT: Manuel Castanos

LOCATION: 647 N. Semoran Boulevard; or generally at
 the southeast corner of N. Semoran
 Boulevard and Oleander Drive,
 approximately 1,200 feet south of E.
 Colonial Drive

TRACT SIZE: 0.261-gross acre

DISTRICT: # 3

S/T/R: 27/22/30

1 inch = 100 feet



RZ-18-01-004



 Subject Property



1 inch = 100 feet

Alternative Mobility Area (AMA) Context Map



RZ-18-01-004
Planning Context Map



Public Notification Map

RZ-18-01-004

700 FT BUFFER, 159 NOTICES



1 inch = 583 feet

Feet



Notification Map

Case # RZ-18-01-004
Orange County Planning Division
PZC Hearing Date: January 18, 2018

Case Planner:
Steven Thorp

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: January 18, 2018

CASE # RZ-18-01-005

Commission District: # 6

GENERAL INFORMATION

APPLICANT	Erika Hughes, VHB, Inc.
OWNER	LMC Properties, Inc.
HEARING TYPE	Planning and Zoning Commission
REQUEST	PD (Planned Development District) (Palmera PD) to I-2/I-3 (Industrial District)
LOCATION	W. Sand Lake Road; or generally on the south side of W. Sand Lake Road, approximately 2,200 feet east of Universal Boulevard
PARCEL ID NUMBER	36-23-28-0000-00-012 (a portion of)
PUBLIC NOTIFICATION	The notification area for this public hearing extended beyond 1,500 feet [<i>Chapter 30-40(c)(3a) of the Orange County Code</i> <i>requires 300 feet</i>]. One hundred twelve (112) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	5.931 gross acres
PROPOSED USE	Industrial Office Building

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-2/I-3 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited; and
- 2) 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-2/I-3 uses.

IMPACT ANALYSIS

Land Use Compatibility

The I-2/I-3 (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 is generally used to designate those areas of concentrated industrial development that involve the processing of both hazardous and non-hazardous / toxic and non-toxic materials and create a measurable degree of impact to the surrounding environment. However, the varying types and intensity of industrial activity is governed by the more specific industrial zoning district. In this case, the proposed I-2/I-3 (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

Existing Use	Undeveloped
Adjacent Zoning	N: PD (Planned Development District) (Palmera PD) (2007)
	E: PD (Planned Development District) (Palmera PD) (2007)
	W: PD (Planned Development District) (Palmera PD) (2007)
	S: I-2/I-3 (Industrial District) (1965)
Adjacent Land Uses	N: Sand Lake Road / Kirkman Road interchange
	E: Lockheed Martin complex
	W: Lockheed Martin complex / Kirkman Road
	S: Lockheed Martin complex

I-2/I-3 (INDUSTRIAL DISTRICT) DEVELOPMENT STANDARDS*

Floor Area Ratio:	≤0.75
Max. Height:	50 ft. (35 ft. within 100 ft. of a residential zoning district)
Building Setbacks:	
Front:	25 ft.
Rear:	10 ft.
Side:	15 ft.

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

Permitted Uses

The intent and purpose of the I-2/I-3 (Industrial District) are as follows:

1. To provide space for those industries which require locations near compatible neighbors, good transportation facilities and utilities;
2. To establish and maintain regulations which will allow the continued development of certain existing industrially zoned property and certain lands adjacent thereto where there exist lots, structures and uses of land which were lawful before the

adoption of this article but which may be prohibited by the requirements of the I-1A and I-1/I-5 industrial districts;

3. To establish and maintain standards that will promote the development of a wide variety of general industrial and related activities which require a pleasant environment, compatible surroundings, and intensive use of land; and
4. To establish and maintain standards which will protect adjacent residential and commercial developments.

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, truck terminal facilities, automobile dealers and repair facilities, metal fabrication, wholesale food production, cardboard and paper manufacturing, trade shops, storage yards, commercial plant nurseries, on-site fuel storage, community centers, private educational facilities, and miscellaneous repair services.

SPECIAL INFORMATION

Subject Property Analysis

The subject property is located at W. Sand Lake Road; or generally on the south side of W. Sand Lake Road, approximately 2,200 feet east of Universal Boulevard.

The subject property was initially zoned I-2/I-3 (Industrial District) in 1965 as part of the approvals for the development of the Martin Marietta complex. The property was then rezoned in 2007 as part of the Palmera PD, which contains development entitlements for 8,820,900 square feet of retail commercial, office, industrial, and hotel/timeshare uses.

Through this request, the applicant is seeking to rezone the subject property from PD (Planned Development District) to I-2/I-3 (Industrial District) in order to redevelop the property with an office building and associated parking for the existing Lockheed Martin complex. This subject property will be aggregated with the I-2/I-3 zoned property and developed with a unified site plan. Associated with this request is a recently approved Change Determination Request (CDR) (Case #CDR-17-10-333) to the Palmera PD to remove this property from the PD. Approval of the CDR is subject to approval of this rezoning.

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 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

The subject property was included in the Orange County Conservation Area Determination CAD 92-018 completed for the Martin Marietta Sand Lake Road Complex with a certified wetland boundary survey approved on October 1, 1997. No conservation areas were claimed within this site.

This property is located within the Lockheed Martin Missiles and Fire Control Sand Lake Road Complex hazardous and solid waste corrective program area. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division (EPD) of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

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

The site discharges into the Shingle Creek, a body of water designated as impaired by the Florida Department of Environmental Protection (FDEP impairment: nutrients). The Impaired Waters Rule, Chapter 62-303 of the Florida Administrative Code may increase the requirements for pollution abatement treatment of stormwater as part of the Lake Okeechobee Basin Management Action Plan (BMAP).

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 data dated December 13, 2017, there are several failing roadway segments within a one mile radius of this project. Segments of Sand Lake Road from Dr. Phillips Blvd. to International Drive and Turkey Lake Road from Sand Lake Commons Blvd. to Sand Lake Road are currently deficient and operating at level of service F. A traffic study will be required and final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies.

Code Enforcement

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

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>	
Water:	Orlando Utilities Commission	
Wastewater:	Orange County Utilities	24-inch forcemain located in the Sand Lake Road right-of-way.
Reclaim Water:	Orange County Utilities	36-inch reclaimed water main located in an easement at the north property boundary.

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 – (January 18, 2018)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-2/I-3 (Industrial District) zoning, subject to the following restrictions:

- 1) New billboards and pole signs shall be prohibited; and

- 2) 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-2/I-3 uses.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

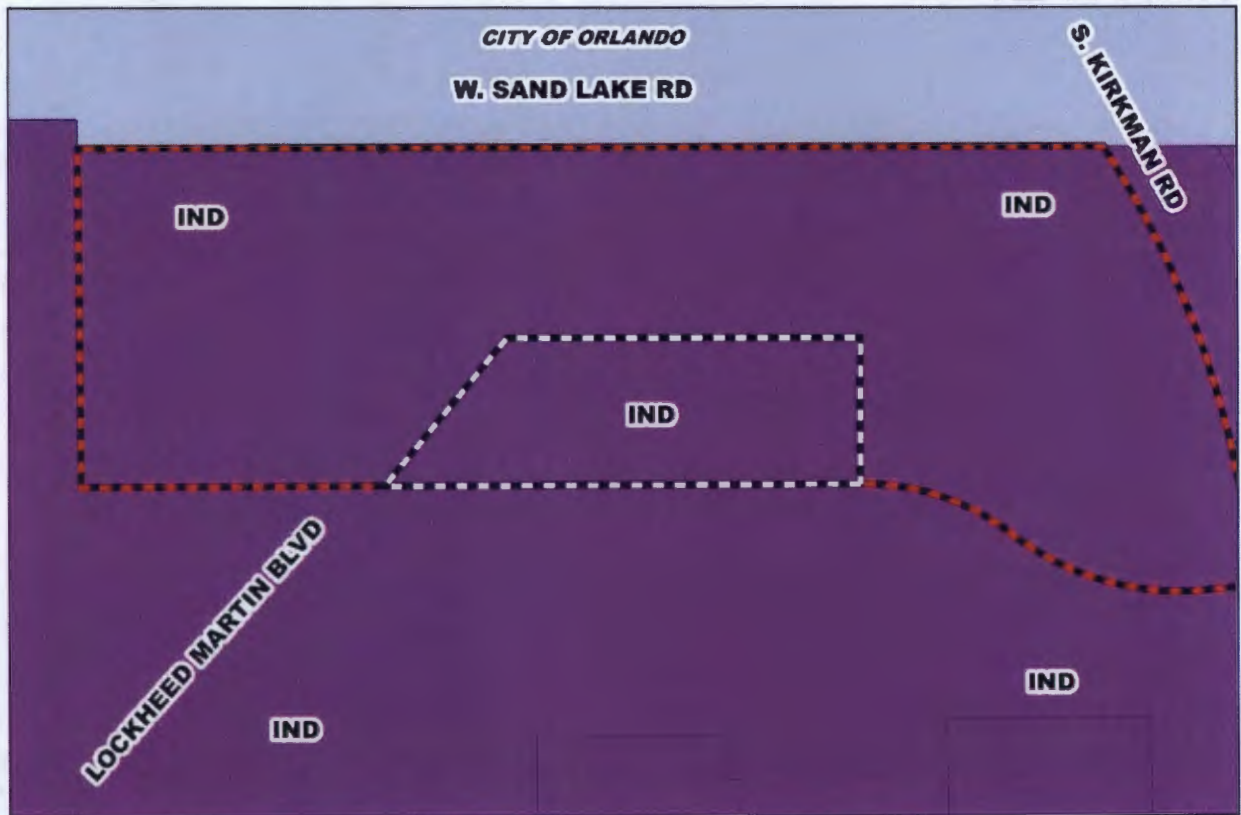
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend approval of the requested I-2/I-3 (Industrial District) zoning, subject to two (2) restrictions.



Staff indicated that one hundred twelve (112) notices were mailed to surrounding property owners within a buffer extending beyond 1,500 feet from the subject property, with zero (0) commentaries received in support or in opposition to the request. The applicant was present and agreed with the staff recommendation of approval. There were no members of the public present to speak about this request.

Following limited discussion, a motion was made by Commissioner Wade to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the I-2/I-3 (Industrial District) zoning district, subject to two (2) restrictions. Commissioner Cantero seconded the motion, which was then carried on a 9-0 vote.


Motion / Second	<i>JaJa Wade / Jose Cantero</i>
Voting in Favor	<i>JaJa Wade, Jose Cantero, James Dunn, Tina Demostene, Paul Wean, William Gusler, Gordon Spears, Yog Melwani, and Pat DiVecchio</i>
Voting in Opposition	<i>None</i>
Absent	<i>None</i>

RZ-18-01-005



 Subject Property
 Overall Parcel



 Subject Property

Future Land Use Map

FLUM: Industrial (IND)

APPLICANT: Erika Hughes, VHB, Inc.

