

CITY OF APOPKA
DEVELOPMENT REVIEW COMMITTEE

DATE: December 21, 2016
TIME: 9:00 AM Development Review Committee Meeting
LOCATION: 120 E. Main Street (City Hall Conference Room – 1st Floor)

I. Staff Comments on the following:

A. Special Events:

1. Event: Telemundo Orlando - Cinco de Mayo
Date: May 7, 2017
Time: 11:00 am – 6:00 pm
Location: Northwest Recreational Complex

B. Concept Plan: None

C. Site Plans:

2. Magnolia Office-Warehouse Center (Re-Submittal) SPR16-31
Final Site Development Plan/Plat
Proposed Use: Industrial/Warehousing
Parcel ID #: 09-21-28-7552-03-010
Location: 445 W. First Street

3. Piedmont Plaza MSP16-01
Proposed: Master Sign Plan
Parcel ID #s: 12-21-28-0000-00-003; 12-21-28-0000-00-024;
12-21-28-0000-00-025; 12-21-28-0000-00-027
Location: 2302 E. Semoran Boulevard

D. Plats: None

E. Street Name Review: None

F. FLUM / Rezoning:

4. Smith Family Revocable Living Trust (Case # 2017-1-1 & -2)
Small Scale Future Land Use
From: "County" Rural (0-1 Du/10 Acres)
To: "City" Agriculture (0-1 Du/5 Acres)
Parcel ID #s: 06-20-28-0000-00-047; 06-20-28-0000-00-066

5. 2017-1 Administrative Re-zonings (Four Cases)

G. Special Exception: None

II. Other Business:

A. Public Hearing: None

B. Vacate/Variance: None

C. Request for Extension: None

D. Discussion: None

E. Peddlers Permit: None

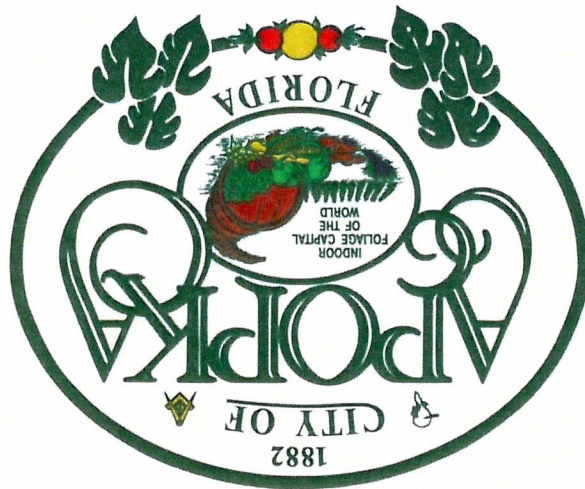
F. Plan Final Review and Sign-off: **Projects at "Zoning Counter"**

Please direct any comments or questions concerning the items scheduled for this meeting to the Community Development Department at (407) 703-1739.



David B. Moon, AICP
Planning Manager

City of Apopka Special Events Permit Application



Special Events Permit Checklist

- ☐ Completed Special Event Permit Application.
- ☐ A site plan (MAP) or Parade/Race Route MUST be submitted with your application. Map must identify location of staging, tents, parking, barricades, vendors, and restrooms.
- ☐ A certificate of general liability insurance listing the "City of Apopka" as 'Additional Insured' must be submitted. Other insurance coverage may be required.
- ☐ A non-refundable application fee of \$50.00 or completed application for waiver of permit fee is due when application is submitted.
- ☐ Letter from the property owner granting permission for use of their property.
- ☐ Signed and notarized hold harmless agreement.
- ☐ A list of all concessionaries and vendors (if applicable).
- ☐ Copies of flyers and advertisements (if applicable).

-All applications must be submitted 60 days prior to the event date.

-All required documentation must be attached with the application. A partial application submission will not be accepted.

Special Events Permit

Applicants Information

Name of Applicant: Angelina Toral Phone: 407-888-2288
 Address: 1550 Sandlake Rd Ste 340 City: Orlando
 ZIP: 32809 Email address: atalor@2gsgroup.com
 Secondary Contact: _____ Phone: _____
 Name of Organization: Telemundo Orlando
 Tax Exempt: Yes: _____ No: _____ State of Florida Tax Number: _____
 If claiming tax exemption a copy of 501-C3 and tax exemption certificates must be provided. Taxes will be charged if not provided.

If Special Event is for an organization, please also complete below

Type of Event

Name of the Event: Cinco de Mayo
 Date(s) of the Event: May 7, 2017 Hours of Event: 11-4
 Location of the Event: Propra Northwest Recreation Complex
 Does the location of the event take place on Public or Private Property? _____
 Briefly describe the event and all activities that will occur during the event:
2nd annual Cinco de Mayo
food, arts and music
 Expected attendance: 7,500
 Will there be admission, vendor, participant or other fees: _____
 Will you be serving alcohol: _____
 Yes: _____ No: _____
 *If yes for serving alcohol, you will be required to obtain approval from City Council. Upon final approval you will need to provide a copy of the liquor license.

Special Events Permit
(Continued)

Type of Event

Description of any equipment being used (Tents, Banners, Signs, Animals, Etc.):
tents, banners, signs, lighting, sound.

Will you have any street, lane, or sidewalk closures?
Yes: No: ☒

If yes, explain:

Once your completed event permit is received the following will happen:
• The event calendar will be checked to make sure there are no conflicting events (if so, you will be notified immediately).
• Your application will be submitted and reviewed by DRC (Development & Review Committee).
• If approved the event may require additional approval from the City Council if there are any street closures or alcohol sales.
• If the location of the event takes place on City Property, you will be required to complete the Facility Use Agreement.
• You may be required to hire off-duty Apopka Police and Fire Fighters depending upon the size of the event.

- Temporary event signage will require a weekend directional sign permit from the Building Department.
- Any tents 200 square feet or larger will require the following:
-Copy of Certificate of Flame Resistance for tent.
-City Inspection Sheet signed by Fire/Building Department Officials
-Copy of tent permit from Building Department
- Applicants must provide adequate restroom facilities during event.
- Meetings are scheduled, if need be, to solve any conflicts or concerns. A meeting will be required for events with more than 1,000 people in attendance.
- If approved, your final permit will be sent to you.
- You must have your final permit with you on the day of your event. If you don't provide it when asked, your event may be shut down.

For further information, to determine if the event location is in the City limits, or to inquire about special requirements for your event, please contact the Community Relations and Events Coordinator, at 407-703-1809, or visit us at 120 E. Main Street, 1st Floor, Apopka, Florida, Monday through Friday, 8:30 a.m. until 4:30 p.m.

HOLD HARMLESS AGREEMENT

I, Alejandro Sainza, on behalf of Alejandro Sainza (WTR), agree to indemnify and hold harmless the City of Apopka, its agents, employees or any other person against loss or expense including attorneys' fees, by reason of the liability imposed by law upon the City of Apopka except in the case of the City of Apopka's sole negligence, for damage because of bodily injury, including death at any time resulting therefrom, sustained by any person or persons, or on account of damage to property arising out of or in consequence of the issuance of the permit or conduct of the assembly or any of its participants, in whole or in part, whether such injuries to persons or damage to property are due or claim to be due to any passive negligence of its employees or agents or any other person. It is further understood and agreed that WTR shall, at the option of the City of Apopka, defend the City of Apopka with appropriate counsel and shall further bear all costs and expenses, including the expense of counsel, in the defense of any suit arising hereunder.

PRINTED NAME OF APPLICANT

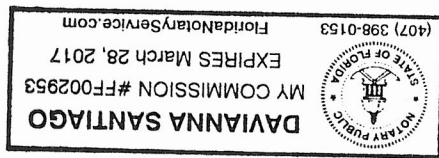
SIGNATURE OF APPLICANT

DATE SUBMITTED

EVENT NAME / EVENT DATE / LOCATION OF EVENT

STATE OF FLORIDA
COUNTY OF ORANGE

SWORN TO (OR AFFIRMED) AND SUBSCRIBED BEFORE ME THIS 5th DAY OF December 2016 BY Alejandro Sainza, WHO IS PERSONALLY KNOWN TO ME OR HAS PRODUCED AS IDENTIFICATION.



NOTARY PUBLIC SIGNATURE

NOTARY PUBLIC PRINTED NAME

FOR OFFICIAL USE ONLY

DRC APPROVAL: _____ DATE: _____
DRC COMMENTS: _____

FIRE APPROVAL: _____ DATE: _____
FIRE COMMENTS: _____

POLICE APPROVAL: _____ DATE: _____
POLICE COMMENTS: _____

EVENTS APPROVAL: _____ DATE: _____
EVENTS COMMENTS: _____

RISK MANAGEMENT APPROVAL: _____ DATE: _____
RISK MANAGEMENT COMMENTS: _____

RECREATION APPROVAL: _____ DATE: _____
RECREATION COMMENTS: _____

CITY COUNCIL WILL CONSIDER THIS REQUEST SUBJECT TO APPLICANT MEETING ALL CITY REQUIREMENTS ON:

MEETING DATE: _____ APPROVED: _____ DENIED: _____

PERMIT FEE: \$50.00 DATE PAID: _____ REC'D BY: _____ DATE EXEMPTED: _____

Backup material for agenda item:

4. Smith Family Revocable Living Trust (Case # 2017-1-1 & -2)
Parcel Id No.'s: 06-20-28-0000-00-047 & 06-20-28-0000-00-066
Small Scale Future Land Use
From: "County" Rural (0-1 Du/10 Acres)
To: "City" Agriculture (0-1 Du/5 Acres)



CITY OF APOPKA PLANNING COMMISSION

☒ PUBLIC HEARING
☐ ANNEXATION
☐ PLAT APPROVAL
☐ OTHER:

DATE: January 10, 2016
FROM: Community Development
EXHIBITS: Land Use Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses

SUBJECT: **COMPREHENSIVE PLAN – SMALL SCALE – FUTURE LAND USE
AMENDMENT – Smith Family Revocable Living Trust (CASE # 2017-1-1 &
-2)**

PARCEL ID NUMBER: **06-20-28-0000-00-047 & 06-20-28-0000-00-066**

Request: **COMPREHENSIVE PLAN - SMALL SCALE - FUTURE LAND USE
AMENDMENT
FROM: “COUNTY” RURAL (1 DU/ 10 AC)
TO: “CITY” AGRICULTURE (1 DU/5 AC)**

SUMMARY

APPLICANT: City of Apopka
LOCATION: East of Mt. Plymouth Road, south of Boch Road
EXISTING USE: Manufactured Homes/Grazing
CURRENT ZONING: “County” A-2 (ZIP)
PROPOSED DEVELOPMENT: Manufactured Homes (existing)
PROPOSED ZONING: “City” AG (Agriculture) (Note: this Future Land Use Map amendment request is being processed along with a request to change the Zoning Map designation from “County” A-2 to “City” AG [Agriculture].)
TRACT SIZE: 4.01 +/- acres
MAXIMUM ALLOWABLE DEVELOPMENT UNDER ZONING DISTRICT:
EXISTING: 1 dwelling unit per 10 acres
PROPOSED: 1 dwelling unit per 5 acres

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Development Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief
Recreation Director

ADDITIONAL COMMENTS: Policy 3.9 of the Apopka Comprehensive Plan 2030 requires that a “city” zoning and future land use classification be assigned to annexed properties. The subject property was annexed into the City of Apopka on December 29, 2010, through the adoption of Ordinance No. 2202. Staff is requesting an administrative small scale future land use amendment for the subject property to comply with the policy set forth in the Comprehensive Plan. The proposed city future land use designation is comparable to the densities and intensities and uses allowed under the existing “county” future land use designation, and the proposed future land use amendment is compatible with the character of the surrounding area.

