

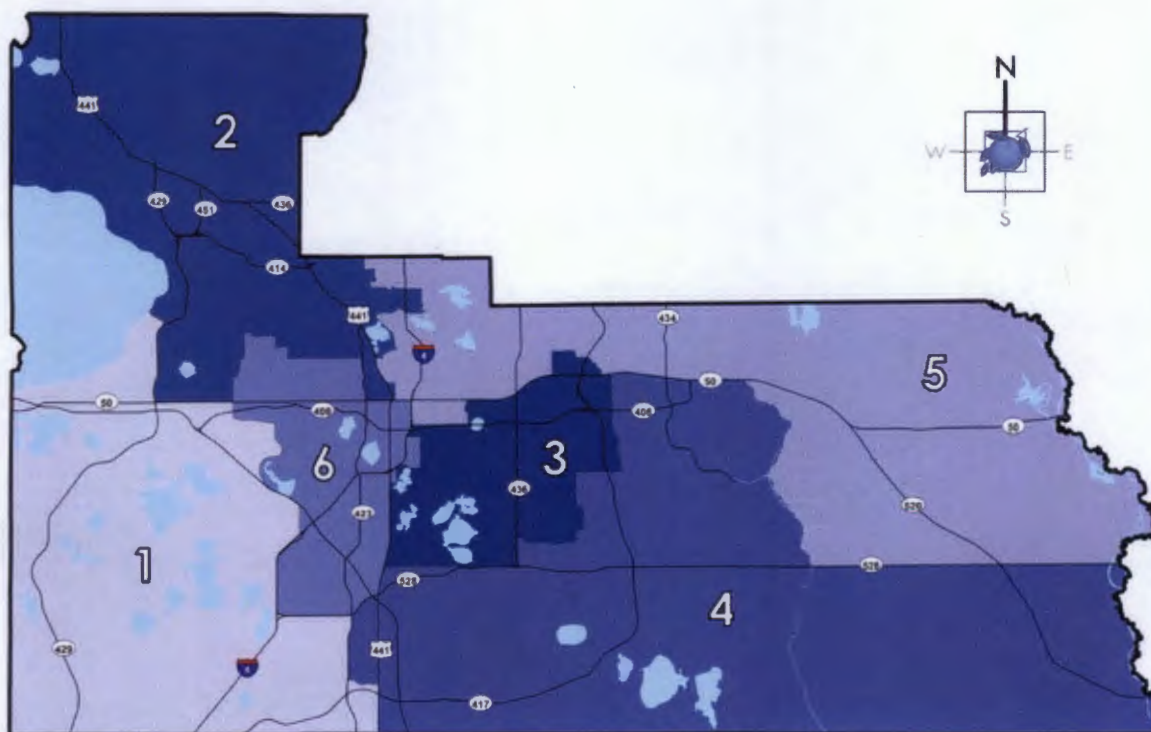


PLANNING AND ZONING COMMISSION

LOCAL PLANNING AGENCY

REZONING RECOMMENDATIONS

JUNE 21, 2018



PREPARED BY:

ORANGE COUNTY GOVERNMENT
PLANNING DIVISION | CURRENT PLANNING SECTION

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



James Dunn Chairperson	District #1
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William Gusler	District #2
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Tina Demostene	District #3
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Pat DiVecchio	District #4
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J. Gordon Spears	District #5
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JaJa J. Wade	District #6
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Paul Wean	At Large
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Yog Melwani Vice Chairperson	At Large
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Jose Cantero	At Large
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June 21, 2018

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TABLE OF HEARINGS
Planning and Zoning Commission
June 21, 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-18-05-026 Alison M. Yurko	<i>C-1 to C-2</i>	2	Denial	Approval	No
RZ-18-06-030 Thomas Jones	<i>A-2 to C-3</i>	3	Denial	Approval (of C-2 in lieu of C-3) subject to two (2) restrictions	No
RZ-18-06-032 Jason Owens	<i>A-2 to R-2</i>	5	Withdrawn	Withdrawn	No
RZ-18-06-033 Robert D. Williams	<i>R-1A to R-1</i>	3	Approval	Approval	No

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

<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: June 21, 2018

CASE # RZ-18-05-026

Commission District: # 2

GENERAL INFORMATION

APPLICANT	Alison M. Yurko
OWNER	Boronia LLC 1/2 Int. and S and R Investments USA Inc. 1/2 Int.
HEARING TYPE	Planning and Zoning Commission
REQUEST	C-1 (Retail Commercial District) to C-2 (General Commercial District)
LOCATION	6448 N. Orange Blossom Trail; or generally on the southwest side of N. Orange Blossom Trail, south of National Street, and west of Busby Avenue.
PARCEL ID NUMBER	32-21-29-6008-00-290
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>]. Two hundred ninety-seven (297) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	0.475-gross acre
PROPOSED USE	Validation of existing, prohibited contractor's outdoor storage yard.

STAFF RECOMMENDATION

PLANNING

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested C-2 (General Commercial District) zoning.

IMPACT ANALYSIS

Land Use Compatibility

The C-2 (General Commercial District) zoning would allow for development that is incompatible with the adjacent residential neighborhood and would adversely impact adjacent properties.

Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject properties is Commercial (C). While the requested C-2 (General Commercial District) zoning is consistent with the "C" FLUM designation, it is inconsistent with the following Comprehensive Plan provisions:

FLU1.4.2 states that land use changes are compatible with and serve existing neighborhoods.

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

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

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

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

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

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

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

SITE DATA

Existing Use	Contractor Office with Outdoor Storage (currently prohibited)
Adjacent Zoning	N: C-1 (Retail Commercial District) (1958) E: C-3 (Wholesale Commercial District) (1961) W: R-1 (Single-Family Dwelling District) (1958) S: C-1 (Retail Commercial District) (1962)
Adjacent Land Uses	N: Automobile Sales, Mobile Home Park E: Retail Commercial (Trophy Sales) W: Single-Family Residential S: Single-Family Residential

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 6448 N. Orange Blossom Trail; or generally on the southwest side of N. Orange Blossom Trail, south of National Street, and west of Busby Avenue. The immediate area is developed with a mixture of commercial properties of varying intensities that are accessed off N. Orange Blossom Trail, as well as a single-family residential neighborhood to the south and west of this parcel, and a mobile home park to the north on National Street.

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 validate the existing non-conforming construction contractor's business with outdoor storage. This rezoning has been initiated as a result of code enforcement action, as the existing use is not permitted in the C-1 zoning district.

Although the subject parcel is located near existing C-3 zoned property, staff has determined that the proposed request to rezone the subject property to C-2 zoning district would adversely impact the adjacent single-family development and could possibly encourage the advancement of further commercial intrusion into the existing single-family neighborhood. In addition, while there is C-3 zoning located across from the single-family parcels along Busby Avenue, those parcels access have access solely from N. Orange Blossom Trail or Clarcona Ocoee Road.

Furthermore, Orange County Code Section 38-851, states that the C-2 zoning district should not be located adjacent to single-family residential zoning districts. This is because of the variety of uses that are permitted in the C-2 zoning district that are incompatible with single-family zoned properties, such as outdoor storage, vehicle repair, outdoor sales, etc.

