




Interoffice Memorandum

09-12-14P12:36 RCVD 

DATE: September 12, 2014

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: John Smogor, Development Review Committee Chairman, Planning Division 407-836-5616 and [John.Smogor@ocfl.net](mailto:John.Smogor@ocfl.net)**

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

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Project Name: Zen Luxury Living Planned Development / Land Use Plan (PD/LUP), Case # LUP-14-01-005

Type of Hearing: Rezoning Public Hearing

Applicant: Jennifer Stickler, P.E. – Kimley-Horn and Associates, Inc.

Commission District: 1

General Location: 10463 Perrihouse Acres Lane; generally located north of Perrihouse Acres Lane and east of Winter Garden Vineland Road (CR 535), immediately north and west of the existing Grand Cypress Golf Course

10-2

**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, Email: lourdes.o'farrill@ocfl.net 407-836-5686

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, 407-836-5684.836-5686

**Advertising Language:**

The applicant is seeking to extract 13.83 acres from the existing Perrihouse I Planned Development (PD), to convey 0.45 acres of the extracted property to Orange County for a new and realigned segment for Vista Oaks Court right-of-way; and to rezone the remaining 13.38 acres of the extracted property into the proposed Zen Luxury Living PD. As part of the request, existing development entitlements for 32 single-family detached residential units and an existing 140 foot high telecommunications tower would be converted and increased into 231 attached multi-family residential units and an existing 140 foot high telecommunications tower.

The request also includes the following six (6) waivers from Orange County Code:

- 1) A waiver from Orange County Code Section 38-1258(a) to allow for a maximum height of four (4) stories and sixty (60) feet for multi-family residential buildings located within one hundred (100) feet of single family zoned property (as measured from the property line of the proposed multi-family development to the nearest property line of single family zoned property); in lieu of a maximum height of a single story when multi-family residential buildings are located within one hundred (100) feet of single family zoned property.
- 2) A waiver from Orange County Code Section 38-1258(b) to allow for a maximum height of four (4) stories and sixty (60) feet for multi-family residential buildings located greater than thirty-five (35) feet of single family zoned property, in lieu of the varying maximum multi-family building height requirements that limit fifty percent (50%) of the buildings to three (3) stories and forty (40) feet, with the remaining buildings being one (1) story or two (2) stories, when the multi-family buildings are located between one-hundred (100+) feet to one hundred-fifty (150) feet of single family zoned property.
- 3) A waiver from Orange County Code Section 38-1258(c) to allow a maximum height of four (4) stories and sixty (60) feet for multi-family residential buildings located greater than thirty-five (35) feet of single family zoned property, in lieu of a maximum height of three (3) stories and forty (40) feet when the multi-family buildings are located within one hundred fifty (150) feet of single family zoned property.
- 4) A waiver from Orange County Code Section 38-1258(d) to allow a maximum height of four (4) stories and sixty (60) feet in height, in lieu of a maximum height of three (3) stories and forty (40) feet in height.
- 5) A waiver from Orange County Code Section 38-1258(e) to allow parking and other paved areas for multi-family development to be located at least ten (10) feet from any single family zoned property, in lieu of the requirement that parking and other paved areas for multi-family development be located at least twenty-five (25) feet from any single family zoned property.
- 6) A waiver from Orange County Code Section 38-1258(g) to allow for multi-family development to directly access a right-of-way serving platted single-family residential development, in lieu of not allowing a multi-family

development to directly access a right-of-way serving platted single-family residential development.

**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 schedule this public hearing for **October 21, 2014**. 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

# LEGAL DESCRIPTION

## DESCRIPTION:

(PD TRACT)