The subject property is located in an area characterized as agricultural in nature, with “County” Rural future land use to the north and west of the subject property, and single-family residential to the east and proposed 429 south of the site. The existing and proposed use of the subject site for manufactured homes is a permitted use in the proposed AG zoning district and future land use designation and compatible with the surrounding zoning and uses.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Land Use Report).

COMPREHENSIVE PLAN COMPLIANCE: The existing and proposed use of the property is consistent with “City” AG (Agriculture) Future Land Use designation and the City’s proposed Agriculture Zoning.

SCHOOL CAPACITY REPORT: The request of the proposed rezoning would result in a number of residential units considered ‘de minimum’ and, therefore, a school capacity determination is not required for the subject properties.

JOINT PLANNING AREA/OVERLAY: The subject property is located within the “Northern Area” of the Joint Planning Area with Orange County. The subject properties are not located within any other city overall or protection area.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on December 9, 2016.

PUBLIC HEARING SCHEDULE:

January 10, 2017 – Planning Commission (5:30 pm)
February 1, 2017 – City Council (1:30 pm) – 1st Reading
February 15, 2017 – City Council (7:00 pm) – 2nd Reading

DULY ADVERTISED:

December 23, 2016 – Public Notice and Notification
February 3, 2017 – Ordinance Hearing Ad

RECOMMENDED ACTION:

The **Development Review Committee** finds the proposed amendment consistent with the Comprehensive Plan and compatible with the character of the surrounding area, and recommends approval of the change in Future Land Use from “County” Rural (1 du/ 10 ac) to “City” AG (Agriculture) (1 du/5 ac) for the property owned by Smith Family Revocable Living Trust and located at Boeh Rd.

Note: This item is considered Legislative. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

LAND USE REPORT

I. RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural (0 – 1 du/10 acres)	A-2	Single-family home
East (City)	Agriculture (0 – 1 du/5 acre)	A-2 (ZIP)	Single-family home
South (City)	Rural Settlement (0 – 1 du/5 acres) (county)	A-2 (ZIP)	Proposed 429
West (County)	Rural Settlement (0 – 1 du/5 acres)	A-2	Agriculture

II. LAND USE ANALYSIS

The general character of the area surrounding the subject property is compatible with the current agricultural uses. The property is east of Mt. Plymouth Road, south of Boch Road.

Wekiva River Protection Area: No
Area of Critical State Concern: No
DRI / FQD: No

JPA: The City of Apopka and Orange County entered into a Joint Planning Area (JPA) agreement on October 26, 2004. The subject property is located within “North Area” of the JPA.

Wekiva Parkway and Protection Act: The proposed amendment has been evaluated against the adopted Wekiva Study Area Comprehensive Plan policies. While located within the Wekiva River Basin Study Area, the subject property is not located within the Protection Area. The proposed amendment is consistent with the adopted mandates and requirements. The proposed Future Land Use Map (FLUM) amendment has been reviewed against the best available data, with regard to aquifer and groundwater resources. The City of Apopka's adopted Comprehensive Plan addresses aquifer recharge and storm water run-off through the following policies:

- Future Land Use Element, Policies 4.16, 14.4, 15.1, 16.2 and 18.2
- Infrastructure Element, Policies 1.5.5, 4.2.7, 4.4, 4.4.1, 4.4.2 and 4.4.3
- Conservation Element, Policy 3.18

Karst Features: The Karst Topography Features Map from the Florida Department of Environmental Protection shows that there are karst features on this property.

Analysis of the character of the Property: The property fronts Boch Road. The vegetative communities present are urban; the soils present are Tavares-Millhopper Fine sand; and no wetlands occur on the site, and the terrain has a 0-5 percent slope.

The proposed amendment is consistent with the Comprehensive Plan, including Policy 3.1.m Agricultural Future Land Use designation.

Analysis of the relationship of the amendment to the population projections: The proposed future land use designation for the Property is Agriculture (1 du/5 ac). Based on the housing element of the City's Comprehensive Plan, this amendment will not increase the City's future population.

CALCULATIONS:

ADOPTED (County designation): 1 Unit(s) x 2.659 p/h = 2.659 persons

PROPOSED (City designation): 1 Unit(s) x 2.659 p/h = 2.659 persons

Housing Needs: This amendment will not impact the housing needs as projected in the Comprehensive Plan. One single family home is the maximum development anticipated for the subject properties.

Habitat for species listed as endangered, threatened or of special concern: Per policy 4.1 of the Conservation Element, a habitat study is required for developments greater than ten (10) acres in size. This site is less than ten acres. A habitat study will not be required at the time of a development plan application.

Transportation: The City of Apopka is a Transportation Concurrency Exception Area. Refer to Chapter 3 of the City of Apopka 2010 Comprehensive Plan.

Potable Water, Reclaimed Water & Sanitary Sewer Analysis: The subject property is located within the Orange County Utilities service area for potable water, reclaimed water and sanitary service. The property owner will need to provide a letter from Orange County Utilities demonstrating available capacity prior to submittal of any development plan.

Sanitary Sewer Analysis

1. Facilities serving the site; current LOS; and LOS standard: None; 81 GPD/Capita;
81 GPD / Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 196 GPD
3. Projected total demand under proposed designation: 196 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 81 GPD/Capita
6. Projected LOS under proposed designation: 81 GPD/Capita
7. Improved/expansions already programmed or needed as a result if proposed amendment: None

Potable Water Analysis

1. Facilities serving the site; current LOS; and LOS standard: City of Apopka; 177 GPD/Capita;
177 GPD/Capita

If the site is not currently served, please indicate the designated service provider: City of Apopka

2. Projected total demand under existing designation: 210 GPD
3. Projected total demand under proposed designation: 210 GPD
4. Capacity available: Yes
5. Projected LOS under existing designation: 177 GPD/Capita
6. Projected LOS under proposed designation: 177 GPD/Capita
7. Improved/expansions already programmed or needed as a result of the proposed amendment: None
8. Parcel located within the reclaimed wa 14 rvice area: Yes

Solid Waste

1. Facilities serving the site: none
2. If the site is not currently served, please indicate the designated service provider:
City of Apopka
3. Projected LOS under existing designation: 4 lbs./person/day
4. Projected LOS under proposed designation: 4 lbs./person/day
5. Improved/expansions already programmed or needed as a result of the proposed amendment: None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

Infrastructure Information

Water treatment plant permit number: CUP No. 3217
Permitting agency: St. John's River Water Management District
Permitted capacity of the water treatment plant(s): 21.981 GPD
Total design capacity of the water treatment plant(s): 33.696 GPD
Availability of distribution lines to serve the property: Yes
Availability of reuse distribution lines available to serve the property: Yes

Drainage Analysis

1. Facilities serving the site: None
2. Projected LOS under existing designation: 100 year - 25 hour design storm
3. Projected LOS under proposed designation: 100 year - 25 hour design storm
4. Improvement/expansion: On-site retention/detention pond

Recreation

1. Facilities serving the site; LOS standard: City of Apopka Parks System; 3 AC/1000 capita
2. Projected facility under existing designation: 0.009 AC
3. Projected facility under proposed designation: 0.009 AC
4. Improvement/expansions already programmed or needed as a result of the proposed amendment:
None

This initial review does not preclude conformance with concurrency requirements at the time of development approval.

SMITH FAMILY REVOCABLE LIVING TRUST

Boch Rd.