While there are C-3 parcels located across from the subject property and residential properties along Busby Avenue, and the C-3 zoning district has stronger placement criteria, the existing C-3 parcels have been zoned in their current state prior to the adoption of the C-2 and C-3 residential adjacency requirements in 1995.

Lastly, Orange County Comprehensive Plan Policies FLU 1.4.2 and 1.4.4 require that all land use changes be compatible with existing neighborhoods and that poorly located / designed commercial activities near residential areas be avoided. Given this analysis, staff is recommending denial of this application.

Comprehensive Plan (CP) Amendment

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

designation.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

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

Overlay District Ordinance

The subject property is not located within an overlay district.

Airport Noise Zone

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

Environmental

Orange County Environmental Protection Division (EPD) staff has reviewed this request, but did not provide any comments.

Transportation / Access

Based on the Concurrency Management System database dated April 10, 2018, there is one failing roadway within a one mile radius of this project. Edgewater Drive from Clarcona-Ocoee Road to Beggs Road is currently deficient and operating at Level of Service "F". This information is dated and subject to change.

The proposed use is considered de minimis and no further transportation analysis is required.

Code Enforcement

There is one (1) active Code Enforcement case on the subject property. This case is filed under Incident #506218, which relates to the storage of construction material and equipment on the property, as well as storage of a Temporary Portable Storage Container (TPSC). This violation is outstanding, but it has not been scheduled for a Code Enforcement Board hearing.

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>	
Water:	Orange County Utilities	20-inch watermain within the National Street right-of-way

Wastewater:	Orange County Utilities	6-inch forcemain at the intersection of Orange Blossom Trail and Clarcona Ocoee Road
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Reclaim Water:	Orange County Utilities	Unavailable
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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 – (May 17, 2018)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested C-2 (General Commercial District) zoning.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of inconsistency with the Comprehensive Plan and recommend denial of the requested C-2 (General Commercial District) zoning.

Staff indicated that two hundred ninety-seven (297) notices were mailed to surrounding property owners within a buffer extending 800 feet from the subject property, with two (2) commentaries received in favor of the request and seven (7) in opposition. The applicant was present and disagreed with the staff recommendation and presented why the request was consistent with the neighborhood. There was one member of the public who spoke in opposition to this request.

After discussion regarding the compatibility with the neighborhood and trend of development in the area, a motion was made by Commissioner Gusler to find the request to be consistent with the Comprehensive Plan and recommend APPROVAL of the C-2 (General Commercial District) zoning. Commissioner DiVecchio seconded the motion, which then carried on a 7-2 vote.

Motion / Second

William Gusler / Pat DiVecchio

Voting in Favor

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

Voting in Opposition

Paul Wean and JaJa Wade

RZ-18-05-026



Subject Property

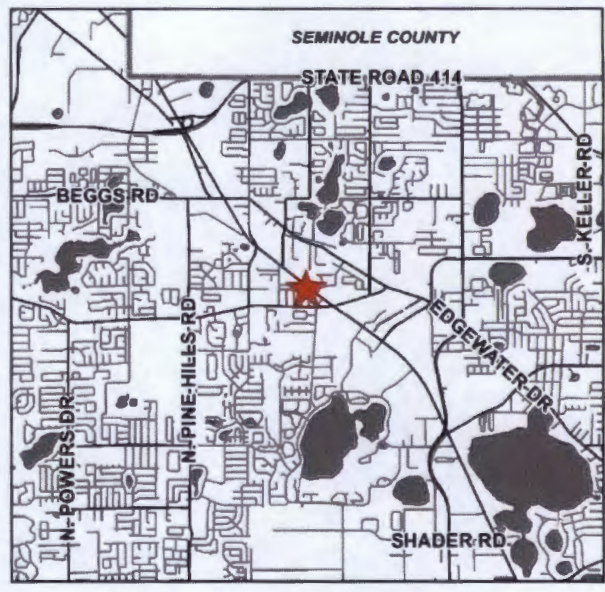


Subject Property

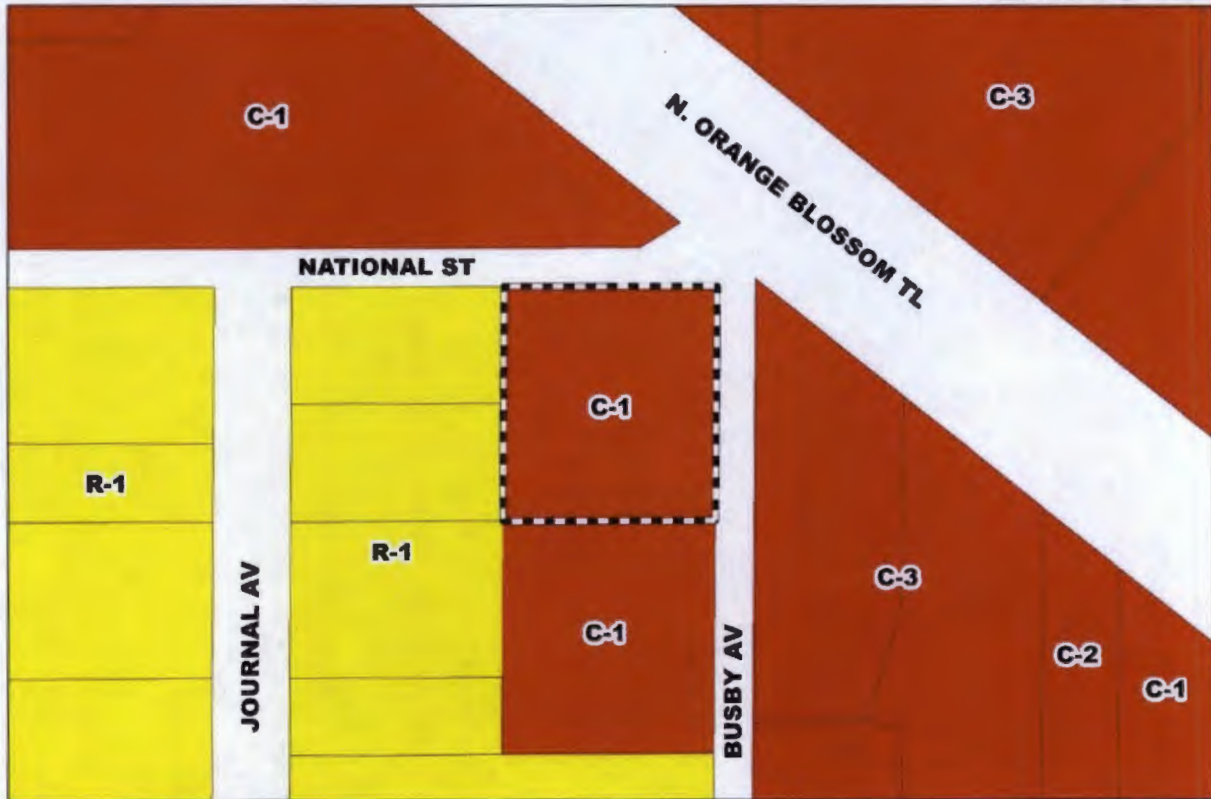
Future Land Use Map

FLUM: Commercial (C)
APPLICANT: Alison M. Yurko
LOCATION: 6448 N. Orange Blossom Trail; or generally on the southwest side of N. Orange Blossom Trail, south of National Street, and west of Busby Avenue.
TRACT SIZE: 0.475-gross acre
DISTRICT: # 2
S/T/R: 32/21/29

