

**ORANGE COUNTY  
NOTICE OF PUBLIC HEARING**

Notice is hereby given that on **October 27, 2020**, beginning at **2 p.m.**, or as soon thereafter as the matter may be heard, the **Orange County Board of County Commissioners (BCC)** will hold a public hearing in the case described below. The BCC will hold the hearing either “in person” at the First Floor of the Orange County Administration Center, 201 S. Rosalind Avenue in downtown Orlando, Florida, OR “virtually,” utilizing communications media technology, with the latter made permissible pursuant to Governor Ron DeSantis’s Emergency Executive Order No. 20-69 related to the Covid-19 state of emergency, as amended, OR a combination of both formats. At the time of publication of this notice, it could not be known by Orange County whether the hearing would be held in person, virtually, or a combination of both formats. **In order to determine the format of the hearing or if you have any questions, please call the Orange County Planning Division at 407-836-5600 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except legal holidays, or visit the County Calendar at <https://www.ocfl.net/Home/CountyCalendar.aspx>.**

The hearing will be hosted by Mayor Jerry L. Demings, a quorum of the BCC will be maintained during the hearing, and the hearing will be conducted and operated by Orange County Government.

If the hearing is held virtually, the BCC members will be participating from different locations via WebEx ©. (See <https://www.webex.com> for more information.)

**Description of the Hearing:**

**Applicant:** Kathy Hattaway, Poulos & Bennett, LLC, Horizon West – Village I – Karr PD, Case # LUP-18-11-375

**Consideration:** A request to rezone 134.09 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct 454 single-family attached and detached dwelling units, 250 multi-family residential dwelling units, and 10,000 square feet of neighborhood commercial uses. In addition, the applicant has requested the following waivers from Orange County Code: 1. A waiver, for Parcels 2, 16, 18, and 23, from Orange County Code Section 34-152(c) to allow lots to front a mews, park, open space, etc. and have access via a tract or easement in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street. 2. A waiver, for Parcels 2, 16, 18, and 23, from Orange County Code Section 38-1382(h)(4) to allow alleys to be designed as a tract in lieu of the requirement that they shall be designed as a private easement. 3. A waiver, for Parcels 2, 16, 18, and 23, from Orange County Code Section 38-1384(g)(1) to allow garage access to be setback from an alley tract in lieu of an easement. 4. A waiver, for Parcels 2, 16, 18, and 23, from Orange County Code Section 38-1384(g)(2) to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be

located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot. 5. A waiver, for Parcels 2, 16, 18, and 23 from Orange County Code Section 38- 1384(i)(2) to allow vehicular access to garages or other off-street parking to be from a rear alley tract in lieu of an easement. 6. A waiver from Orange County Code Section 38-1258(a), for Parcel 15, to allow multi-family residential buildings twenty (20) feet from single-family zoned property and to be constructed up to five-stories and 75 feet in height in lieu of the requirement that multi-family buildings within one hundred (100) feet of a single-family zoned property be restricted to a single-story height. This waiver is both internal and external to the Karr PD. 7. A waiver from Orange County Code Section 38-1258(b), for Parcel 15, to allow multi-family residential buildings twenty (20) feet from single-family zoned property and to be constructed up to five-stories and 75 feet in height in lieu of the requirement that multi-family buildings within one hundred and fifty (150) feet of a single-family zoned property vary in building height. This waiver is both internal and external to the Karr PD. 8. A waiver from Orange County Code Section 38-1258(c), for Parcel 15, to allow multi-family buildings twenty (20) feet from a single-family zoned property and to be constructed up to five-stories and 75 feet in height, in lieu of the requirement that multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (forty (40) feet) in height. This waiver is both internal and external to the Karr PD. 9. A waiver from Orange County Code Section 38-1258(d), for Parcel 15, to allow multi-family buildings constructed up to five-stories and 75 feet in height, in lieu of the restriction that a multi-family development shall be limited to three (3) stories (forty (40) feet) in height. This waiver is both internal and external to the Karr PD. 10. A waiver from Orange County Code Section 38-1258(e), for Parcel 15, to allow parking and paved areas for multi-family development ten (10) feet from single-family zoned property, in lieu of the restriction that a parking and paved areas shall be twenty-five (25) feet from single-family zoned property. This waiver is both internal and external to the Karr PD. 11. A waiver from Orange County Code Section 38-1258(f), for Parcel 15, to not require a six (6) foot high masonry, brick, or block wall as part of the multi-family development since it is adjacent to single-family zoned property, in lieu of the a six (6) foot high masonry, brick, or block wall requirement. This waiver is both internal and external to the Karr PD. 12. A waiver from Orange County Code Section 38-1258(g), for Parcel 15, to allow shared access for multi-family and single-family residential and to allow multi-family residential to directly access a right-of-way serving platted single-family residential development, in lieu of the requirement that multi-family development shall not directly access any right-of-way serving platted single-family residential. This waiver is both internal and external to the Karr PD. 13. A waiver from Orange County Code Section 38-1258(i), for Parcel 15, to not require fencing as part of the multi-family development simply because it is adjacent to right-of-way that has single family zoned property across the right-of-way, in lieu of the requirement that multi-family development shall have fencing as part of the development because it is adjacent to right-of-way that has single family zoned property across the right-of-way.