4.01 +/- Acres

Existing Maximum Allowable Development: 1 dwelling unit

Proposed Maximum Allowable Development: 1 dwelling unit

Proposed Small Scale Future Land Use Change

From: "County" Rural/Agricultural (1 du/10 ac)

To: "City" Agriculture (1 du/5 ac)

Proposed Zoning Change

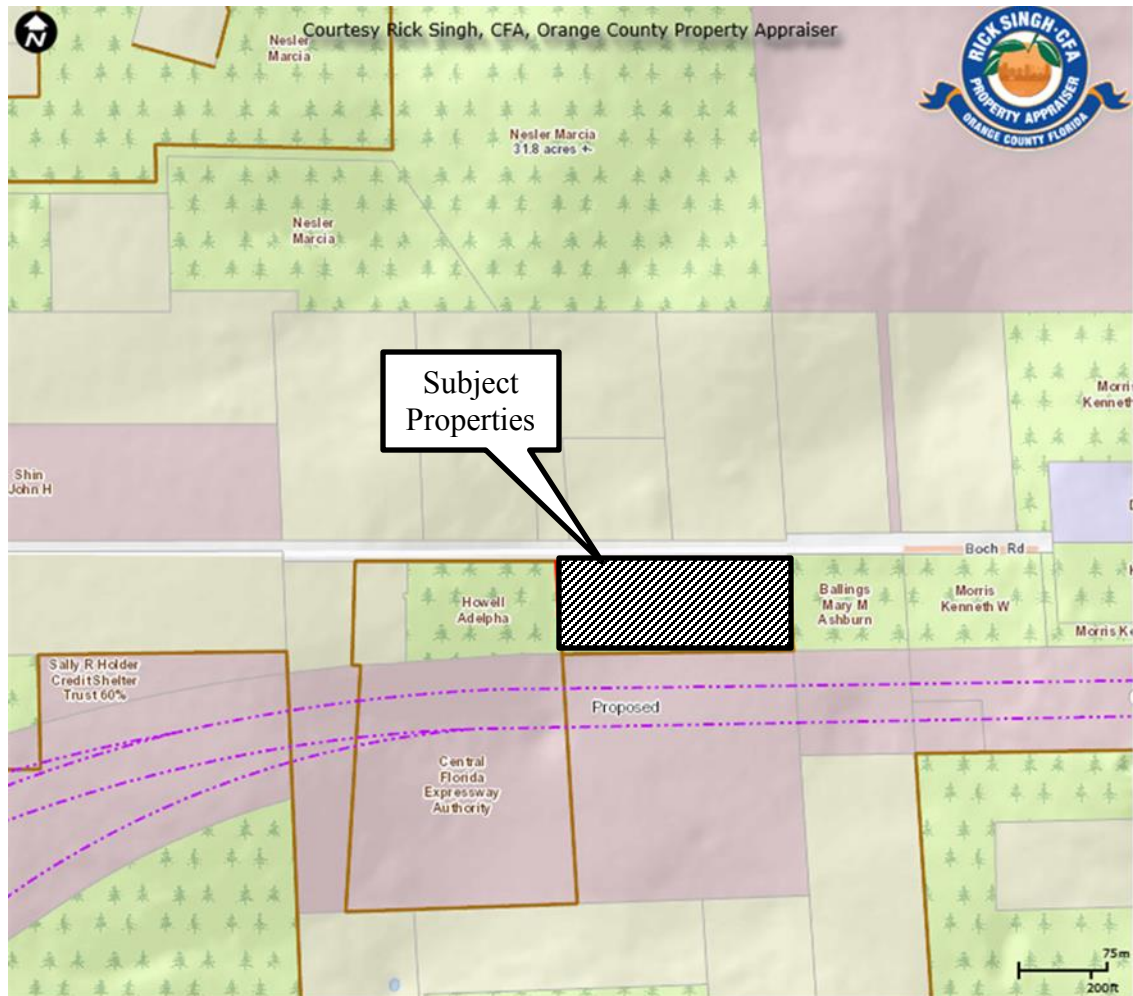
From: "County" A-2

To: "City" AG

Parcel ID #: 06-20-28-0000-00-047 & 06-20-28-0000-00-066



VICINITY MAP



The map displays several land parcels with the following details:

- Smith Family Revocable Living Trust:** Highlighted by a red rectangle, located in the upper central part of the map.
- Howell Adelpha:** Located to the left of the Smith Family parcel.
- Ballings Mary M Ashburn:** Located to the right of the Smith Family parcel.
- Morris Kenneth W:** Located to the right of the Ballings parcel.
- Central Florida Expressway Authority:** Located to the left of the Smith Family parcel, below Howell Adelpha.
- Blair Michael C:** Located at the bottom left of the map.
- Mahaffey T.O Jr:** Located at the bottom right of the map.
- Proposed 1 A-2(ZIP):** A large purple-shaded area in the center of the map.
- A-2:** Zoning designations are shown in yellow text on various parcels.
- Road 42:** A road running horizontally across the middle-right of the map.



ADJACENT USES



ADJACENT & PROPOSED FUTURE LAND USE DESIGNATION



City of Apopka Future Land Use Map



0 0.0175 0.035 0.07 0.105 0.14 Miles

Source: City of Apopka and Orange County Property Appraiser
 Note: This map was compiled from the Geographic Information Service and does not reflect an actual survey.
 The City of Apopka does not assume responsibility for errors or omissions contained herein.

Legend

Smith Family Revocable Trust	Res. Low
Apopka_Parcels_072216	Res. Medium Low
City Boundary	Res. Medium
UPA Boundary	Res. High
Future Land Use	Mixed Use
LAND USE	Office
Agriculture	Commercial
Agriculture Estates	Industrial
Agriculture Homestead	Institutional/Public Use
Rural Settlement	Conservation
Res. Estates	Parks/Recreation
Res. Very Low Suburban	ANNEX
Res. Low Suburban	



Backup material for agenda item:

5. 2017-1 Administrative Re-zonings (Four Cases)



**CITY OF APOPKA
PLANNING COMMISSION**

<u>X</u>	PUBLIC HEARING	DATE:	January 10, 2017
<u> </u>	ANNEXATION	FROM:	Community Development
<u> </u>	PLAT APPROVAL	EXHIBITS:	"A" A-1 Spreadsheet
<u> </u>	OTHER:		"B" A-2 Spreadsheet
			"C" Zoning Reports

SUBJECT: **2017-1 ADMINISTRATIVE REZONING**

Request: **CHANGE OF ZONING**
FROM: **"COUNTY" A-1 (ZIP) & A-2 (ZIP)**
TO: **"CITY" AG (AGRICULTURE)**

SUMMARY

The 4 parcels, comprising a total of 15.38 +/- acres, have been annexed into the City of Apopka and have been assigned Future Land Use designations compatible with the proposed AG zoning designation. All subject properties currently have a City Future Land Use Designation of Agriculture (AG) or Rural Settlement (RS), or will be assigned AG City Future Land Use Designation along with the rezoning applications, and a County zoning category of A-1 or A-2 assigned to them. A summary of each zoning case is provided in Exhibits "A" and "B". Exhibit "A" describes parcels currently assigned a "County" A-1 zoning category while Exhibit "B" describes parcels currently assigned a "County" A-2 zoning category.

A brief summary of the administrative rezoning cases:

A-1 Properties

# of A-1 Parcels:	1
# of A-1 Property Owners:	1
A-1 Acreage:	9.27 +/- acres

A-2 Properties

# of A-2 Parcels:	3
# of A-2 Property Owners:	2
A-2 Acreage:	6.11 +/- acres

The attached exhibits provide a summary of each proposed zoning amendment. Each property owner has been notified via a letter sent certified mail that a zoning category comparable to the County designation will be assigned to their property. An individual zoning report has been prepared for each zoning case. All zoning reports are provided in Exhibit "C".

Pursuant to the Interlocal Agreement between the City and Orange County (2004), policy of the City's Comprehensive Plan (Policy 3.9) and State law (s 163.3202, F.S.), the City is required to assign a zoning category to lands that are annexed into the City's jurisdiction. To comply with these requirements, city staff is recommending that the City assign a zoning category that is most compatible to the current zoning category that was assigned by Orange County.

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Public Works Chief

Public Ser. Director
City Clerk
Fire Chief

SCHOOL CAPACITY REPORT: The impact on the number of residential units under the proposed rezoning for each case will be de minimus and, therefore, a school capacity enhancement agreement with OCPS is not necessary.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City notified Orange County on December 9, 2016.

PUBLIC HEARING SCHEDULE:

January 10, 2017 – Planning Commission (5:30 pm)

February 1, 2017 – City Council (1:30 pm) – 1st Reading

February 15, 2017 – City Council (7:00 pm) – 2nd Reading

DULY ADVERTISED:

December 23, 2016 – Public Notice and Notification

February 3, 2017 – Ordinance Heading Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from “County” A-1 and “County” A-2 to “City” AG as set forth in Exhibits “A” and “B” for the properties described therein.

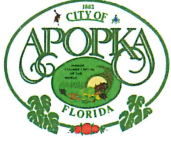
Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

EXHIBIT "A"
2017-1 ADMINISTRATIVE REZONING
FROM "COUNTY" A-1 TO "CITY" AG

Case #	Parcel ID	Property Owner	Acreage +/-	Future Land Use	Current Zoning	Proposed Zoning
2017-1-2	05-20-28-0476-00-040	Tiift	9.27	RS	A-1 (ZIP)	AG

EXHIBIT "B"
2016-1 ADMINISTRATIVE REZONING
FROM "COUNTY" A-2 TO "CITY" AG

Case #	Parcel ID	Property Owner	Acreage +/-	Future Land Use	Current Zoning	Proposed Zoning
2017-1-1	06-20-28-0000-00-029	Ballings Mary M Ashburn	2.10	AG	A-2 (ZIP)	AG
2017-1-3	06-20-28-0000-00-047	Smith Family Revocable Living Trust	1.23	OC RURAL	A-2 (ZIP)	AG
2017-1-4	06-20-28-0000-00-066	Smith Family Revocable Living Trust	2.78	OC RURAL	A-2 (ZIP)	AG



CITY OF APOPKA PLANNING COMMISSION

☒ PUBLIC HEARING
☐ ANNEXATION
☐ PLAT APPROVAL
☐ OTHER:

DATE: January 10, 2017
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses

SUBJECT: MARY M ASHBURN BALLINGS (CASE # 2017-1-1)

PARCEL ID NUMBER: 06-20-28-0000-00-029

Request: ADMINISTRATIVE REZONING
FROM: "COUNTY" A-2 (ZIP) (0-1 DU/10 ACRES) (AGRICULTURE)
TO: "CITY" AG (0-1 DU/5 ACRES) (AGRICULTURE)

SUMMARY

OWNER: Mary M Ashburn Ballings
APPLICANT: City of Apopka
LOCATION: East of Mt. Plymouth Road, south of Boch Road
EXISTING USE: Manufactured home
FUTURE LAND USE: Agriculture (0 - 1 du/5 acres)
ZONING: A-2 (ZIP)
PROPOSED DEVELOPMENT: Manufactured home (existing)
PROPOSED ZONING: AG
TRACT SIZE: 2.10 +/- Acres
MAXIMUM ALLOWABLE DEVELOPMENT:
EXISTING ZONING: 1 Residential Unit
PROPOSED ZONING: 1 Residential Unit

DISTRIBUTION

Mayor Kilsheimer	Finance Director	Public Ser. Director
Commissioners (4)	HR Director	City Clerk
City Administrator Irby	IT Director	Fire Chief
Community Dev. Director	Police Chief	

ADDITIONAL COMMENTS: Policy 3.9 of the Apopka Comprehensive Plan 2030 requires that a “city” zoning classification be assigned to annexed properties. The subject property was annexed into the City of Apopka on December 29, 2010 through the adoption of Ordinance No. 2201. Staff is requesting an administrative rezoning for the subject property to comply with the policy set forth in the Comprehensive Plan. The proposed city zoning category is comparable to the densities and intensities and uses allowed under the existing “county” zoning classification, and the proposed zoning change is compatible with the character of the surrounding area.

