



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Decision Letter

Board of County Commissioners

Tuesday, November 13, 2018

2:00 PM

County Commission Chambers

18-1461

Concurrent Rezoning Request

Rezoning LUP-18-06-213

A-2 (Farmland Rural District) to PD (Planned Development District) (Sanchez Properties PD) Also requested are eight (8) waivers from Orange County Code; District 3

Consideration: A request to Rezone LUP-18-06-213 from A-2 (Farmland Rural District) to PD (Planned Development) (Sanchez Properties PD). Also requested are eight (8) waivers from Orange County Code: 1) A waiver from Section 38-932 to allow a 25' PD Boundary setback with no landscape buffer between industrial and residential uses, in lieu of an increased setback buffer yard of not less than fifty (50) feet in width shall be provided along each I-1/I-5 district line which abuts any residential zoning district, and specific landscaping within the setback area shall be in accordance with Chapter 24 of the Orange County Code; 2) A waiver from Section 38-932(a)(11) & (a)(14) to allow the continued use of the existing driveway to be utilized for commercial truck access for the purposed of overnight parking, in lieu of Driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrances or exits shall direct traffic into adjacent residential areas and driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrance or exits shall direct traffic into adjacent residential districts; 3) A waiver from Section 38-1233 to not require landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas, in lieu of landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas; 4) A waiver from Section 38-1234 (3)(a)(2) and 38-1234(3)(e) to not require open space requirements, in lieu of providing 25% open space for multi-family and 15% open space for industrial uses; 5) A waiver Section 38-1254(1) to allow the existing 1 story residence have a 23.4' PD boundary setback on the east property line, in lieu of a 25' PD boundary setback from the east property line; 6) A waiver from Section 38-1258(h) to not require active recreation to be provided, in lieu of active recreation areas shall be provided within a multi-family development to serve the needs of the residents of the multi-family buildings whenever single-family zoned property is located inside the PD or adjacent to the multifamily development; 7) A waiver from Section 38-1601 to allow a building 84.22' from the centerline of Judge Road in lieu of a building 100' from the centerline of Judge Road; and 8) A waiver from Section 38-932(14) to allow only the existing 40' access easement on the west property line to be utilized for commercial vehicular access over an A-2 zoned property, in lieu of the requirement that driveways, streets, and facilities for routing traffic be designed in such a manner that entrances and exits to public streets are not

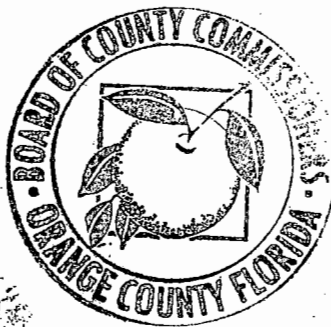
hazardous and that traffic congestion is minimized. Furthermore, no entrance or exits shall direct traffic into adjacent residential districts.

Location: 4773 and 4769 Judge Rd.; Generally located north of Judge Rd., east of S. Conway Rd., south of Hoffner Ave., and west of S. Semoran Blvd.; Parcel ID#s: 21-23-30-0000-00-058/068; 1.90 gross ac.

A motion was made by Commissioner Clarke, seconded by Thompson, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Objective FLU1.4 Future Land Use Policies FLU1.4.16, FLU8.1.1(a), FLU8.1.1(b), and FLU8.2.1); further, determine that the proposed amendment is in compliance; and further, adopt Amendment 2018-1-S-3-1, Medium Density Residential (MDR) to Planned Development-Low-Medium Density Residential/Industrial (PD-LMDR/IND); further, make a finding of consistency with the Comprehensive Plan; further, approve the Rezoning Request LUP-18-06-213, Sanchez Properties Land Use Plan (PD/LUP) from A-2 (Farmland Rural District) to PD (Planned Development) (Sanchez Properties PD). Also requested are eight (8) waivers from Orange County Code: 1) A waiver from Section 38-932 to allow a 25' PD Boundary setback with no landscape buffer between industrial and residential uses, in lieu of an increased setback buffer yard of not less than fifty (50) feet in width shall be provided along each I-1/I-5 district line which abuts any residential zoning district, and specific landscaping within the setback area shall be in accordance with Chapter 24 of the Orange County Code; 2) A waiver from Section 38-932(a)(11) & (a)(14) to allow the continued use of the existing driveway to be utilized for commercial truck access for the purposed of overnight parking, in lieu of Driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrances or exits shall direct traffic into adjacent residential areas and driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrance or exits shall direct traffic into adjacent residential districts; 3) A waiver from Section 38-1233 to not require landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas, in lieu of landscaping consisting of trees, shrubs, vines, ground cover with irrigation facilities in common areas; 4) A waiver from Section 38-1234 (3)(a)(2) and 38-1234(3)(e) to not require open space requirements, in lieu of providing 25% open space for multi-family and 15% open space for industrial uses;

5) A waiver Section 38-1254(1) to allow the existing 1 story residence have a 23.4' PD boundary setback on the east property line, in lieu of a 25' PD boundary setback from the east property line; 6) A waiver from Section 38-1258(h) to not require active recreation to be provided, in lieu of active recreation areas shall be provided within a multi-family development to serve the needs of the residents of the multi-family buildings whenever single-family zoned property is located inside the PD or adjacent to the multifamily development; 7) A waiver from Section 38-1601 to allow a building 84.22' from the centerline of Judge Road in lieu of a building 100' from the centerline of Judge Road; and 8) A waiver from Section 38-932(14) to allow only the existing 40' access easement on the west property line to be utilized for commercial vehicular access over an A-2 zoned property, in lieu of the requirement that driveways, streets, and facilities for routing traffic be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized. Furthermore, no entrance or exits shall direct traffic into adjacent residential districts, subject to the 15 conditions listed in the staff report and the recommended changes; further, approve to revise the Land Use Plan to change the Unit #1 label to indicate that the structure is an existing manufactured home to be removed and may be replaced with a single-family residence; and further, modified Condition of Approval # 13 to read as follows: All mobile homes labeled on the Planned Development / Land Use Plan as Unit # 2 and existing storage trailer shall be removed from the property on or before February 20, 2019. Mobile home labeled on the Planned Development / Land Use Plan as Unit # 1 shall be removed no later than seven years from November 13, 2018; or if the family vacates the home, whichever occurs first. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Love, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin



**THE FOREGOING DECISION HAS BEEN FILED WITH
ME THIS 12TH DAY OF DECEMBER 2018.**

Kelie Smith

DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Note: This document constitutes the final decision of the Board of County Commissioners on this matter. If, upon the Board's subsequent review and approval of its minutes, an error affecting this final decision is discovered, a corrected final decision will be prepared, filed, and distributed.

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