LOCATION: W. Sand Lake Road; or generally on the south side of W. Sand Lake Road, approximately 2,200 feet east of Universal Boulevard

TRACT SIZE: 5.931 gross acrea

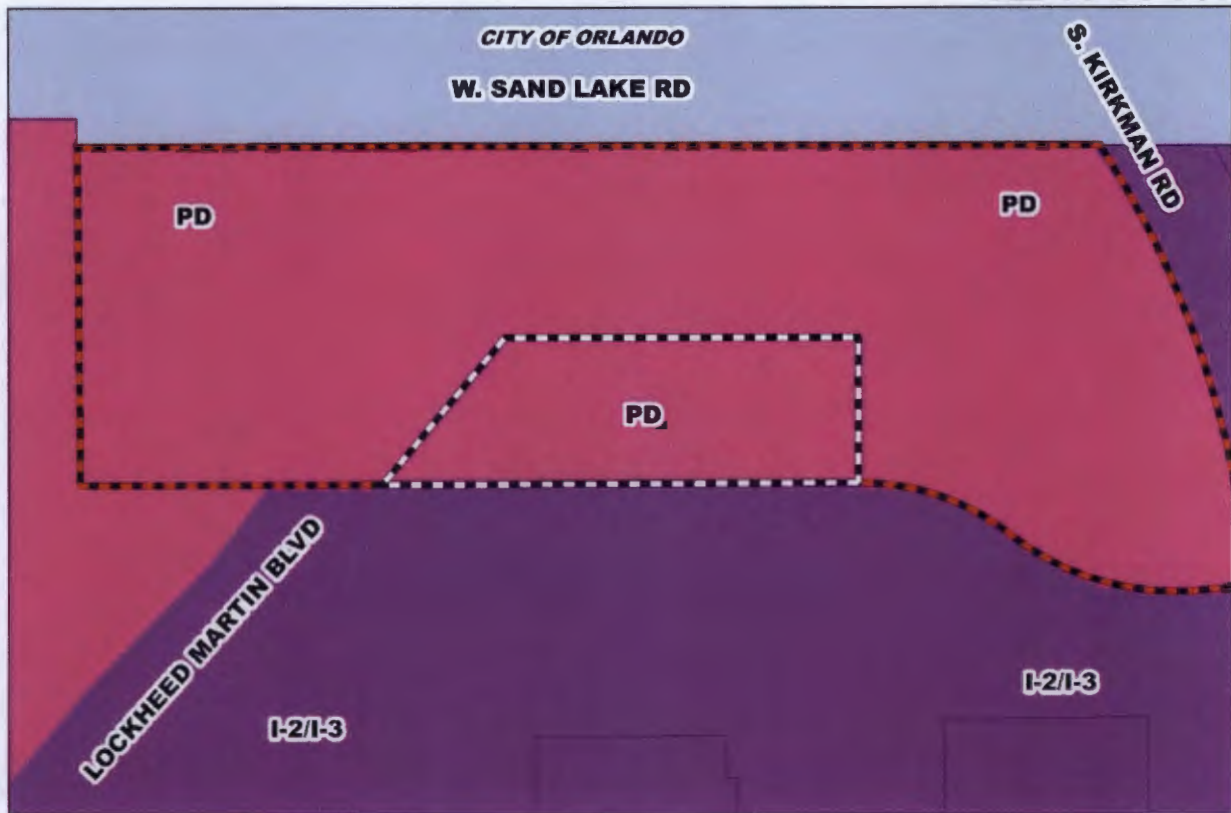
DISTRICT: # 6



S/T/R: 36/23/28

1 inch = 325 feet




RZ-18-01-005



 Subject Property
 Overall Parcel



 Subject Property

Zoning Map

ZONING: PD (Planned Development District) to
I-2/I-3 (Industrial District)

APPLICANT: Erika Hughes, VHB, Inc.

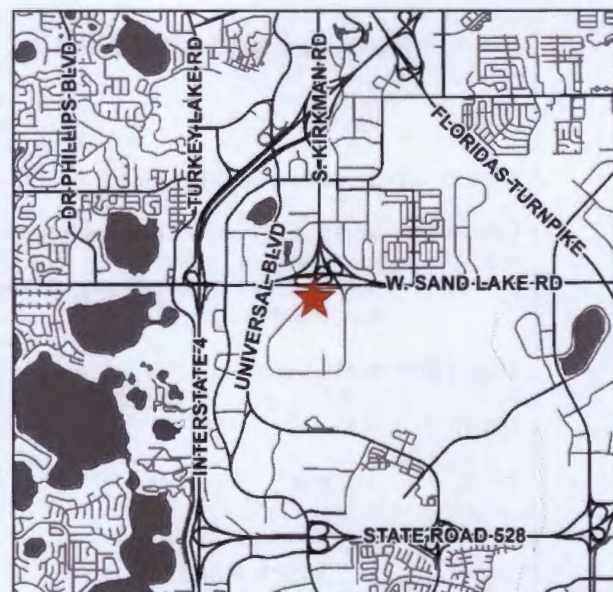
LOCATION: W. Sand Lake Road; or generally on the
south side of W. Sand Lake Road,
approximately 2,200 feet east of Universal
Boulevard

TRACT SIZE: 5.931 gross acrea

DISTRICT: # 6



S/T/R: 36/23/28

1 inch = 325 feet



RZ-18-01-005



 Subject Property
 Overall Parcel



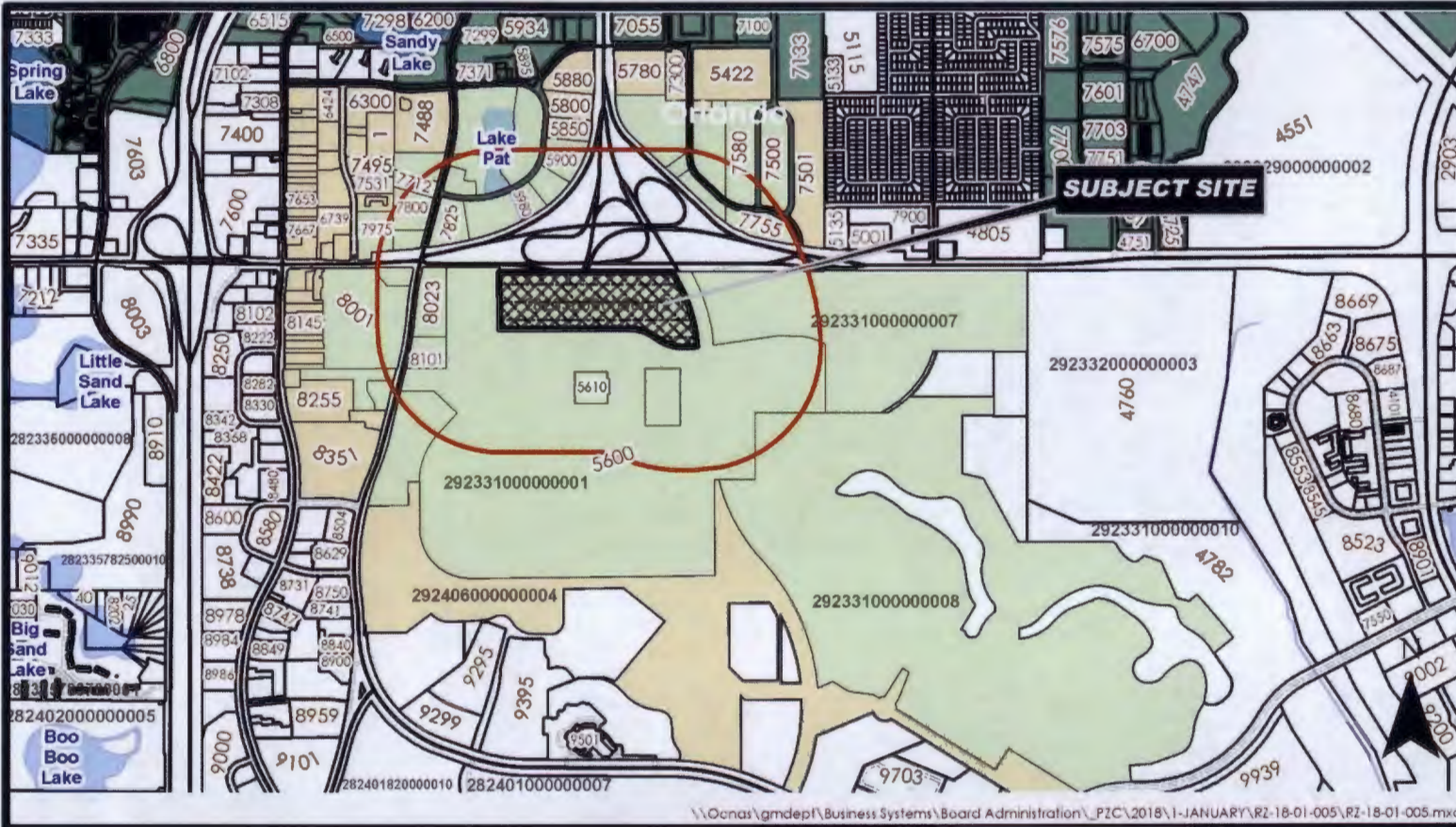
1 inch = 300 feet



Public Notification Map

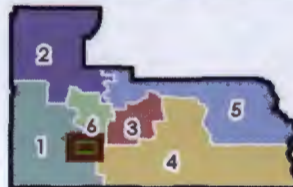
RZ-18-01-005

1500 FT BUFFER, 112 NOTICES



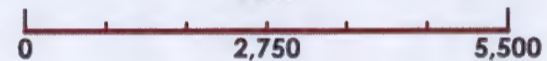
MAP LEGEND

	SUBJECT		COURTESY NOTICES
	1500 FT BUFFER		PARCELS
	HYDROLOGY		
	NOTIFIED PARCELS		



1 inch = 1,731 feet

Feet



Notification Map

Case # RZ-18-01-005
Orange County Planning Division
PZC Hearing Date: January 18, 2018

CASE # RZ-18-01-007

Commission District: # 5

GENERAL INFORMATION

APPLICANT	James Hartman
OWNERS	1403 Shady Lane LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	824 Timor Ave; or generally on the south side of Timor Avenue, approximately 400 feet east of Adanson Street
PARCEL ID NUMBER	02-22-29-8472-07-030
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One-hundred ninety (190) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	0.321-gross acre
PROPOSED USE	Two (2) Single-Family Detached Dwelling Units (one per lot, pending approved lot split)

STAFF RECOMMENDATION

PLANNING

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

IMPACT ANALYSIS

Land Use Compatibility

The R-1 (Single-Family Dwelling District) zoning would allow for development that is consistent with the character and development style 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 Low Density Residential (LDR). The R-1 (Single-Family Dwelling District) zoning is consistent with the LDR FLUM designation and the following Comprehensive Plan provisions:

FLU1.1.5 states that Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. Infill is defined as development consistent with the Infill Master Plan (2008).

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.

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

OBJ FLU2. states that Orange County shall promote and encourage infill development.

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

Existing Use

Single-Family Dwelling

Adjacent Zoning N: R-1A (Single-Family Dwelling District) (1957)
 E: R-1A (Single-Family Dwelling District) (1957)
 W: R-1A (Single-Family Dwelling District) (1957)
 S: R-1A (Single-Family Dwelling District) (1957)

Adjacent Land Uses N: Single-Family Residential
 E: Single-Family Residential
 W: Single-Family Residential
 S: Religious/Church

R-1 (SINGLE-FAMILY DWELLING DISTRICT) DEVELOPMENT STANDARDS*

Min. Lot Area: 5,000 sq. ft.
Min. Lot Width: 50 ft.
Max. Height: 35 ft.
Min. Floor Area: 1,000 sq. ft.
Building Setbacks:
 Front: 20 ft.
 Rear: 20 ft.
 Side: 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

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is provide residential development similar in general character to the R-1AA and R-1A zoning districts, but with smaller minimum lots and yards, and a corresponding increase in population density.