The subject property is located in an area characterized as single-family and agricultural in nature, with “County” A-2 zoning to the north, south, east and west of the subject property. The existing and proposed use of the subject site for a manufactured home is a permitted use in the proposed AG zoning district and compatible with the surrounding zoning and uses.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed zoning classification is consistent with the Future Land Use Designation assigned to the property.

SCHOOL CAPACITY REPORT: The request of the proposed rezoning would result in a number of residential units considered ‘de minimum’ and, therefore, a school capacity determination is not required for the subject properties.

JOINT PLANNING AREA/OVERLAY: The subject property is located within the “Northern Area” of the Joint Planning Area with Orange County. The subject properties are not located within any other city overall or protection area.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on December 9, 2016.

PROPERTY OWNER NOTIFICATION: The property owner was notified of this administrative rezoning and public hearing dates at least thirty (30) days prior to the adoption public hearing.

PUBLIC HEARING SCHEDULE:

January 10, 2017 – Planning Commission (5:30 pm)
February 1, 2017 – City Council (1:30 pm) – 1st Reading
February 15, 2017 – City Council (7:00 pm) – 2nd Reading

DULY ADVERTISED:

December 23, 2016 – Public Notice and Notification
February 3, 2017 – Ordinance Hearing Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from “County” A-2 (ZIP) to “City” AG.

Note: This item is considered quasi-judicial. The report and its findings are to be incorporated into and made a part of the minutes of this meeting.

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural (0 – 1 du/10 acres)	A-2	Single-family home
East (City)	Low Density Residential (0 – 4 du/ acre)	A-1 (ZIP)	Single-family home
South (County)	Rural Settlement (0 – 1 du/5 acres)	A-2	Single-family home
West (City)	Rural Settlement (0 – 1 du/5 acres)	A-2 (ZIP)	Grazing

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a local roadway (Boch Rd). Its land use is similar to the surrounding agricultural area, and will not affect traffic because there is an existing home on the property.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed AG zoning is consistent with the City’s Rural Settlement Future Land Use designation and with the character of the surrounding area and future proposed development. The AG zoning classification is one of the acceptable zoning categories allowed within the Rural Settlement Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

AG DISTRICT REQUIREMENTS:

Minimum Living Area:	1,200 sq. ft. (Single-family) 400 sq. ft. (mobile home)
Minimum Site Area:	5 acres
Minimum Lot Width	NA
Setbacks:	Front: 25 ft. (100 ft. non-residential uses)
	Rear: 25 ft. (100 ft. non-residential uses)
	Side: 25 ft. (100 ft. non-residential uses)
	Corner 25 ft. (100 ft. non-residential uses)

Based on the above zoning standards, the subject site does not comply with code requirements for the AG district, therefore it will be a legal, nonconforming property.

BUFFERYARD REQUIREMENTS:

Uses including, but not limited to, kennels, livestock barn stables, and other similar uses shall be a minimum of 100 feet from all property lines. Apiaries shall be located 200 feet from any property line. All other yard setbacks shall be a minimum of 25 feet from the property lines.

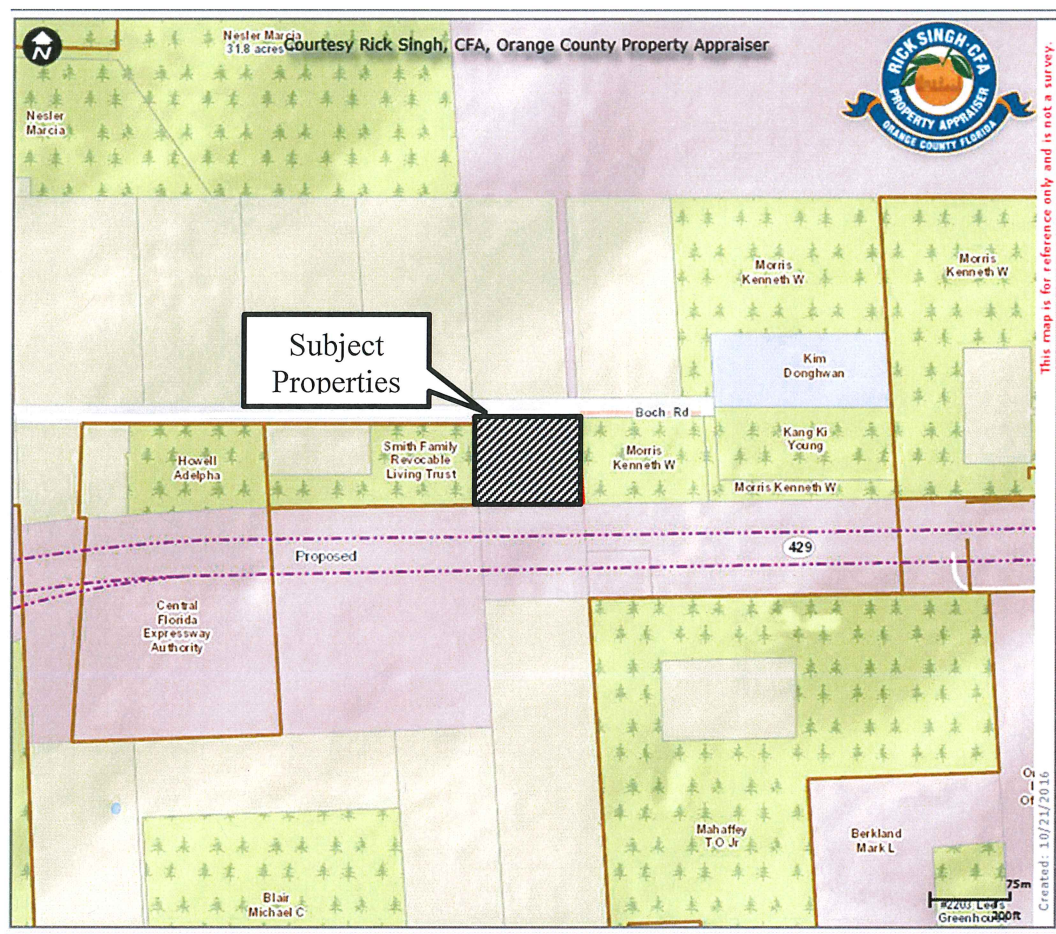
ALLOWABLE USES:

Single-family dwellings, including mobile homes, and their customary accessory structures, apiaries, kennels, crops and animal production and structures necessary for support and such production. Livestock barns and stables, commercial wholesale 27 vegetable plant production, and similar compatible uses.



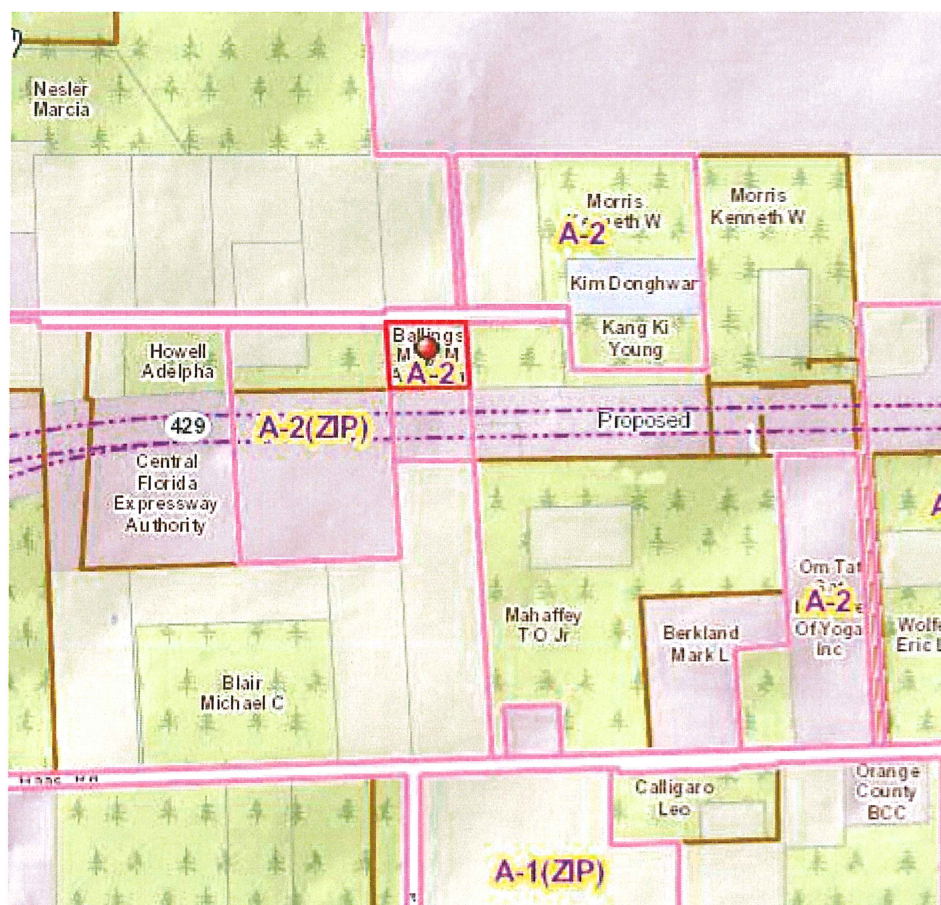
Mary M Ashburn Ballings
2.10 +/- Acres
Proposed Zoning Change:
From: "County" A-2 (ZIP) (Agriculture) (21,780 sq. ft. min. lot)
To: "City" AG (Agriculture) (5 acre min. lot)
Parcel ID #: 09-20-28-7608-00-050

