

## ORANGE COUNTY NOTICE OF PUBLIC HEARING

The Orange County Board of County Commissioners will conduct public hearings on **November 12, 2019**, at **2 p.m.**, or as soon thereafter as possible, in the County Commission Chambers, First Floor, County Administration Center, 201 South Rosalind Avenue, Orlando, Florida. You are invited to attend and be heard regarding the following requests by:

**Applicant:** Chris Dougherty, S&ME, Inc., Wise Colonial PD, Case # LUP-19-03-088

**Consideration:** Request to rezone two (2) parcels containing 12.77 gross acres from C-3 to PD, in order to develop 280 multi-family dwelling units and 19,600 square feet of C-1 retail commercial uses. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 38-1258(c) to allow 3-story buildings to be setback 90 feet, in lieu of 150 feet from single-family zoned property; 2. A waiver from Section 38-1258(d) to allow a maximum building height of 55 feet, in lieu of 40 feet, provided that the building is setback 150 feet from single-family zoned property; pursuant to Orange County Code, Chapter 30.

**Location:** District 5; property located at 6525 and 6575 E. Colonial Drive; or generally located on the north side of E. Colonial Drive, approximately 1,400 feet west of N. Forsyth Road; Orange County, Florida (legal property description on file in Planning Division)

**AND**

**Applicant:** Bryan Potts, Tannath Design Inc., Rouse Road Townhomes PD, Case # LUP-18-11-386

**Consideration:** Request to rezone two (2) parcels containing 8.58 gross acres from R-1 (Single-Family Dwelling District) to PD (Planned Development District), in order to construct fifty-four (54) attached residential dwelling units. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1254 is requested to allow a minimum PD perimeter setback of ten (10) feet along the north property lines for one-story and two-story buildings, in lieu of a minimum PD perimeter setback of twenty-five (25) from all boundaries of the PD; pursuant to Orange County Code, Chapter 30.

**Location:** District 5; property located at 2460 and 2484 Rouse Road; generally located south of Jay Blanchard Trail, and west of Rouse Road; Orange County, Florida (legal property description on file in Planning Division)

**AND**

**Applicant:** Khaled Hussein, Harrell Oaks PD, Case # LUP-19-02-074

**Consideration:** Request to rezone four (4) parcels containing 16.9 gross acres from A-2 (Farmland Rural District) to PD (Planned Development District), in order to construct sixty-four (64) single-family detached dwelling units. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1254(1) to allow for a twenty (20) foot setback to apply to the PD perimeter in lieu of the required twenty-five (25) foot PD perimeter setback; pursuant to Orange County Code, Chapter 30.

**Location:** Districts 3 & 5; property generally located east of Harrell Road, north and south of Trevarthon Road, and west of State Road 417; Orange County, Florida (legal property description on file in Planning Division)

**AND**

**Applicant:** Kathy Hattaway, Poulos and Bennett, LLC, Lake Mac Planned Development (PD), Case # LUP-18-07-225

**Consideration:** Request to rezone two (2) parcels containing 107.57 gross acres from A-1 and A-2 to PD, in order to construct 399 dwelling units and 196,000 square feet of commercial uses. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 34-152(c), for Parcel 23, 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 from Section 38-1382(h)(4), for Parcel 23, 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 from Section 38-1384(g)(1), for Parcel 23 to allow garage access to be setback from an alley tract in lieu of an easement. 4. A waiver from Section 38-1384(g)(2), for Parcel 23, 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 from Section 38-1384(i)(2), for Parcel 23, 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 Section 38-1258(a), for Parcel 21, to allow multi-family residential buildings fifteen (15) 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 Lake Mac PD. 7. A waiver from Section 38-1258(b), for Parcel 21, to allow multi-family residential buildings fifteen (15) 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 Lake Mac PD. 8. A waiver from Section 38-1258(c), for Parcel 21, to allow multi-family buildings fifteen (15) 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 Lake Mac PD. 9. A waiver from Section 38-1258(d), for Parcel 21, 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 Lake Mac PD. 10. A waiver from Section 38-1258(e), for Parcel 21, to allow parking and paved areas for multi-family development fifteen (15) 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 Lake Mac PD. 11. A waiver from Section 38-1258(f), for Parcel 21, 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 Lake Mac PD. 12. A waiver from Section 38-1258(g), for Parcel 21, 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 Lake Mac PD. 13. A waiver from Section 38-1258(i), for Parcel

21, 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 Lake Mac PD. 14. A waiver from Section 38-1258(j), for Parcel 21, to require 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 Lake Mac PD; pursuant to Orange County Code, Chapter 30.

