

04-23-15 P04:02 RCVD

04-23-15 P02:48 RCVD



Interoffice Memorandum

DATE: April 23, 2015

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

Applicant: Jonathan Huels, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.

Case Information: Waterford Oaks Planned Development / Land Use Plan (PD/LUP) – Case # LUPA-14-12-364 / Planning and Zoning Commission (PZC) Meeting Date: December 18, 2014

Type of Hearing: Rezoning Public Hearing

Commission District: 4

General Location: Generally located south of Iroquois Trail and west of North Alafaya Trail

BCC Public Hearing Required by: Orange County Code, Chapter 30

06/02/2015
@ 2 pm

Clerk's Advertising
Requirements:

(1) At least 15 days before the BCC public hearing date, publish an advertisement in the Public Record 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: lissette.egipciaco@ocfl.net - 407-836-5684 or 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:

A request to rezone 21.61 acres from A-2 (Farmland Rural District) and PD (Planned Development District) to PD (Planned Development District). More specifically, the request is to aggregate and rezone three (3) adjacent parcels and 4.08 gross acres into the existing Waterford Oaks PD, while increasing existing commercial entitlements from 191,000 square feet to 221,000 square feet. In addition, the following six (6) waivers from the Orange County Code have been requested:

1. A waiver from Orange County Code Section 38-1477 to allow Phase 2, Phase 4 and Phase 5 parking spaces to be located on separate lots and greater than 300 feet, but not more than 600 feet, from the principal entrance; in lieu of providing parking spaces on the same lot where the principal use is located or within 300 feet from the principal entrance;
2. A waiver from Orange County Code Section 38-77 to allow the outdoor display of merchandise in a PD District, to consist of two (2) sets of outdoor patio furniture (tables, chairs, umbrella) for Palm Casual Furniture only;

3. A waiver from Orange County Code Section 38-1272(a)(3) to allow a front setback from a street right-of-way of ten (10) feet; in lieu of thirty (30) feet, from the right-of-way between Phases 4 & 5;
4. A waiver from Orange County Code Section 38-1476(a) to allow a minimum parking requirement of 4.5 spaces per 1,000 square feet for shopping centers over fifty thousand (50,000) square feet; in lieu of 5 spaces per 1,000 square feet;
5. A waiver from Orange County Code Section 31.5-67(f) to allow two (2) ground signs, identified as A1 and B3 on the Master Sign Plan, on a parcel with a right-of-way frontage less than four hundred (400) linear feet, and to allow the two (2) ground signs to be separated from each other by a distance of eighty (80) feet; in lieu of a separation of not less than one hundred (100) feet; and
6. A waiver from Orange County Code Section 31.5, Article II, Division 2 to allow an off-site ground sign, identified as A1 on the Master Sign Plan.

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 earliest 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

Waterford Oaks Planned Development

LEGAL DESCRIPTION:

LOT 1 OF SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK X, PAGE(S) 11, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA;

LESS THAT PART DEEDED TO ORANGE COUNTY FOR ROAD RIGHT OF WAY IN BOOK 3355, PAGE 1835, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 1 OF SUNSET TERRACE, AS RECORDED IN PLAT BOOK X, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, RUN S89°41'20" W 14.33 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 1; THENCE N04°59'06" W 139.30 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 518.00 FEET AND AN INTERSECTION ANGLE OF 01°27'34"; THENCE RUN NORTHERLY 13.19 FEET ALONG THE ARC OF SAID CURVE TO A POINT ON THE NORTH BOUNDARY OF THE AFORESAID LOT 1, THENCE RUN N89°41'20" E 24.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S01°24'49" E 152.00 FEET TO THE POINT OF BEGINNING.

AND

LOT 2 OF SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK X, PAGE(S) 11, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA;

LESS THAT PART DEEDED TO ORANGE COUNTY FOR ROAD RIGHT OF WAY IN BOOK 3355, PAGE 1844, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, SUNSET TERRACE, AS RECORDED IN PLAT BOOK X, PAGE 11, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, RUN S89°41'20" W 4.83 FEET ALONG THE SOUTH BOUNDARY OF SAID LOT 2; THENCE RUN N04°59'06" W 152.48 FEET TO A POINT ON THE NORTH BOUNDARY OF SAID LOT 2; THENCE RUN N89°41'20" E 14.33 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE RUN S01°24'49" E 152.00 FEET TO THE POINT OF BEGINNING.