VICINITY MAP



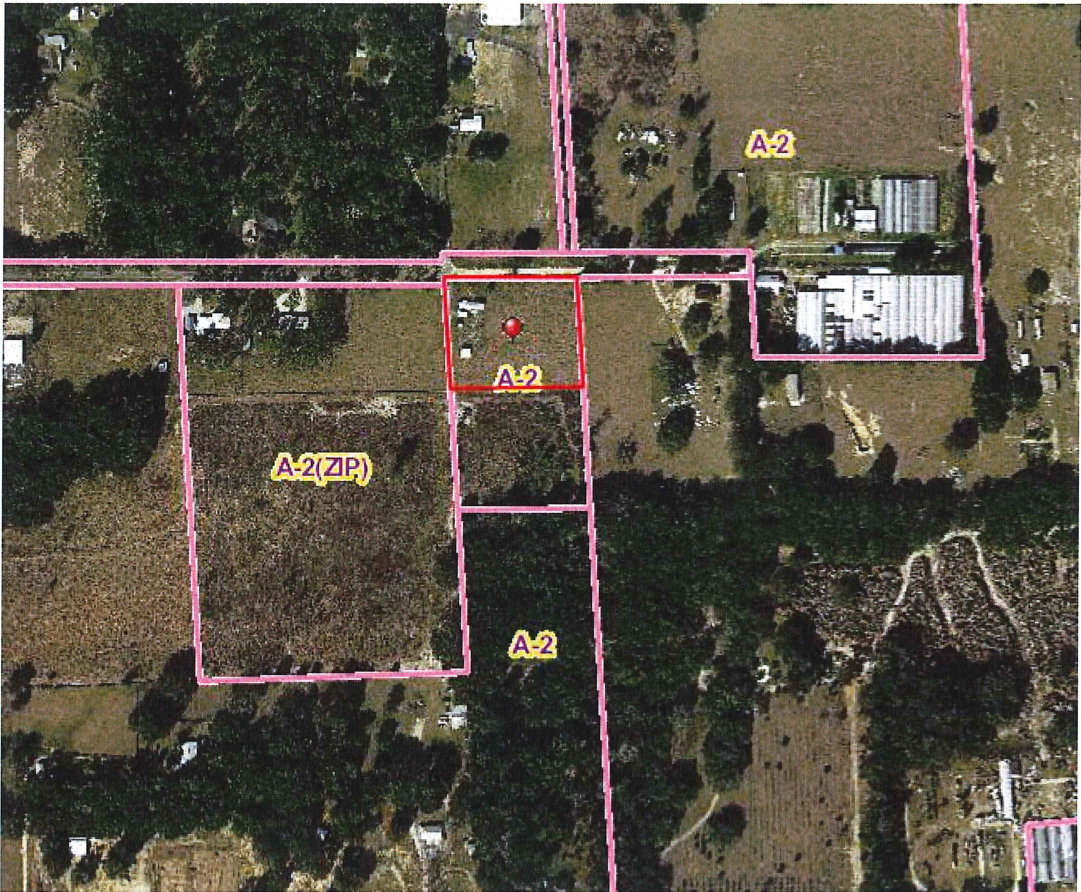


ADJACENT ZONING



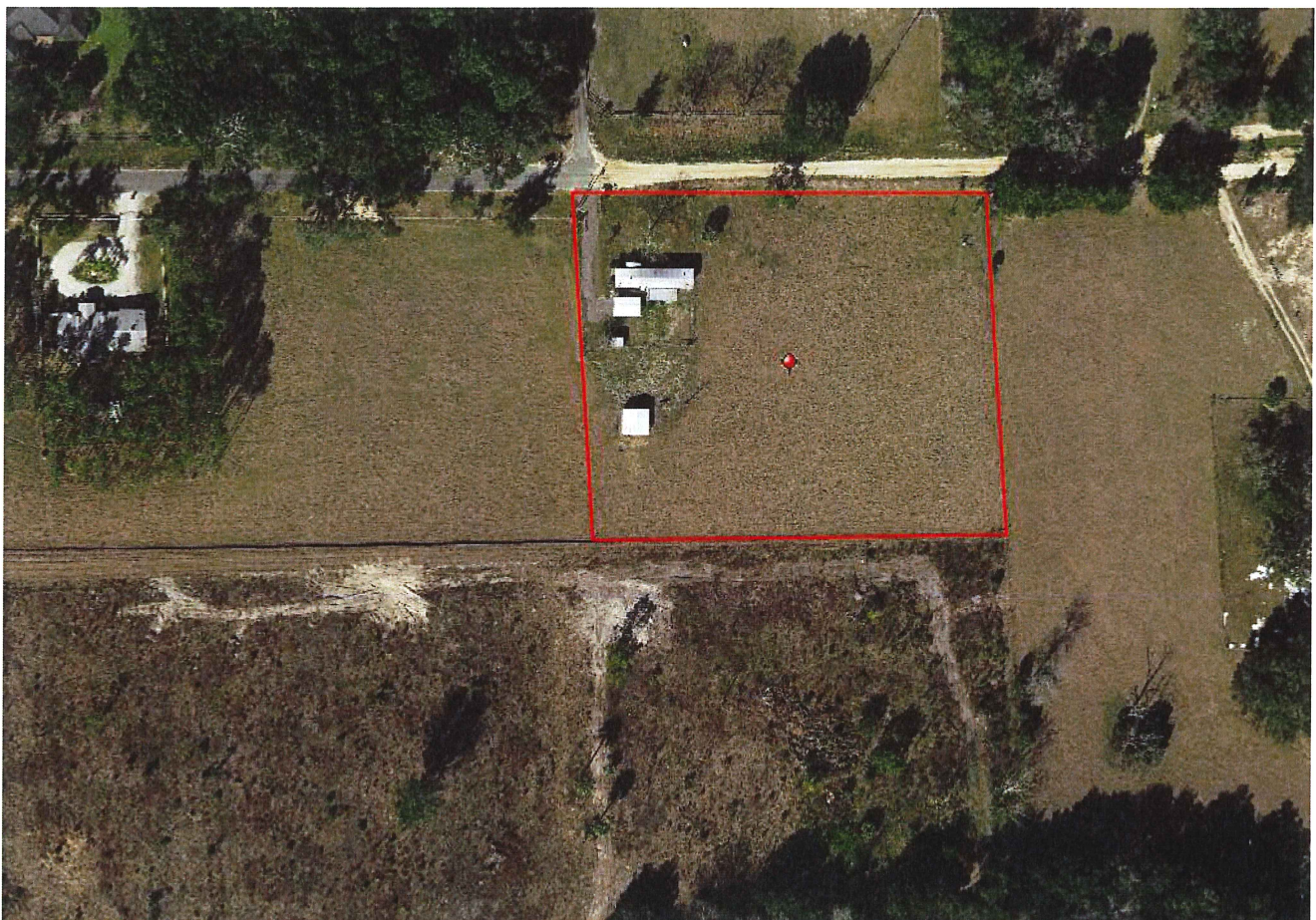


ADJACENT USES





**EXISTING
USES**





CITY OF APOPKA PLANNING COMMISSION

☒ PUBLIC HEARING
☐ ANNEXATION
☐ PLAT APPROVAL
☐ OTHER:

DATE: January 10, 2017
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses

SUBJECT: TIIFT (CASE # 2017-1-2)

PARCEL ID NUMBER: 05-20-28-0476-00-040

Request: ADMINISTRATIVE REZONING
FROM: "COUNTY" A-1 (ZIP) (0-1 DU/10 ACRES) (AGRICULTURE)
TO: "CITY" AG (0-1 DU/5 ACRES) (AGRICULTURE)

SUMMARY

OWNER: Tiift – Florida DEP
APPLICANT: City of Apopka
LOCATION: West of Mt. Plymouth Road, north of Swain Road
EXISTING USE: building/state land
FUTURE LAND USE: Agriculture (0 - 1 du/5 acres)
ZONING: A-1 (ZIP)
PROPOSED DEVELOPMENT: nonresidential building (existing)
PROPOSED ZONING: AG
TRACT SIZE: 9.27 +/- Acres
MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING ZONING: 1 Nonresidential Unit
PROPOSED ZONING: 1 Nonresidential Unit

DISTRIBUTION

Mayor Kilsheimer
Commissioners (4)
City Administrator Irby
Community Dev. Director

Finance Director
HR Director
IT Director
Police Chief

Public Ser. Director
City Clerk
Fire Chief

ADDITIONAL COMMENTS: Policy 3.9 of the Apopka Comprehensive Plan 2030 requires that a “city” zoning classification be assigned to annexed properties. Staff is requesting an administrative rezoning for the subject property to comply with the policy set forth in the Comprehensive Plan. The proposed city zoning category is comparable to the densities and intensities and uses allowed under the existing “county” zoning classification, and the proposed zoning change is compatible with the character of the surrounding area.

The subject property is located in an area characterized as single-family and agricultural in nature, with “County” A-1 zoning to the east, north, south, and west of the subject property, and mobile home park to the east of the site. The existing and proposed use of the subject site for a nonresidential building is a permitted use in the proposed AG zoning district and compatible with the surrounding zoning and uses.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed zoning classification is consistent with the Future Land Use Designation assigned to the property.

SCHOOL CAPACITY REPORT: The request of the proposed rezoning would result in a number of residential units considered ‘de minimum’ and, therefore, a school capacity determination is not required for the subject properties.

JOINT PLANNING AREA/OVERLAY: The subject property is located within the “Northern Area” of the Joint Planning Area with Orange County. The subject properties are not located within any other city overall or protection area.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on December 9, 2016.

PROPERTY OWNER NOTIFICATION: The property owner was notified of this administrative rezoning and public hearing dates at least thirty (30) days prior to the adoption public hearing.

PUBLIC HEARING SCHEDULE:

January 10, 2017 – Planning Commission (5:30 pm)
February 1, 2017 – City Council (1:30 pm) – 1st Reading
February 15, 2017 – City Council (7:00 pm) – 2nd Reading

DULY ADVERTISED:

December 23, 2016 – Public Notice and Notification
February 3, 2017 – Ordinance Hearing Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from “County” A-1 (ZIP) to “City” AG.

Note: This item is considered quasi-judicial. The staff report and its findings are to be incorporated into and made a part of the minutes of this meeting.