A PORTION OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 3, VISTA OAKS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 17, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N00°00'00"E ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 21.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°00'00"E ALONG SAID WEST LINE OF LOT 3, A DISTANCE OF 90.68 FEET; THENCE RUN N00°54'54"E ALONG THE EAST RIGHT OF WAY LINE OF STATE ROAD No. 535 AS RECORDED IN OFFICIAL RECORDS BOOK 4909, PAGE 1837, ORANGE COUNTY, FLORIDA, A DISTANCE OF 59.74 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 30.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°05'06", AN ARC DISTANCE OF 46.64 FEET, HAVING A CHORD BEARING OF N45°27'27"E AND A CHORD DISTANCE OF 42.09 FEET; THENCE RUN N90°00'00"E, A DISTANCE OF 271.21 FEET; THENCE RUN N00°00'00"W, A DISTANCE OF 92.08 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF CENTURION COURT OF SAID PLAT OF VISTA OAKS, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 50.00 FEET; THENCE FROM A RADIAL BEARING OF N37°05'44"W, RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE THROUGH A CENTRAL ANGLE OF 27°55'55", AN ARC DISTANCE OF 24.38 FEET, HAVING A CHORD BEARING OF N38°56'18"E AND A CHORD DISTANCE OF 24.13 FEET; THENCE RUN S65°01'39"E ALONG THE NORTH LINE OF LOT 4 OF VISTA OAKS, A DISTANCE OF 327.45 FEET; THENCE RUN N00°00'25"W ALONG THE EAST LINE OF THE PLAT OF VISTA OAKS, A DISTANCE OF 590.18 FEET; THENCE RUN S73°19'13"E, A DISTANCE OF 260.99 FEET; THENCE RUN N89°58'46"E, A DISTANCE OF 409.03 FEET; THENCE RUN S00°00'02"E, A DISTANCE OF 667.02 FEET; THENCE RUN S89°57'28"W, A DISTANCE OF 1273.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 13.155 ACRES, MORE OR LESS.

TOGETHER WITH A DRAINAGE TRACT:

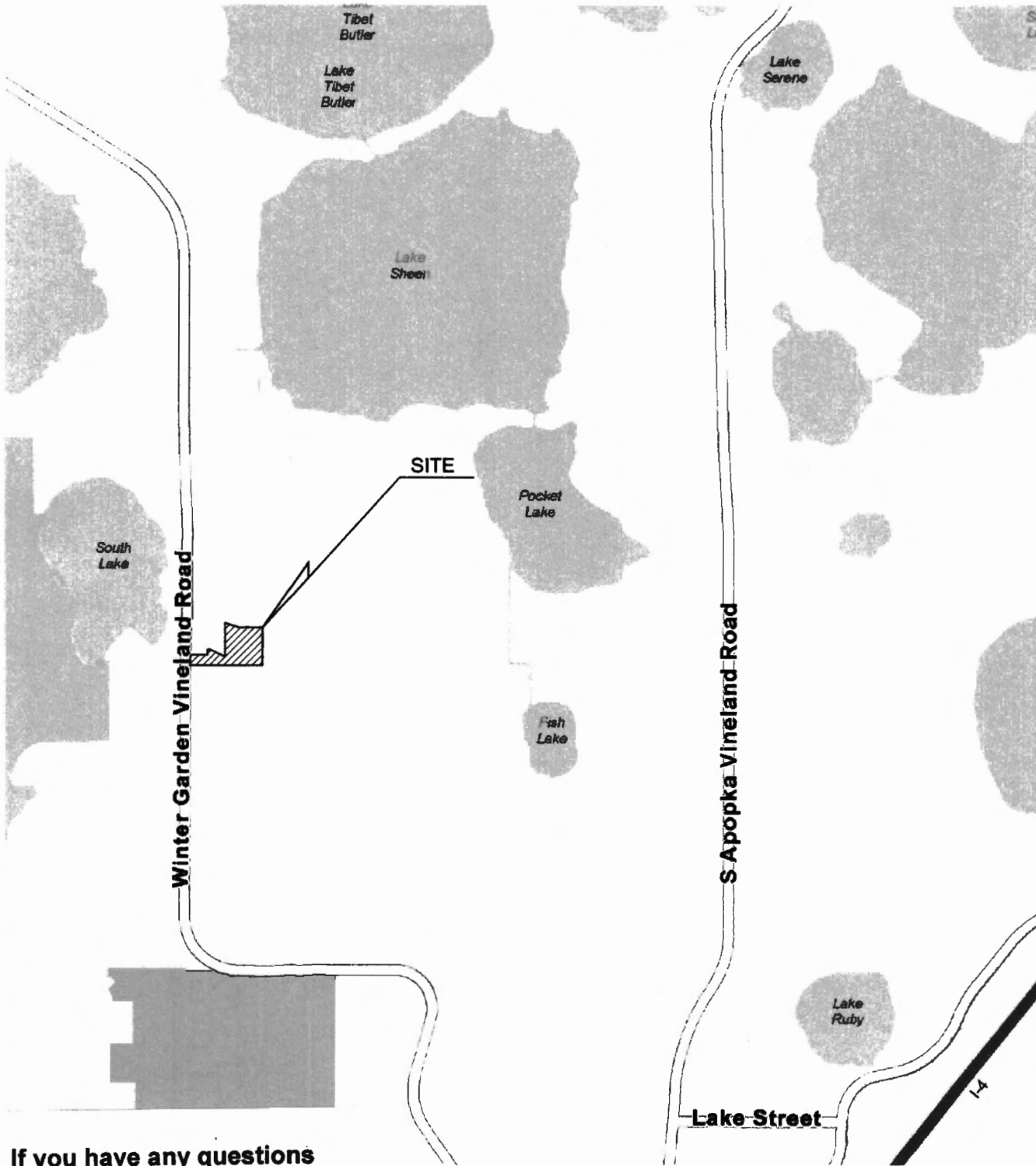
(DT TRACT)