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

SPECIAL INFORMATION

Subject Property Analysis

The subject 0.321-acre parcel is currently developed with one (1) single-family detached dwelling unit and is located at 824 Timor Avenue, or generally on the south side of Timor Avenue, approximately 400 feet east of Adanson Street. The applicant is seeking to rezone the subject parcel from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District) with the intent to subdivide the parcel into two (2) 50' single-family lots in order to construct a detached single-family dwelling unit on the

resulting lot.

The Comprehensive Plan requires proposed developments to be compatible with the existing development trends in the area. The surrounding area is primarily a single-family residential neighborhood, with a church adjacent to the southern border of the subject property. The subject parcel was originally platted as two 50' x 140' lots (Lots 3 and 4 , Block G) within the Sunshine Gardens Subdivision. The plat for the Sunshine Gardens Subdivision was recorded on October 7, 1925. Although the immediate area is zoned R-1A (requiring a 75-foot minimum lot width), the majority of lots in the area range from 50 to 70 feet. In 2006, rezoning RZ-06-02-032 changed the zoning on two 50' lots to the west of the subject property. A single-family residence was subsequently developed on parcel 02-22-29-8472-07-090.

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 JPA.

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 reviewed this request, but did not provide any objections or comments.

Transportation / Access

This project is in the Alternative Mobility Area (AMA) and is exempt from transportation concurrency. Based on LYNX Transit System Map, transit service is available within a quarter mile walk distance south to Fairbanks Avenue and north to Lee Road. The

sidewalk along Timor Road is not well developed and there is no bicycle route in the area.

The proposed lot split and approval to construct one single-family dwelling unit is considered "de minimis", and no further transportation analysis is required.

Code Enforcement

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

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>
Water:	City of Winter Park
Wastewater:	City of Winter Park
Reclaim Water:	City of Winter Park

Schools

Orange County Public Schools (OCPS) considers the impact to affected public schools to be "de minimis"; therefore a Capacity Enhancement Agreement (CEA) is not required.

Parks and Recreation

Orange County Parks and Recreation reviewed this request, but did not provide any objections or comments.

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

PZC Recommendation – (January 18, 2018)

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

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend approval of the requested R-1 (Single-Family Dwelling District) zoning.

Staff indicated that one hundred ninety (190) notices were mailed to surrounding property owners within a buffer extending 500 feet from the subject property, with one (1) commentary received in favor of the request and zero (0) in opposition. The applicant was present and agreed with the staff recommendation of approval.

Following limited discussion, a motion was made by Commissioner Spears to find the request to be consistent with the Comprehensive Plan and recommend APPROVAL of the R-1 (Single-Family Dwelling District) zoning district. Commissioner DiVecchio seconded the motion, which was then carried on a 9-0 vote.

Motion / Second

Gordon Spears / Pat DiVecchio

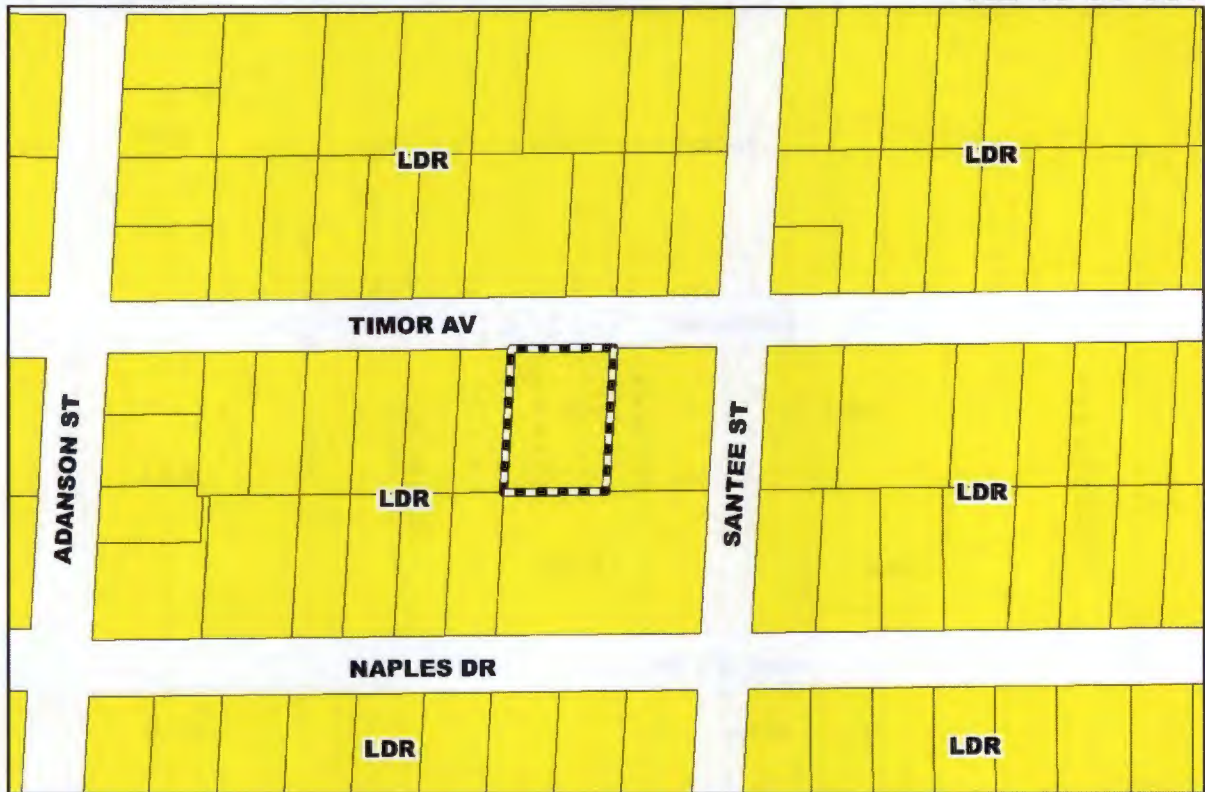
Voting in Favor

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

Voting in Opposition

None

RZ-18-01-007



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Density Residential (LDR)

APPLICANT: James Hartman

LOCATION: 824 Timor Ave; or generally on the south side of Timor Avenue, approximately 400 feet east of Adanson Street

TRACT SIZE: 0.321-gross acre

DISTRICT: # 5

S/T/R: 29/22/02

1 inch = 150 feet



RZ-18-01-007



Subject Property



Subject Property

Zoning Map

ZONING: R-1A (Single-Family Dwelling District) to
 R-1 (Single Family Dwelling District)

APPLICANT: James Hartman

LOCATION: 824 Timor Ave; or generally on the
 south side of Timor Avenue, approximately
 400 feet east of Adanson Street