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (City)	Rural Settlement (0-1 du/5 acres)	A-1(ZIP)	Non-agriculture acreage
East (City)	AG (0 – 1 du/ 5 acre)	A-1 (ZIP)	State Lands
South (County)	Rural (0 – 1 du/10 acres)	A-1	Two Single-family home
West (City)	Rural Settlement (0 – 1 du/5 acres)	A-1 (ZIP)	Non-agriculture acreage

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a local roadway (Swain Rd). It is similar in nature to the surrounding agricultural and natural land areas, and there should be no impact on traffic.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed AG zoning is consistent with the City’s Rural Settlement Future Land Use designation and with the character of the surrounding area and future proposed development. The AG zoning classification is one of the acceptable zoning categories allowed within the Rural Settlement Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

AG DISTRICT REQUIREMENTS:

Minimum Living Area:	1,200 sq. ft. (Single-family) 400 sq. ft. (mobile home)
Minimum Site Area:	5 acres
Minimum Lot Width	NA
Setbacks:	
Front:	25 ft. (100 ft. non-residential uses)
Rear:	25 ft. (100 ft. non-residential uses)
Side:	25 ft. (100 ft. non-residential uses)
Corner	25 ft. (100 ft. non-residential uses)

Based on the above zoning standards, the subject site complies with code requirements for the AG district.

BUFFERYARD REQUIREMENTS:

Uses including, but not limited to, kennels, livestock barn stables, and other similar uses shall be a minimum of 100 feet from all property lines. Apiaries shall be located 200 feet from any property line. All other yard setbacks shall be a minimum of 25 feet from the property lines.

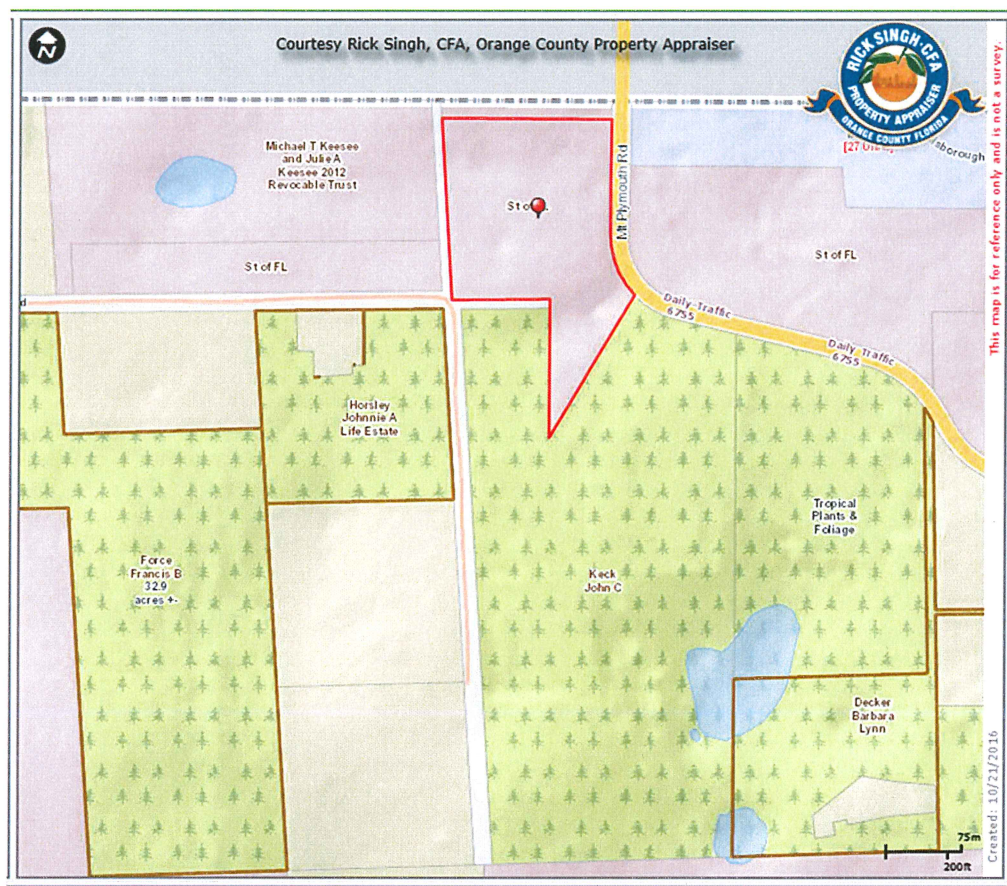
ALLOWABLE USES:

Single-family dwellings, including mobile homes, and their customary accessory structures, apiaries, kennels, crops and animal production and structures necessary for support and such production. Livestock barns and stables, commercial wholesale and large plant production, and similar compatible uses.



TIIFT
9.27 +/- Acres
Proposed Zoning Change:
From: "County" A-1 (ZIP) (Agriculture) (21,780 sq. ft. min. lot)
To: "City" AG (Agriculture) (5 acre min. lot)
Parcel ID #: 05-20-28-0476-00-040

VICINITY MAP



Michael T. Keesee and Julie A. Keesee 2012 revocable Trust
A-1(ZIP)
Apopka

St of FL

A-1(ZIP)