1 inch = 100 feet



RZ-18-05-026



Subject Property



Subject Property

Zoning Map

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

APPLICANT: Alison M. Yurko

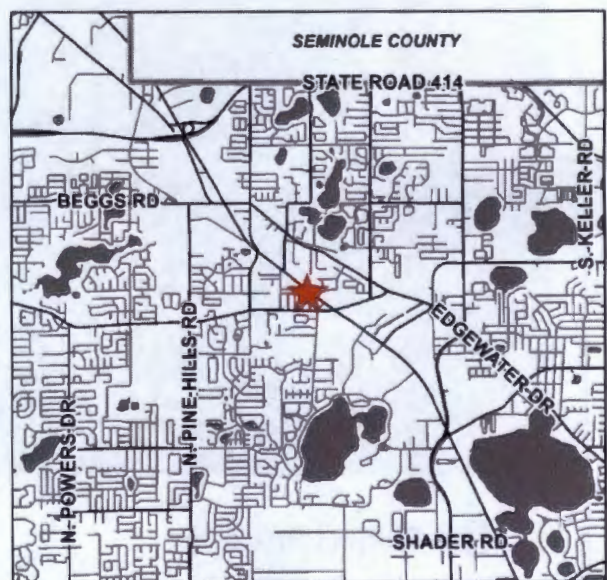
LOCATION: 6448 N. Orange Blossom Trail; or generally
 on the southwest side of N. Orange
 Blossom Trail, south of National Street,
 and west of Busby Avenue.

TRACT SIZE: 0.475-gross acre

DISTRICT: #2

S/T/R: 32/21/29

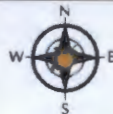
1 inch = 100 feet



RZ-18-05-026



Subject Property



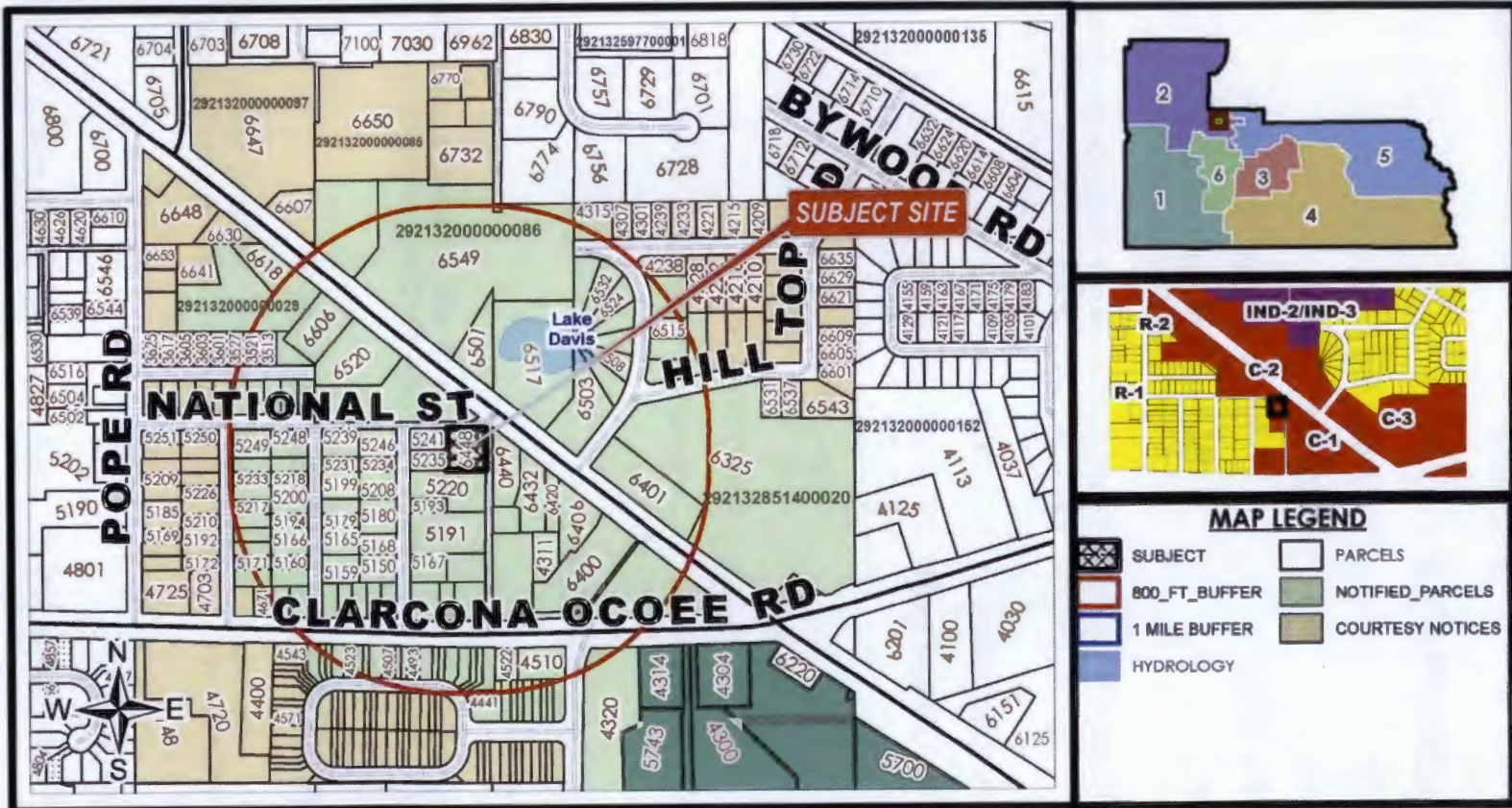
1 inch = 100 feet



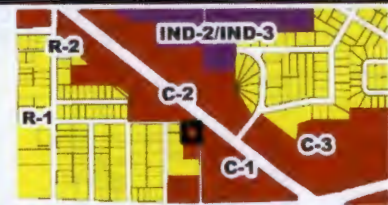
Public Notification Map

RZ-18-05-026

800 FT BUFFER, 297 NOTICES



Feet
0 550 1,100
1 inch = 507 feet



MAP LEGEND

	SUBJECT		PARCELS
	800_FT_BUFFER		NOTIFIED_PARCELS
	1_MILE_BUFFER		COURTESY_NOTICES
	HYDROLOGY		

Notification Map

Case # RZ-18-05-026
Orange County Planning Division
PZC Hearing Date: June 21, 2018

Case Planner:
Nicolas Thalmueller

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: June 21, 2018

CASE # RZ-18-06-030

Commission District: # 3

GENERAL INFORMATION

APPLICANT	Thomas Jones
OWNERS	Old Gold Road LLC
HEARING TYPE	Planning and Zoning Commission
REQUEST	A-2 (Farmland Rural District) to C-3 (Wholesale Commercial District)
LOCATION	4628 Old Goldenrod Road; or generally located on the west side of Old Goldenrod Road, east of the intersection of Hoffner Avenue and S. Goldenrod Road.
PARCEL ID NUMBER	14-23-30-5240-19-033
PUBLIC NOTIFICATION	The notification area for this public hearing was 100 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. One-hundred four (104) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	0.99-gross acre
PROPOSED USE	Landscaping and irrigation business

STAFF RECOMMENDATION

PLANNING

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

ALTERNATIVE STAFF RECOMMENDATION

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

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 C-2 uses.

