



Interoffice Memorandum

11-25-19P09 2-ARNV

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**DATE:** November 15, 2019

**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  
Planning Division *ERR*  
(407) 836-5523 or Eric.RaaschJr@ocfl.net

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

**Applicant:** James G. Willard, Shutts and Bowen, LLP

**Case Information:** Hamlin Southwest Planned Development / Land Use Plan (PD / LUP) – Case # CDR-19-03-110

**Type of Hearing:** Substantial Change

**Commission District:** 1

**General Location:** Generally located north of Porter Road, south of New Independence Parkway, west of State Road 429, and east of Avalon Road.

**BCC Public Hearing Required by:** Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207

**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 PD substantial change to create district CCM-10b, transfer 110,135 square feet of non-residential uses from Hamlin UNP/PD to CCM-10b, and reallocate 165 dwelling units to CCM-10b and convert them to 44,682 square feet of non-residential uses.

Additionally, the applicant has requested the following waivers from Orange County Code:

1. A waiver from Section 24-5 to allow the setback and frontage zones of the framework streets or alternatives as applicable within Corporate Campus Mixed Use (CCM) districts Sec. 38-1390.41 and 38-1390.51 along with the street right of way to provide the separation and buffer yard requirements between nonresidential and residential uses.

2. A waiver from Section 38-1254(2)(d) to allow a minimum rear setback of twenty-five (25) feet for residential, in lieu of the required seventy-five (75) foot setback when adjacent to expressways.
3. A waiver from Section 38-1254(2)(d) to allow a minimum rear setback of forty (40) feet for nonresidential uses, in lieu of the required sixty (60) foot setback when adjacent to expressways.
4. A waiver from Section 38-1258(a) to allow multi-family buildings to be located and meet the maximum allowable building height allowed in the Town Center Code within fifty (50) feet of any single-family residential lot, 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 a single story in height.
5. A waiver from Section 38-1258(b) to allow one hundred (100 ) percent of multi-family buildings to be located and meet the maximum allowable building height allowed in the Town Center Code within fifty (50) feet of any single-family residential lot, 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.
6. A waiver from Section 38-1258(c) to allow multi-family buildings to be located and meet the maximum allowable building height allowed in the Town Center Code within fifty (50) feet of any single-family residential lot, in lieu of multi-family buildings located within one hundred fifty (150) feet of single-family zoned property shall not exceed three (3) stories (forty (40) feet) in height.
7. A waiver from Section 38-1258(d) to allow multi-family buildings to be located and meet the maximum allowable building height allowed in the Town Center Code within fifty (50) feet of any single-family residential lot, in lieu of multi-family buildings in excess of three (3) stories (forty (40) feet) in height may be permitted, subject to approval by the Board for County Commissioners (BCC). The application for these buildings shall include justification for the requested height. A compatibility plan shall be submitted for approval, which includes greater setbacks and increased buffers to protect adjacent properties.

8. A waiver from Section 38-1258(e) to allow parking and other paved areas for multi-family development to be located to meet frontage standards of the Town Center Code and be at least ten (10) feet from any single-family property line. A ten (10) foot landscape buffer shall be provided consistent with Type D landscape buffer requirements, as set forth in Chapter 24 of the Orange County Code, in lieu of twenty-five (25) feet and a six-foot high masonry, brick, or block wall.
9. A waiver from Section 38-1258(f) to allow parking and other paved areas for multi-family development to be located to meet frontage standards of the Town Center Code and be at least ten (10) feet from any single-family property line. A ten (10) foot landscape buffer shall be provided consistent with Type D landscape buffer requirements, as set forth in Chapter 24 of the Orange County Code, in lieu of a six foot high masonry, brick, or block wall shall be constructed whenever a multi-family development is located adjacent to single-family zoned property.
10. A waiver from Section 38-1258 (g) to allow a multi-family development to access and not be fenced along any right-of-way serving platted single-family residential development, in lieu of not allowing access to any right-of-way serving platted single-family residential development.
11. A waiver from Section 38-1258(h) to allow a multi-family development to share recreation areas with other multi-family and single-family development in the Hamlin West PD and Hamlin Southwest PD when the combined recreational facilities meet the requirements of Sec. 38-1253, at time of PSP, MDP, or DP, are tracked on the subsequent PD change determination or amendment, and are provided prior to plat approval or certificate of occupancy for multi-family, in lieu of providing separate recreation areas within the multifamily development and located away from any single-family zoned property.
12. A waiver from Section 38-1258(i) to allow for a multi-family development to access and not be fenced along any right-of-way serving platted single-family residential development, in lieu of not allowing access to any right-of-way serving platted single-family residential development.
13. A waiver from Section 38-1272(a)(5) to allow a maximum height of seventy-five (75) feet permitted under the Town Center Code within one hundred (100) feet of any residential use, in lieu of a maximum height of thirty-five (35) feet within one hundred (100) feet of any residential use.
14. A waiver from Section 38-1384(f)(2) to eliminate the requirement, in lieu of all lots sixty (60) feet in width or less include a pedestrian path or walkway from the primary entrance to the sidewalk.