Mt. Pleasant Rd

County Road 255

Oak Springs Mh Park [27 Units]
R-T
Hillsborough Dist

St of FL

A-1(ZIP)
Apopka

St of FL

Horsley Johnnie A Life Estate

Force Francis B 32.9 acres +/-
A-1

Unincorporated

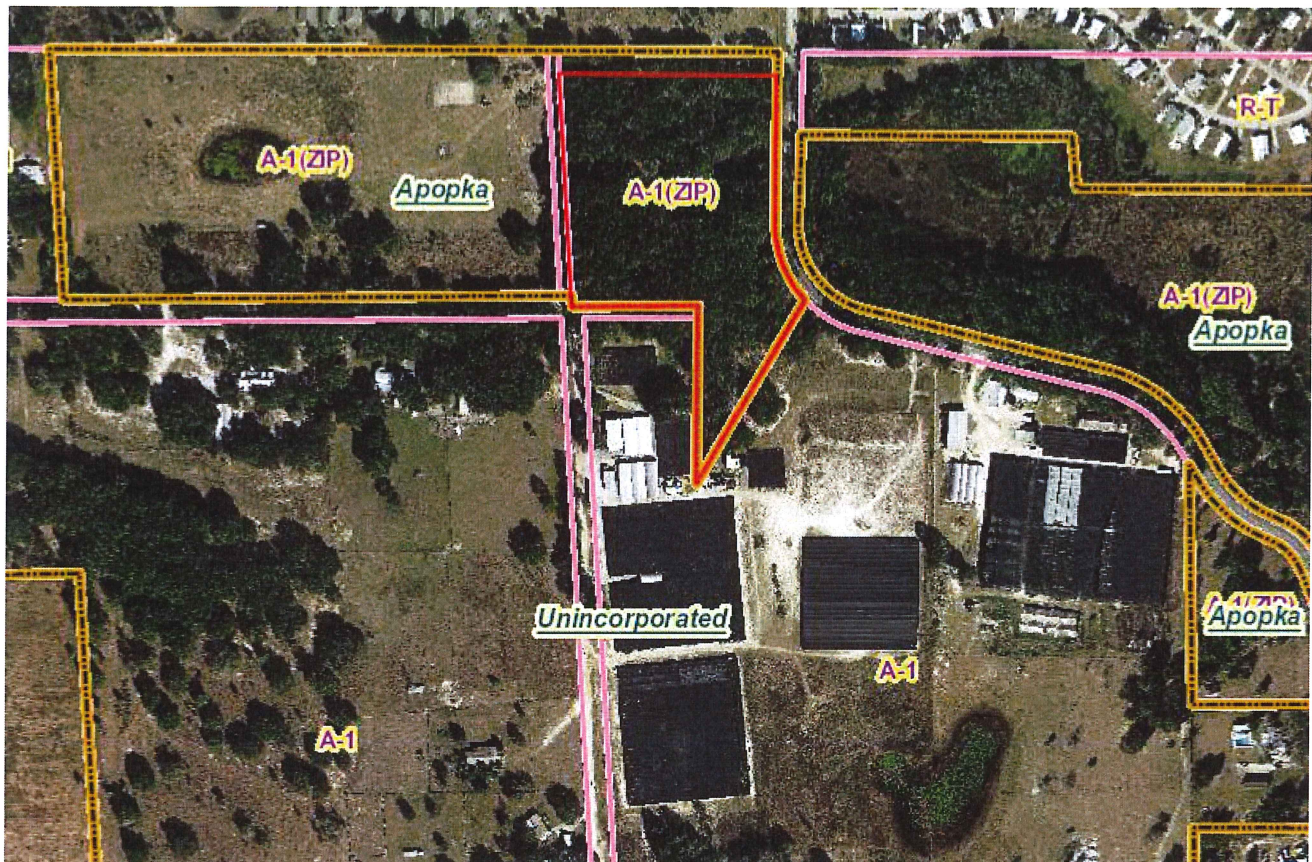
Keck John C
A-1

Tropical Plants & Foliage

A-1(ZIP)
Apopka

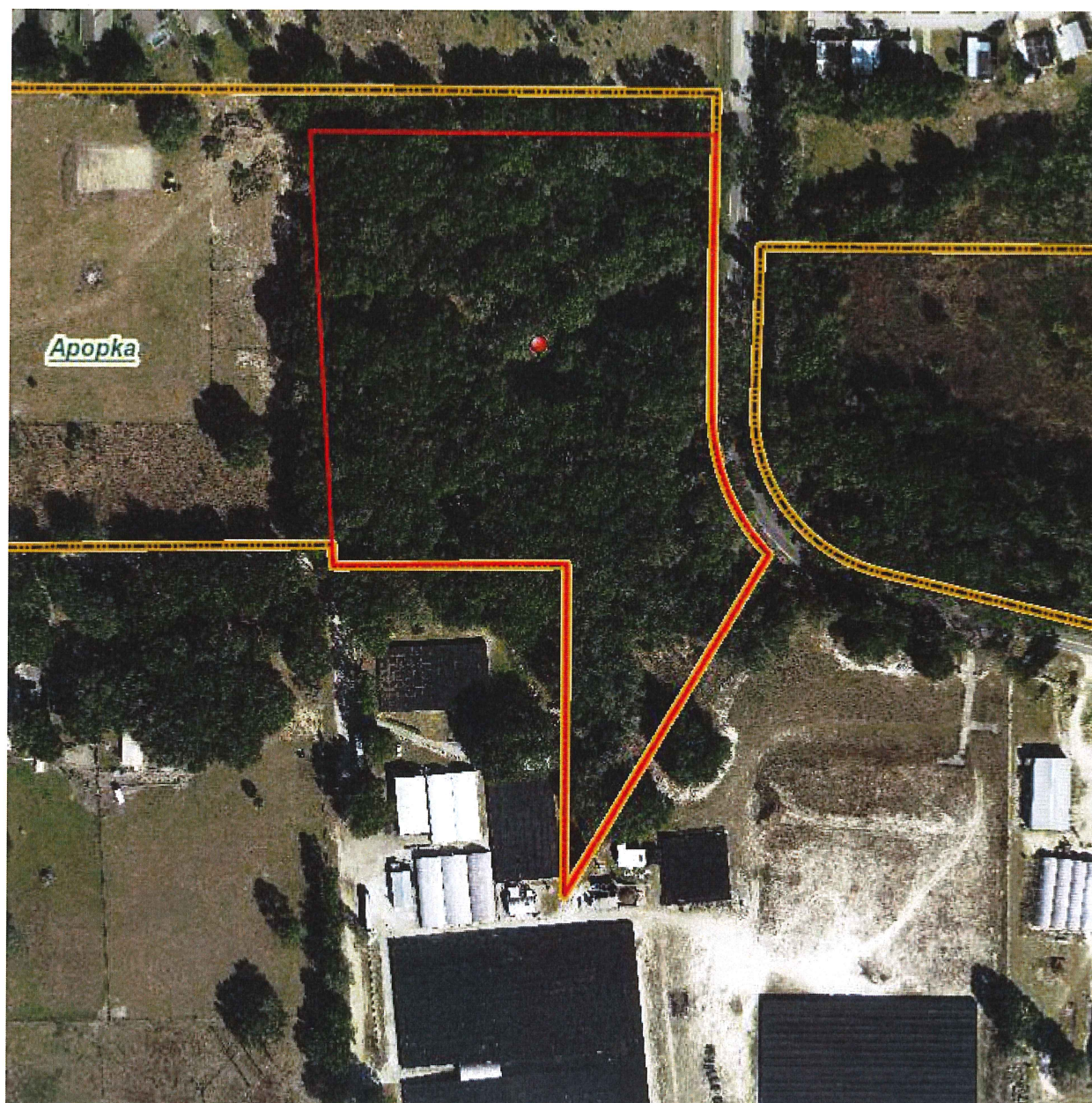


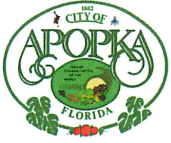
ADJACENT USES





EXISTING USES





CITY OF APOPKA PLANNING COMMISSION

☒ PUBLIC HEARING
☐ ANNEXATION
☐ PLAT APPROVAL
☐ OTHER:

DATE: January 10, 2017
FROM: Community Development
EXHIBITS: Zoning Report
Vicinity Map
Adjacent Zoning Map
Adjacent Uses Map
Existing Uses

SUBJECT: Smith Family Revocable Living Trust (CASE # 2017-1-3 & -4)

PARCEL ID NUMBER: 06-20-28-0000-00-047 & 06-20-28-0000-00-066

Request: ADMINISTRATIVE REZONINGS
FROM: "COUNTY" A-2 (ZIP) (0-1 DU/10 ACRES) (AGRICULTURE)
TO: "CITY" AG (0-1 DU/5 ACRES) (AGRICULTURE)

SUMMARY

OWNER: Smith Family Revocable Living Trust
APPLICANT: City of Apopka
LOCATION: East of Mt. Plymouth Road, south of Boch Road
EXISTING USE: Manufactured Homes/Grazing
FUTURE LAND USE: Agriculture (0 - 1 du/5 acres)
ZONING: A-2 (ZIP)
PROPOSED DEVELOPMENT: Manufactured Homes (existing)
PROPOSED ZONING: AG
TRACT SIZE: 4.01 +/- Acres
MAXIMUM ALLOWABLE DEVELOPMENT: EXISTING ZONING: 1 Residential Unit
PROPOSED ZONING: 1 Residential Unit

DISTRIBUTION

Mayor Kilsheimer	Finance Director	Public Ser. Director
Commissioners (4)	HR Director	City Clerk
City Administrator Irby	IT Director	Fire Chief
Community Dev. Director	Police Chief	

ADDITIONAL COMMENTS: Policy 3.9 of the Apopka Comprehensive Plan 2030 requires that a “city” zoning classification be assigned to annexed properties. The subject properties were annexed into the City of Apopka on December 29, 2010, through the adoption of Ordinance No. 2202. Staff is requesting an administrative rezoning for the subject property to comply with the policy set forth in the Comprehensive Plan. The proposed city zoning category is comparable to the densities and intensities and uses allowed under the existing “county” zoning classification, and the proposed zoning change is compatible with the character of the surrounding area.

The subject property is located in an area characterized as agricultural in nature, with “County” A-2 zoning to the north and west of the subject property, and single-family residential to the east and proposed 429 south of the site. The existing and proposed use of the subject site for manufactured homes is a permitted use in the proposed AG zoning district and compatible with the surrounding zoning and uses.

Staff has analyzed the proposed amendment and determined that adequate public facilities exist to support this zoning change (see attached Zoning Report).

COMPREHENSIVE PLAN COMPLIANCE: The proposed zoning classification is consistent with the Future Land Use Designation assigned to the property.

SCHOOL CAPACITY REPORT: The request of the proposed rezoning would result in a number of residential units considered ‘de minimum’ and, therefore, a school capacity determination is not required for the subject properties.

JOINT PLANNING AREA/OVERLAY: The subject property is located within the “Northern Area” of the Joint Planning Area with Orange County. The subject properties are not located within any other city overall or protection area.

ORANGE COUNTY NOTIFICATION: The JPA requires the City to notify the County 30 days before any public hearing or advisory board. The City properly notified Orange County on December 9, 2016.

PROPERTY OWNER NOTIFICATION: The property owner was notified of this administrative rezoning and public hearing dates at least thirty (30) days prior to the adoption public hearing.

PUBLIC HEARING SCHEDULE:

January 10, 2017 – Planning Commission (5:30 pm)
February 1, 2017 – City Council (1:30 pm) – 1st Reading
February 15, 2017 – City Council (7:00 pm) – 2nd Reading

DULY ADVERTISED:

December 23, 2016 – Public Notice and Notification
February 3, 2017 – Ordinance Hearing Ad

RECOMMENDED ACTION:

The **Development Review Committee** recommends approval of the change in Zoning from “County” A-2 (ZIP) to “City” AG.

Note: This item is considered quasi-judicial. The report and its findings are to be incorporated into and made a part of the minutes of this meeting.

ZONING REPORT

RELATIONSHIP TO ADJACENT PROPERTIES:

<i>Direction</i>	<i>Future Land Use</i>	<i>Zoning</i>	<i>Present Use</i>
North (County)	Rural (0 – 1 du/10 acres)	A-2	Single-family home
East (City)	Agriculture (0 – 1 du/5 acre)	A-2 (ZIP)	Single-family home
South (City)	Rural Settlement (0 – 1 du/5 acres) (county)	A-2 (ZIP)	Proposed 429
West (County)	Rural Settlement (0 – 1 du/5 acres)	A-2	Agriculture

LAND USE &

TRAFFIC COMPATIBILITY: The subject property fronts and is accessed by a local roadway (Boch Rd). The land use is compatible with the surrounding properties because it is agricultural in nature. The zoning change will not affect traffic in the area.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed AG zoning is consistent with the City’s Agriculture Future Land Use designation, which will be assigned along with this rezoning and with the character of the surrounding area and future proposed development. The AG zoning classification is one of the acceptable zoning categories allowed within the Agriculture Future Land Use category. Development Plans shall not exceed the density allowed in the adopted Future Land Use Designation.

AG DISTRICT REQUIREMENTS:

Minimum Living Area:	1,200 sq. ft. (Single-family) 400 sq. ft. (mobile home)
Minimum Site Area:	5 acres
Minimum Lot Width	NA
Setbacks:	Front: 25 ft. (100 ft. non-residential uses)
	Rear: 25 ft. (100 ft. non-residential uses)
	Side: 25 ft. (100 ft. non-residential uses)
	Corner 25 ft. (100 ft. non-residential uses)

Based on the above zoning standards, the subject site is legal, nonconforming with code requirements for the AG district, because each property is under 5 acres.

BUFFERYARD REQUIREMENTS:

Uses including, but not limited to, kennels, livestock barn stables, and other similar uses shall be a minimum of 100 feet from all property lines. Apiaries shall be located 200 feet from any property line. All other yard setbacks shall be a minimum of 25 feet from the property lines.

ALLOWABLE USES:

Single-family dwellings, including mobile homes, and their customary accessory structures, apiaries, kennels, crops and animal production and structures necessary for support and such production. Livestock barns and stables, commercial wholesale large plant production, and similar compatible uses.