IMPACT ANALYSIS

Land Use Compatibility

The C-3 (Wholesale Commercial District) zoning would allow for development that is incompatible with the character of the surrounding area and could adversely impact adjacent properties. However, 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 proposed C-3 (Residential District) zoning is consistent with the Commercial FLUM designation and inconsistent with the following Comprehensive Plan provisions:

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

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

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

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

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

FLU8.2.11 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 Residence
Adjacent Zoning	N: C-2 (General Commercial District) (1988)
	E: A-2 (Farmland Rural District) (1957)
	W: City of Orlando (Planned Development)
	S: C-2 (General Commercial District) (1957) / City of Orlando (Community Activity Center)
Adjacent Land Uses	N: Auto Repair
	E: Single-Family Residence
	W: Gas Station & Convenience Store
	S: Undeveloped Land

C-3 (WHOLESALE COMMERCIAL DISTRICT) DEVELOPMENT STANDARDS *

Min. Lot Area:	12,000 sq. ft.
Min. Lot Width:	125 ft. (150 ft. corner lot) (on major streets, see Article XV) 100 ft. (125 ft. corner lot) (on all other streets)
Max. Height:	75 ft. (35 ft. within 100 ft. of all residential districts)
Min. Floor Area:	500 sq. ft.
Building Setbacks:	
<i>Front:</i>	25 ft.
<i>Rear:</i>	15 ft. (20 ft. when abutting residential districts)
<i>Side:</i>	5 ft. (25 ft. when abutting residential districts)
<i>Side Street:</i>	15 ft.

C-2 (GENERAL COMMERCIAL DISTRICT) DEVELOPMENT STANDARDS*

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

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

Permitted Uses

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

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 site is located at 4826 Old Goldenrod Road; or generally located on the west side of Old Goldenrod Road, east of the intersection of Hoffner Avenue and S. Goldenrod Road. Through this request, the applicant is seeking to rezone the parcel from A-2 (Farmland Rural District) to C-3 (Wholesale Commercial District) with the intent to develop a landscaping and irrigation business.

The area surrounding the subject property includes land within the jurisdiction of either the City of Orlando or unincorporated Orange County. Both the County's and City's Future Land Use Maps (FLUM) establish commercial land uses on the block on which the subject site is located. The surrounding properties are developed with a mix of retail commercial and automobile repair and sales uses on the west side and single-family residential uses on the east side of Old Goldenrod Rd. The parcel to the south of the subject site was annexed into the City of Orlando in March 2016 (ANX-ORL-1749) which changed the zoning from County C-2 (General Commercial District) to AC-1 (Community Activity Center District). The City's AC-1 district allows for a mix of community-serving commercial, office, residential, recreational and cultural facilities. The property to the west of the subject site is zoned Planned Development within the

City of Orlando and is developed as a 7-Eleven gas station and convenience store. In February 2016, the property two parcels to the north of the subject site was rezoned from A-2 to C-1 (Retail Commercial District) for a carwash use.

Several properties surrounding the subject site are zoned C-2 (General Commercial District), and the landscaping and irrigation business use requested with this application is a permitted use within the C-2 district. Staff does not recommend approval of the requested C-3 zoning because there is no existing C-3 zoning or C-3 uses in the immediate area surrounding the subject site. Additionally, Orange County Code Section 38-876, states that the C-3 zoning district must be located away from residential districts because of compatibility concerns.

Comprehensive Plan (CP) Amendment

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

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

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

Overlay District Ordinance

The subject property is not located within an Overlay District.

Airport Noise Zone

The subject property is located within Airport Noise Zone "D". However, commercial uses are not subject to the aircraft noise / land use regulations described in Orange County Code Section 9-604.

Environmental

Prior to commencement of any earth work or construction, any existing septic tanks or wells shall be properly abandoned. Permits shall be applied for and issued by the appropriate agencies. The developer shall contact the Department of Health (DOH) for the septic system and both DOH and the Water Management District for wells.

Prior to commencement of any earth work or construction, if one acre or more 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 FDEP by the developer.

The applicant has been advised to use caution to prevent erosion along the boundary of the property and into open drainage facilities. Construction will require Best Management Practices (BMPs) for erosion control. The entry area shall be designed to prevent vehicles from tracking soil onto roadways. Periodic street sweeping may be required. Adjacent drainage ditches and affected storm drains shall be protected.

Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations.

Transportation / Access

Based on the concurrency management system database dated May 9, 2018, there is one failing roadway within a one-mile radius of this project. Goldenrod Road from Narcoossee Road to Pershing Avenue is currently deficient and operating at level of service F. A traffic study may be required prior to obtaining an approved capacity encumbrance letter. This information is dated and subject to change.

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	A 24-inch watermain is located within the Old Goldenrod right-of-way
Wastewater:	Orange County Utilities	A gravity sewer system is located in the Hoffner Road right-of-way and an 8-inch forcemain is located near the intersection of Goldenrod and Old Goldenrod
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 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 – (June 21, 2018)

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

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 C-2 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 inconsistency with the Comprehensive Plan and recommend denial of the requested C-3 (Wholesale Commercial District) zoning. Staff presented an alternative recommendation that the PZC make a finding of consistency with the Comprehensive Plan and recommend approval of C-2 (General Commercial District) zoning. Staff noted that the requested landscaping and irrigation business use listed on the rezoning application was permitted in the C-2 district, which was consistent with the zoning of the surrounding properties.

Staff indicated that one hundred four (104) notices were mailed to surrounding property owners within a buffer extending 1,000 feet from the subject property, with zero (0) commentaries received in favor of the request and zero (0) in opposition. The applicant was present and stated that he was no longer pursuing the landscaping business and instead wanted to use the property for the parking and storage of dual rear wheel vehicles. After a brief discussion, a motion was made by Commissioner Demostene to recommend APPROVAL of staff's alternative recommendation of C-2 (General Commercial District) zoning, subject to two (2) restrictions. Commissioner Melwani seconded the motion, which then carried on a 9-0 vote.

