



# Orange County Government

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

## Decision Letter

### Board of County Commissioners

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Tuesday, June 4, 2019

2:00 PM

County Commission Chambers

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19-785

Substantial Change

Eric Warren, Poulos & Bennett, LLC, Springhill Planned Development / Land Use Plan (PD / LUP) - Case # CDR-18-10-351, amend plan; District 1

**Consideration:** A PD Substantial change request to reallocate thirty-four (34) units from PD Parcel 15 to PD Parcel 35. In addition, the applicant has requested the following three (3) waivers from Orange County Code for PD Parcel 35 only:

- 1.) A waiver from Section 38-1258(a) to allow multi-family residential buildings located no less than ten (10) feet of single-family zoned property along the west parcel line and one hundred (100) feet along the south parcel line to be constructed up to five-stories and 65 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 in height.
- 2.) A waiver from Section 38-1258(b), to allow multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property to be constructed up to five-stories and 65 feet in height, in lieu of the requirement that multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property shall vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height.
- 3.) A waiver from Section 38-1258(c), to allow multi-family buildings located no less ten (10) feet of single-family zoned property along the west parcel line and one hundred (100) feet along the south parcel line to be constructed up to five-stories and 65 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; pursuant to Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**Location:** District 1; property generally located north of Water Spring Boulevard and West of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

Modified Condition of Approval # 9:

- a. A waiver from Section 38-1258(a), for Parcel 35, to allow multi-family residential buildings located within ten (10) feet of single-family zoned property along the west parcel line and one hundred (100) feet along the south parcel line to be constructed up to ~~five~~ four-stories and ~~65~~ 61 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 in height.

b. A waiver from Section 38-1258(b), for Parcel 35, to allow multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property to be constructed up to ~~five~~ four-stories and ~~65-61~~ in height, in lieu of the requirement that multi-family buildings located between one hundred plus (100+) feet to one hundred and fifty (150) feet of single-family zoned property shall vary in building height with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height.

c. A waiver from Section 38-1258(c), for Parcel 35, to allow multi-family buildings located within ten (10) feet of single-family zoned property along the west parcel line and one hundred (100) feet along the south parcel line to be constructed up to ~~five~~ four-stories and ~~65-61~~ 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

A motion was made by Commissioner VanderLey, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approve modified condition of approval # 9 (a), (b), and (c). The motion carried by the following vote:

**Aye:** 6 - Mayor Demings, Commissioner VanderLey, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

**Absent:** 1 - Commissioner Gomez Cordero



THE FOREGOING DECISION HAS BEEN FILED WITH ME THIS 14TH DAY OF JUNE 2019.

*fr* Jessica Vaughn  
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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