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**Interoffice Memorandum**

**DATE:** September 24, 2020

**TO:** Katie A. Smith, Deputy Clerk of the Board of County Commissioners, County Comptroller's Office

**THROUGH:** Cheryl Gillespie, Supervisor, Agenda Development Office

**FROM:** Alberto A. Vargas, MArch., Manager, Planning Division

**CONTACT PERSON:** Eric Raasch, DRC Chairman  
Development Review Committee *ERR*  
Planning Division  
(407) 836-5523 or Eric.RaaschJr@ocfl.net

**SUBJECT:** Request for Board of County Commissioners (BCC) Public Hearing

**NOTE:** **Please schedule this for the October 27, 2020 Board meeting.**

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**Applicant:** Kathy Hattaway, Poulos & Bennett, LLC

**Case Information:** Case # LUP-18-11-375 (Horizon West – Village I – Karr PD)  
Planning and Zoning Commission (PZC)  
Meeting Date: June 18, 2020

**Type of Hearing:** Rezoning Public Hearing

**Commission District:** 1

**General Location:** East of Avalon Road, north of Hartzog Road, and south of Western Way

**BCC Public Hearing  
Required by:**

Orange County Code, Chapter 30

**Clerk's Advertising  
Requirements:**

(1) At least 15 days before the BCC public hearing date, publish an advertisement in the Legal Notices section of *The Orlando Sentinel* describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;

and

(2) At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.

**Spanish Contact Person:**

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION: Front desk, 407-836-8181

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 PLANIFICACION, AL NUMERO, 407-836-8181

**Advertising Language:**

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).

**Material Provided:**

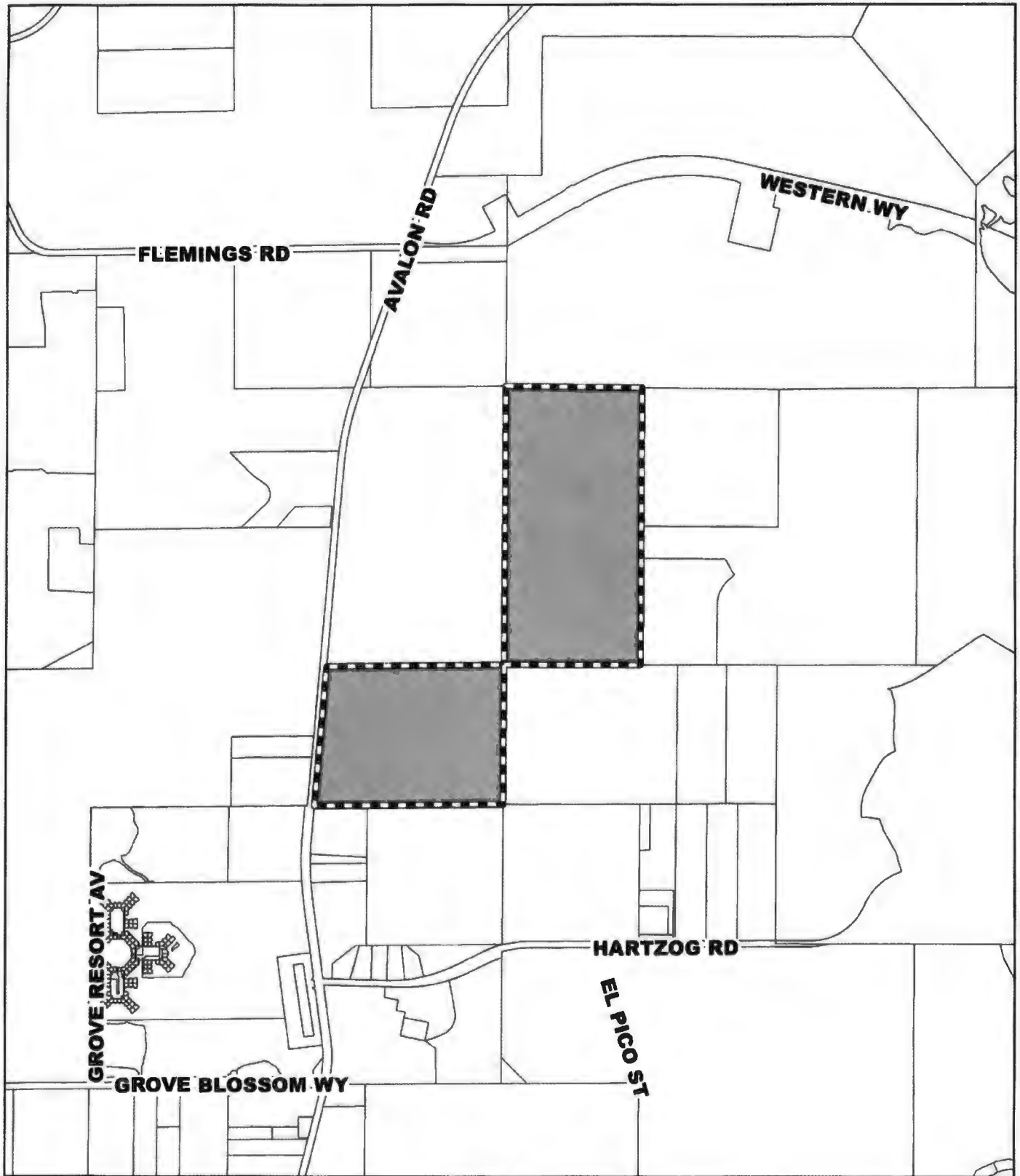
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

**Special instructions to the Clerk:**

Please place this request on the **October 27, 2020**, BCC agenda. Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachment (location map)

c: Chris R. Testerman, AICP, Deputy County Administrator  
Jon V. Weiss, Director, Planning, Environmental, and Development  
Services Department



 Subject Property



1 inch = 1,250 feet

If you have any questions regarding this map, please call the Planning Division at 407-836-5600.