TRACT SIZE: 0.321-gross acre

DISTRICT: # 5

S/T/R: 29/22/02

1 inch = 150 feet



RZ-18-01-007

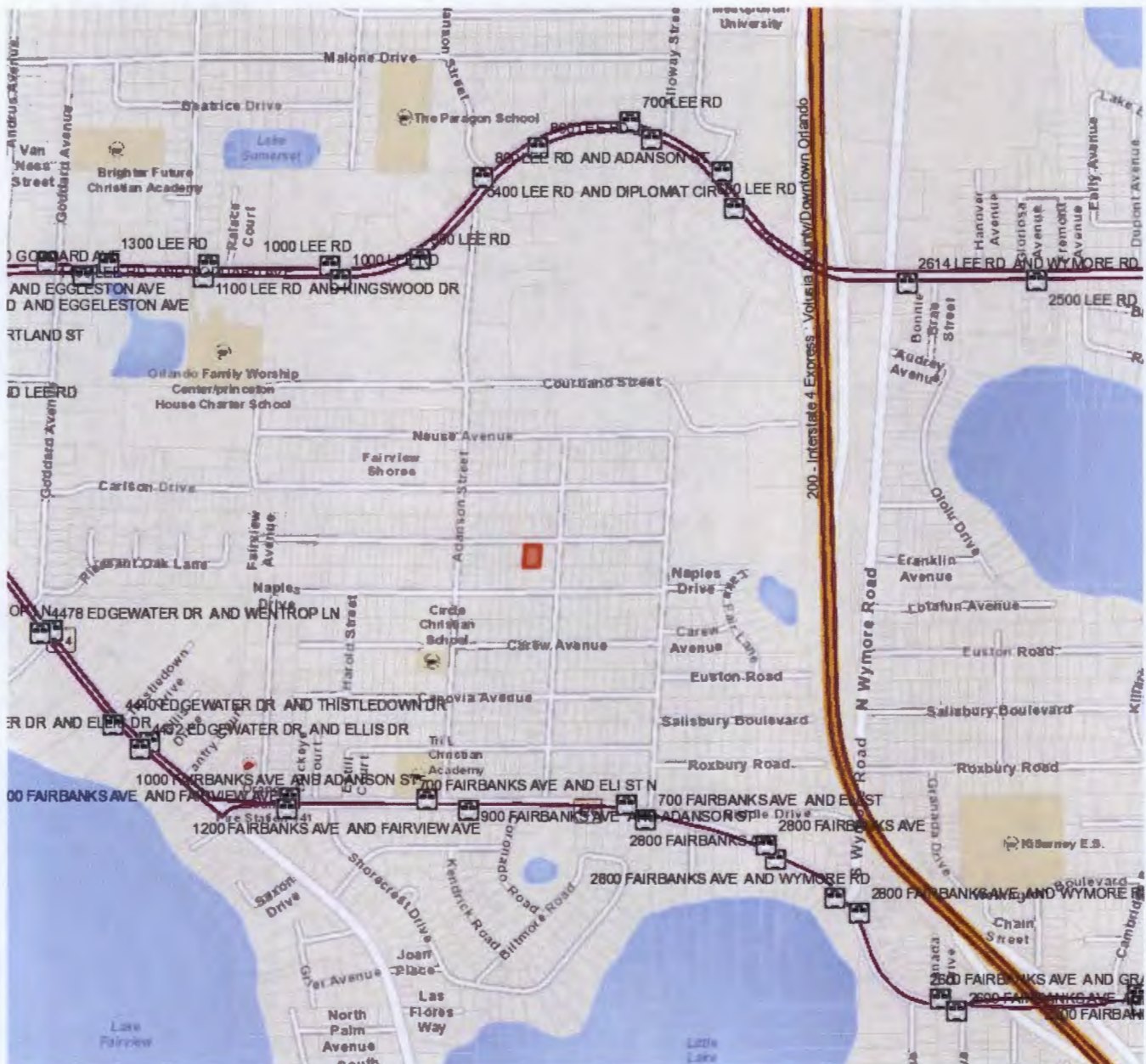


 Subject Property



1 inch = 125 feet

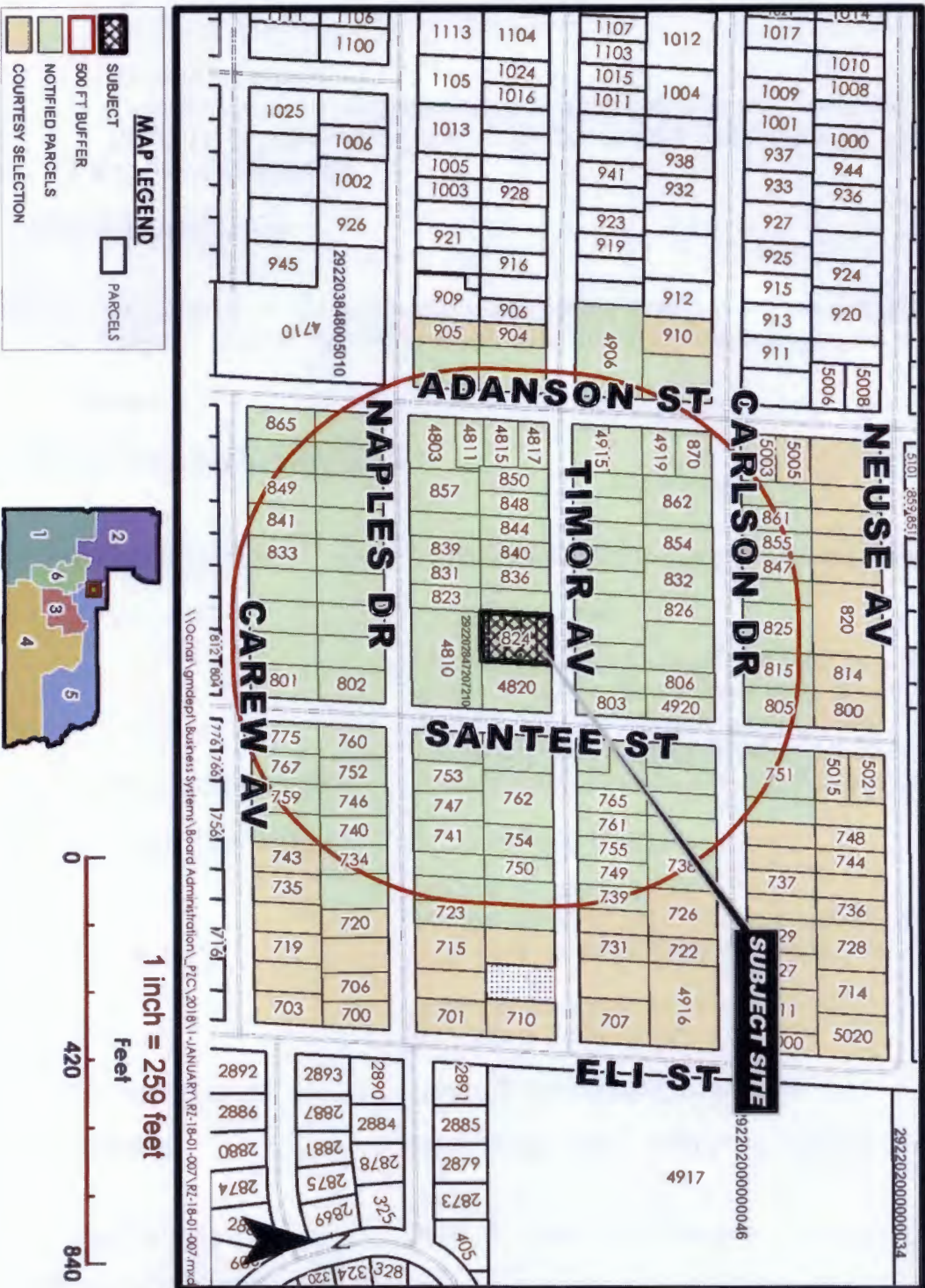
Alternative Mobility Area Context Map



Notification Map



Public Notification Map RZ-18-01-007 500 FT BUFFER, 190 NOTICES



Case Planner:
Steven Thorp

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: January 18, 2018

CASE # RZ-18-01-008

Commission District: # 1

GENERAL INFORMATION

APPLICANT	Miranda Fitzgerald, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
OWNER	Cumbus Revocable Trust ½ Int., Cynthia C. Walsted ½ Int.
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-1 (Citrus Rural District) to R-1A (Single-Family Dwelling District)
LOCATION	S. Apopka Vineland Road; or generally on the east side of S. Apopka Vineland Road, approximately 1,100 feet south of Old Winter Garden Road
PARCEL ID NUMBER	34-22-28-0000-00-030
PUBLIC NOTIFICATION	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 fifty-two (152) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	17.02 gross acres
PROPOSED USE	14 Single-Family Detached 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 Dwelling 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 Low Density Residential (LDR), which allows consideration of up to four (4) residential dwelling units per developable acre. The R-1A (Single-Family Dwelling District) zoning is consistent with the Low Density Residential FLUM designation and the following applicable 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.

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

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

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

Existing Use

Undeveloped

Adjacent Zoning	N: R-1 (Single-Family Dwelling District) (1957)
	E: R-1A (Single-Family Dwelling District) (1995)
	W: A-1 (Citrus Rural District) (1957)
	S: R-1AA (Single-Family Dwelling District) (2005)

Adjacent Land Uses	N: Conservation
	E: Single-Family Residential
	W: Conservation, Retention Pond
	S: Steer Lake

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 property is located at S. Apopka Vineland Road; or generally on the east side of S. Apopka Vineland Road, approximately 1,100 feet south of Old Winter Garden Road. This parcel was once part of a larger 43.63-acre parcel that was subject to eminent domain takings by Orange County in 2005 for the realignment of Apopka Vineland Road and associated improvements. The subject property today is the last remnant of the larger parcel that has a significant usable upland area.

Through this request, the applicant is seeking to rezone the subject property from A-1 (Citrus Rural District) to R-1A (Single-Family Dwelling District) in order to develop the property with a 14 unit single-family detached subdivision. The surrounding neighborhood can be characterized as having a mixture R-1 to R-1AA lots in size with single family detached residential dwelling homes. Directly east of the property is the Lake Steer neighborhood, which contains lots similar to the lots being proposed by the applicant.

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

Wetlands and a portion of Steer Lake are located on site. Prior to approval of any development, permit or subdivision, a Conservation Area Determination (CAD) will be required, completed with a certified wetland boundary survey approved by the Environmental Protection Division (EPD), in accordance with Orange County Code Chapter 15, Article X Wetland Conservation Areas.

The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners (BCC).

Until wetland permitting is complete, the net developable acreage is only an approximation. The net developable acreage is the gross acreage less the wetlands and surface waters acreage. The buildable area is the net developable acreage less upland buffers and/or the area of any protective measures required to prevent adverse secondary impacts. The applicant is advised not to make financial decisions based upon development within the wetland or the upland protective buffer areas. Any plan showing development in such areas without Orange County and other jurisdictional governmental agency wetland permits is speculative and may not be approved.

The Normal High Water Elevation (NHWE) of Steer Lake was established at 80.88 feet NAVD 88 in the Lake Index of Orange County. The applicant shall label and indicate the NHWE line of the lake on all development plans and permit applications, in addition to any wetland, floodplain and setback lines.

Approval of this request does not grant permission for the construction or alteration of a boat ramp, dock, boardwalk, observation pier, fishing pier, lake shore vegetation removal, or seawall on the lake. Any person desiring these types of structures or to perform shoreline alterations shall first apply for a permit from the Orange County EPD prior to commencement of such activities.

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 to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

All development is required to treat stormwater runoff for pollution abatement purposes. Discharge that flows directly into wetlands or surface waters without pretreatment is prohibited.

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.

If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division, about the septic system permit application, modification or abandonment.

This property site has a prior agricultural land use (citrus) that may have resulted in soil and/or groundwater contamination due to spillage of petroleum products, fertilizer, pesticide or herbicide. If an Environmental Site Assessment (ESA) has been conducted on this site, the applicant shall provide a copy to the Orange County EPD.

Transportation / Access

Per the 10th Edition of ITE, 14 single family dwelling units will generate 15 PM peak hour trips. Based on the Concurrency Management System database dated December

18, 2017, capacity is available to be encumbered within a one mile radius of this project. This information is dated and is subject to change. An approved Capacity Encumbrance Letter is 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 Utilities	20-inch watermain within the S. Apopka Vineland Road right-of-way
Wastewater:	Orange County Utilities	16-inch forcemain located in S. Apopka Vineland right-of-way, 8-inch gravity main located on Lexington View Lane
Reclaim Water:	Orange County Utilities	12-inch reclaimed water main within S. Apopka Vineland right-of-way

Schools

Per Capacity Enhancement Approval Letter OC-17-021, Orange County Public Schools (OCPS) has indicated there is capacity for the proposed 14 unit development.

Parks and Recreation

Orange County Parks and Recreation reviewed this request and did not provide any comments.

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 – (January 18, 2018)

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 fifty-two (152) notices were mailed to surrounding property owners within a buffer extending beyond 700 feet from the subject property, with one (1) commentary received in opposition to the request and zero (0) in opposition. The applicant was present and agreed with the staff recommendation of approval. There were no members of the public present to speak about this request.

Following limited discussion, a motion was made by Commissioner Melwani to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the R-1A (Single-Family Dwelling District) zoning district. Commissioner Cantero seconded the motion, which was then carried on a 9-0 vote.

Motion / Second

Yog Melwani / Jose Cantero

Voting in Favor

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

Voting in Opposition


None

RZ-18-01-008



 Subject Property



 Subject Property

Future Land Use Map

FLUM: Low Density Residential (LDR)

APPLICANT: Miranda Fitzgerald, Lowndes Drosdick
 Doster Kantor & Reed, P.A

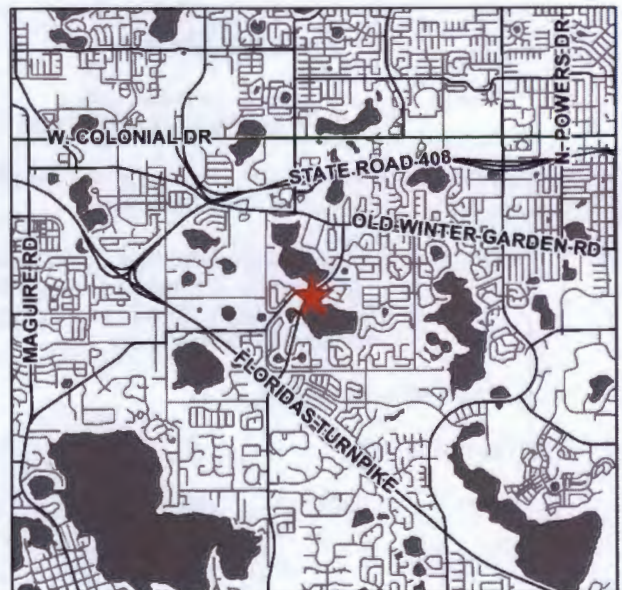
LOCATION: S. Apopka Vineland Road; or generally on
 the east side of S. Apopka Vineland Road,
 approximately 1,100 feet south of Old
 Winter Garden Road

