Interoffice Memorandum



DATE:

December 11, 2018

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, Interim DRC Chairman

Development Review Committee Planning Division (407) 836-5523 or

Eric.RaaschJr@ocfl.net

SUBJECT:

Request for Board of County Commissioners

(BCC) Public Hearing

Project Name:

Waterleigh Planned Development / Land Use Plan

(PD / LUP) - Case # CDR-18-03-073

Type of Hearing:

Substantial Change

Applicant:

Adam Smith, VHB, Inc.

Commission District:

1

General Location:

Generally west of the intersection C.R 545 (Avalon

Road) and Flamingo Crossings 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

LEGISLATIVE FILE # 19-138

100 C Sun

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 revise the conceptual layout for the Village Center, request conditional uses for the Village Center, eliminate parcels 10, 14, and 23, and update the unit counts and acreages for parcels 11, 13, 24, 25, 26, 27, 30, and 31.

Additionally, the applicant has requested the following three (3) waivers from Orange County Code:

- 1. A waiver from Section 38-1389(d)(3)(g) to allow 70% of the build-to-line to be by landscaped street walls, in lieu of 50% for public street frontages. The total requirement for buildings and street walls will remain at 70% per code.
- 2. A waiver from Section 38-1389(d)(4)(d) to allow for no maximum parking lot frontage within the Village Center, in lieu of 65' for major local streets and 200' for other streets.

3. A waiver from Section 38-1389(d)(4)(h) to allow parking in the front of buildings in areas where the building face addresses the major external streets in lieu of parking in the rear and sides of buildings.

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, Assistant County Administrator
Jon V. Weiss, Director, Community Environmental Development Services
Department

PARCEL 3 (ORB. 7975, PG.1223)

THE FOLLOWING DESCRIBED REAL PROPERTY SITUATE, LYING AND BEING IN ORANGE COUNTY, FLORIDA:

THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, LESS ROAD ON SOUTH,LESS ROAD ON WEST, AND ALSO LESS THE PROPERTY TAKEN IN AND BY VIRTUE OF THAT CERTAIN ORDER OF TAKING RECORDED NOVEMBER 20, 2001 IN OFFICIAL RECORDS BOOK 6395, PAGE 5891, ORANGE COUNTY, FLORIDA, AND COMPRISING THE FOLLOWING DESCRIBED PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, TO

COMMENCE AT A NAIL AND DISK STAMPED "BOYLE ENGINEERING", MARKING THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST; THENCE S 89' 50' 06" W, ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 2650.33 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 8, SAID CORNER BEING A 5/8" IRON ROD (NO IDENTIFICATION NUMBER); THENCE S 00' 25' 36" W, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 8, A DISTANCE OF 2602.16 FEET TO A POINT 20.00 FEET NORTHERLY OF, WHEN MEASURED AT RICHT ANGLES, TO THE NORTHERLY RICHT-OF-WAY LINE OF HARTZOG ROAD, AS RECORDED IN DEED BOOK 443, PAGE 312, OF THE PUBLIC RECORDS OF DRANGE COUNTY, AND THE POINT OF BEGINNING; THENCE S 89' 53' 40" W, PARALLEL WITH SAID NORTHERLY RICHT-OF-WAY LINE OF HARTZOG ROAD, A DISTANCE OF 285.81 FEET; THENCE N 00' 06' 20" W, A DISTANCE OF 11.00 FEET; THENCE S 89' 53' 40" W, PARALLEL WITH SAID NORTHERLY RICHT-OF-WAY LINE OF HARTZOG ROAD A DISTANCE OF 11.00 FEET; THENCE S 89' 53' 40" W, A DISTANCE OF 590.88 FEET; THENCE N 51' 12' 47" W, A DISTANCE OF 43.89 FEET TO THE EASTERLY RICHT-OF-WAY LINE OF COUNTY ROAD 545 (AVALON ROAD), AS RECORDED IN DEED BOOK 402, PAGE 355, OF THE PUBLIC RECORDS OF ORANGE COUNTY; THENCE S 00' 28' 47" E, ALONG THE EASTERLY RICHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 545 (AVALON ROAD), A DISTANCE OF 47.56 FEET; THENCE N 89' 53' 40" E, ALONG THE NORTHERLY RICHT-OF-WAY LINE OF SAID FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 8, THENCE N 00' 19' 04" E, ALONG THE NORTHERLY RICHT-OF-WAY LINE OF THE EAST 530 FEET OF THE SOUTHWEST TO THE NORTHEAST 1/4 OF SAID SECTION 8, THENCE N 00' 19' 04" E, ALONG THE MEST LINE OF THE EAST 530 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADUS OF 2750.00 FEET AND A CENTRAL ANGLE OF 02' 31' 56'; THENCE FROM A CHORD BEARING OF N 31' 50' 09" W, NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 121.54 FEET; THENCE S 24' 10' 01" W, DEPARTING SAID CURVE, A DISTANCE OF 158.90 FEET TO A POINT 20.00 FEET NORTHERLY OF, WHEN MEASURED AT RICHT ANGLES TO THE POINT O

