



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Decision Letter

Board of County Commissioners

Tuesday, June 6, 2017

2:00 PM

County Commission Chambers

17-625

Concurrent Rezoning Request

Stephen Novacki for Gary T. Randall (As Trustee)
Rezoning Case # LUP-16-12-432

Consideration: Request to rezone from Farmland Rural District (A-2) to Planned Development District (PD) (Moss Park North) to allow up to 488 residential dwelling units (single-family and multi-family) and 50,000 square feet of office/private kindergarten school/daycare uses. Also requested are eight (8) waivers from Orange County Code:

1. A waiver from Section 38-1254(2)(b) to allow for a 30-foot Major Collector Roadway setback along the southern boundary of Parcel A, in lieu of the required 35-foot Major Collector Roadway setback.
2. A waiver from Section 38-1258(a) to allow 4-story multi-family buildings [not to exceed fifty-five (55) feet in height] in Parcel A to be located seventy-five (75) feet from single-family zoned properties within the PD, in lieu of the requirement that multi-family buildings within one-hundred (100) feet of single family zoned property not exceed a height of one (single) story.
3. A waiver from Section 38-1258(b) to allow all multi-family buildings in Parcel A that are located a minimum of seventy-five (75) feet from single-family zoned properties within the PD to be 4-stories in height [not to exceed fifty-five (55) feet], in lieu of the requirement that multi-family buildings located between one hundred (100) feet and one hundred fifty (150) feet from single-family zoned properties vary in building height with a maximum of fifty (50) percent of the buildings being 3-stories [not to exceed forty (40) feet], with the remaining buildings being one (1) or two (2) stories.
4. A waiver from Section 38-1258(c) to allow 4-story multi-family buildings [not to exceed fifty-five (55) feet in height] in Parcel A to be located seventy-five (75) feet from single-family zoned properties within the PD, in lieu of the requirement that multi-family buildings in excess of 3-stories / 40-feet in height not be located within one-hundred fifty (150) feet of single-family zoned property.
5. A waiver from Section 38-1258(d) to allow 4-story multi-family buildings [not to exceed fifty-five (55) feet in height] within Parcel A, in lieu of a maximum multi-family building height of three (3) stories and forty (40) feet.
6. A waiver from Section 38-1258(e) to eliminate the requirement for a twenty-five (25) foot landscape buffer between Parcels A and B due to the presence of an existing ~100-foot wide wetland system, in lieu of the requirement that a twenty-five (25) foot landscape buffer be provided consistent with Type C landscape buffer requirements between parking and other paved areas for multi-family development adjacent to single-family zoned property.
7. A waiver from Section 38-1258(f) to eliminate the requirement for a wall between Parcels A

and B due to the presence of an existing ~100-foot wide wetland system, in lieu of the requirement that a six-foot high masonry wall be provided between multi-family and single-family zoned property.

8. A waiver from Orange County Code Section 38-1258(h) to allow for up to fifty (50) percent of the active recreation required for the multi-family development to be provided in Parcel C, adjacent to, but not within the multi-family development and located internally away from single-family zoned property.

Location: 11001 Moss Park Rd.; Generally located north of Moss Park Rd., east of SR 417, and south of Dowden Rd.; Parcel ID#s: 09-24-31-0000-00-011 and 09-24-31-0000-00-003 (Portion of); 107.78 gross ac.

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions listed in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin



**THE FOREGOING DECISION HAS BEEN FILED
WITH ME THIS 14TH DAY OF JUNE 2017.**

Katell Smith

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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