



Interoffice Memorandum

12-03-14P04:28 RCVD

12-03-14P04:22 RCVD

A handwritten signature in black ink, appearing to be "JG".

DATE: December 2, 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, Manager, Planning Division

CONTACT PERSON: **John Smogor, Planning Administrator**
Planning Division 407-836-5616 and
john.smogor@ocfl.net

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

Project Name: Wise Planned Development / Land Use Plan (PD / LUP) Case # CDR-14-06-160

Type of Hearing: Substantial Change

Applicant: Momtaz Barq, Terra-Max Engineering, Inc.

Commission District: 6

General Location: 6549 Old Winter Garden Road; generally located on the north side of Old Winter Garden Road and east side of Hiawassee Road

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

1-13-15
2 PM

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:

This substantial change request is to amend the Wise Planned Development / Land Use Plan (PD/LUP) to permit a maximum of 34,000 square feet of C-1 (Retail Commercial District) uses within PD Tract B only; and excluding the uses of liquor store, automotive service station, convenience stores, pawn shops, drive-in restaurants, laundromats, bottle clubs/private lounges, cocktail lounges, hotel/motels, skating rinks, bowling alleys, and video arcades/billiard parlors. The request also includes the following waiver from the Orange County Code:

- 1) A waiver from Orange County Code Section 38-1272(3) to allow for a ten foot (10') PD perimeter building setback along the east, west and south property line of PD Tract B only (excluding the east property line adjacent to residentially zoned parcels and the south property line along Old Winter Garden Road), in lieu of the required twenty-five foot (25') PD perimeter building setback.

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 the request on the **January 13, 2015** 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

Property Legal Description

Parcel ID: 25-22-28-0000-00-030

PARCEL 1 (FEE SIMPLE ESTATE):

The East 320.00 feet of that part of the Southwest V. of the Southwest V. of Section 25, Township 22 South, Range 28 East, Orange County, Florida, lying North of the Old Winter Garden Road, LESS the North 450.0 feet and LESS the following:

The South 200.00 feet of the East 100.00 feet of that part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, Township 22 South, Range 28 East, lying North of Old Winter Garden Road, Orange County, Florida.

PARCEL 2 (NON-EXCLUSIVE EASEMENT ESTATE):

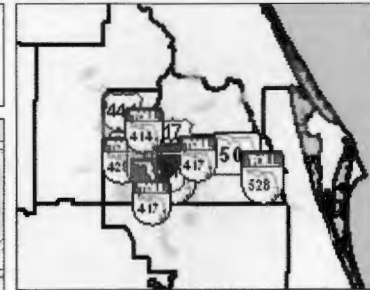
TOGETHER WITH that certain Non-exclusive Easement created by virtue of the quit Claim Deed recorded in Official Records Book 3851, Page 1658, Public Records of Orange County, Florida, for a 15.00 foot joint easement for ingress and egress over and across the following described parcel: From the Northeast corner of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 25, Township 22 South, Range 28 East, run South $89^{\circ}48'14''$ West along the North line of said Southwest $\frac{1}{4}$, a distance of 320.00 feet; thence South $00^{\circ}10'20''$ West parallel with the East line of said Southwest $\frac{1}{4}$, a distance of 862.56 feet to the Northerly right-of-way line of Old Winter Garden Road, of the Point of Beginning; thence North $82^{\circ}27'20''$ West along said right-of-way line, a distance of 15.13 feet; thence North $00^{\circ}10'20''$ East, a distance of 68.06 feet; thence South $89^{\circ}49'40''$ East, a distance of 15.00 feet; thence South $00^{\circ}10'20''$ West, a distance of 70.00 feet to the Point of Beginning.



Location Map



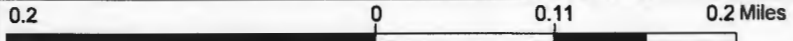
If you have any questions regarding this map, please call John Smogor at 407-836-5616.



Legend

- Parcels
- Limited Access Roads
 - Tolled Facility
 - I-4
- Major Streets
- Streets (1 - 32,000)
- Major Water Bodies
- Water Bodies
- Cities
 - Apopka
 - Bay Lake
 - Belle Isle
 - Eatonville
 - Edgewood
 - Lake Buena Vista
 - Maitland
 - Oakland
 - Ocoee
 - Orlando
 - Windermere
 - Winter Garden
 - Winter Park
- Florida Counties
 - <all other values>
 - ORANGE
 - Coastal Waters
- County Boundary

1: 6,900



17-Nov-2014

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Enter Map Description