 SEP24 19 9:47AM



**Interoffice Memorandum**

**DATE:** September 16, 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** *erm*  
**Planning Division**  
**(407) 836-5523 or Eric.RaaschJr@ocfl.net**

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

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**Applicant:** Erika Hughes, VHB, Inc.

**Case Information:** Boggy Creek Crossings Planned Development / Land Use Plan (PD / LUP)  
Case # CDR-18-12-412

**Type of Hearing:** Substantial Change

**Commission District:** 4

**General Location:** 5757 Simpson Road, or generally located at the northwest corner of Simpson Road and Boggy Creek Road.

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

LEGISLATIVE FILE # 19-1494

November 12, 2019  
@ 2pm

**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 convert 124,250 square feet of commercial uses to 336 multi-family dwelling units.

Additionally, the following ten (10) waivers are requested from Orange County Code:

1. A waiver from Section 38-79(114)e to allow detached accessory buildings be located in front of principal buildings in lieu of no detached accessory building being located in front of principal buildings.

2. A waiver from Section 38-1254(1) to allow two-story accessory buildings and two-story multi-family buildings to provide a minimum ten (10) foot setback along all boundaries of the PD, in lieu of a minimum twenty-five (25) foot setback from all boundaries of the PD with increased setbacks for structures in excess of two (2) stories to reflect the additional structural height.
3. A waiver from Section 38-1254(2)(b) to allow a minimum setback of ten (10) feet for two-story accessory buildings along the southern boundary of the PD, in lieu of thirty-five (35) feet.
4. A waiver from Section 38-1254(2)(c) to allow a minimum setback of ten (10) feet for two-story accessory buildings along the east boundary of the PD, in lieu of fifty (50) feet.
5. A waiver from Section 38-1258(a) to allow for all boundaries of the PD to allow multi-family buildings located ten (10) feet from single-family zoned property have a maximum building height of two-stories, in lieu of being restricted to single story in height.
6. A waiver from Section 38-1258(b) to allow for all boundaries of the PD to allow all multi-family buildings located one hundred and two (102) feet from single-family zoned property have a maximum building height of four (4) stories/sixty (60) feet in lieu of varying building heights with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet) in height and the remaining buildings being one (1) story or two (2) stories in height.
7. A waiver from Section 38-1258(c) to allow for all boundaries of the PD to allow multi-family buildings located one hundred and two (102) feet of single family zoned property to have a maximum building height of four (4) stories/sixty (60) feet in height, in lieu of not allowing to exceed three (3) stories (forty (40) feet) in height within 150 feet of single family zoned property.
8. A waiver from Section 38-1258(d) to allow for multi-family buildings to be four (4) stories or sixty (60) feet in height in lieu of three (3) stories or forty (40) feet.
9. A waiver from Section 38-1258(e) to allow for parking and other paved areas for multi-family development be located at least ten (10) feet from any single-family zoned property with no landscape buffer, in lieu of twenty-five (25) feet and Type C landscape buffer.

10. A waiver from Section 38-1258(j) to allow for a minimum building separation of twenty (20) feet between all multi-family buildings 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, in lieu of providing thirty (30) feet for two-story buildings and forty (40) feet for buildings three (3) stories.

**Material Provided:**

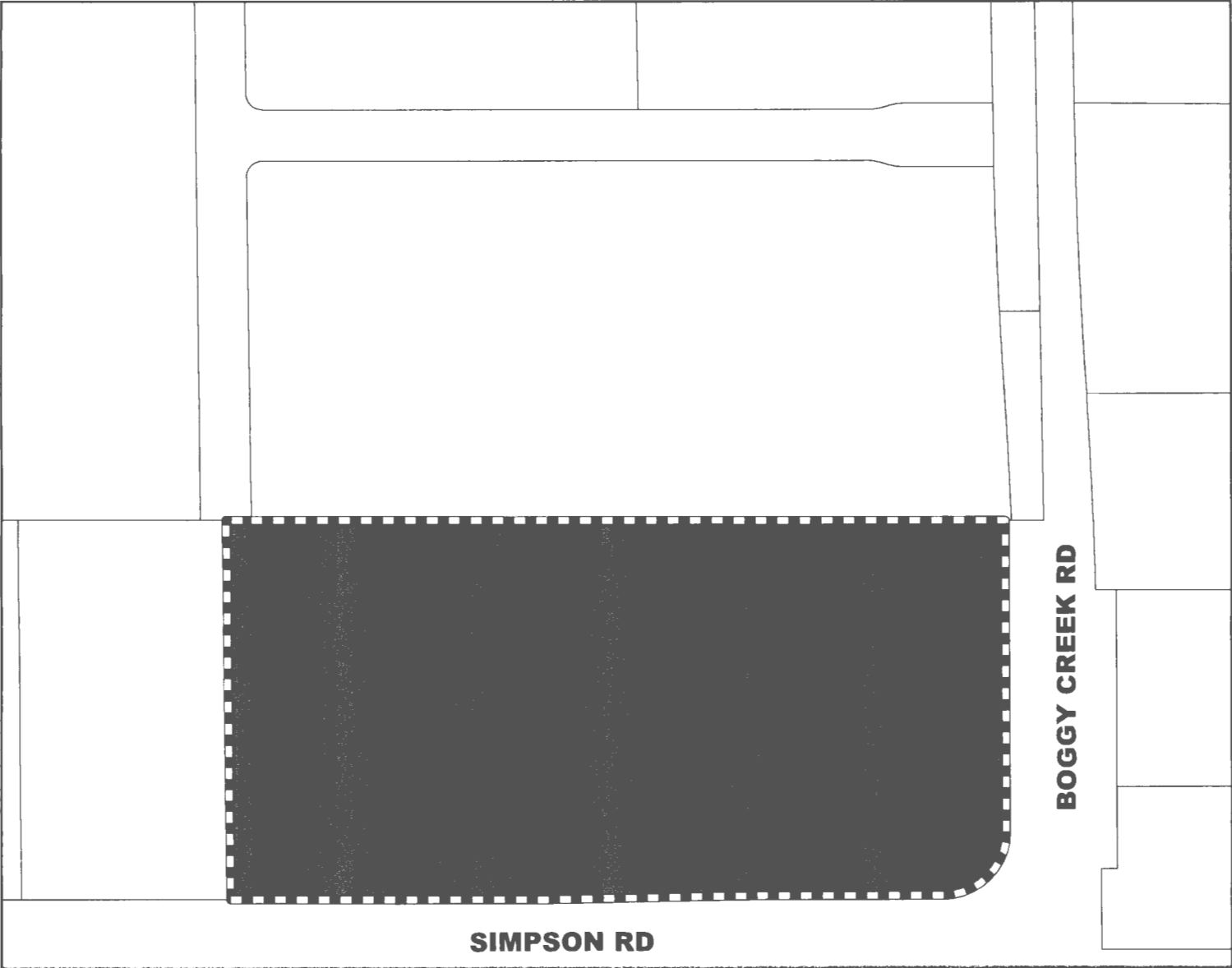
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

**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



**SIMPSON RD**

**BOGGY CREEK RD**

**ORANGE COUNTY/OSCEOLA COUNTY BOUNDARY**

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



**Subject Property**



**1 inch = 250 feet**