**Location:** District 1; property generally located on the west side of Avalon Road and south of Flemings Road; Orange County, Florida (legal property description on file in Planning Division)

## **AND**

**Applicant:** Kathy Hattaway, Poulos & Bennett, LLC, KRPC Hartzog Road Planned Development (PD), Case # LUP-18-07-223

**Consideration:** Request to rezone two (2) parcels containing 19.90 gross acres from R-T-2 (Combination Mobile Home and Single-Family Dwelling District) to PD (Planned Development District), in order to construct 54 single-family dwelling units; pursuant to Orange County Code, Chapter 30.

**Location:** District 1; property located at 14080 Hartzog Road; or generally located on the north side of Hartzog Road, approximately 3,800 feet east of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

## **AND**

**Applicant:** Kathy Hattaway, Poulos & Bennett, LLC, Withers Planned Development (PD), Case # LUP-18-10-355

**Consideration:** Request to rezone eight (8) parcels containing 320.75 gross acres from A-1 and A-2 to PD, in order to construct 814 residential units, 10,000 square feet of commercial uses, and dedication of an APF (Adequate Public Facility) park, a middle school, and an elementary school. The request also includes the following waivers from Orange County Code: 1. A waiver from Section 34-152(c), for PD Parcels 4, 5, 11, 12, and 17, 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 from Section 38-1382(h)(4), for PD Parcels 4, 5, 11, 12, and 17, 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 from Section 38-1384(g)(1), for PD Parcels 4, 5, 11, 12, and 17, to allow garage access to be setback from an alley tract, in lieu of an easement. 4. A waiver from Section 38-1384(i)(2), for PD Parcels 4, 5, 11, 12, and 17, to allow vehicular access to garages or other off-street parking to be from a rear alley tract, in lieu of an easement. 5. A waiver from Section 38-1384(g)(2), for PD Parcels 4, 5, 11, 12, and 17, 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. 6. A waiver

from Section 30-714(c) to allow the project to proceed beyond 5% of the approved PD entitlements, which 5% threshold is identified in the APF Agreement as 40 dwelling units (attached or detached); provided, however, that prior to said 5% threshold being reached or exceeded: (A) the approximately 5.81 acres of Future APF Right-of-Way have been conveyed to the County or to an escrow agent who is obligated to release a deed conveying such right-of-way to the County, in accordance with that certain Hartzog Road Right-of-Way Agreement recorded at ORB 9712/4850, as amended, and as affected by that certain First Amendment to Agreement Concerning Hartzog Road Right-of-Way Agreement recorded at ORB 11021/4154, as amended; (B) the approximately 0.98 acres of APF ROW have been conveyed to the County or placed into escrow, pursuant to an escrow agreement acceptable to the County; and (C) the approximately 5.0 acre APF Park has been conveyed to the County or placed into escrow, pursuant to an escrow agreement acceptable to the County.; pursuant Orange County Code, Chapter 30.

**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 descriptions by calling the Orange County Planning Division or pick one up at 201 South Rosalind Avenue, Second Floor; Orlando Florida.

**IF YOU HAVE ANY QUESTIONS REGARDING THESE NOTICES, 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.**

**If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should 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.**

**If you require special accommodations under the Americans with Disabilities Act of 1990, please call 407-836-5631 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor llame al 407-836-3111.**

Phil Diamond, County Comptroller  
As Clerk of the Board of County Commissioners  
Orange County, Florida

Publish: **October 20, 2019**; the Orlando Sentinel Public Record

Certify Lines    Wise Colonial PD  
                    Rouse Road Townhomes PD  
                    Harrell Oaks PD  
                    Lake Mac PD  
                    KRPC Hartzog Road PD  
                    Withers PD

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c: Districts 1, 3 & 5 Commissioner's Office [email]

Jon Weiss, Director, Planning, Environmental & Development Services Department,  
BCC [email]

County Attorney's Office, BCC [Anna Caban email]

Chris Testerman, Deputy County Administrator, BCC [email]

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Mike Seif, Orange TV, BCC [email]