PARCEL 4

THE FOLLOWING DESCRIBED PROPERTY SITUATE. LYING AND BEING IN ORANGE COUNTY, FLORIDA:

THE SW 1/4 OF NE 1/4 (LESS EAST 530 FEET AND LESS THE SOUTH 30 FEET FOR ROAD) IN SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LESS THAT PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION B. TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, LYING NORTH AND EAST OF "PARCEL 108" DESCRIBED IN THAT CERTAIN ORDER OF TAKING RECORDED NOVEMBER 20, 2001 IN OFFICIAL RECORDS BOOK 6395, PAGE 5891, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

THE FOLLOWING DESCRIBED PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, TO WIT:

COMMENCE AT A NAIL AND DISK STAMPED "BOYLE ENGINEERING", MARKING THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, S 89° 50' 06" W, ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 2650.33 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 8, SAID CORNER BEING A 5/8" IRON ROD (NO IDENTIFICATION NUMBER); THENCE S 00° 25' 38" W, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 8, A DISTANCE OF 1326.08 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 8; THENCE N 89° 51' 53" E, ALONG NORTHMEST CORNER OF THE SOUTHMEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION B; THENCE N B9' 51' 53" E, ALONG THE NORTHEAST 1/4 OF SAID SECTION B; THENCE OF 57.52 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N B9' 51' 53" E, ALONG THE NORTH LINE OF THE SOUTHMEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION B A DISTANCE OF 57.52 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE N B9' 51' 53" E, ALONG THE NORTH LINE OF THE SOUTHMEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION B, A DISTANCE OF 225.84 FEET TO A POINT ON THE MEST LINE OF THE EAST 530 FEET OF THE SOUTHMEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION B; THENCE S 00' 19' 04" W, ALONG THE MEST LINE OF THE EAST 530 FEET OF THE SOUTHMEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION B, A DISTANCE OF 1021.44 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHMESTERLY, HAVING A RADIUS OF 2750.00 FEET AND A CENTRAL ANGLE OF 05' 06' 08"; THENCE FROM A CHORD BEARING OF N 33" 07' 15" W. NORTHMESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 244.89 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 35' 40' 19" W, A DISTANCE OF 35.95 FEET TO THE POINT OF CURVE TURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 2750.00 FEET AND A CENTRAL ANGLE OF 05' 20' 33"; THENCE FROM A CHORD BEARING OF N 29' 39' 02' W, NORTHMESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 620.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 29' 39' 02' W, NORTHMESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 620.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 29' 39' 02' W, NORTHMESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 620.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 29' 39' 02' W, NORTHMESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 620.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 29' 39' 02' W, NORTHMESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 620.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 29' 39' 02' W, NORTHMESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 620.46 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE N 29' 39' 02'

THE FOLLOWING DESCRIBED PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA, TO WIT:

COMMENCE AT A NAIL AND DISK STAMPED "BOYLE ENGINEERING", MARKING THE NORTHEAST CORNER OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST; THENCE S 89° 50' 06" W, ALONG THE NORTH LINE OF SAID SECTION 8, A DISTANCE OF 2650.33 FEET TO THE NORTH 1/4 CORNER OF SAID SECTION 8, SAID CORNER BEING A 5/8" IRON ROD (NO IDENTIFICATION NUMBER); THENCE S 00° 25' 36" W, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 8, A DISTANCE OF 2602.16 FEET TO A POINT 20.00 FEET NORTHERLY OF, WHIEN MEASURED AT RIGHT ANGLES, TO THE NORTHERLY RIGHT—OF—WAY LINE OF HARTZOG ROAD, AS RECORDED IN DEED BOOK 443, PAGE 312, OF THE PUBLIC RECORDS OF ORANGE COUNTY, AND THE POINT OF BEGINNING; THENCE S 89' 53' 40" W, PARALLEL WITH SAID NORTHERLY RIGHT—OF—WAY LINE OF HARTZOG ROAD, A DISTANCE OF 285.81 FEET; THENCE N 00' 06' 20" W, A DISTANCE OF 11.00 FEET; THENCE S 89' 53' 40" W, PARALLEL WITH SAID NORTHERLY RIGHT—OF—WAY LINE OF HARTZOG ROAD A DISTANCE OF 10.00 FEET; THENCE S 89' 53' 40" W, A DISTANCE OF 590.88 FEET. THENCE N 51' 12' 47" W A DISTANCE OF 43 89 FFFT TO THE FASTERLY RIGHT—OF—WAY LINE OF COUNT ROAD NO. FEET. THENCE N 51'12' 47" W. A DISTANCE OF 43.89 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF COUNT ROAD NO. FEET; THENCE N 51°12' 47" W, A DISTANCE OF 43.89 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF COUNT ROAD NO. 545 (AVALON ROAD), AS RECORDED IN DEED BOOK 402, PAGE 355, OF THE PUBLIC RECORDS OF ORANGE COUNTY; THENCE S 00°28' 47" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID COUNTY ROAD NO. 545 (AVALON ROAD) A DISTANCE OF 47.56 FEET; THENCE N 89°53' 40" E, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HARTZOG ROAD, A DISTANCE OF 2010.48 FEET TO A POINT ON THE WEST LINE OF THE EAST 530 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION B; THENCE N 00'19' 04" E, ALONG THE WEST LINE OF THE EAST 530 FEET OF THE EAST 530 FEET OF THE SOUTHWEST 1/4 OF SAID SECTION B, A DISTANCE OF 61.48 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 2750.00 FEET AND A CENTRAL ANGLE OF 02' 31' 56"; THENCE FROM A CHORD BEARING OF N 31' 50' 09"W, NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 121.54 FEET; THENCE S 24' 10' 07' W, DEPARTING SAID CURVE, A DISTANCE OF 158.90 FEET TO A POINT 20.00 FEET NORTHERLY OF, WHICH MEASURDS AT RICHT ANGLES TO THE NORTHERLY RICHT OF-WAY LINE OF SAID HARTZOG ROAD: THENCE S 82' 53' WHEN MEASURED AT RIGHT ANGLES TO THE NORTHERLY RIGHT—OF-WAY LINE OF SAID HARTZOG ROAD; THENCE S 89' 53' 40" W, A DISTANCE OF 671.15 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN SECTIONS 7 & 8, TOWNSHIP 24 SOUTH, RANGE 27 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF TREACT LS-2. WATERLEICH PHASE 2A, ACCORDING TO THE PLAT THEREOF AS RECORDED IN FLAT BOOK 92.
BACES & THROUGH TE OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORICA THEMES THEN SOUTH 472104 EAST, ALONG THE WESTERLY, UNE OF SAD TRACT LS-2. A DISTANCE OF 199.67 FEET TO A POINT ON THE WEST REALDORD RICHT-OF-WAY LINE OF AVALON ROAD, COUNTY ROAD, NO. 545
ACCORDING TO THE PUBLY—OF-WAY MAP PREPARED BY DONALD W. MINISTERS AND POINT LES ON A NON-TANGENT CURVE CONCAVE WESTERLY.
HENCE RUN ALONG SAD WEST RICHT-OF WAY LINE THE FOLLOWING COURSES: "THENCE SOUTHERLY ALONG SAID KINN-TANGENT CURVE. HAVING A
RADIUS OF 9940.00 FEET, A CENTRAL ANCLE OF 0153'49", AN ARC LENGTH OF 329.07 FEET, A CHORD LENGTH OF 329.06 FEET AND A CHORD
BEARING OF SOUTH 074916" WEST TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY, THENCE RUN SOUTHERLY ALONG SAID
CURVE, HAVING A RADIUS OF 10060.00 FEET, A CENTRAL ANGLE OF 041241", AN ARC LENGTH OF 7.39 44 FEET, A CHORD LENGTH OF 739.27 FEET, A CHORD BEARING OF SOUTH OT3950" WEST TO THE POINT OF THE SOUTHWEST OURRIER OF AS AD SECTION 8. THENCE RUN SOUTH BOSD'S O'WEST TO THE SOUTHWEST OURRIER OF AND A CHORD BEARING OF SOUTH OT3950" WEST TO THE POINT OF THE NORTHWEST OURRIER OF SAID SECTION 8. THENCE RUN SOUTH BOSD'S O'WEST, ALONG
ON THE SOUTH LINE OF THE NORTHEAST OUAR TER OF THE SOUTHWEST OUARTER OF T

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY. FLORIDA AND CONTAINS 38.37 ACRES MORE OR LESS.

CDR-18-03-073