TRACT SIZE: 17.02 gross acres

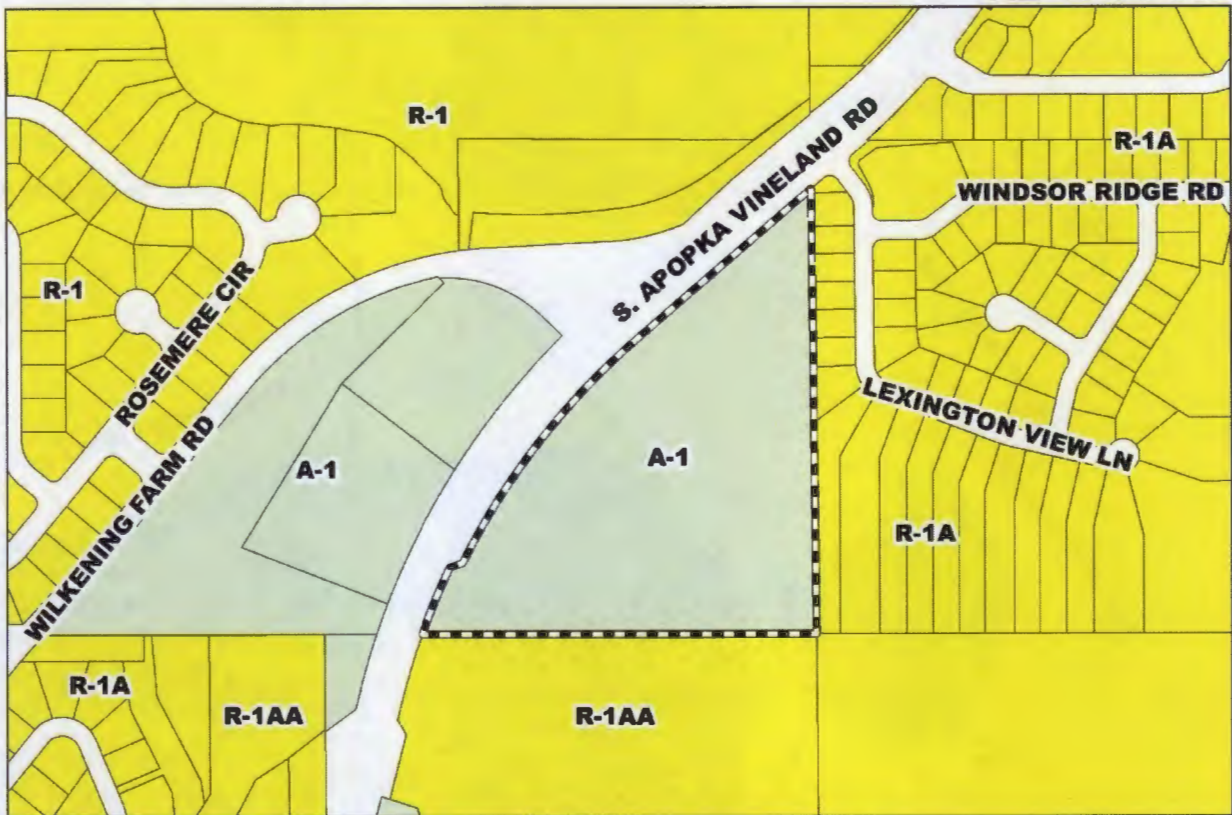
DISTRICT: # 1


S/T/R: 34/22/28

1 inch = 425 feet




RZ-18-01-008



 Subject Property



 Subject Property

Zoning Map

ZONING: A-1 (Citrus Rural District) to
 R-1A (Single-Family Dwelling District)

APPLICANT: Miranda Fitzgerald, Lowndes Drosdick
 Doster Kantor & Reed, P.A

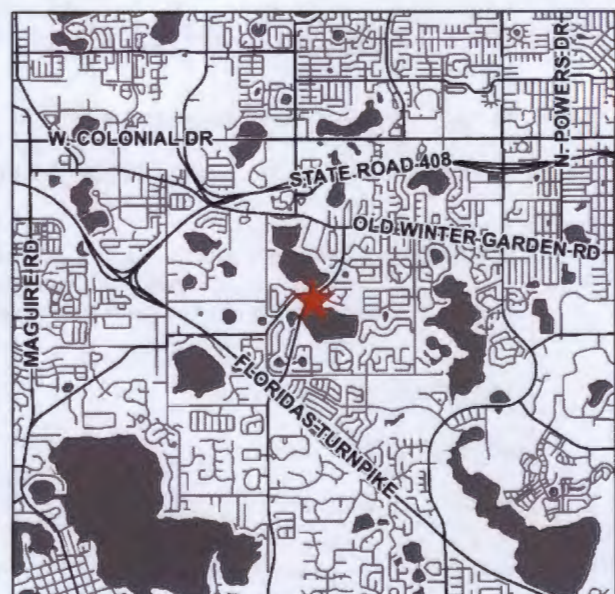
LOCATION: S. Apopka Vineland Road; or generally on
 the east side of S. Apopka Vineland Road,
 approximately 1,100 feet south of Old
 Winter Garden Road

TRACT SIZE: 17.02 gross acres

DISTRICT: # 1

S/T/R: 34/22/28

1 inch = 425 feet



RZ-18-01-008



 Subject Property



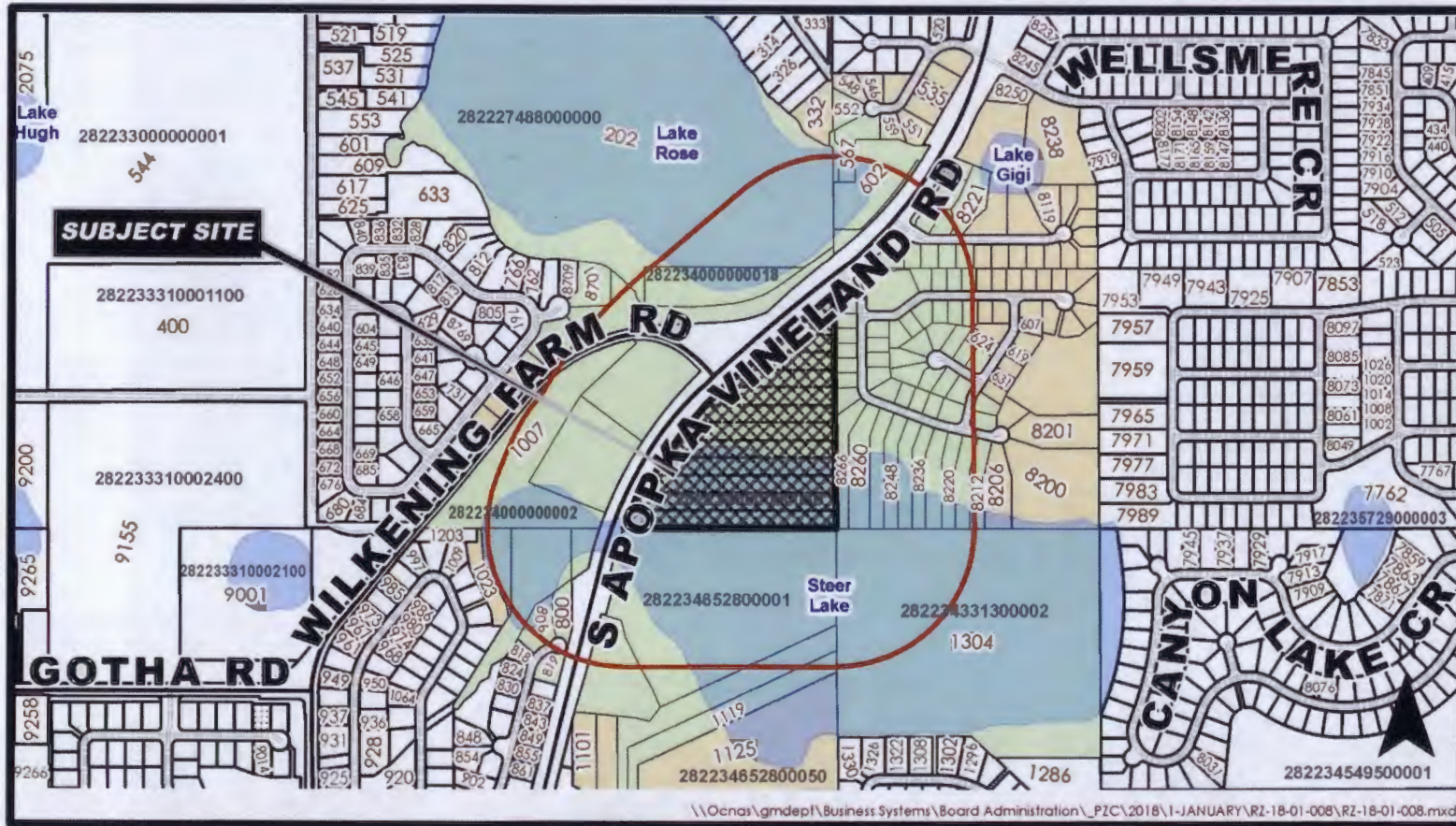
1 inch = 325 feet



Public Notification Map

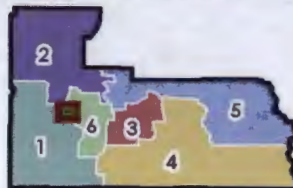
RZ-18-01-008

700 FT BUFFER, 152 NOTICES



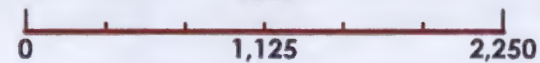
MAP LEGEND

- | | |
|------------------|------------------|
| 700 FT BUFFER | COURTESY NOTICES |
| SUBJECT | PARCELS |
| HYDROLOGY | |
| NOTIFIED PARCELS | |



1 inch = 716 feet

Feet



Notification Map

Orange County Planning Division
PZC Hearing Date: January 18, 2018

Case # RZ-18-01-008

CASE # RZ-18-01-009

Commission District: # 4

GENERAL INFORMATION

APPLICANT	Robert E. Carrigan, Jr.
OWNER	Circle C Ranch II, LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-2 (Farmland Rural District District) to R-T-1 (Mobile Home Subdivision District)
LOCATION	819 Sunflower Trail; or generally on the east side of Sunflower Trail, approximately 625 feet north of Vienna Drive
PARCEL ID NUMBER	30-22-32-2338-01-050
PUBLIC NOTIFICATION	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 fourteen (114) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	0.344-gross acre
PROPOSED USE	One (1) Mobile Home

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision District) zoning.

IMPACT ANALYSIS

Land Use Compatibility

The R-T-1 (Mobile Home Subdivision 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 Low Density Residential (LDR), which allows consideration of up to four (4) residential dwelling units per developable acre. The requested R-T-1 (Mobile Home Subdivision 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.

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

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

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

Existing Use	Undeveloped Residential
Adjacent Zoning	N: A-2 (Farmland Rural District) (1957)
	E: A-2 (Farmland Rural District) (1957)
	W: PD (Planned Development District) (Colonial Sunflower PD) (2005)

S: A-2 (Farmland Rural District) (1957)

Adjacent Land Uses

N: Mobile Home

E: Mobile Home

W: Conservation

S: Single-Family Residential

R-T-1 (Mobile Home Subdivision District) Development Standards

Min. Lot Area: 4,500 sq. ft.
Min. Lot Width: 45 ft.

Max. Height: 35 ft.
Min. Living Area: 8 ft. x 35 ft. (minimum mobile home size)
Min. Living Area: 1,000 sq. ft. (minimum SFR size)
Building Setbacks:
 Front: 25 / 20 ft.
 Rear: 25 / 20 ft.
 Side: 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-T-1 (Mobile Home Subdivision District) zoning district is composed of lands and structures where it is desirable to attain a low-medium density residential area consisting of mobile homes and single-family dwellings on single lots under individual ownership.

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 property is located at 819 Sunflower Trail; or generally on the east side of Sunflower Trail, approximately 625 feet north of Vienna Drive. The subject property contains 0.344-gross acre and is currently undeveloped.

Through this request, the applicant is seeking to rezone the subject parcel from A-2 (Farmland Rural District) to R-T-1 (Mobile Home Subdivision District) with the intent to develop the property with one (1) mobile home.

