



Interoffice Memorandum

02-21-17P12:51 RCVD

02-21-17 P12:44 RCVD

DATE: February 21, 2017

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: John Smogor, Planning Administrator
Planning Division 407-836-5616 and
john.smogor@ocfl.net

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

Project Name: Silver Pines Planned Development / Land Use
Plan (PD / LUP) – Case # CDR-17-01-005

Type of Hearing: Substantial Change

Applicant: Ryan Von Weller, Hawthorne Park Developer,
LLC

Commission District: 6

General Location: 5300 Silver Star Road, or generally west of Pine
Hills Road, south of Silver Star Road.

**BCC Public Hearing
Required by:** Orange County Code, Chapter 30, Article III,
Section 30-89 and Orange County Code, Chapter
38, Article VIII, Division 1, Section 38-1207

LEGISLATIVE FILE # 17-230

March 21, 2017
@ 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 allow senior multi-family residential as a permitted use on "Parcel A" and convert 33,486 square feet of commercial use to 120 senior adult multi-family units. In addition, the applicant has requested the following waiver from Orange County Code:

1. A waiver from Section 38-1258(D) to allow a maximum building height of four stories or fifty-five feet (55'), in lieu of a maximum building height of three stories or forty feet (40').
2. A waiver from Section 38-1476(a) to allow 1 parking space for each apartment dwelling unit in lieu of the requirement of 1.5 parking spaces for 1 bedroom dwelling units and 2 spaces for 2 or 3 bedroom dwelling units.

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 **March 21, 2017** 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, Assistant County Administrator
Jon V. Weiss, Director, Community Environmental Development Services
Department

Legal Description
CDR-17-01-005

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE AFOREMENTIONED SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, ALONG THE NORTH LINE OF THE SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND ALONG THE CENTERLINE OF SILVER STAR ROAD, 330.0 FEET; THENCE RUN SOUTH 2 DEGREES 21 MINUTES 37 SECONDS EAST, 60.03 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SILVER STAR ROAD AND THE POINT OF BEGINNING; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 344.71 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST, 240.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 275.0 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST, 73.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 60.0 FEET; THENCE RUN NORTH 0 DEGREES 19 MINUTES 11 SECONDS WEST, 20.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 122.73 FEET TO A POINT ON THE EASTERLY LINE OF A FLORIDA POWER CORPORATION EASEMENT; THENCE RUN SOUTH 1 DEGREE 1 MINUTE 53 SECONDS EAST, ALONG THE SAID EASTERLY EASEMENT LINE, 595.73 FEET; THENCE RUN NORTH 89 DEGREES 37 MINUTES 40 SECONDS EAST, 862.19 FEET TO A POINT ON THE WESTERLY LINE OF BLOCK M, PINE HILLS MANOR NO. 3, AS RECORDED IN PLAT BOOK S, PAGE 89, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 17 DEGREES 34 MINUTES 45 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID BLOCK M, 128.89 FEET TO THE P.C. OF A CURVE CONCAVE NORTHWESTERLY, THENCE CONTINUE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID BLOCK M, AND ALONG THE AFOREMENTIONED CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1257.69 FEET A CENTRAL ANGLE OF 16 DEGREES 15 MINUTES 53 SECONDS AND A CHORD BEARING OF NORTH 9 DEGREES 26 MINUTES 49 SECONDS EAST FOR AN ARC DISTANCE OF 357.03 FEET; THENCE LEAVING THE SAID WESTERLY LINE OF BLOCK M, RUN NORTH 84 DEGREES 48 MINUTES 38 SECONDS WEST, 27.83 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST, 162.18 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 49 SECONDS EAST, 150.0 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF PINE HILLS ROAD; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 50.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 144.72 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST, 60.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 130.0 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST, 140.0 FEET TO THE POINT OF BEGINNING, SAID LANDS SITUATE, LYING AND BEING IN ORANGE COUNTY, FLORIDA;

ALSO DESCRIBED AS:

A PORTION OF LOT 1, SILVER PINES SHOPPING CENTER, AS RECORDED IN PLAT BOOK 6, PAGE 99, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 1, RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, ALONG THE RIGHT OF WAY LINE OF SILVER STAR ROAD, 344.71 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST 240.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST 275.0 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST 73.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 60.0 FEET; THENCE RUN NORTH 0 DEGREES 19 MINUTES 11 SECONDS WEST, 20.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST 122.73 FEET TO A POINT ON THE EASTERLY LINE OF A FLORIDA POWER CORPORATION EASEMENT; THENCE RUN SOUTH 1 DEGREE 1 MINUTE 53 SECONDS EAST ALONG THE SAID EASTERLY EASEMENT LINE 595.73 FEET; THENCE RUN NORTH 89 DEGREES 37 MINUTES 40 SECONDS EAST 862.19 FEET TO A POINT ON THE WESTERLY LINE OF BLOCK M, PINE HILLS MANOR, 3, AS RECORDED IN PLAT BOOK S, PAGE 89, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 17 DEGREES 34 MINUTES 45 SECONDS EAST ALONG THE WESTERLY LINE OF SAID BLOCK M, 128.89 FEET TO THE P.C. OF A CURVE CONCAVE NORTHWESTERLY; THENCE CONTINUE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID BLOCK M, AND ALONG THE AFOREMENTIONED CURVE, HAVING FOR ITS ELEMENTS A RADIUS OF 1257.69 FEET A CENTRAL ANGLE OF 16 DEGREES 15 MINUTES 53 SECONDS AND A CHORD BEARING OF NORTH 9 DEGREES 26 MINUTES 49 SECONDS EAST FOR AN ARC DISTANCE OF 357.03 FEET. THENCE LEAVING THE SAID WESTERLY LINE OF BLOCK M, RUN NORTH 84 DEGREES 48 MINUTES 38 SECONDS WEST 27.83 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST 162.18 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 49 SECONDS EAST 150.0 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE PINE HILLS ROAD; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 50.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 144.72 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST 60.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 130.0 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST, 140.0 FEET TO THE POINT OF BEGINNING, SAID LANDS SITUATE, LYING AND BEING IN ORANGE COUNTY, FLORIDA;

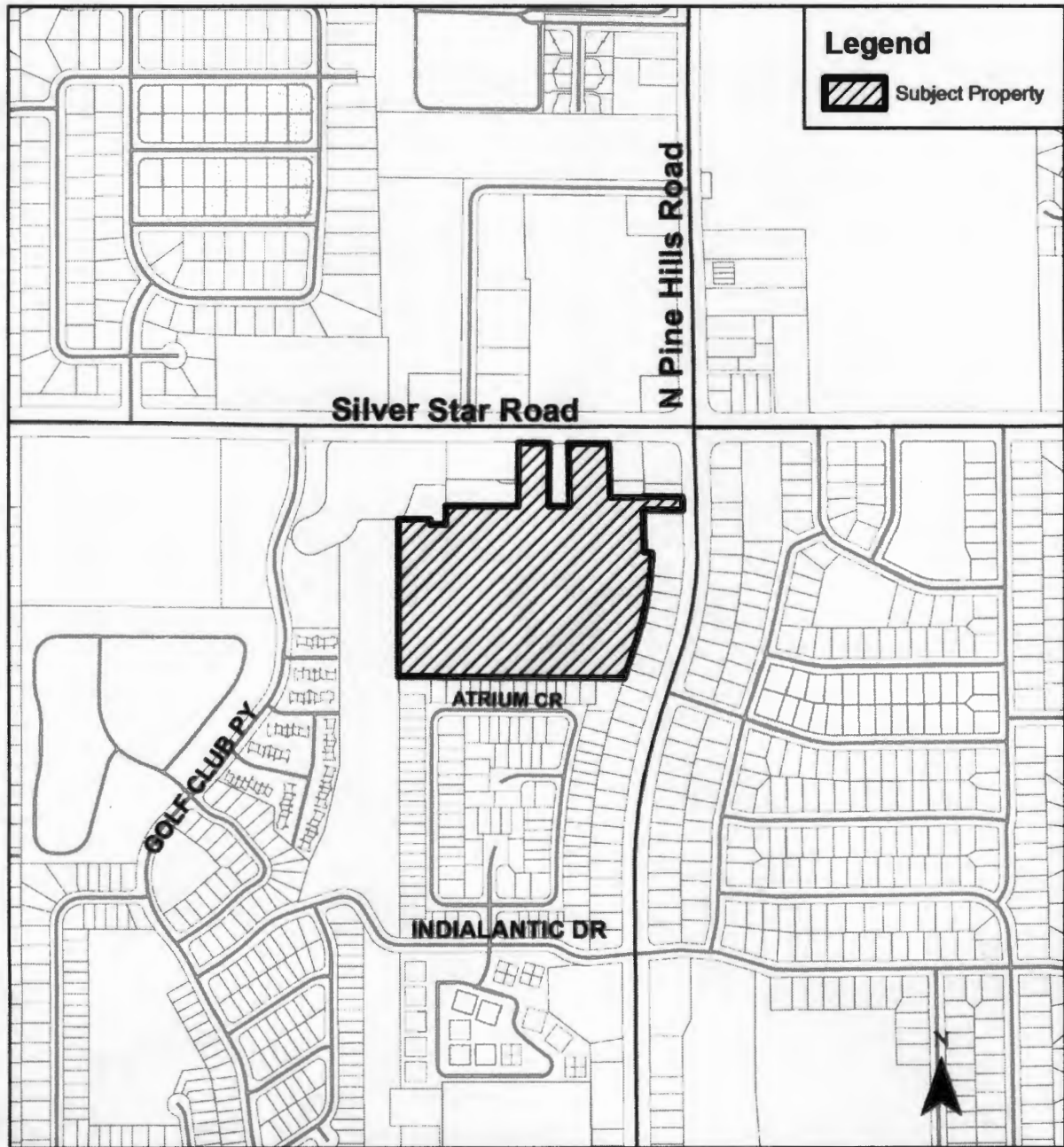
LESS AND EXCEPT FROM THE ABOVE DESCRIBED PARCEL OF LAND THAT PORTION OF SUBJECT PROPERTY CONVEYED TO CHANTHAVY NOUKED AND KOBKEUA NOUKED, HUSBAND AND WIFE, BY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 8443, PAGE 4783, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR PEDESTRIANS AND MOTOR VEHICLES FOR THE PURPOSE OF INGRESS AND EGRESS AND PARKING THEREON OVER ALL ROADS AND DRIVEWAYS LOCATED ON THE ADJACENT PROPERTY, AS PROVIDED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 2461, AT PAGE 510, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-692088-DC72, DATED SEPTEMBER 19, 2014.