Motion / Second

Tina Demostene / Yog Melwani

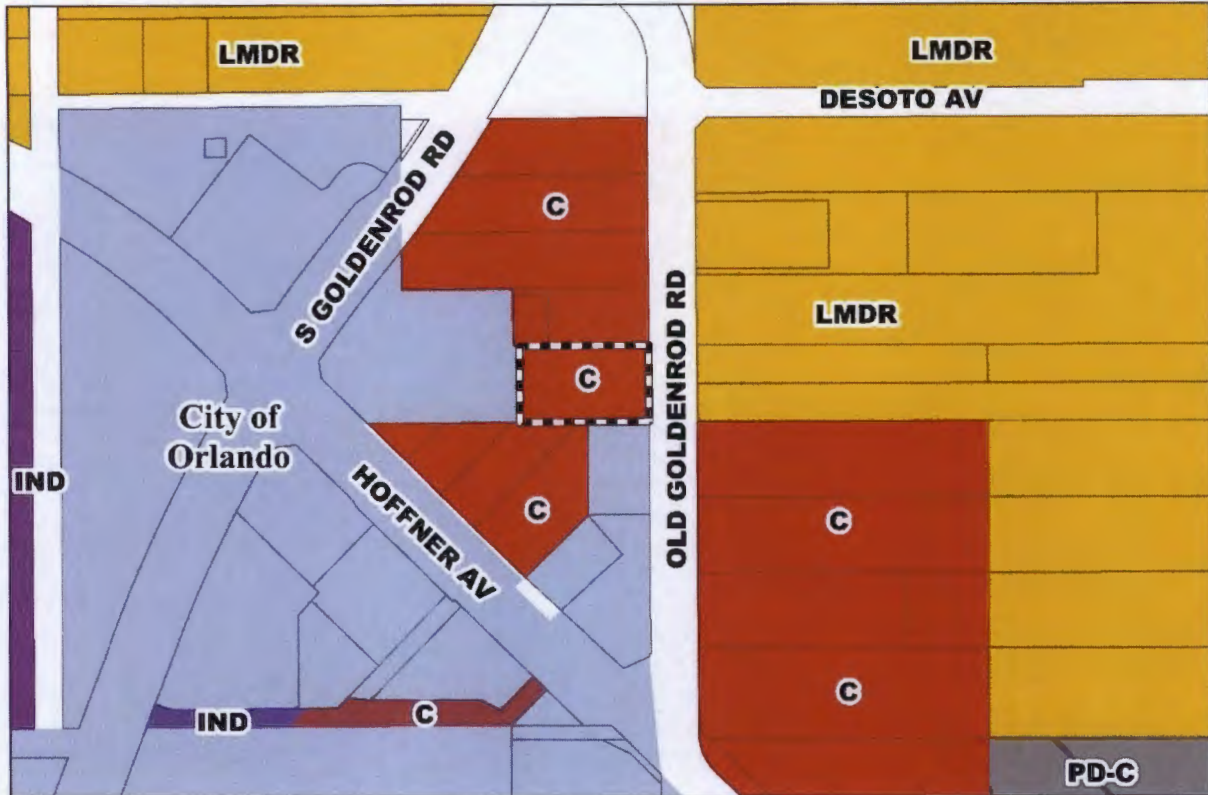
Voting in Favor


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

Voting in Opposition

None

RZ-18-06-030



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Commercial (C)

APPLICANT: Thomas Jones

LOCATION: 4628 Old Goldenrod Rd.; or generally on the west side of Old Goldenrod Road, east of the intersection of Hoffner Avenue and S. Goldenrod Road.

TRACT SIZE: 0.99-gross acre

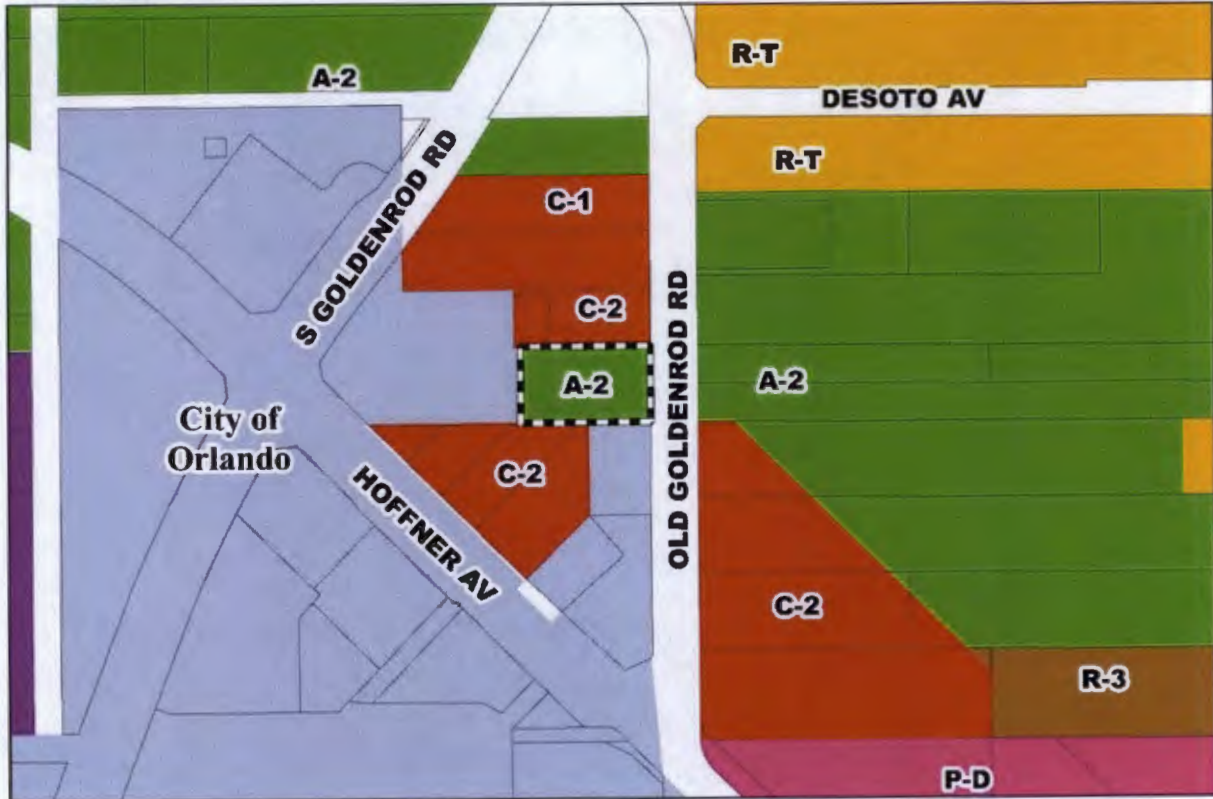
DISTRICT: # 3

S/T/R: 14/23/30

1 inch = 325 feet



RZ-18-06-030



Subject Property



Subject Property

Zoning Map

Zoning: A-2 (Farmland Rural District) to C-3 (Wholesale Commercial District)

APPLICANT: Thomas Jones

LOCATION: 4628 Old Goldenrod Rd.; or generally on the west side of Old Goldenrod Road, east of the intersection of Hoffner Avenue and S. Goldenrod Road.