The subject property is an approved lot of record platted on November 25, 1957 as part of the East Pine Acres subdivision. The surrounding neighborhood can be characterized as having small platted lots with mobile homes and single-family

residential development. Today, many of the A-2 zoned lots have mobile homes that were placed on the property prior to the A-2 standards changing to require at least two (2) acres of land for a mobile home.

Directly surrounding the property are lots with the A-2 zoning designation with R-T-1 and R-T-2 zoning further dispersed through the neighborhood. As the Comprehensive Plan encourages a mixture of lot types, and the immediate area of the subject property has a variety of mobile home and single-family detached development, the proposed rezoning would be compatible with the existing development pattern.

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 located within the Sunflower Trail 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 reviewed this request, but did not provide any comments.

Transportation / Access

The proposed request to rezone to Mobile Home Subdivision District and approval to develop one single family dwelling unit will not result in any transportation impacts on the surrounding roadway network.

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 Utilities	30-inch watermain within Sunflower Trail right-of-way.
Wastewater:	Orange County Utilities	30-inch forcemain with Sunflower Trail right-of-way.
Reclaim Water:	Orange County Utilities	Not currently available.

Schools

Orange County Public Schools (OCPS) considers the impact to affected public schools to be "de minimus"; therefore a Capacity Enhancement Agreement (CEA) is not required.

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 – (January 18, 2018)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-T-1 (Mobile Home Subdivision 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-T-1 (Mobile Home Subdivision District) zoning.

Staff indicated that one hundred fourteen (114) notices were mailed to surrounding property owners within a buffer extending beyond 700 feet from the subject property, with zero (0) commentaries received in support or in opposition to the request. The applicant was present and agreed with the staff recommendation of approval. There were no members of the public present to speak about this request.

Following limited discussion, a motion was made by Commissioner DiVecchio to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the R-T-1 (Mobile Home Subdivision District) zoning district. Commissioner Gusler seconded the motion, which was then carried on a 9-0 vote.

Motion / Second	<i>Pat DiVecchio / William Gusler</i>
Voting in Favor	<i>Pat DiVecchio, William Gusler, JaJa Wade, Jose Cantero, Gordon Spears, Tina Demostene, Paul Wean, Yog Melwani and James Dunn</i>
Voting in Opposition	<i>None</i>
Absent	<i>None</i>

RZ-18-01-009



Subject Property



Subject Property

Future Land Use Map

FLUM: Low Density Residential (LDR)

APPLICANT: Robert E. Carrigan, Jr.

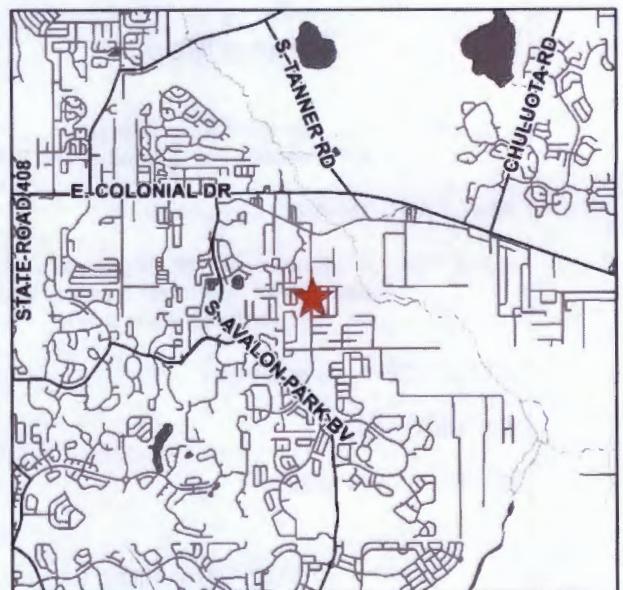
LOCATION: 819 Sunflower Trail; or generally on the east side of Sunflower Trail, approximately 625 feet north of Vienna Drive

TRACT SIZE: 0.344-gross acre

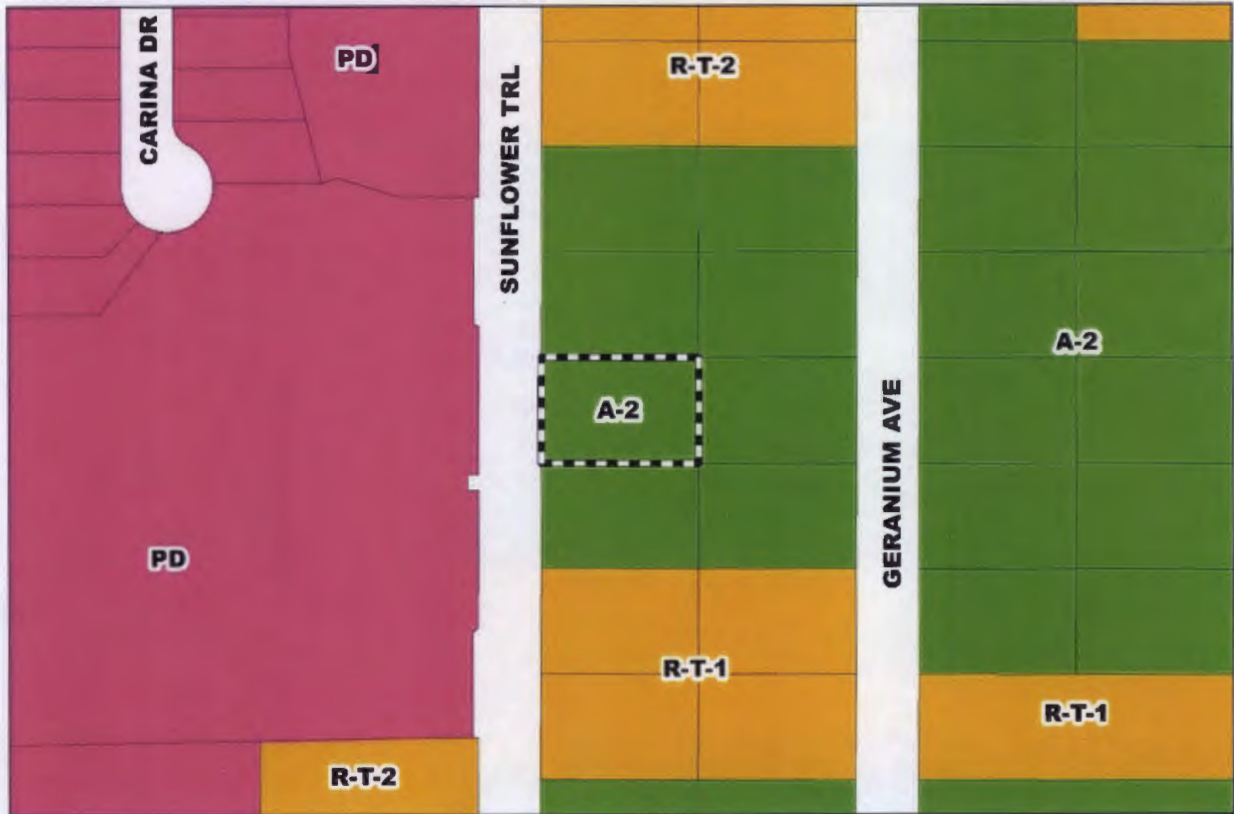
DISTRICT: # 4

S/T/R: 30/22/32

1 inch = 150 feet



RZ-18-01-009



Subject Property



Subject Property

Zoning Map

ZONING: A-2 (Farmland Rural District) to
 R-T-1 (Mobile Home Subdivision District)

APPLICANT: Robert E. Carrigan, Jr.

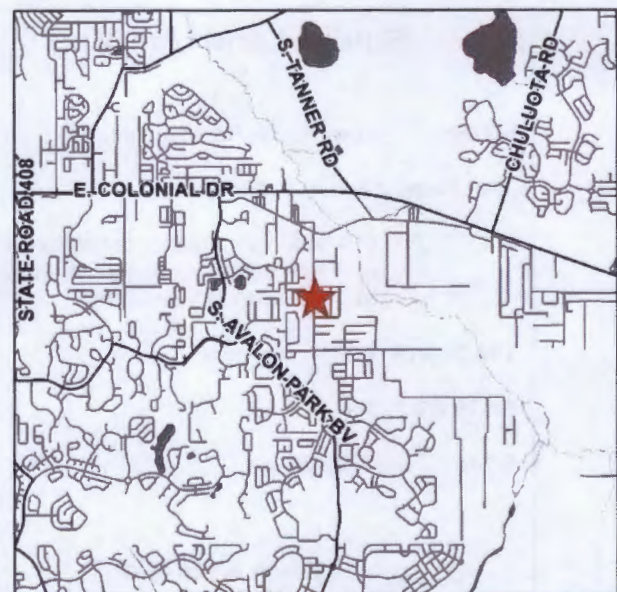
LOCATION: 819 Sunflower Trail; or generally on the
 east side of Sunflower Trail, approximately
 625 feet north of Vienna Drive

