



# 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 8, 2024

2:00 PM

County Commission Chambers

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24-1251     ✓Case # LUP-24-01-012

Allyson Williams, KPM Franklin, GOLF Land Use Plan; District 3 (Continued from September 24, 2024)

**Consideration:** A PD substantial change to rezone 5.11 acres from I-1 / I-5 (Industrial District) to PD (Planned Development District) with a proposed development program that will allow up to 44,518 square feet for the purpose of developing a K-12 private school with a total of 488 students. The following waiver from Orange County Code is being requested: 1. A waiver from the Orange County Code Sections 38-1272(a)(3)e to reduce the minimum required side yard building setback along the west and east PD boundary to 7 feet in lieu of the minimum required 25 feet; pursuant to Orange County Code, Chapter 30

**Location:** District 3; property generally located North of Oak Ridge Road / West of South Orange Avenue; Orange County, Florida (legal property description on file in Planning Division)

Revised Condition of Approval #16:

~~16. Prior to the Board public hearing for final consideration of this application, Developer/Applicant shall execute and record in the Public Records a Notice of Reservation reserving a cross access easement over the subject property PCN 24-23-29-3404-00-080 in favor of the two properties immediately to the north PCNs 24-23-29-3404-00-070 and 24-23-29-3404-00-071 to ensure that those properties continue to have access through the subject property to and from Oak Ridge Road. The Notice of Reservation shall reserve a cross access easement the form of which shall be attached to the Notice as Exhibit "A". Prior to recording the Notice and Exhibit(s) Developer/Applicant shall provide a draft to the County Attorney's Office for review and shall be in form and substance acceptable to the County. Developer/Applicant shall execute and record a cross access easement in substantially the same form as Exhibit "A" prior to or concurrent with any sale of transfer of the subject property.~~

16. The Schuler Family LLC, Owner, shall execute and record in the Public Records a Declaration of Cross Access Easement (Declaration) that runs with the land to ensure access from West Oak Ridge Road to the subject property (parcel identification number 24-23-29-3404-00-080, Property) and through the subject property to the two parcels to the north with the (parcel identification numbers 24-23-29-3404-00-070 and 24-23-29-3404-00-071), reviewed by the

County Attorney's Office and in form and substance acceptable to the County. The Declaration shall be recorded in the Public Records within five (5) business days after approval by the Board at its public hearing for final consideration of this application or prior to the sale of the Property to a third party whichever is sooner. A recorded copy of the Declaration shall be provided to the County as verification of compliance with this condition of approval.

New Conditions of Approval #18, #19, #20 and #21:

18. A minimum 6' high opaque PVC fence shall be provided along the eastern property line shared with the railroad.

19. A minimum 6' fence shall be provided between the school and the road to the business at the rear of the property.

20. Installation of Florida Grade #1 5-inch caliper canopy trees every 25 feet on-center abutting the property's frontage on Oak Ridge Road, except for the entrance road.

21. The schools start time shall occur at least 20 minutes before or after Cornerstone Charter Academy's start time

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan; further, approve the request to rezone 5.11 acres from I-1 / I-5 (Industrial District) to PD (Planned Development District) with a proposed development program that will allow up to 44,518 square feet for the purpose of developing a K-12 private school with a total of 488 students, subject to the seventeen (17) conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report dated September 27, 2024; further, modify Condition of Approval #16; and further, approve new Conditions of Approval #18, #19, #20, and #21. The motion carried by the following vote:

**Aye:** 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

**Absent:** 1 - Commissioner Bonilla

**THE FOREGOING DECISION HAS BEEN FILED WITH ME THIS 22ND DAY OF OCTOBER 2024.**



*J. Knight*  
for 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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