TRACT SIZE: 0.99-gross acre

DISTRICT: # 3


S/T/R: 14/23/30

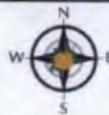
1 inch = 325 feet



RZ-18-06-030



 Subject Property



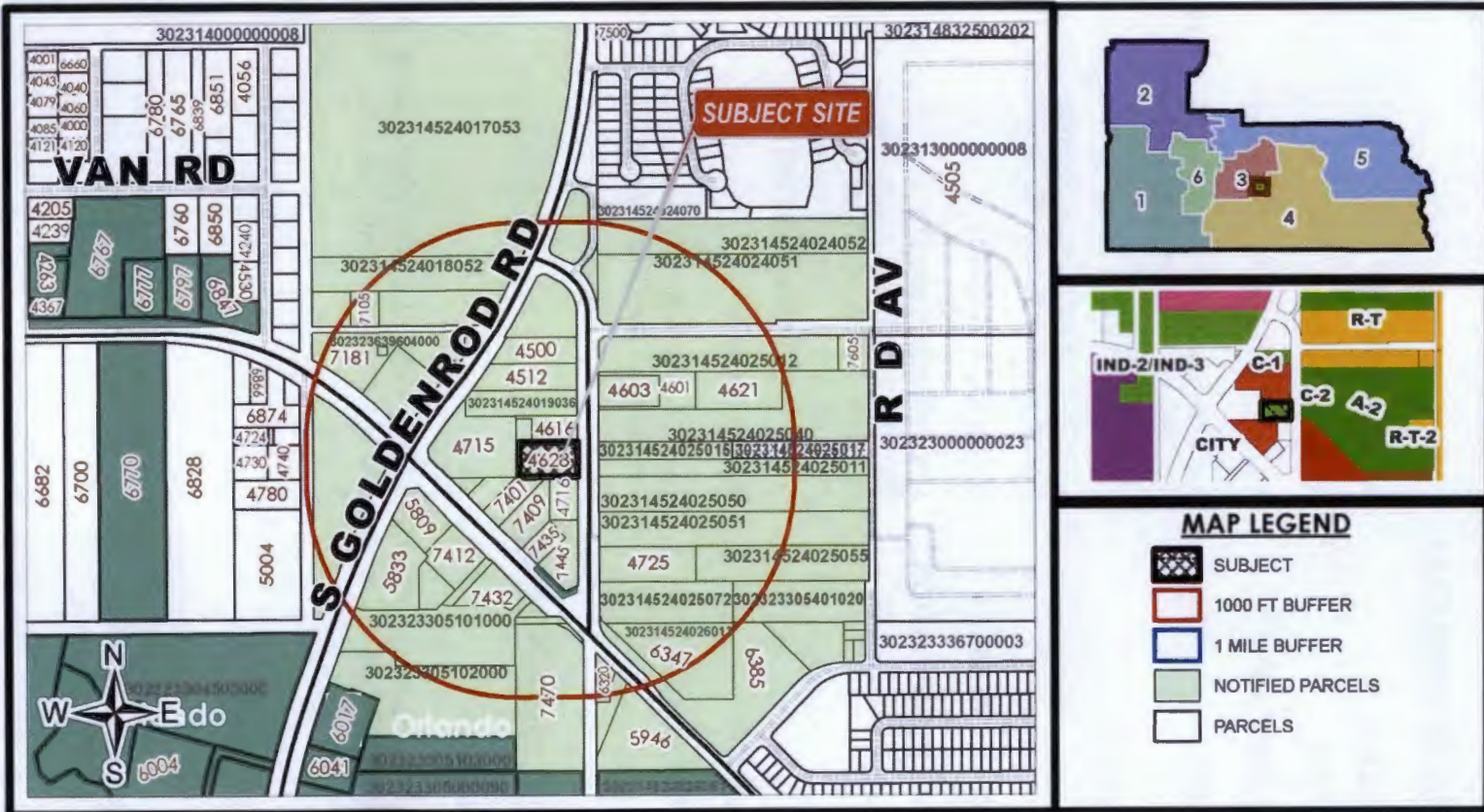
1 inch = 250 feet



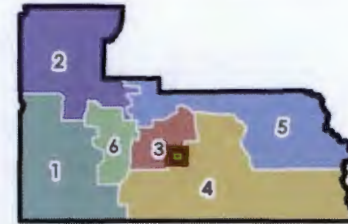
Public Notification Map

RZ-18-06-030

1000 FT BUFFER, 104 NOTICES



Feet
0 700 1,400
1 inch = 645 feet



MAP LEGEND

- SUBJECT
- 1000 FT BUFFER
- 1 MILE BUFFER
- NOTIFIED PARCELS
- PARCELS

Notification Map

Case # RZ-18-06-032
Orange County Planning Division
PZC Hearing Date: June 21, 2018

\\Ocnas\gmdepl\Business Systems\Board Administration\PZC\2018\6-JUNE\RZ-18-06-030\RZ-18-06-030.mxd

Case Planner:
Steven Thorp

Rezoning Staff Report
Orange County Planning Division
PZC Hearing Date: June 21, 2018

CASE # RZ-18-06-033

Commission District: # 3

GENERAL INFORMATION

APPLICANT	Robert D. Williams
OWNERS	Robert D. Williams
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	1801 S Fern Creek Avenue, or generally located on the east side of S. Fern Creek Avenue and south side of George Street, approximately 160 feet north of E. Kaley Avenue.
PARCEL ID NUMBER	06-23-30-3736-03-010
PUBLIC NOTIFICATION	The notification area for this public hearing extended beyond 500 feet [<i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i>]. Two hundred thirty-one (231) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
TRACT SIZE	0.28-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 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). The R-1 (Single-Family Dwelling District) zoning is consistent with the Low Density Residential FLUM designation and the following Comprehensive Plan provisions:

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

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	Single-Family Dwelling
---------------------	------------------------

Adjacent Zoning

N: R-1 (Single-Family Dwelling District) (2005) and
R-1A (Single-Family Dwelling District) (1957)

E: R-1A (Single-Family Dwelling District) (1957)

W: R-1/T (One Family Residential District / Traditional City
Overlay) (*City of Orlando*)

S: R-2 (Residential District) (1957)

Adjacent Land Uses

N: Single-Family Residential

E: Single-Family Residential

W: Single-Family Residential

S: Single-Family Residential

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 property is located at 1801 S Fern Creek Avenue, or generally located on the east side of S. Fern Creek Avenue and south side of George Street, approximately 160 feet north of E. Kaley Avenue. The property is currently developed with a single-family detached dwelling that was constructed in 1950.

The subject parcel was originally platted as a 56.25' x 115' (Lot 1, Block C) and a 50' x 112.5' lot (Lot 5, Block C) within the Hour Glass Lake Park Subdivision. The plat for the Hour Glass Lake Park Subdivision was recorded on January 4, 1923. Today, the subdivision can be characterized as being developed with single-family detached dwellings on a variety of parcel sizes. Though the subdivided area is primarily zoned R-1A, the majority of the lots are less than 75 feet wide and are developed, despite the widths of the lots being non-conforming to the R-1A zoning standards (75' wide minimum lot width).

Through this request, 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 formally split the existing parcel into two lots as originally platted, and build a single-family detached dwelling on the resulting parcel.

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, but is it adjacent to the City. Notice of the public hearing has been sent to the City and the City has provided the following information:

This property, 1801 S. Fern Creek Avenue, is within the City of Orlando wastewater service area per the City of Orlando/Orange County Wastewater Service Territorial Agreement. As the property is on septic currently, if the Florida Department of Health determines the property must connect to the City wastewater lines, the property must

be annexed into the City.

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

Any existing septic tanks or wells shall be properly abandoned prior to earthwork or construction. Permits shall be applied for by the developer and issued by the appropriate agencies.

The developer shall use caution to prevent erosion along the boundary of the property and into open drainage facilities. Construction will require Best Management Practices (BMPs) for erosion control. The entry area shall be designed to prevent trucks from tracking soil onto roadways. Periodic street sweeping may be required. Adjacent drainage ditches and affected storm drains shall be protected.

The developer shall be aware that any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations.