TRACT SIZE: 0.344-gross acre

DISTRICT: # 4

S/T/R: 30/22/32

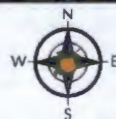
1 inch = 150 feet



RZ-18-01-009



 Subject Property



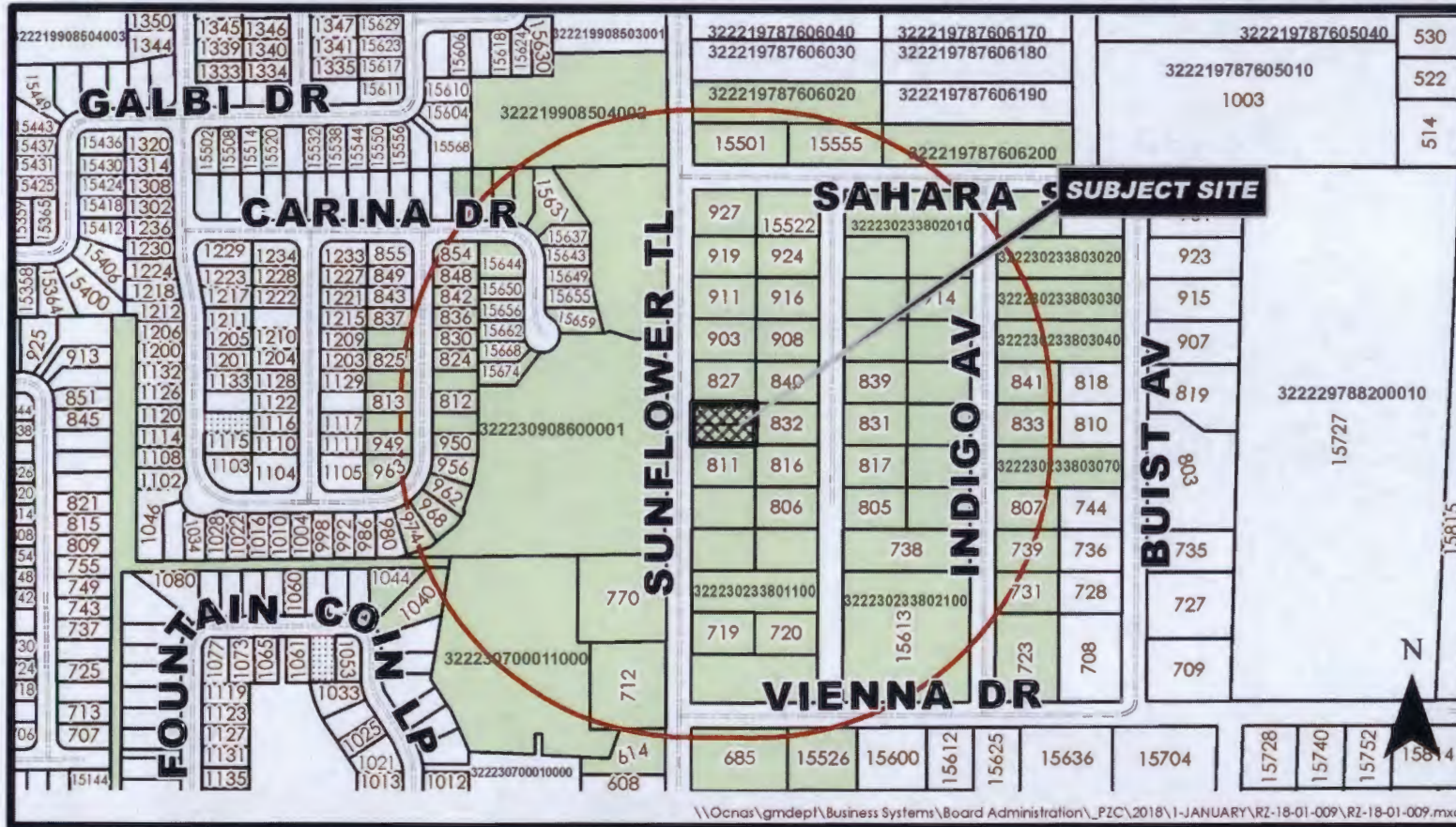
1 inch = 125 feet



Public Notification Map

RZ-18-01-009

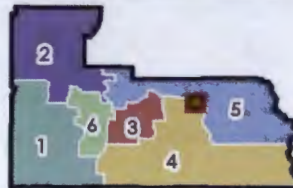
700 FT BUFFER, 114 NOTICES



\\Ocnas\gmdepl\Business Systems\Board Administration_PZC\2018\1-JANUARY\RZ-18-01-009\RZ-18-01-009.mxd

MAP LEGEND

- SUBJECT
- 700 FT BUFFER
- PARCELS
- notified parcels



1 inch = 338 feet

0 500 1,000
Feet

Notification Map

Case # RZ-18-01-009
Orange County Planning Division
PZC Hearing Date: January 18, 2018

CASE # RZ-18-01-010

Commission District: # 6

GENERAL INFORMATION

APPLICANT	Eugene Roberson, Jr.
OWNERS	Williesteina Jacobs
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) (1957) to P-O (Professional Office District)
LOCATION	1219 N. Pine Hills Road; or generally on the east side of N. Pine Hills Road, approximately 600 feet north of Cortez Drive
PARCEL ID NUMBER	19-22-29-6976-08-100
PUBLIC NOTIFICATION	The notification area for this public hearing was 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One-hundred sixty-one (161) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	0.186-gross acre
PROPOSED USE	Professional Office Uses

STAFF RECOMMENDATION

PLANNING

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested P-O (Professional Office District) zoning, subject to the following variances and restrictions:

Variances:

- 1) A variance from Orange County Code Section 38-1501 to allow for a minimum lot width of 65 feet, in lieu of the required 85-foot lot width in the P-O zoning district; and
- 2) A variance from Orange County Code Section 38-1501 to allow for a minimum lot area of 8,000 square feet, in lieu of the required 10,000 square foot lot area in the P-O zoning district.

Restrictions

- 1) New billboards and pole signs shall be prohibited;
- 2) A Type "D" buffer 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 at least three (3) feet high and fifty (50) percent opaque at planting and be 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 P-O uses.

IMPACT ANALYSIS

Land Use Compatibility

The P-O (Professional Office 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 Office (O). The P-O (Professional Office District) zoning is consistent with the Office FLUM designation and the following Comprehensive Plan provisions:

FLU1.1.5 states that Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area. Infill is defined as development consistent with the Infill Master Plan (2008).

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.

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

GOAL FLU2 states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and

an urban experience with a range of choices and living options.

OBJ FLU2.1 states that Orange County shall promote and encourage infill development.

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.

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

SITE DATA

Existing Use	Undeveloped Residential
Adjacent Zoning	N: P-O (Professional Office District) (2013) E: R-1A (Single-Family Dwelling District) (1957) W: R-1A (Single-Family Dwelling District) (1957); P-O (Professional Office District) (1997) S: P-O (Professional Office District) (2011)
Adjacent Land Uses	N: Office E: Single-Family Residential W: Single-Family Residential & Office S: Single-Family Residential

P-O (PROFESSIONAL OFFICE DISTRICT) DEVELOPMENT STANDARDS*

Min. Lot Area:	10,000 sq. ft.
Min. Lot Width:	85 ft.
Max. Height:	35 ft.
Min. Floor Area:	500 sq. ft.
Building Setbacks:	
Front:	25 ft.
Rear:	30 ft.
Side:	10 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.

The intent and purpose of the P-O (Professional Office District) zoning is to provide for and encourage development of a wide variety of high quality functional and attractive professional office centers in accordance with adopted county development plans and policies as well as establish standards which promote high quality site development of individual office structures and larger office centers, both of which are properly oriented toward arterial roads and compatible with adjoining properties. The P-O district also encourages the provision of professional services at the neighborhood and community levels, and to provide sites large enough to permit landscaped open spaces and off-street parking facilities.

Permitted Uses

The P-O (Professional Office District) zoning district is composed of lands and structures used primarily for the furnishing of commercial office locations.

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 0.186-acre parcel is currently undeveloped and is located at 1219 N. Pine Hills Road; or generally on the east side of N. Pine Hills Road, approximately 600 feet north of Cortez Drive. The applicant is seeking to rezone the subject property from R-1A (Single Family Dwelling District) to P-O (Professional Office District) for professional office purposes. The parcel is designated Office (O) on the Future Land Use Map and is in the immediate vicinity of professional office development.

This segment of N. Pine Hills Road is characterized as a residential corridor in transition to a professional office corridor. The corridor has alternating areas of single-family residential zoning and professional office zoning, while all parcels adjacent to N. Pine Hills Road have the Office (O) Future Land Use designation. Several properties in the surrounding area, including the properties to the north and south of the subject site, have rezoned from R-1A (Single-Family Dwelling District) to P-O (Professional Office District) in recent years.

The subject parcel is 8,102 square feet in area and 65 feet in width, which is less than the required 10,000 square feet minimum lot area and 85-foot minimum lot width in the requested P-O zoning district. Therefore, as applied to other P-O zoned parcels along this segment of Pine Hills Road, staff is recommending two variances from Orange County Section 38-1501 to permit the reduced lot width and area.

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Office (O) 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 JPA.

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

The subject 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.

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

The applicant has also been advised to use caution to prevent erosion during construction along the boundary of the property, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control.

Transportation / Access

This project is in the Alternative Mobility Area and is exempt from transportation concurrency. A mobility analysis may 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:	Orlando Utilities Commission	
Wastewater:	Orange County Utilities	A 10-inch gravity main is located approximately 400 feet south of the property within the N. Pine Hills Road right-of-way.
Reclaim Water:	Orange County Utilities	Not currently 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 provide any objections to this request.

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

PZC Recommendation – (January 18, 2018)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested P-O (Professional Office District) zoning, subject to the following variances and restrictions:

Variances:

- 1) A variance from Orange County Code Section 38-1501 to allow for a minimum lot width of 65 feet, in lieu of the required 85-foot lot width in the P-O zoning district; and
- 2) A variance from Orange County Code Section 38-1501 to allow for a minimum lot area of 8,000 square feet, in lieu of the required 10,000 square foot lot area in the P-O zoning district.

Restrictions

- 1) New billboards and pole signs shall be prohibited;
- 2) A Type "D" buffer 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 at least three (3) feet high and fifty (50) percent opaque at planting and be 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 P-O 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 P-O (Professional Office District) zoning.

Staff indicated that one hundred sixty-one (161) notices were mailed to surrounding property owners within a buffer extending 500 feet from the subject property, with zero (0) received in favor or in opposition of the request. The applicant was not present at the hearing.

Following limited discussion, a motion was made by Commissioner Wade to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the P-O (Professional Office District) zoning district, subject to the two (2) variances and three (3) restrictions listed in the staff report. Commissioner Wean seconded the motion, which was then carried on a 9-0 vote.

Motion / Second


JaJa Wade / Paul Wean

Voting in Favor


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

RZ-18-01-010



 Subject Property



 Subject Property

Future Land Use Map

FLUM: Office (O)

APPLICANT: Eugene Roberson Jr.

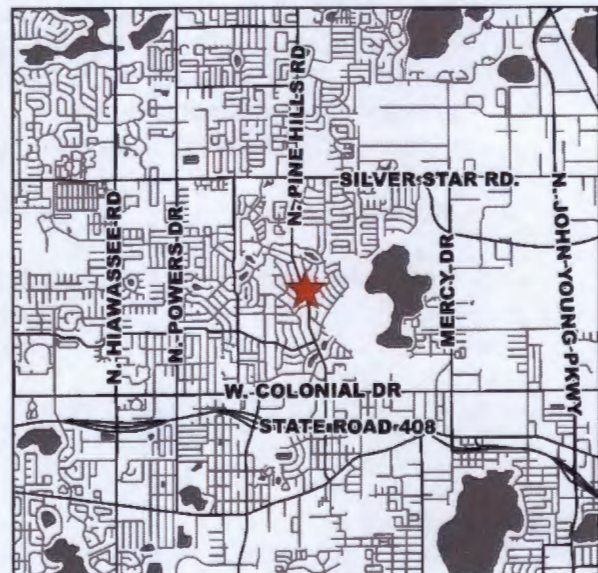
LOCATION: 1219 N. Pine Hills Road; or generally on the east side of N. Pine Hills Road, approximately 600 feet north of Cortez Drive

TRACT SIZE: 0.186-gross acre

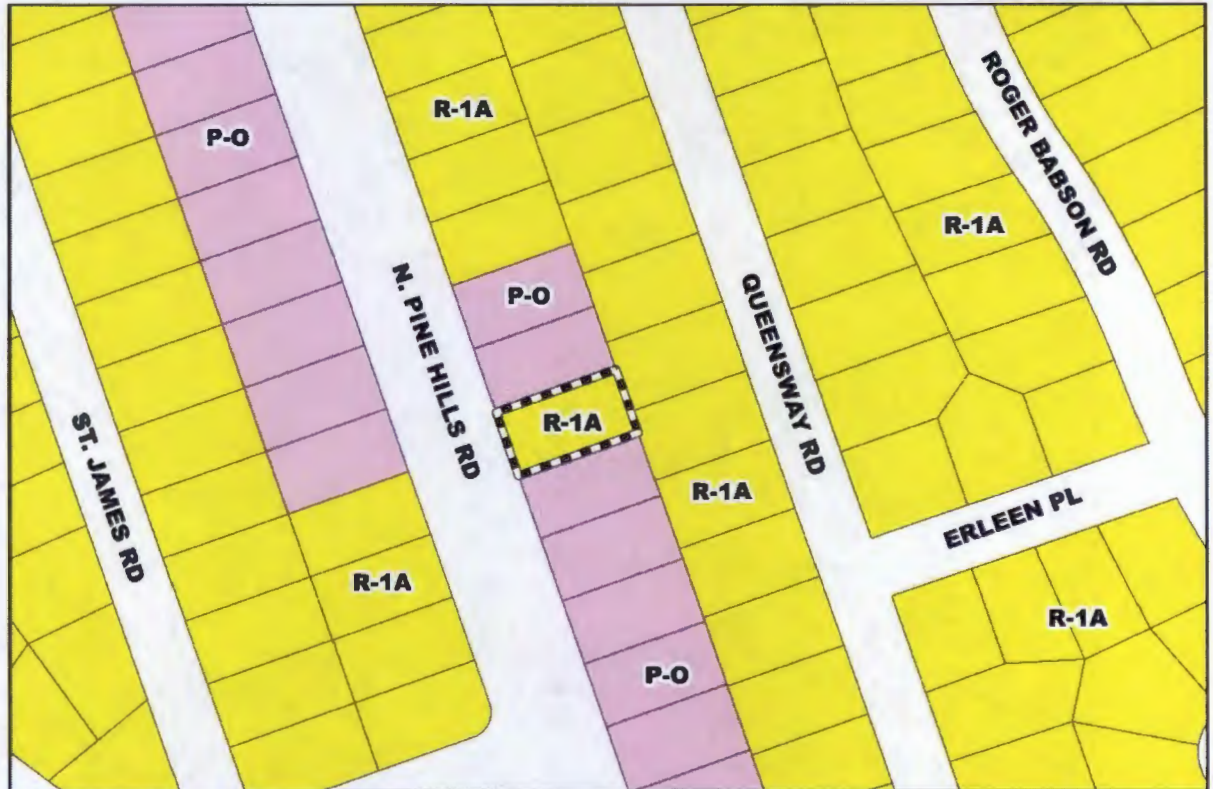
DISTRICT: # 6

S/T/R: 29/22/19

1 inch = 150 feet



RZ-18-01-010



Subject Property



Subject Property

Zoning Map

ZONING: R-1A (Single-Family Dwelling District) to
 P-O (Professional Office District)

