



# 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, October 26, 2021

2:00 PM

County Commission Chambers

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**21-1192**

Case # CDR-21-05-164

Tom Daly; Daly Design Group, Tyson Ranch Planned Development / Land Use Plan (PD / LUP), amend plan; District 4

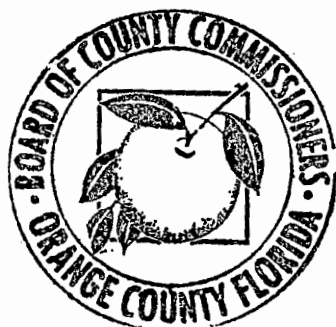
**Consideration:** A PD substantial change to allow 4-story apartment buildings on Parcel 3 and to amend the approved setbacks for the apartment buildings. The request includes a clarification that the approved use of climate controlled self storage is permitted within parcels 1 and 2. Additionally, the following waivers are requested from Orange County Code: 1. A waiver from Section 38-1258(d) to allow 4-story (65' height) multi-family buildings within parcel 3, in lieu of 3-story and 45' in height. 2. A waiver from Section 38-1258(a) to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, to allow 4 story (65' height) multi-family buildings to be located 90' from the east property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 100' from single family zoned property west of the site, in lieu of Multi-family buildings located within one hundred (100) feet of single-family zoned property, as measured from the property line of the proposed multi-family development to the nearest property line of the single-family zoned property, shall be restricted to single story in height. 3. A waiver from Section 38-1258(b) to allow 4 story multi-family buildings (65' height) to be located 90' from the east property line of Parcel 3, to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 100' from single family zoned property west of the site, in lieu of 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. 4. A waiver from Section 38-1258(c) to allow 4 story multi-family buildings (65' height) to be located 90' from the east property line of Parcel 3, to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 100' from single family zoned property west of the site, in lieu of Multi-family buildings located within one hundred and fifty (150) feet of single-family zoned property shall not exceed three (3) stories (40 feet) in height, except as provided in (d) below. 5. A waiver from Section 38-1254(1) to allow 3 story (45' height) multi-family buildings to be located 75' from the east property line of Parcel 3, to allow 4 story (65' height) multi-family buildings to be located 90' from the east property line of Parcel 3, to allow 4 story (65' height) multi-family buildings to be located 20' from the north property line of Parcel 3, and to allow 4 story (65' height) multi-family buildings to be located 20' from the west property line of Parcel 3, in lieu of structures in excess of two (2) stories should increase this setback to reflect the additional structural height; pursuant to Orange

County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

**Location:** District 4; property generally located on the west side of Boggy Creek Road, north of Simpson Road, south of Lake Nona Boulevard; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Gomez Cordero, seconded by Commissioner Bonilla, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the seven (7) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 14, 2021. The motion carried by the following vote:

**Aye:** 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin



THE FOREGOING DECISION HAS BEEN FILED WITH ME THIS 18TH DAY OF NOVEMBER 2021.

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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