Transportation / Access

This project is in the Alternative Mobility Area. The proposed development is within a quarter mile walking distance along Delaney Avenue and Michigan Street, where transit service is available. The sidewalks in the area are developed however, there is no signed bicycle route.

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 is considered "de minimis" and therefore exempt from capacity review.

Parks and Recreation

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

Specific Project Expenditure Report and Relationship Disclosure Form

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

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (June 21, 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 two hundred thirty-one (231) notices were mailed to surrounding property owners within a buffer extending 500 feet from the subject property, with zero (0) commentaries received in favor or in opposition to this request. The applicant was present and agreed with the staff recommendation. There were no members of the public present to speak on this request.

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

Motion / Second

Tina Demostene / Gordon Spears

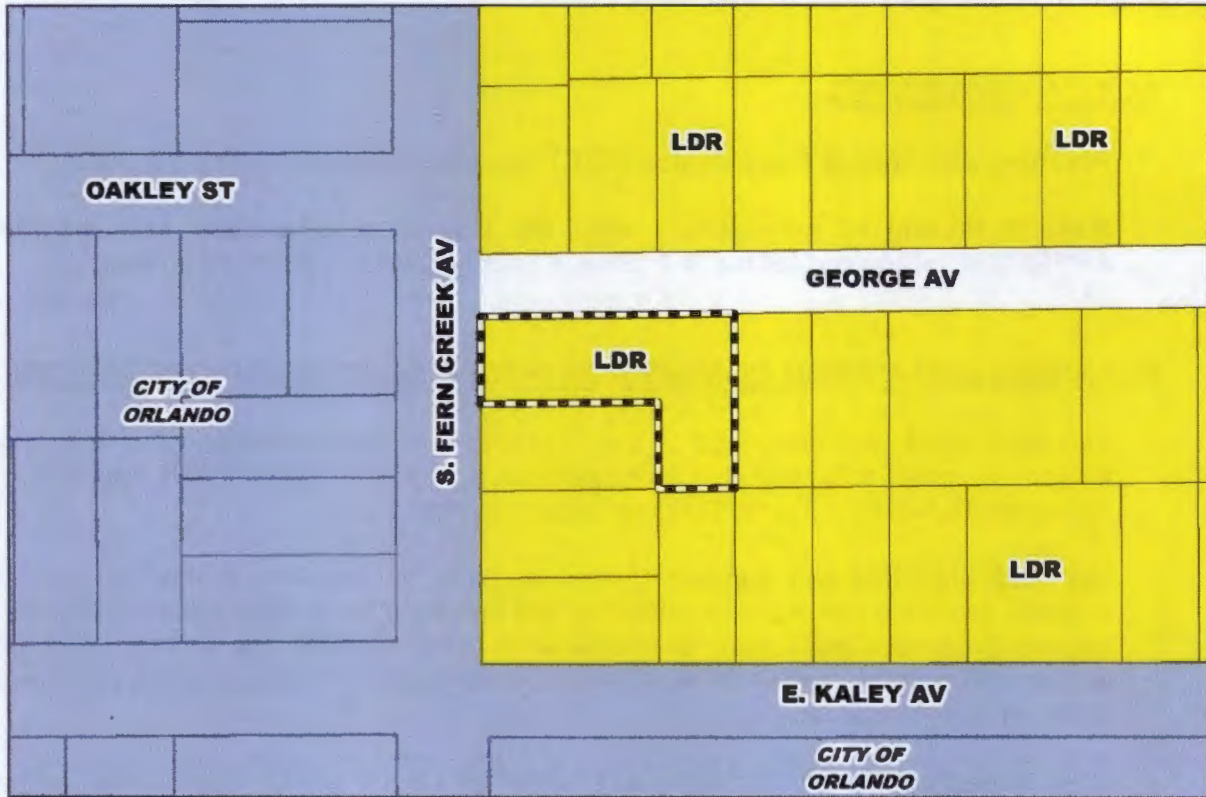
Voting in Favor

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

Voting in Opposition


None

RZ-18-06-033



 Subject Property



 Subject Property

Future Land Use Map

FLUM: Low Density Residential (LDR)

APPLICANT: Robert D. Williams

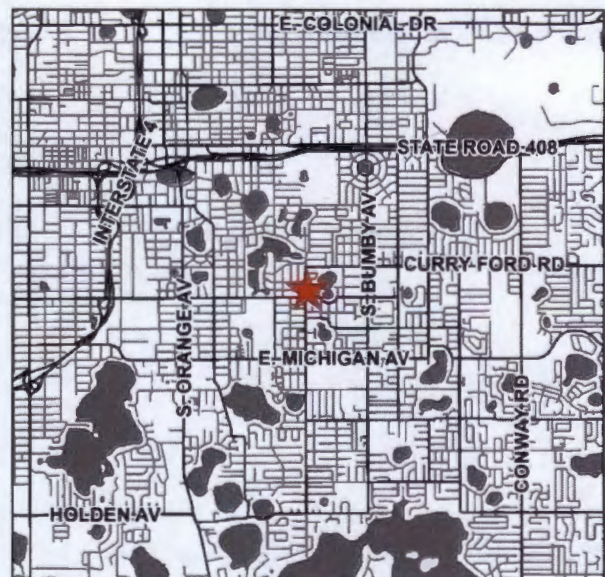
LOCATION: 1801 S. Fern Creek Avenue, or generally located on the east side of S. Fern Creek Avenue and south side of George Street, approximately 160 feet north of E. Kaley Avenue

