

PRESENTATION TO THE ORANGE COUNTY BOARD OF COMMISSIONERS

CDR-19-12-413; July 7, 2020

Mr. Mayor and Commissioners; Thank you.

My name is Eitan Aharoni. My wife and I are the Owners/Applicants. My Attorney, Mr. Matthew Petra of *Zimmerman Kiser Sutcliffe* is here and will address legal questions should they arise.

My wife and I own Lot #10, and we live in the existing 30-year old house. The lot, which is slightly over 2/3rd acre is the only lot in the 66-units Woodlands Village Association large enough to be divided while meeting all the County Requirements. Most of the lots are 0.4 to 0.5 Acre. Only 2 lots are close to our size but cannot be divided.

Our 2/3rd (or 0.68) Acre lot is divided into two 1/3rd acre parcels. We plan to build a custom-home for ourselves on the new parcel and keep the existing house. My wife has special needs and the house is designed, especially, to accommodate that. I am a retired Architect. We are both in our 70's. Our daughter and husband are planning to move to our existing home to care for us as we age.

We concur with Staff's recommendation to approve this lot split since it complies with all the County laws and regulations with no exception (zoning, planning, fire, traffic, public works, health...)

In response to those opposing us, I believe there are three issues to focus on:

1. Does the project meet **legal requirements** for a lot split? I will reiterate Staff's position and recommendation. In addition, I will cite a section of the Association's CC&Rs which basically acknowledges the County's superior jurisdiction under R1-AA Zoning.
2. Will the two new lots be **compatible** in size with the neighborhood? I will display on the screen a map showing lots abutting my property that are much smaller and some equal to our newly divided lots.
3. Is there any **impact** on the neighborhood? I will show that there is no impact other than normal inconvenience during construction of one house.

1. As to the **legal** validity – Staff has certified compliance with all the County regulations, and recommended approval. No need to elaborate.

The HOA's CC&Rs state in Section 5 the following: " " .

In other words, lot size shall be determined by and be same as the County zoning.

I am putting up EXHIBIT A on the screen. Please note that the original Developer's PSP was approved on 06/18/80 for **58** lots. His plan expired. Then he amended or resubmitted it for the additional 8 lots to a total of 66. This is a County Document shown in **EXHIBIT A**.

We are legally entitled to the same rights to amend the PSP and to add, in this case, only one lot.

2. As to compatibility with lot size – **EXHIBIT B** shows our 2/3rd Acre lot in the middle of surrounding lots. Please note the 3 small parcels just to the North of mine. Let's go to **EXHIBIT C**. **EXHIBIT C** is an enlargement of the divided parcels. On the right is the existing house we now live in. To the left is the new vacant parcel with the future home shown in pink.

Please notice the 3 abutting lots to the North. The one most to the right is 0.224 acre (9,775 Square Feet). It is obviously much smaller than each of my divided lots. The next lot to the left is similar. The next one to the left is 0.36 acre which is similar to my lots.

Back to **EXHIBIT B** – All the lots on this map appear to show a mix between 0.2 acre to 0.5. My current lot appears to be the largest of perhaps 300 lots shown in this large map. You have sent Notices to about 150 of these lots, surrounding mine, asking for their opinion about my lot. You therefore should not ignore the land and the land use they themselves occupy.

3. As to **Impact** – One lot split does not create an impact. That is why lot splits are generally not subject to public hearings. They are handled via staff and Zoning. Our case is unique because procedurally your staff had to bring this to you since the original submission was a PSP.

In other words, ours is not a request for 200 Unit new Development, or a Commercial Center that requires zone change or creates traffic or environmental impact. It is just a house for two people. The house is set far back from the street and you could hardly see it from the street. And I doubt that the average person, looking at a 0.4-acre lot with a house on it and a 0.333-acre one, side by side, could tell the difference.

EXHIBIT D is a schematic Landscape Plan that was part of the DRC package. The design of the house itself will be submitted to the HOA's Architectural Committee and will comply with the HOA's design criteria. (This is a scheme with a front-facing garage. I have already submitted to the HOA Treasurer, at his request, an alternative scheme with a side facing garage which may be preferred by the Association.)

