



Interoffice Memorandum

10-11-18P03:55 RCVD

DATE: October 9, 2018

TO: Katie A. Smith, Deputy Clerk of the
Board of County Commissioners,
County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor, *for [Signature]*
Agenda Development Office

FROM: Alberto A. Vargas, MArch., Manager,
Planning Division

CONTACT PERSON: Eric Raasch, Interim DRC Chairman *ERR*
Development Review Committee
Planning Division
(407) 836-5523 or Eric.RaaschJr@ocfl.net

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

NOTE: Related to consent item: RAG-18-05-018 –
"FIRST AMENDMENT TO ADEQUATE PUBLIC
FACILITIES AND RIGHT OF WAY AGREEMENT
FOR VILLAGE I, SPRING GROVE –
NORTHEAST PLANNED DEVELOPMENT
(COUNTY ROAD 545)"

Project Name: Spring Grove - Northeast Planned Development /
Land Use Plan (PD / LUP) – Case # CDR-17-10-
301

Type of Hearing: Substantial Change

Applicant: Kathy Hattaway, Poulos & Bennett, LLC

Commission District: 1

LEGISLATIVE FILE # 18-1387November 13, 2018
C 2pm

General Location: 11900 Avalon Road; or generally located east of Avalon Road, west of State Road 429, and south of Water Spring Boulevard

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

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 to change the designation for PD Parcel 26 from Apartment District (APT) to Village Home District (VHD), reduce the number of units from 353 to 221 (an overall reduction of 132 units), and modify the Adequate Public Facilities (APF) acreage contributions of each parcel (no overall change in APF acreage).

Additionally, the following waivers are being requested from Orange County Code:

1. A waiver from 34-152(c) to allow lots to front a mews, park, open space, etc. and have access via a tract or easement in lieu of the requirement that each lot shall have a minimum access width of twenty (20) feet to a dedicated public paved street;
2. A waiver from Section 38-1382(h)(4) to allow alleys to be designed as a tract in lieu of the requirement that they shall be designed as a private easement;
3. A waiver from Section 38-1384(g)(1) to allow garage access to be setback from an alley tract in lieu of an easement;
4. A waiver from Section 38-1384(g)(2) to allow detached garages without access to a rear alley tract, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot in lieu of detached garages without access to a rear alley easement, including garages with an accessory dwelling unit, shall be located a minimum of five (5) feet from side and rear property lines, and shall be no closer than ten (10) feet to any other detached structure on the same lot;
5. A waiver from Section 38-1384(i)(2) to allow vehicular access to garages or other off-street parking to be from a rear alley tract in lieu of an easement; and
6. A waiver from Section 30-714(c) to allow the project to proceed beyond 5% of the approved PD entitlements, as defined in the recorded APF Agreement for the property, as may be amended, subject to the following conditions: (1) a minimum 2.07 acres of APF Lands shall be conveyed to the County prior to the said 5% threshold being reached; and (2) the plat for phase 2 (as shown on the PSP) shall not be recorded until at least 8.39 acres of APF Lands, in the aggregate, have been conveyed to the County from the project. Provided, however, the foregoing condition (2) shall not apply if, prior to the recording of the plat for Phase 2 of the project (as shown on the PSP), the property owner and Orange County Public Schools have identified in writing an alternate location for the school site shown on this Land Use Plan and such alternate location is zoned for a school site or is the subject of a rezoning application to allow for such alternate school site and the rezoning application has met the County's minimum standards for sufficiency and been accepted by the County for processing. The foregoing is in lieu of the requirement that a minimum 8.39 acres of APF Lands be conveyed prior to the 5% threshold being reached.

