



Interoffice Memorandum

DATE: October 18, 2021

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, DRC Chairman
Development Review Committee *erm*
Planning Division
(407) 836-5523 or Eric.RaaschJr@ocfl.net

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

Applicant: Erika Hughes, VHB, Inc.

Case Information: Ward Property Planned Development / Land Use
Plan (PD / LUP) – Case # CDR-20-08-238

Type of Hearing: Substantial Change

Commission District: 4

General Location: South of Lake Nona Boulevard / West of Boggy
Creek Road

**BCC Public Hearing
Required by:** 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 update the entitlements to include 762 multi-family units; 188 townhomes; 58 Senior Housing units; 150,000 square feet of retail uses; and 150,000 square feet of office uses; and adjust lot acreages. Additionally, the following waivers from Orange County Code are requested:

- a. A waiver from Section 38-1254(1) to allow multi-family buildings at a maximum building height of five (5) stories/sixty (60) feet to provide a minimum twenty-five (25) feet setback, in lieu of structures in excess of two (2) stories increasing this setback to reflect the additional structural height.
- b. A waiver from Section 38-1258(a) to allow multi-family buildings located within one hundred (100) feet of single-family residential property internal to the PD to have a maximum building height of five (5) stories/sixty (60) feet, in lieu of being restricted to a single story in height.

- c. A waiver from Section 38-1258(b) to allow multi-family buildings located within one hundred plus (100+) feet to one hundred fifty (150) feet of a single-family residential property internal to the PD to have a maximum building height of five (5) stories/sixty (60) feet, in lieu of having varying building heights with a maximum of fifty (50) percent of the buildings being three (3) stories (not to exceed forty (40) feet in height and the remaining buildings being one (1) story or two (2) stories in height.
- d. A waiver from Section 38-1258(j) is requested to allow for a minimum building separation of twenty (20) feet between multi-family buildings internal to the PD where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings, in lieu of providing thirty (30) feet for two-story buildings and forty (40) feet for three-story buildings.
- e. A waiver from Section 38-1272(a)(5) is requested to allow a maximum building height of sixty (60) feet, in lieu of fifty (50) feet, for any portion of the proposed Senior Housing/Assisted Living Facility which is not within one hundred (100) feet of any residential. The maximum building height shall remain at the code maximum of thirty-five (35) feet for any portion of the proposed Senior Housing/Assisted Living Facility which is within one hundred (100) feet of any residential.
- f. A waiver from Section 38-1258(d) is requested to allow multi-family buildings to have a maximum building height of sixty (60) feet or five (5) stories in lieu of forty (40) feet or three (3) stories in height.

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, Deputy County Administrator
Jon V. Weiss, Director, Planning, Environmental, and Development Services
Department