Other comments that we hear from neighbors –

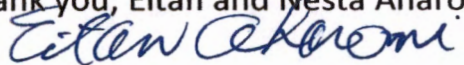
- a. Reduce property values – Speculation and factually faulty. I can submit actual sales comparables for houses right next to me with smaller lots, all sold right after I bought mine. They were sold for \$40k to \$100K more than mine after adjusting for size and amenities e.g. pool etc. Besides, new house on my new lot is expected to sell for 10 – 15% more than a the typical 30-year old house in the neighborhood.
- b. Concern with septic at the back yard instead of front. If my septic system ever failed it will still drain towards the front street. This is unlikely.
- c. Ingress egress hazard – Any traffic engineer will tell you that ingress and egress is safe, and the driveway approach affords perfect visibility. The claim is baseless from traffic engineering perspective.

I hope our neighbors will realize there will be no impact other than the expected inconvenience during construction. We will do our best to mitigate in accordance with all the building construction laws.

This concludes my opening presentation. I request the Commissioners to allow us to make final closing statements before your final vote.

I am submitting this hard copy to be part of the record.

Thank you, Eitan and Neta Aharoni



Sharon:

4\23\84

A

RE:

Woodlands Village
AKA " of Windermere, Unit 4

Zoning

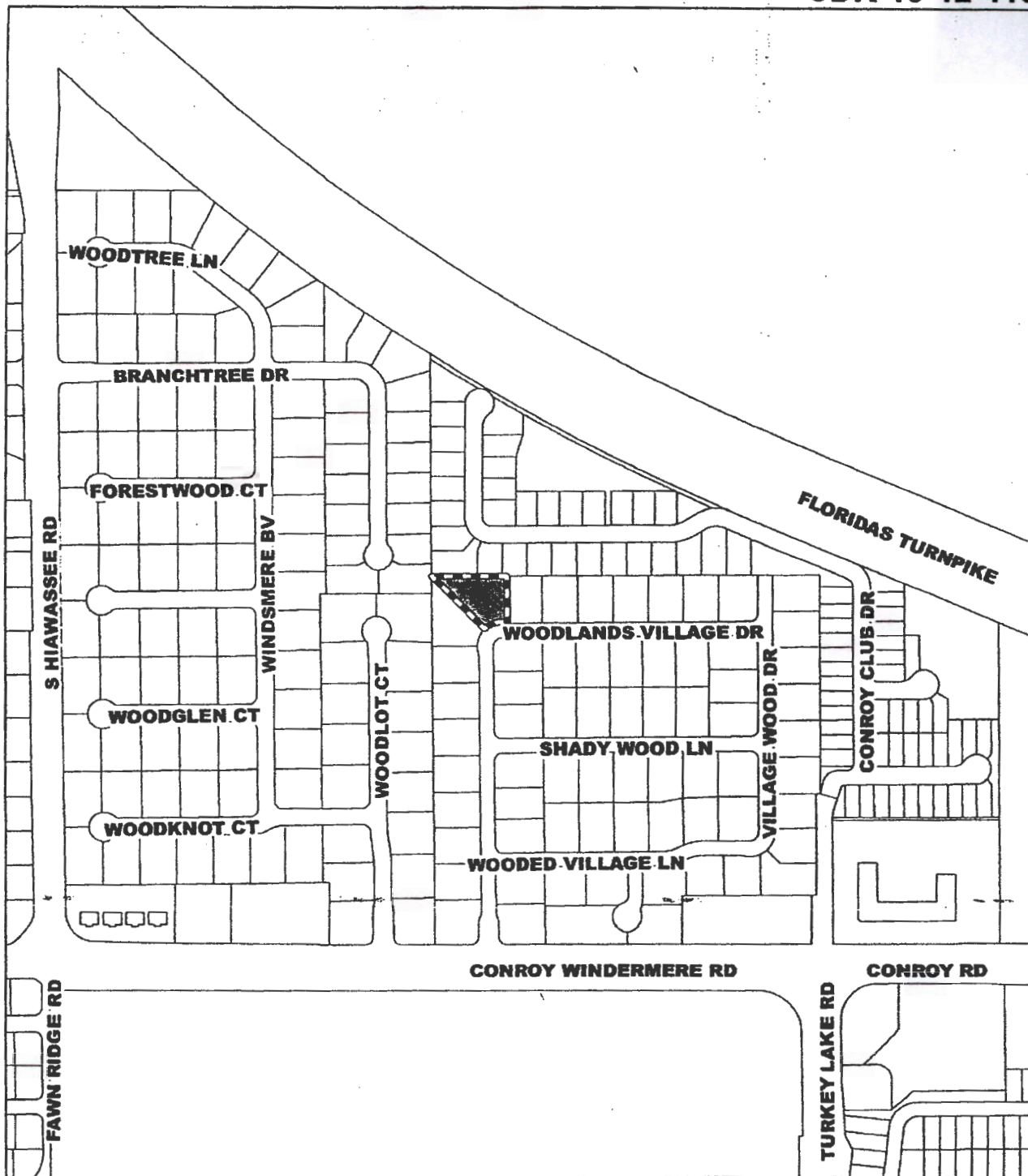
R-1AA

- 1, Orig. approval 06\18\80 (has expired). original was for 58 lots. This has 66.
- 2, It meets all Zoning Res. Requires. and is a better lay-out, but maybe it should be reviewed by DRC. (OLD BUS.)
3. Lots 1 & 33 should be 125 ft.
(Major st. 110' R/w 60') Arterial ^{minor} ^{controlled} access.