This waiver is both internal and external to the Karr PD. 14. A waiver from Orange County Code Section 38-1258(j), for Parcel 15, to allow a minimum separation of twenty (20) feet between buildings, in lieu of the requirement where doors, windows, or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings, there shall be a minimum separation of thirty (30) feet for two-story buildings, and forty (40) feet for building three (3) stories. This waiver is both internal and external to the Karr PD. 15. A Waiver from Orange County Code Section 38-1387.2(a)(8)(b) to allow a ten (10) foot side setback in lieu of the fifteen (15) foot side setback requirement for apartment buildings. 16. A waiver from Orange County Code Section 38-1387.1(a)(10) to allow a fourteen (14) foot building separation between townhomes in lieu of twenty (20) feet. 17. A waiver from Orange County Code Section 38-1387.1(a)(3) to allow a 90- foot lot depth in lieu of 100-feet. 18. A Waiver from Orange County Code Section 30-714(c) to allow development within the Karr PD to proceed beyond five percent (5%) of the project's approved PD entitlements prior to either: (1) the option being exercised and the property being conveyed; or (2) the developer paying the appropriate fee in lieu of conveyance as described in Orange County Code Section 30-714(d).

**Location:** District 1; property generally located east of Avalon Road, north of Hartzog Road, and south of Western Way; Orange County, Florida (legal property description on file in Planning Division)

You may obtain a copy of the legal property description by calling the Orange County Planning Division or pick one up at 201 South Rosalind Avenue, Second Floor; Orlando Florida

#### **Observing the Hearing:**

Regardless of whether the hearing is held in person, virtually, or a combination of both formats, you may observe the hearing on Orange TV via the internet or television:

Online: <http://orangecountyfl.net/OpenGovernment/OrangeTVVisionTV.aspx>. Televised: Channel 488 on Spectrum; Channel 9 on Comcast; and Channel 99 on AT&T U-Verse.

If held in person, the hearing may also be observed by appearing at the First Floor of the Orange County Administration Center at 201 S. Rosalind Avenue, Orlando, Florida, where Orange County staff will be present to ensure that social distancing and other health and safety measures are practiced and enforced.

#### **Participating in the Hearing:**

If you wish to provide testimony and evidence during the hearing, you must utilize one of the following options:

- If the hearing is being held in person, you may attend the hearing at the First Floor of the Orange County Administration Center, 201 S. Rosalind Avenue, Orlando, Florida.

- If the hearing is being held virtually, in whole or in part, you may participate in one of the following two ways:

You may appear at Room 105 on the First Floor of the Orange County Administration Center, 201 S. Rosalind Avenue, Orlando, Florida, where you will be able to communicate virtually via WebEx with the BCC members at a kiosk equipped with a computer laptop and video camera, or

You may participate in the hearing and communicate with the BCC members virtually via WebEx from a remote location through the video section of WebEx found in the link in the County Calendar at <https://www.ocfl.net/Home/CountyCalendar.aspx>. **If you desire to participate from a remote location, please register via the link provided in the County Calendar by not later than 5:00 p.m. on Monday, October 26, 2020, so that Orange County may register your name and make arrangements to ensure that you are able to participate in the hearing via WebEx from the remote location.**

Also, if you intend to show photographs, presentations, reports, or any other documents when you testify at the hearing, it is requested that **by not later than 5:00 p.m. on Monday, Monday, October 26, 2020**, you either email true and correct copies of such documentary evidence to Public.Comment@ocfl.net and note the public hearing or public hearing number to which it relates, or physically deliver copies of such documentary evidence to the Planning Division at the Second Floor of the Orange County Administration Center at 201 S. Rosalind Avenue in Orlando, Florida.

Regardless of the form of participation, the time allotted to you and each other person who provides testimony will be at the sole discretion of the Mayor, and may be reduced from the usual time limit of three minutes to two minutes, depending on the number of participants.

If you appear at the First Floor of the Orange County Administration Center, 201 S. Rosalind Avenue, Orlando, Florida, Orange County staff will be present to assist at the kiosk in Room 105 and on the First Floor to ensure that social distancing and other health and safety measures are practiced and enforced.

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Section 286.0105, Florida Statutes, states that “if a person decides to appeal any decision made by a board, agency or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings

is made, which record includes the testimony and evidence upon which the appeal is to be based.”

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this hearing, then not later than two business days prior to the hearing, he or she should contact the Orange County Communications Division at (407) 836-5651.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, PLEASE CONTACT THE ORANGE COUNTY PLANNING DIVISION, 407-836-5600, Email: [planning@ocfl.net](mailto:planning@ocfl.net);

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 PLANIFICACIÓN URBANA, AL NUMERO, 407-836-5600

Publish: **October 4, 2020**; the Orlando Sentinel Public Record  
Certify Lines: Horizon West – Village I – Karr PD

ll/cas/jk

c: District # 1 Commissioner's Office [email]  
Chris Testerman, Deputy County Administrator, BCC [email]  
County Attorney's Office, BCC [Angela Diaz email]  
Alberto Vargas, Planning Division, BCC [email]  
Eric Raasch, Planning Division, BCC [email]  
Jason Sorensen, Planning Division, BCC [email]  
Lisette Egipciaco, Planning Division, BCC [email]  
Sapho Vatel, Planning Division, BCC [email]  
Cheryl Gillespie, Agenda Development, BCC [email]  
Mike Seif, Orange TV, BCC [email]