Location Map

CDR-17-01-005



If you have any questions
regarding this map, please call
John Smogor at 407-836-5616.



Interoffice Memorandum

DATE: February 17, 2017

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THROUGH: Cheryl Gillespie, Supervisor,
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FROM: Alberto A. Vargas, MArch., Manager,
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CONTACT PERSON: **John Smogor, Planning Administrator** *EPK for IS.*
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LEGISLATIVE FILE # 17-288

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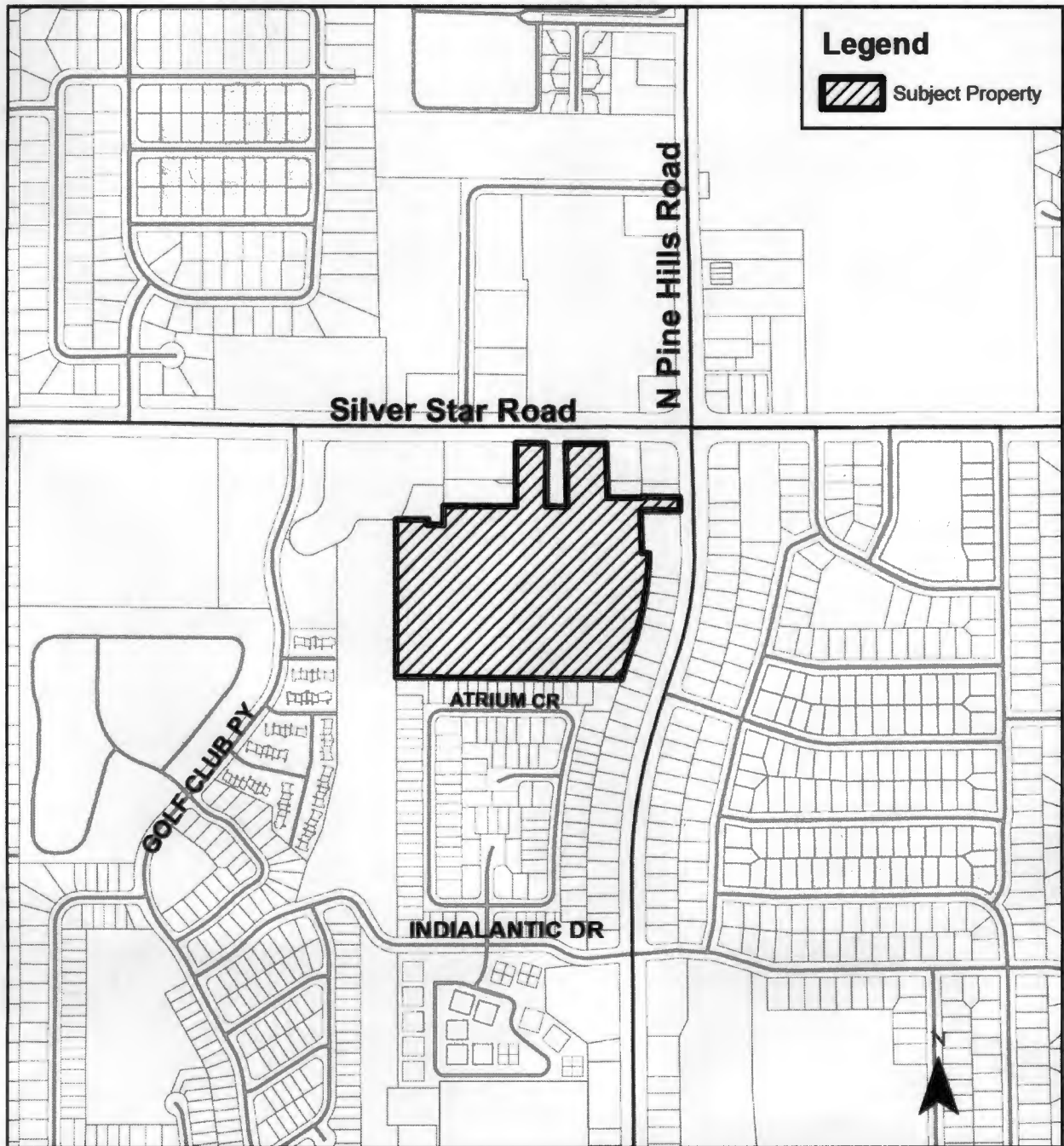
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Location Map

CDR-17-01-005



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