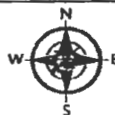
4,

B

CDR-19-12-413

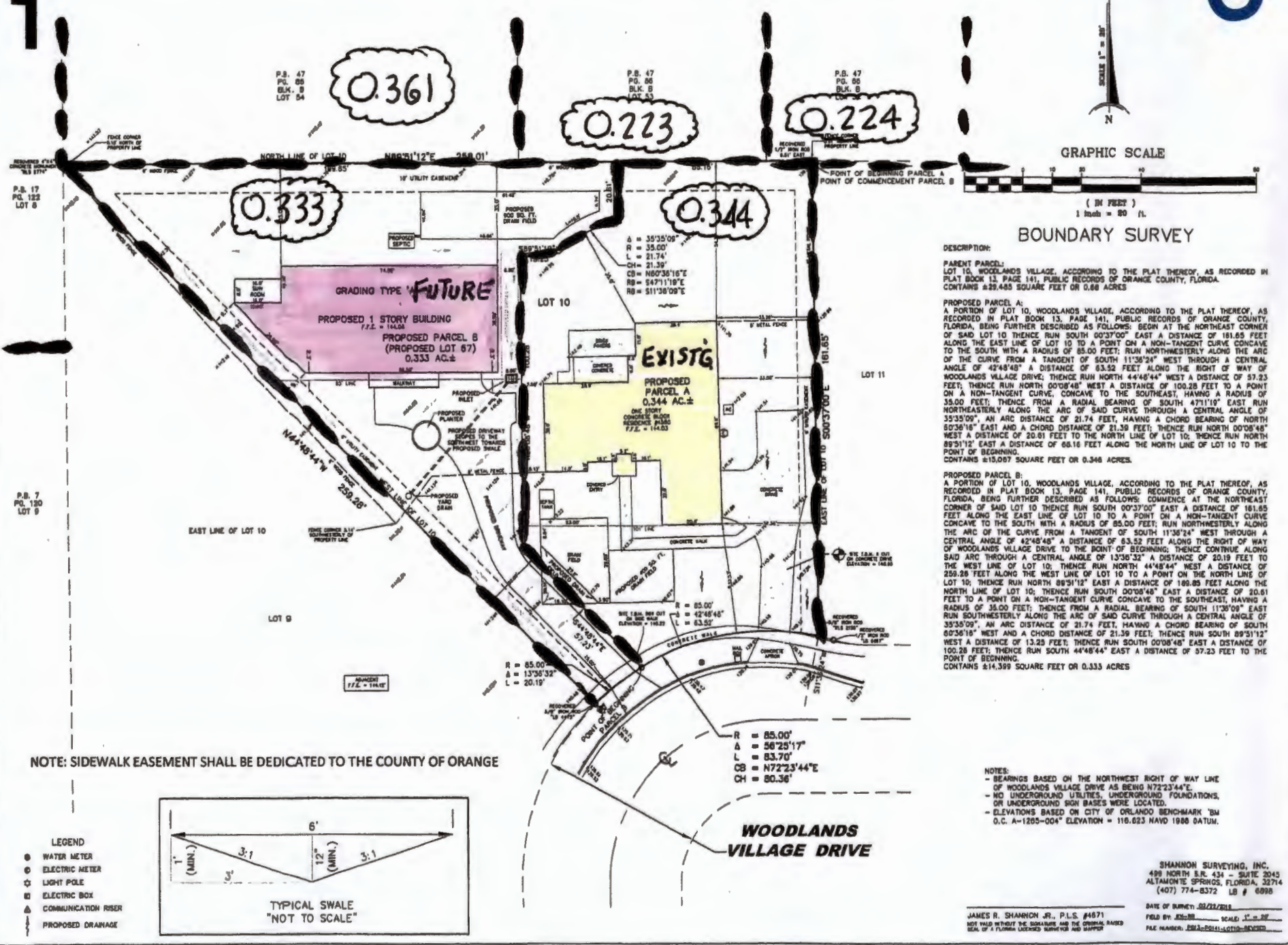


 Subject Property



1 inch = 450 feet

For questions regarding this map, please call Lisette Egipciaco at 407.836.5684



BOUNDARY SURVEY

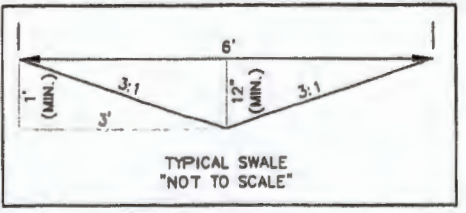
DESCRIPTION:

PARENT PARCEL:
LOT 10, WOODLANDS VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 141, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA. CONTAINS ±29,485 SQUARE FEET OR 0.68 ACRES.

PROPOSED PARCEL A:
A PORTION OF LOT 10, WOODLANDS VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 141, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHEAST CORNER OF SAID LOT 10 THENCE RUN SOUTH 60°37'00" EAST A DISTANCE OF 181.85 FEET ALONG THE EAST LINE OF LOT 10 TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 85.00 FEET; RUN NORTHWESTERLY ALONG THE ARC OF THE CURVE FROM A TANGENT OF SOUTH 11°35'24" WEST THROUGH A CENTRAL ANGLE OF 42°48'48" A DISTANCE OF 83.52 FEET ALONG THE RIGHT OF WAY OF WOODLANDS VILLAGE DRIVE; THENCE RUN NORTH 4°44'44" WEST A DISTANCE OF 37.23 FEET; THENCE RUN NORTH 00°08'48" WEST A DISTANCE OF 100.28 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 35.00 FEET; THENCE FROM A RADIAL BEARING OF SOUTH 4°11'10" EAST RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°35'09", AN ARC DISTANCE OF 21.74 FEET, HAVING A CHORD BEARING OF NORTH 80°36'18" EAST AND A CHORD DISTANCE OF 21.39 FEET; THENCE RUN NORTH 00°08'48" WEST A DISTANCE OF 20.01 FEET TO THE NORTH LINE OF LOT 10; THENCE RUN NORTH 89°31'12" EAST A DISTANCE OF 60.16 FEET ALONG THE NORTH LINE OF LOT 10 TO THE POINT OF BEGINNING. CONTAINS ±15,087 SQUARE FEET OR 0.346 ACRES.