Smith Family Revocable Living Trust

4.01 +/- Acres

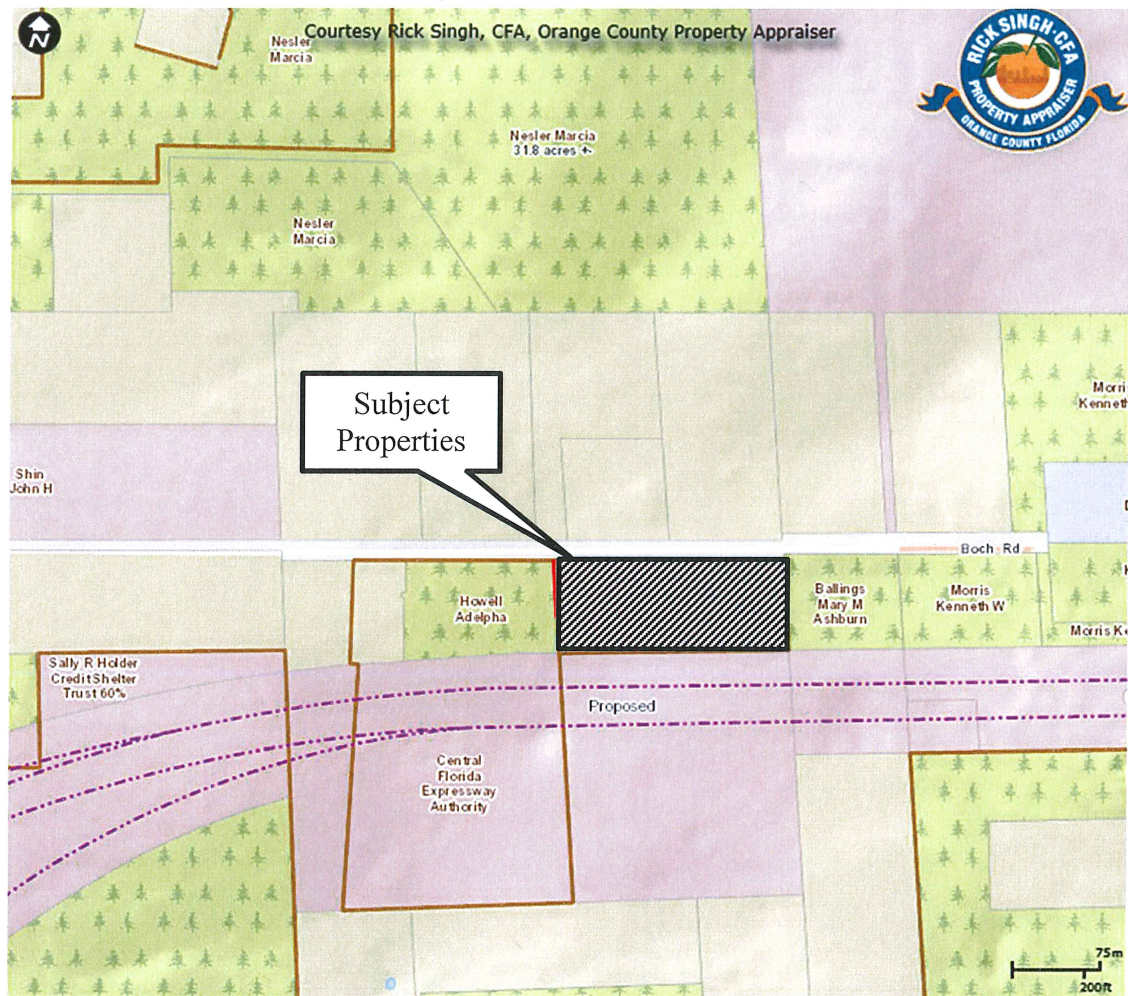
Proposed Zoning Change:

From: "County" A-1 (ZIP) (Agriculture) (21,780 sq. ft. min. lot)

To: "City" AG (Agriculture) (5 acre min. lot)

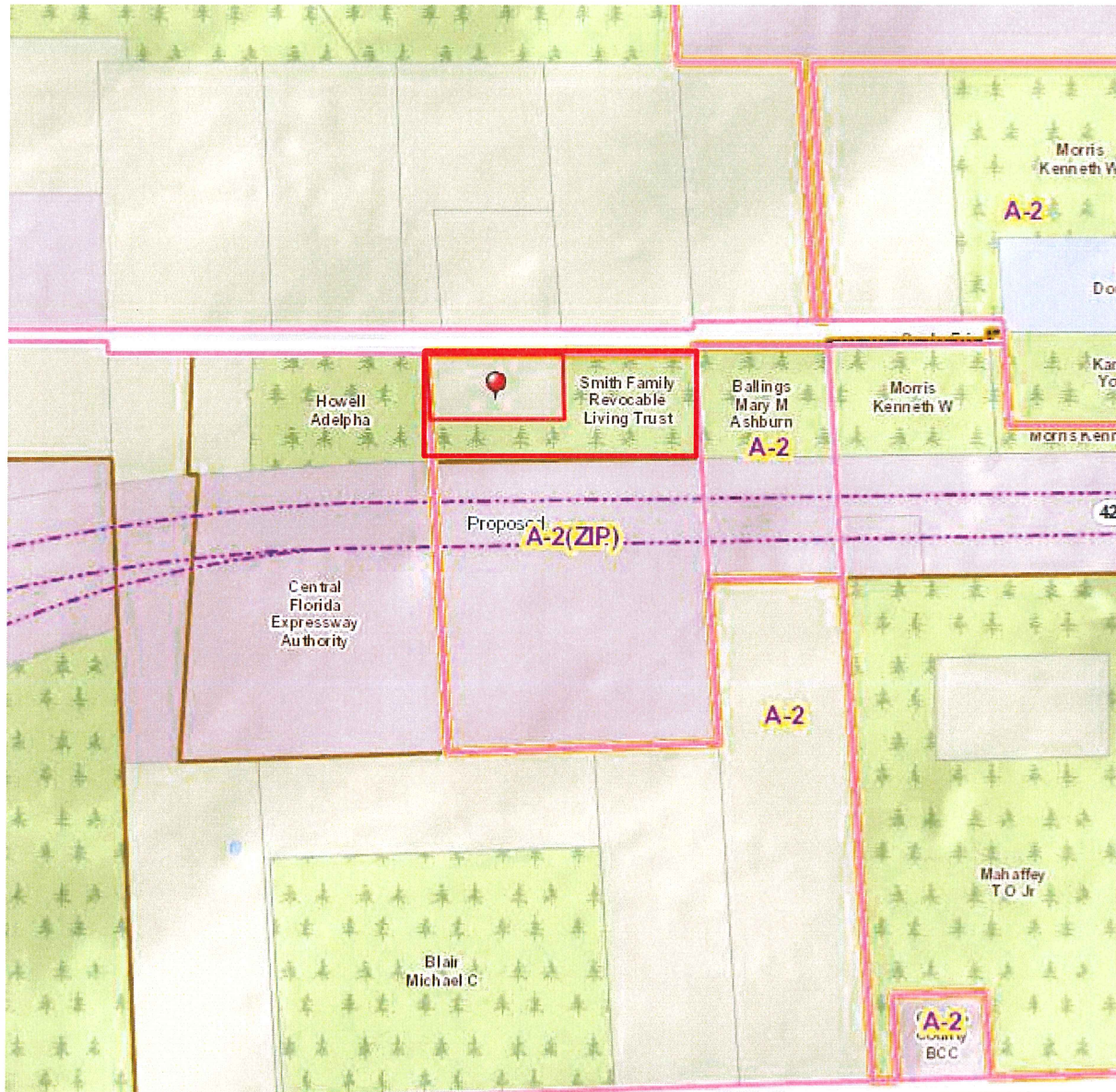
Parcel ID #: 06-20-28-0000-00-047 & 06-20-28-0000-00-066

VICINITY MAP



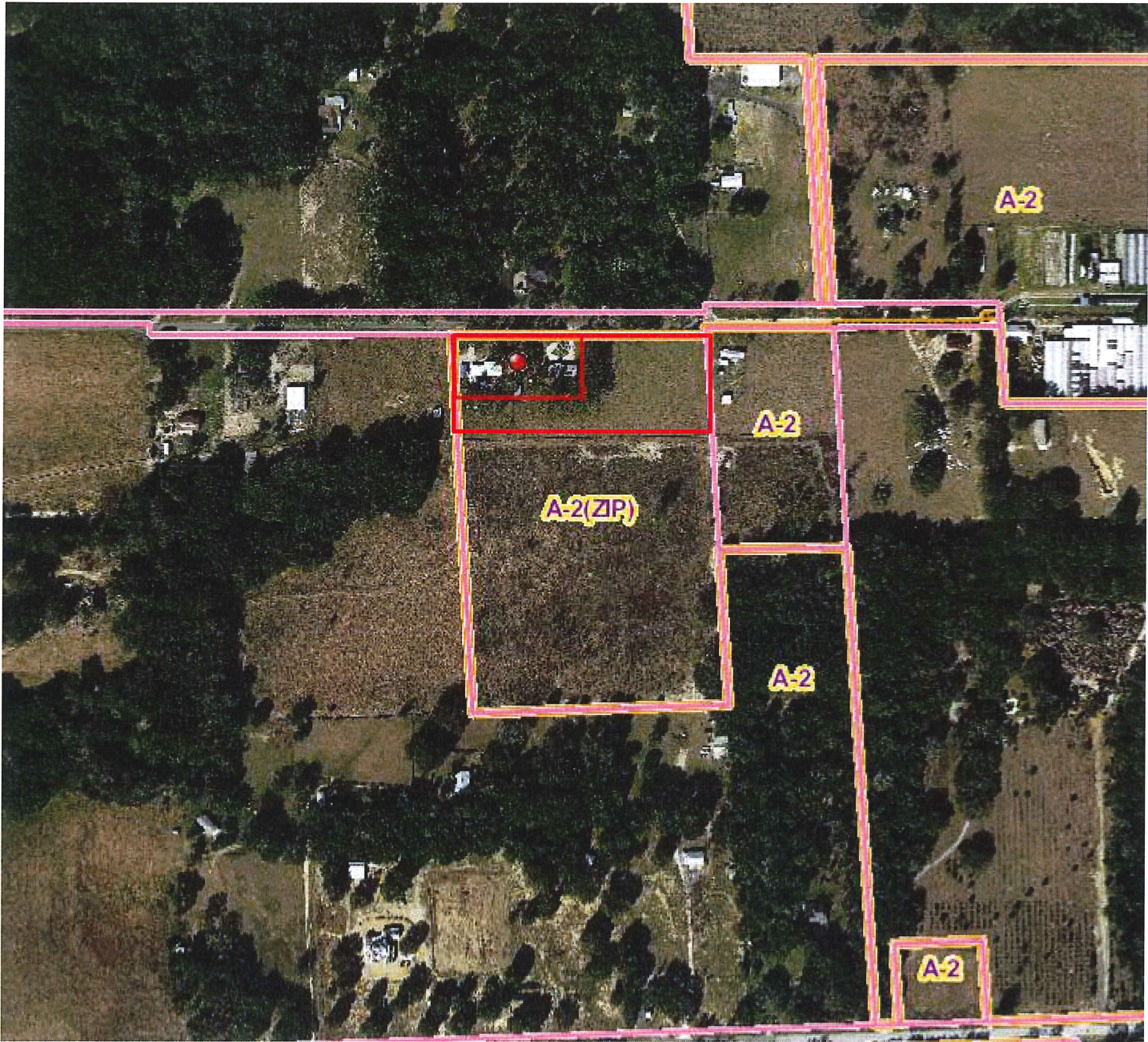


ADJACENT ZONING





ADJACENT USES





**EXISTING
USES**