TRACT SIZE: 0.28-gross acre

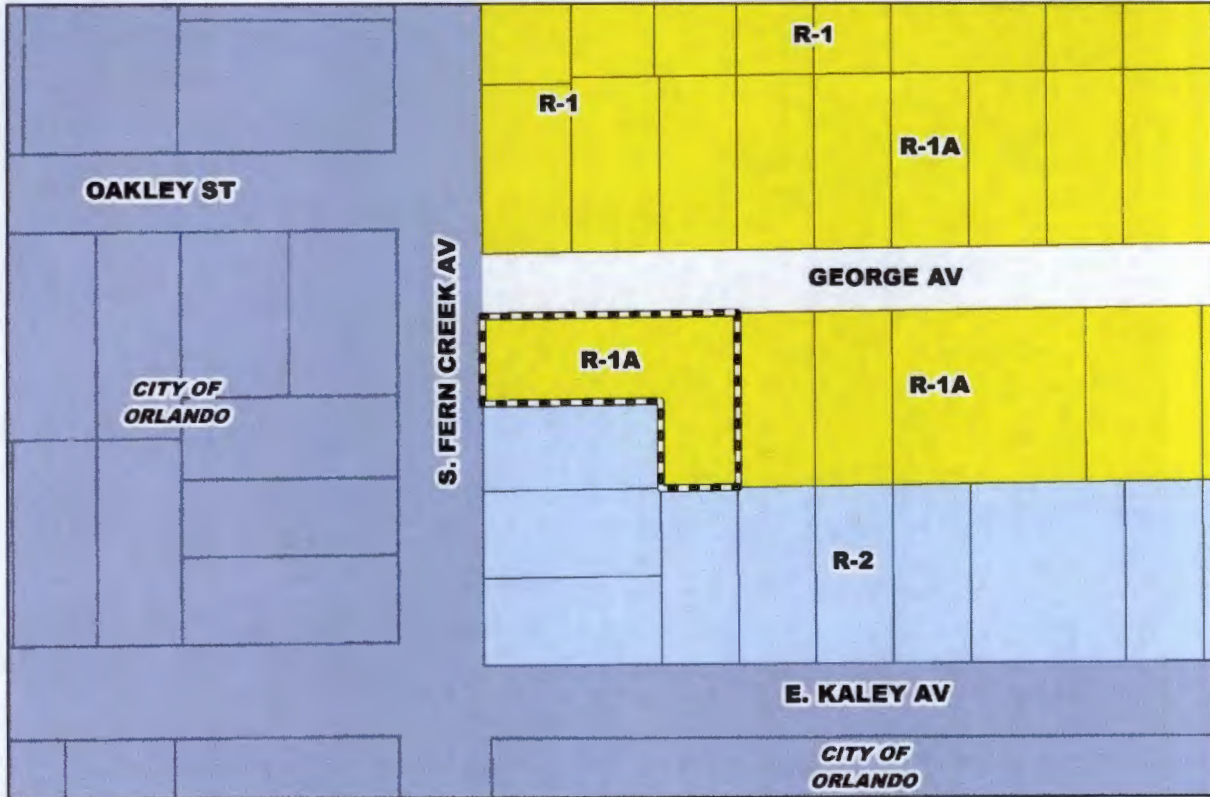
DISTRICT: # 3

S/T/R: 06/23/30

1 inch = 100 feet



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Subject Property



Subject Property

Zoning Map

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

APPLICANT: Robert D. Williams

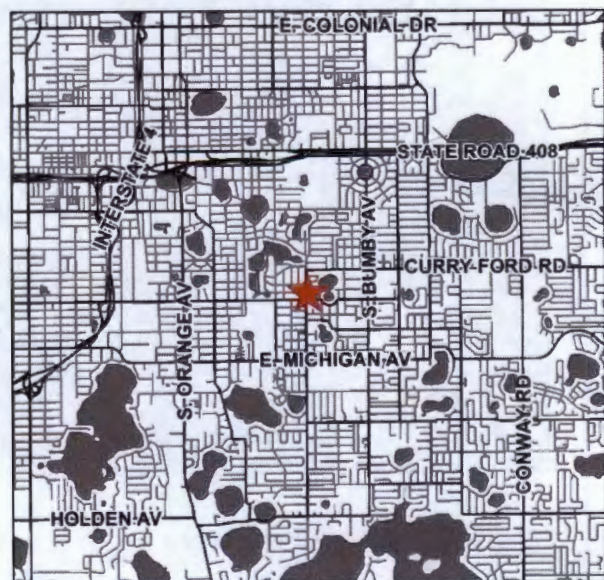
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
S/T/R: 06/23/30

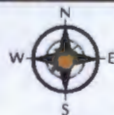
1 inch = 100 feet



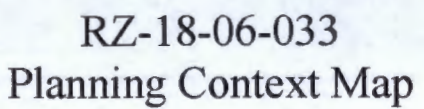
RZ-18-06-033



 Subject Property



1 inch = 100 feet

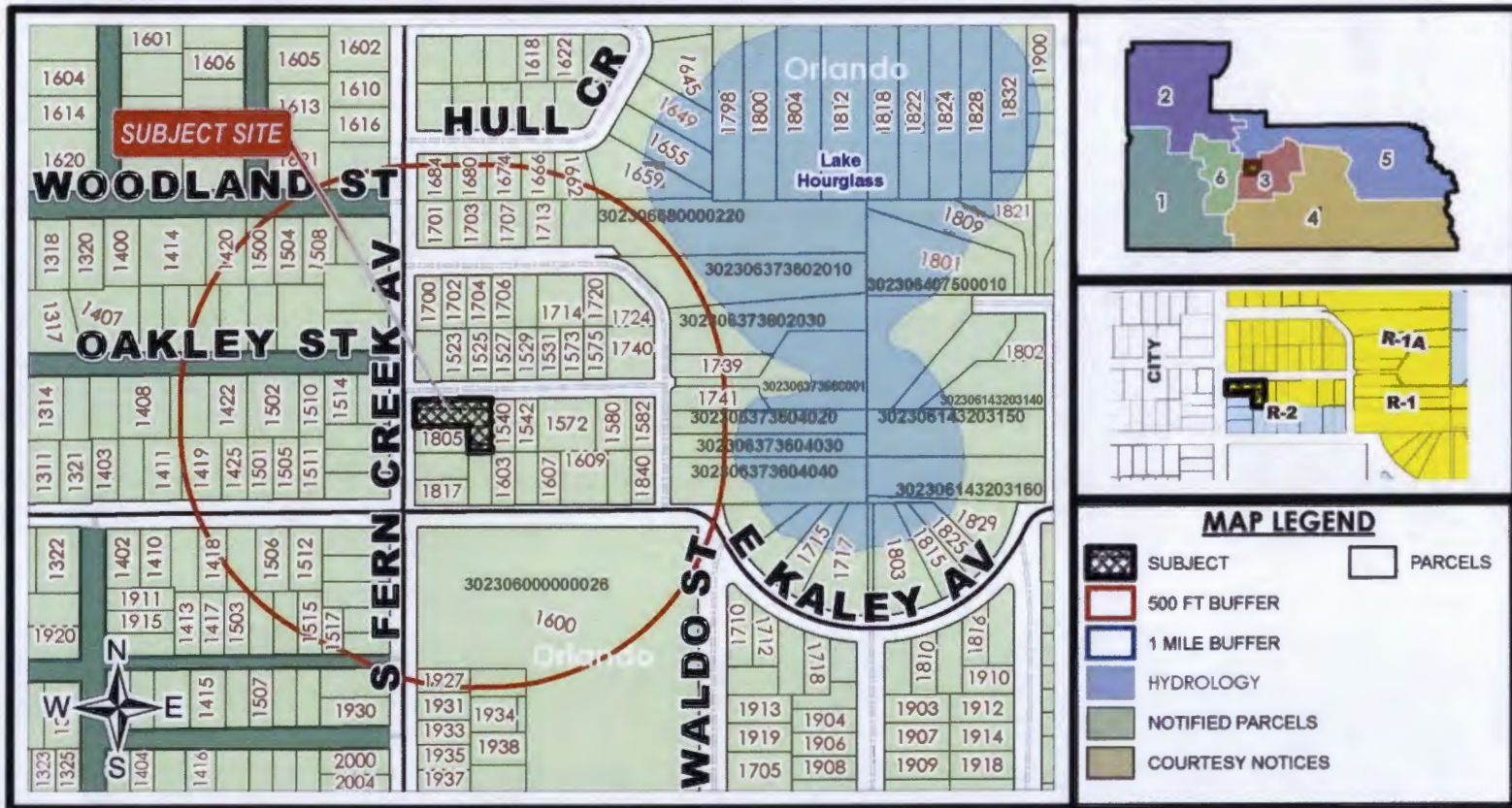




Public Notification Map

RZ-18-06-033

500 FT BUFFER, 231 NOTICES



Notification Map

Case # RZ-18-06-033
Orange County Planning Division
PZC Hearing Date: June 21, 2018