Ward Property PD/CDR-20-08-238

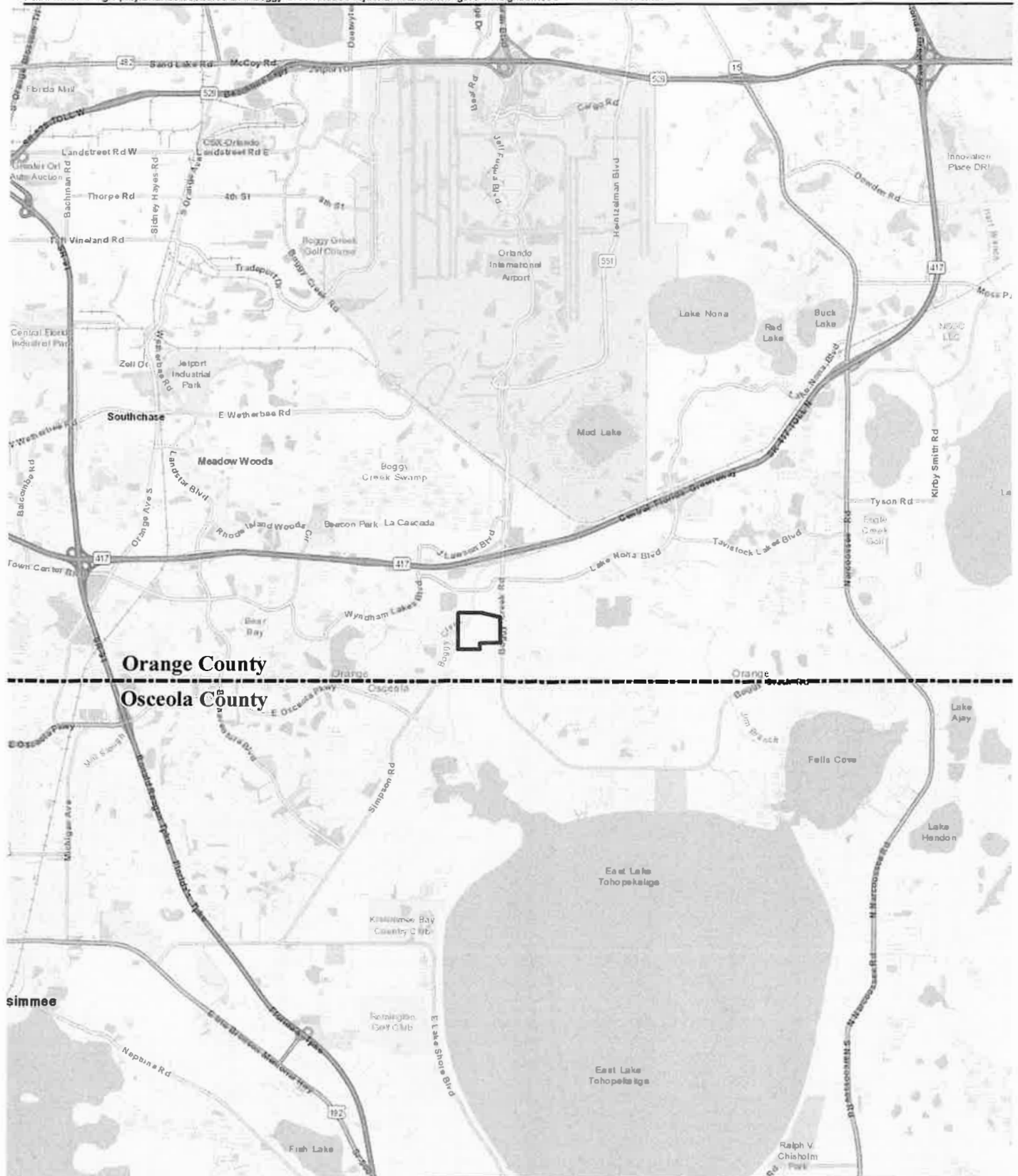
Legal Description

A portion of land lying in the East half of Section 33, Township 24 South, Range 30 East, Orange County, Florida. Said lands being more particularly described as follows:

Commence at the northeast corner of the southeast quarter of said Section 33, thence along the North line of the southeast quarter of said Section 33, North 89° 51' 08" West, 90.02 feet to a point on the westerly right of way line of Boggy Creek Road, as it now exists, per the Right of Way Map for Boggy Creek Road, Capital Improvement Project 5085, District No. 4, Orange County, Florida, said point also being the POINT OF BEGINNING; thence leaving said North line, run along said westerly right of way line, South 00° 57' 50" East, 509.10 feet to a point on the South line of the South 32 feet of the North 509 feet of the northeast quarter of the southeast quarter of said Section 33; thence leaving said westerly right of way line run along said South line, North 89° 51' 08" West, 955.26 feet; thence leaving said South line, run South 00° 37' 25" West, 6.00 feet; thence North 89° 51' 08" West, 270.00 feet to a point on the West line of the East half of the southeast quarter of said Section 33; thence along said West line, South 00° 38' 24" East, 382.61 feet to a point on the North line of the South 517 feet of the northwest quarter of the southeast quarter of said Section 33; thence leaving said West line, run along said North line, North 89° 54' 41" West, 1317.59 feet to a point on the West line of the East half of said Section 33; thence leaving said North line, run along said West line, North 00° 19' 01" West, 2218.05 feet to a point on the North line of the South half of the northeast quarter of said Section 33; thence leaving said West line, run along said North line, South 89° 47' 02" East, 1503.42 feet; thence leaving said North line, run South 00° 12' 58" West, 17.50 feet; thence South 76° 31' 26" East, 1049.97 feet to a point on the aforementioned westerly right of way line of Boggy Creek Road; thence along said westerly right of way line, South 00° 58' 17" East, 1057.90 feet to the POINT OF BEGINNING.

Said lands contains 114.687 acres, more or less.

Path: \\vhb.com\gis\proj\Orlando\63520.00 DHI-Boggy Creek Road\Project\CPA Exhibits\Figure 1 Neighborhood Aerial 2021.06.08.mxd



225 East Robinson Street, Suite 300
Orlando, Florida 32801 | 407.839.4006

Ward Property PD/CDR-20-08-238

Location Map

June 2021

Figure 1

0 0.75 1.5
Miles