PROPOSED PARCEL B:
A PORTION OF LOT 10, WOODLANDS VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 141, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID LOT 10 THENCE RUN SOUTH 00°37'00" EAST A DISTANCE OF 181.85 FEET ALONG THE EAST LINE OF LOT 10 TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 85.00 FEET; RUN NORTHWESTERLY ALONG THE ARC OF THE CURVE FROM A TANGENT OF SOUTH 11°35'24" WEST THROUGH A CENTRAL ANGLE OF 42°48'48" A DISTANCE OF 83.52 FEET ALONG THE RIGHT OF WAY OF WOODLANDS VILLAGE DRIVE TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID ARC THROUGH A CENTRAL ANGLE OF 13°30'32" A DISTANCE OF 20.19 FEET TO THE WEST LINE OF LOT 10; THENCE RUN NORTH 44°48'44" WEST A DISTANCE OF 255.28 FEET ALONG THE WEST LINE OF LOT 10 TO A POINT ON THE NORTH LINE OF LOT 10; THENCE RUN NORTH 89°31'12" EAST A DISTANCE OF 189.85 FEET ALONG THE NORTH LINE OF LOT 10; THENCE RUN SOUTH 00°08'48" EAST A DISTANCE OF 20.01 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 35.00 FEET; THENCE FROM A RADIAL BEARING OF SOUTH 11°35'09" EAST RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°35'09", AN ARC DISTANCE OF 21.74 FEET, HAVING A CHORD BEARING OF SOUTH 80°36'18" WEST AND A CHORD DISTANCE OF 21.39 FEET; THENCE RUN SOUTH 89°31'12" WEST A DISTANCE OF 13.25 FEET; THENCE RUN SOUTH 00°08'48" EAST A DISTANCE OF 100.28 FEET; THENCE RUN SOUTH 44°48'44" EAST A DISTANCE OF 37.23 FEET TO THE POINT OF BEGINNING. CONTAINS ±14,399 SQUARE FEET OR 0.333 ACRES.

NOTE: SIDEWALK EASEMENT SHALL BE DEDICATED TO THE COUNTY OF ORANGE



- LEGEND**
- WATER METER
 - ELECTRIC METER
 - ⊙ LIGHT POLE
 - ⊠ ELECTRIC BOX
 - ▲ COMMUNICATION RISER
 - PROPOSED DRAINAGE

R = 85.00'
Δ = 50°25'17"
L = 83.70'
CB = N72°23'44"E
CH = 80.36'

NOTES:

- BEARINGS BASED ON THE NORTHWEST RIGHT OF WAY LINE OF WOODLANDS VILLAGE DRIVE AS BEING N72°23'44"E.
- NO UNDERGROUND UTILITIES, UNDERGROUND FOUNDATIONS, OR UNDERGROUND BOX BASES WERE LOCATED.
- ELEVATIONS BASED ON CITY OF ORLANDO BENCHMARK "BM O.C. A-1205-004" ELEVATION = 116.023 NAVD 1988 DATUM.

JAMES R. SHANNON JR., P.L.S. #4671
NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND SHIPPER

SHANNON SURVEYING, INC.
499 NORTH S.R. 434 - SUITE 2045
ALTAIR/TE SPRINGS, FLORIDA, 32714
(407) 774-8372 LB # 6998

DATE OF SURVEY: 02/22/2018
FIELD BY: [Signature] SCALE: 1" = 80'
FILE NUMBER: 2018-0211-LOT10-BNDY





SENT 5/15/20 TO CAROL.

NEW LOT-67
0.333 ACRE

REV. LOT-10
0.344 ACRE

EXISTING HOUSE
1560 WOODLANDS VILLAGE DR
ORLANDO, FL.

LEGEND

-  FRUIT TREES OR SHRUBS
-  LAWN
-  PAVED DRIVEWAY
-  SHRUBS

LANDSCAPE PLAN (REV.)