Material Provided:

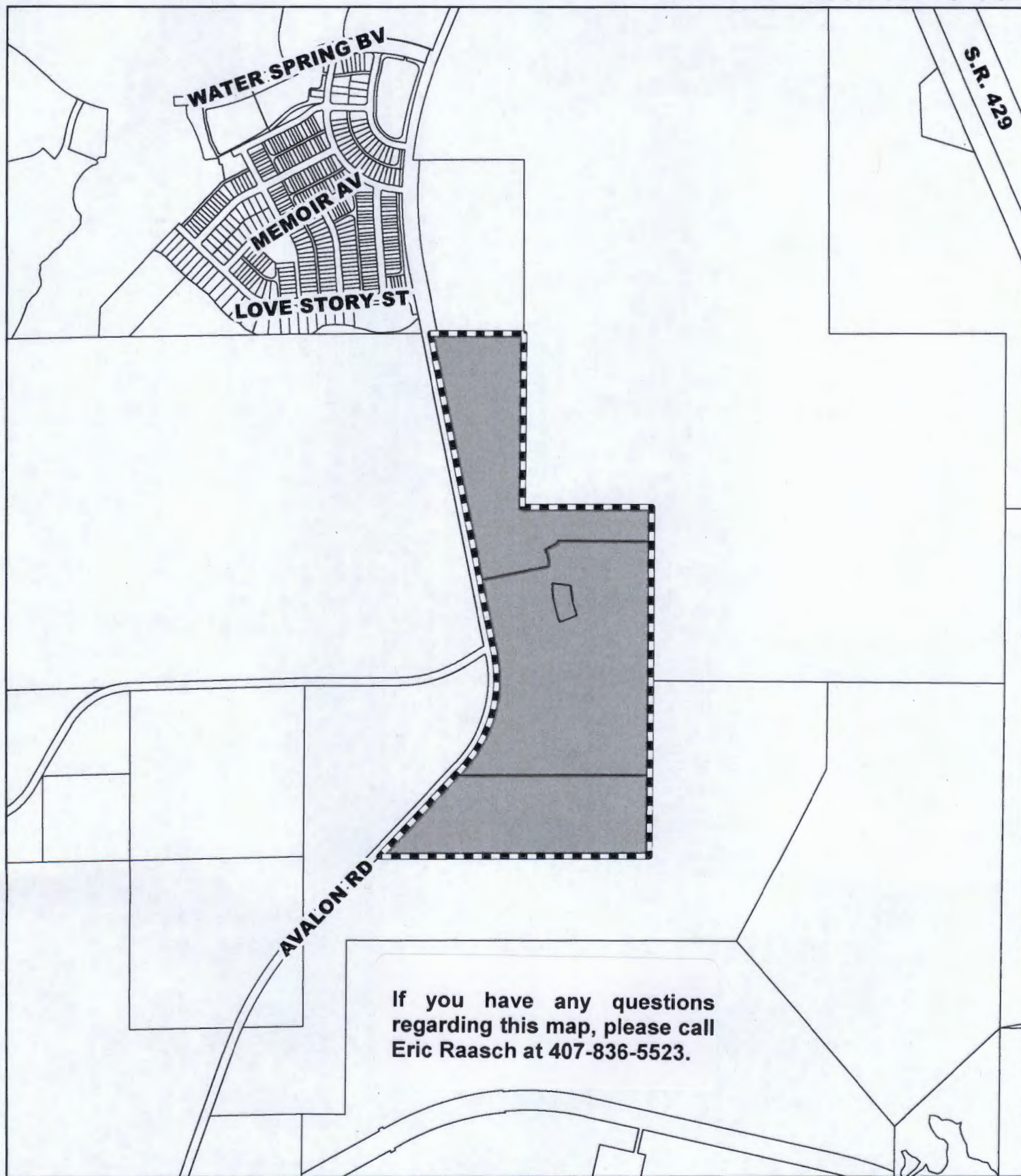
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).


Special instructions to the Clerk:

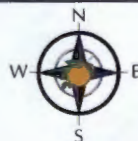
Please place this request on the **November 13, 2018** BCC agenda. Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachment (location map)

c: Chris R. Testerman, AICP, Assistant County Administrator
Jon V. Weiss, Director, Community Environmental Development Services
Department



 Subject Property



1 inch = 1,000 feet