A PORTION OF SECTION 8, TOWNSHIP 24 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 3, VISTA OAKS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 17, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N00°00'00"E ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 112.49 FEET; THENCE THE FOLLOWING BEARINGS AND DISTANCES RUN ALONG THE EAST RIGHT OF WAY LINE OF STATE ROAD No. 535 AS RECORDED IN OFFICIAL RECORDS BOOK 4909, PAGE 1837, ORANGE COUNTY, FLORIDA: RUN N00°54'54"E, A DISTANCE OF 113.77 FEET; THENCE RUN N00°31'25"W, A DISTANCE OF 35.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N00°31'25"W, A DISTANCE OF 20.70 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 30.00 FEET; THENCE FROM A RADIAL BEARING OF S73°03'01"E, DEPARTING THE SAID EAST RIGHT OF WAY LINE, RUN NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF CENTURION COURT OF VISTA OAKS AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 73°03'01", AN ARC DISTANCE OF 38.24 FEET, HAVING A CHORD BEARING OF N53°28'53"E AND A CHORD DISTANCE OF 35.71 FEET; THENCE CONTINUE S90°00'00"E ALONG SAID SOUTH RIGHT OF WAY LINE OF CENTURION COURT, A DISTANCE OF 191.01 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 25.00 FEET; THENCE CONTINUE ALONG SAID SOUTH RIGHT OF WAY LINE OF CENTURION COURT AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 42°50'00", AN ARC DISTANCE OF 18.69 FEET, HAVING A CHORD BEARING OF S68°35'00"E AND A CHORD DISTANCE OF 18.26 FEET, TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 50.00 FEET; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°11'19", AN ARC DISTANCE OF 5.40 FEET, HAVING A CHORD BEARING OF S50°15'39"E AND A CHORD DISTANCE OF 5.40 FEET; THENCE RUN S00°00'00"E, A DISTANCE OF 31.84 FEET; THENCE RUN S90°00'00"W, A DISTANCE OF 240.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.227 ACRES, MORE OR LESS.

CONTAINING A TOTAL OF 13.382 ACRES, MORE OR LESS.



**If you have any questions regarding this map, please call John Smogor at 407-836-5616.**

Drawing name: K:\ORL\_Civil\149581001-Zen Spa Apartments\CADD\EXHIBITS\LOCATION.dwg LOCATION Sep 12, 2014 10:58am by: kelly.storkey

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SCALE	AS NOTED
DESIGNED BY	JJS
DRAWN BY	KAS
CHECKED BY	JJS

**Kimley»Horn**  
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 PHONE: 407-898-1811 FAX: 407-894-4791  
 WWW.KIMLEY-HORN.COM CA 0000886

DATE	09/12/14
PROJECT NO.	149581001

**ZEN LUXURY LIVING  
 LOCATION MAP**

DESIGN ENGINEER:	
FLORIDA P.E. LICENSE NUMBER:	
DATE:	

SHEET NUMBER	EX-1
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