APPLICANT: Eugene Roberson Jr.

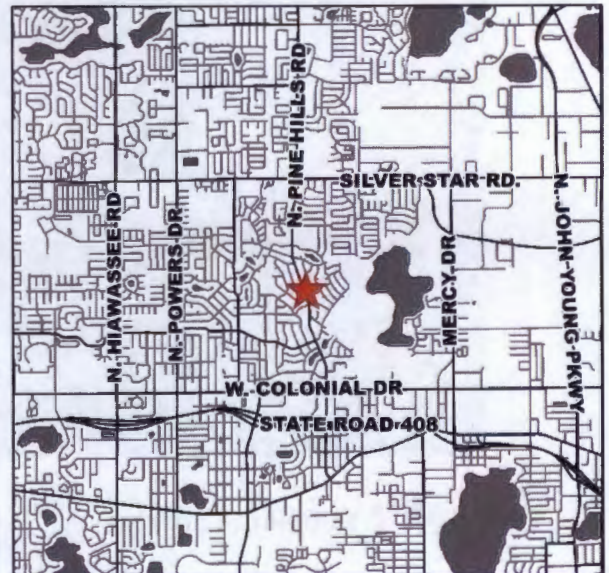
LOCATION: 1219 N. Pine Hills Road; or generally
 on the east side of N. Pine Hills Road,
 approximately 600 feet north of
 Cortez Drive

TRACT SIZE: 0.186-gross acre

DISTRICT: # 6

S/T/R: 29/22/19

1 inch = 150 feet



RZ-18-01-010

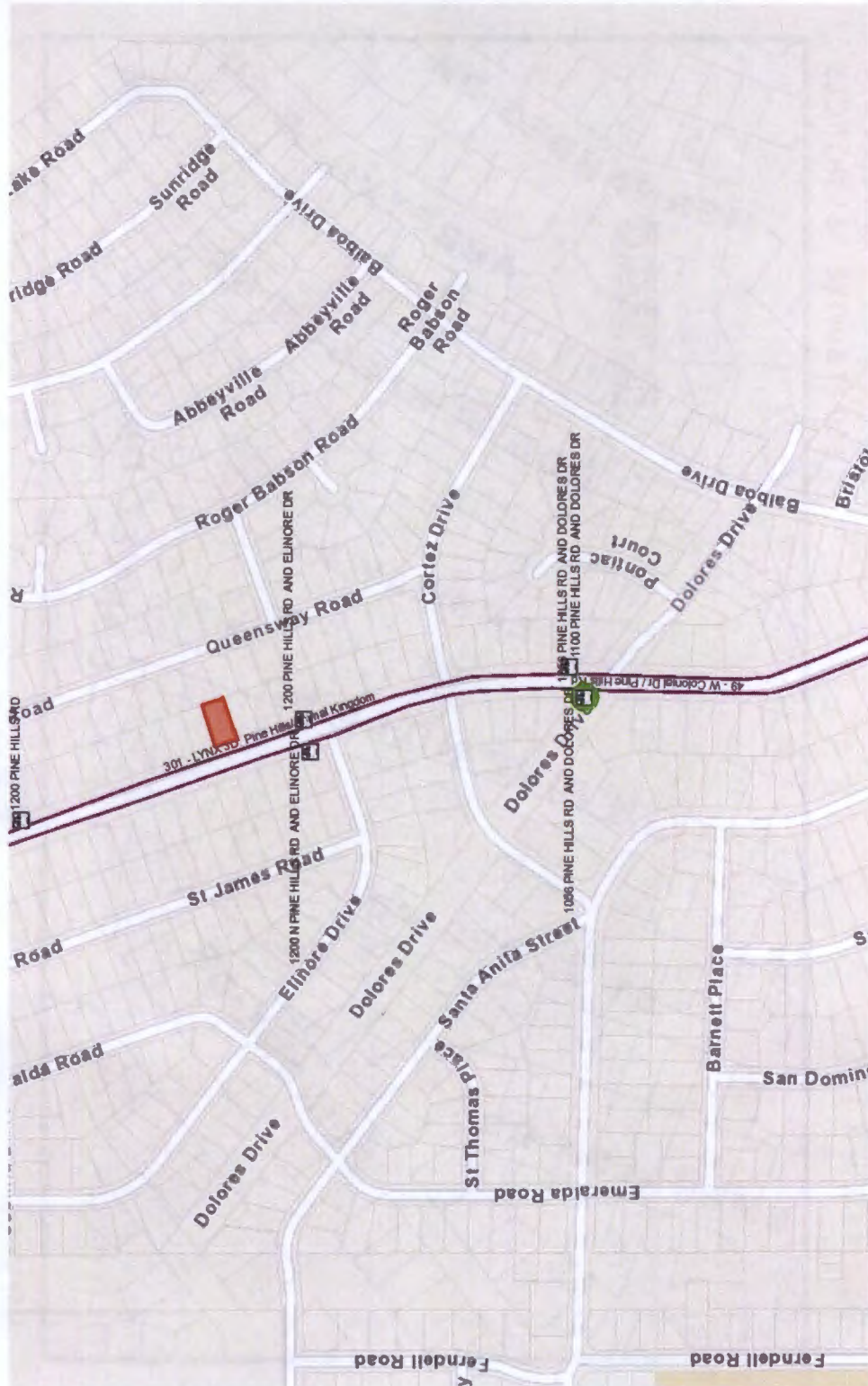


Subject Property



1 inch = 125 feet

Alternative Mobility Area Context Map

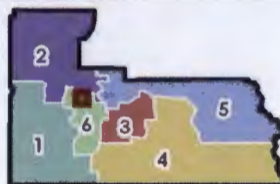
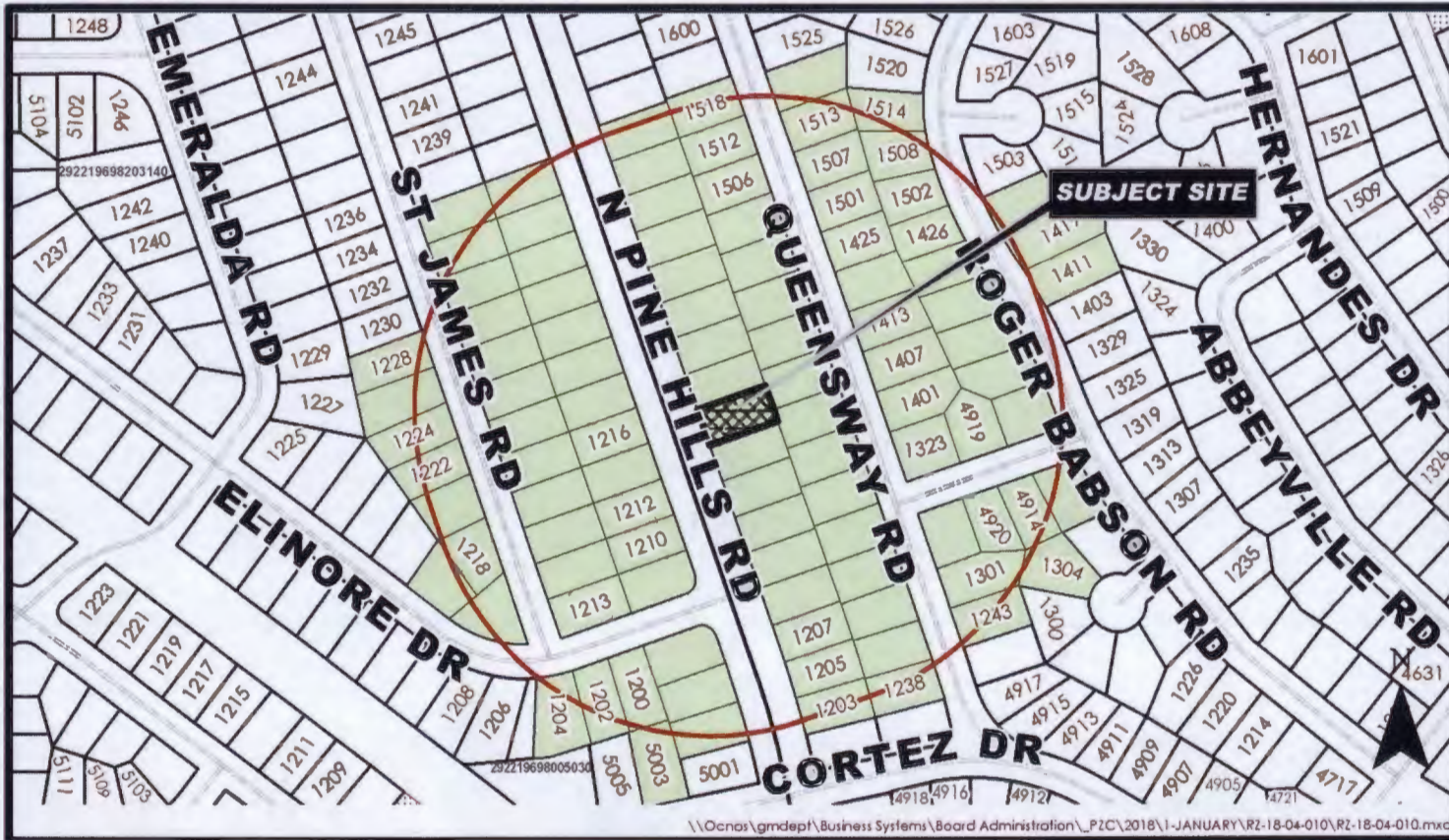




Public Notification Map

RZ-18-04-010

500 FT BUFFER, 161 NOTICES



1 inch = 248 feet



Notification Map

Case # RZ-18-01-010
Orange County Planning Division
PZC Hearing Date: January 18, 2018

Case Planner:
Nicholas Thalmueller

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: January 18, 2018
