




Interoffice Memorandum

DATE: July 26, 2023

TO: Jennifer Lara Klimetz, Assistant Manager,
Clerk of the Board of County Commissioners,
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor,
Agenda Development Office

FROM: Alberto A. Vargas, MArch., Manager,
Planning Division

CONTACT PERSON: **Nicolas Thalmueller, Planning Administrator**
DRC Office
Planning Division
(407)836-5523 or Nicolas.Thalmueller@ocfl.net 

SUBJECT: Request for Board of County Commissioners
(BCC) Public Hearing

Applicant: Thomas Daly, Daly Design Group

Case Information: Case # LUPA-22-08-278 (Tyson Ranch PD)
Planning and Zoning Commission (PZC)
Meeting Date: June 15, 2023

Type of Hearing: Land Use Plan Amendment Public Hearing

Commission District: 4

General Location: Generally located west of Boggy Creek Road,
south of State Road 417, and north of Simpson
Road.

**BCC Public Hearing
Required by:** Orange County Code, Chapter 30

**Clerk's Advertising
Requirements:**

(1) At least 15 days before the BCC public hearing date, publish an advertisement in the Legal Notices section of *The Orlando Sentinel* describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;

and

(2) At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.

Spanish Contact Person:

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION: Front Desk, 407-836-8181

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PUBLICA CON RESPECTO A UNA AUDENCIA PUBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACION, AL NUMERO, 407-836-8181

Advertising Language:

To rezone 8.49 acres from A-2 (Farmland Rural District) into the existing adjacent Tyson Ranch Planned Development (PD); add 325 multi-family units to the existing PD entitlements; and to define the remaining uses within PD Parcel 1. In addition, two (2) waivers from Orange County Code are being requested:

1. A waiver from Section 38-1258(d) to allow 5-story (93' height) multi-family buildings within PD Parcel 2, in lieu of 3-stories and 40' in height.
2. A waiver from Section 38-1254(2)(c) to allow a minimum 25' building setback from Boggy Creek Road right of way in lieu of 50' pursuant to Orange County Code, Chapter 30

Material Provided:

- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

Special instructions to the Clerk:

Please place this request on the August 22, 2023, BCC agenda. Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Please note that Planning will handle the advertisement and noticing.

Attachments (legal description and location map)

Legal Description:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 24 SOUTH, RANGE 30 EAST; THENCE S00°19'04"E A DISTANCE OF 899.03 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER TO A POINT 517 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 33 AND THE POINT OF BEGINNING; THENCE S89°54'36"E A DISTANCE OF 1317.57 FEET; THENCE N00°38'28"W A DISTANCE OF 382.68 FEET; THENCE S89°51'07"E 269.92 FEET; THENCE N00°08'47"E A DISTANCE OF 6.00 FEET; THENCE S89°51'07"E A DISTANCE OF 385.25 FEET; THENCE S00°57'54"E A DISTANCE OF 660.10 FEET; THENCE S89°49'22"E A DISTANCE OF 561.13 FEET; THENCE S00°57'54"E A DISTANCE OF 315.28 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 8663.00 FEET, A DELTA ANGLE OF 02°49'18" AND A CHORD BEARING OF S02°22'33"E AND CHORD DISTANCE OF 426.59 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 426.64 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 8525.00 FEET, A DELTA ANGLE OF 01°23'35" AND A CHORD BEARING OF S03°05'25"E AND A CHORD DISTANCE OF 207.27 FEET; THENCE ALONG THE ARC OF SAID CURVE AN ARC DISTANCE OF 207.27 FEET; THENCE N89°59'33"W A DISTANCE OF 2568.09 FEET; THENCE N00°19'04"W A DISTANCE OF 1224.97 FEET TO THE POINT OF BEGINNING;

CONTAINING 73.81 ACRES, MORE OR LESS

TOGETHER WITH

DESCRIPTION: (BONNEMAISON)

FROM THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF SECTION 33, TOWNSHIP 24 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, RUN SOUTH 00°56'30" EAST ALONG THE EAST LINE OF SAID SOUTHEAST ¼ 509.12 FEET TO THE POINT OF BEGINNING; RUN THENCE NORTH 89°43'00" WEST PARALLEL TO AND 509.0 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST ¼ 660.15 FEET, THENCE SOUTH 00°56'30" EAST 660.00 FEET, THENCE SOUTH 89°43'00" EAST 660.15 FEET TO THE EAST LINE OF SAID SOUTHEAST ¼, THENCE NORTH 00°56'30" WEST 660.0 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THOSE LANDS DESCRIBED IN THAT CERTAIN WARRANTY DEED IN FAVOR OF ORANGE COUNTY RECORDED IN OFFICIAL RECORDS INSTRUMENT NO. 20180190215, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SAID LANDS CONTAINING 8.50 ACRES, MORE OR LESS.

SUBJECT TO RIGHT OF WAY OVER THE EAST 30 FEET AS SET OUT IN INSTRUMENT RECORDED FEBRUARY 10, 1930, IN DEED BOOK 402, PAGE 397, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SAID LANDS COLLECTIVELY CONTAINING 82.31 ACRES, MORE OR LESS.