15. A waiver from Section 38-1384(g)(3)(b) to allow for double wide garage entries on front-loaded lots that are less than sixty-five (65) feet in width, but greater than fifty (50) feet in width, in lieu of the requirement that prohibits double-wide garage entries on all front-loaded lots of less than sixty-five (65) feet in width.
16. A waiver from Section 38-1384(i)(4) to allow front loaded garages on all lots greater than fifty (50) feet in width that face neighborhood parks and open space tracts that are less than 10,000 square feet in area, in lieu of all lots greater than fifty (50) feet in width that face neighborhood squares an parks shall be provided from a rear alley easement or from a front driveway where the garages are located at or beyond the rear wall of the primary structure.

**Material Provided:**

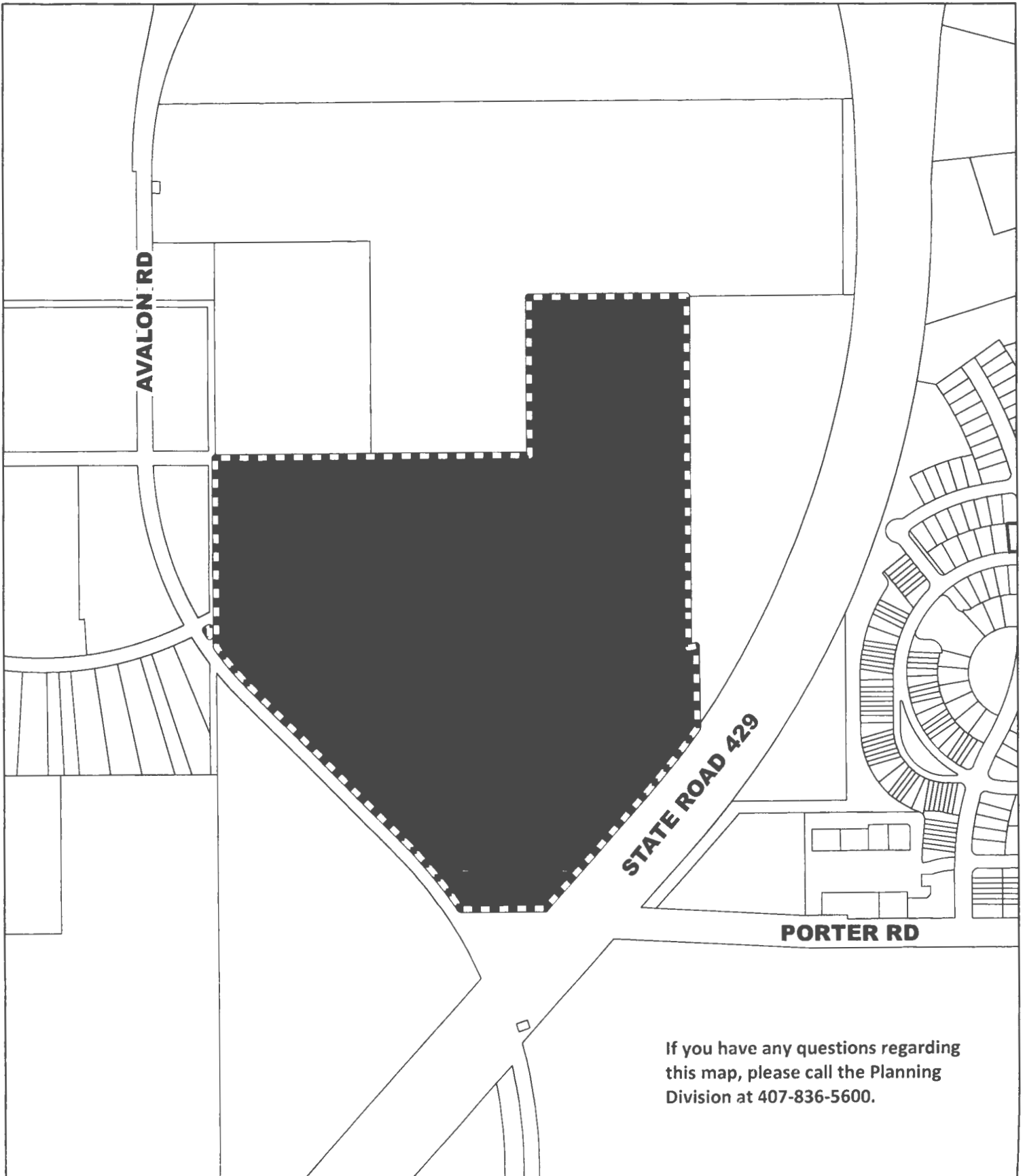
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

**Special instructions to the Clerk:**

Please place this request on the next available 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



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

 Subject Property



1 inch = 550 feet