



Orange County Government

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

Decision Letter

Board of County Commissioners

Tuesday, November 13, 2018

2:00 PM

County Commission Chambers

18-1387

Substantial Change

Kathy Hattaway, Poulos & Bennett, LLC, Spring Grove - Northeast Planned Development / Land Use Plan (PD / LUP), Case # CDR-17-10-301, amend plan; District 1

Consideration: A PD substantial change request 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

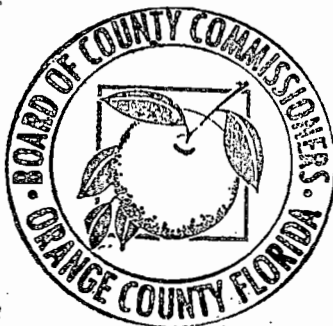
being reached; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1, property located at 11900 Avalon Road; or generally located east of Avalon Road, west of State Road 429, and south of Water Spring Boulevard; Orange County, Florida (legal property description on file in Planning Division)

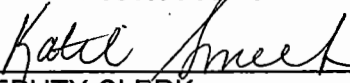
A motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report; and further, approval and execution of First Amendment to Adequate Public Facilities and Right of Way Agreement for Village I, Spring Grove - Northeast Planned Development (County Road 545) by and among Spring Grove, LLC, Columnar Partnership Holding I, LLC, KHOV Winding Bay II, LLC, and Orange County to amend the terms to include a new party to the agreement, adjust the Conveyance Schedule, and change the obligation from initial plat. The motion carried by the following vote:

Aye: 6 - Commissioner Love, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, Commissioner Thompson, and Commissioner Siplin

Absent: 1 - Mayor Jacobs



THE FOREGOING DECISION HAS BEEN FILED WITH
ME THIS 16TH DAY OF NOVEMBER 2018.



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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