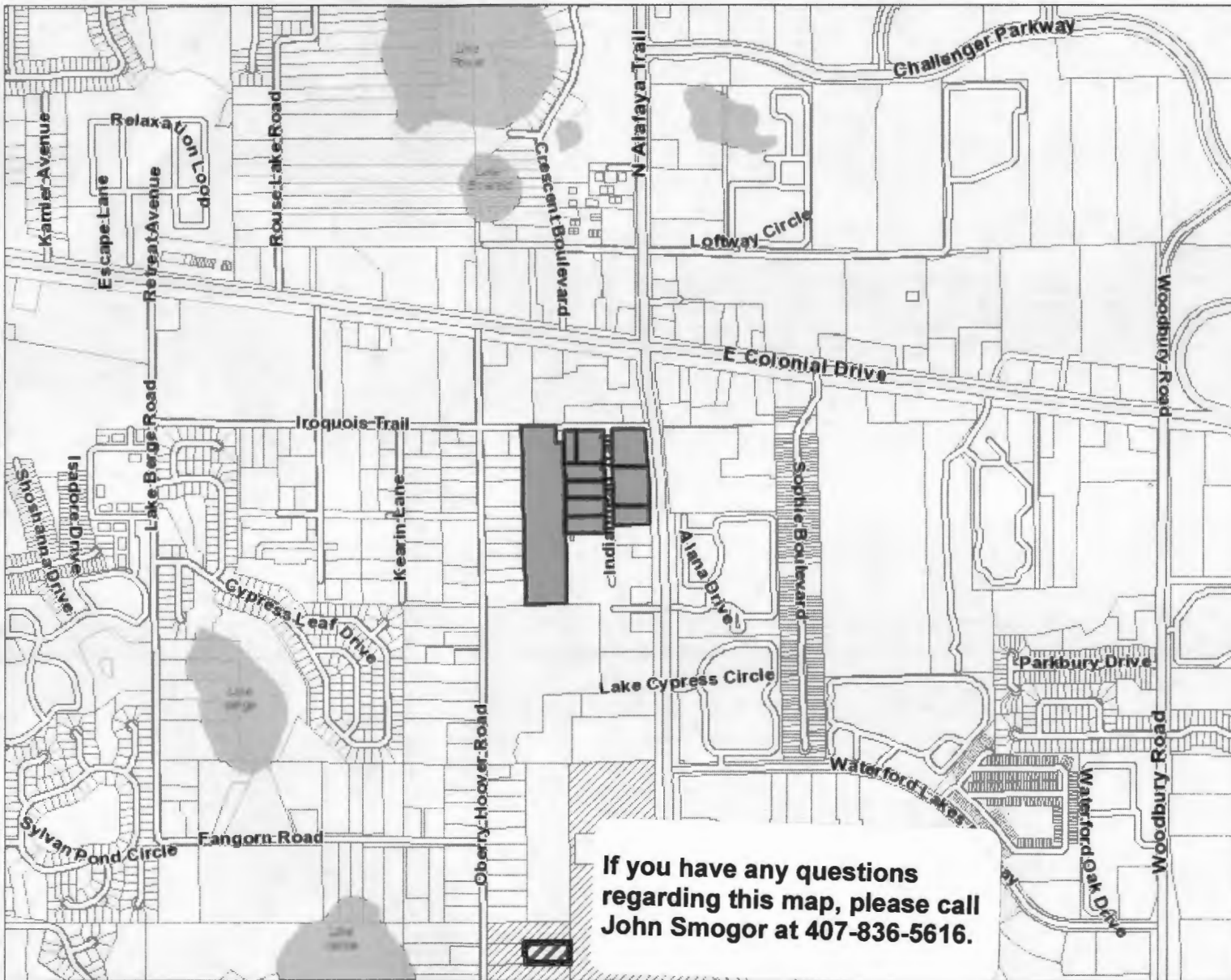
AND

LOTS 3, 4, 5, 14, 15, 16, 17, 18 AND 19 OF SUNSET TERRACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK X, PAGE(S) 11, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA;

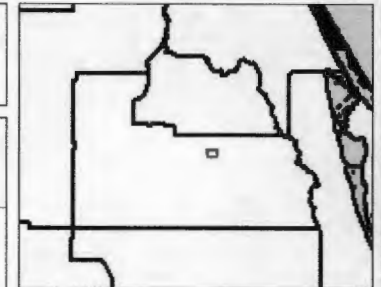
AND

THE EAST $\frac{1}{2}$ OF THE WEST $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$, SECTION 22, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA (LESS THE NORTH 130 FEET OF THE EAST 60 FEET AND THE NORTH 30 FEET FOR RIGHT-OF-WAY)

LOCATION MAP - WATERFORD OAKS PD



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



- Legend**
- Major Streets Labels
 - Streets (1 - 32,000) Labels
 - Route Shields for Primary Road
 - I 4
 - SR 50
 - TOLL 408
 - TOLL 414
 - TOLL 417
 - TOLL 429
 - TOLL 528
 - TURNPIKE
 - US 17-92
 - US 441
 - Sustainable Agriculture
 - Contiguous to Sust Ag
 - Cities
 - Apopka
 - Bay Lake
 - Belle Isle
 - Eatonville
 - Edgewood
 - Lake Buena Vista
 - Maitland
 - Oakland
 - Ocoee
 - Orlando
 - Windermere
 - Winter Garden
 - Winter Park
 - Limited Access Roads
 - Tolled Facility
 - I-4
 - Major Streets

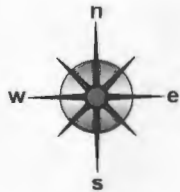
1: 14,100



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Site Plan



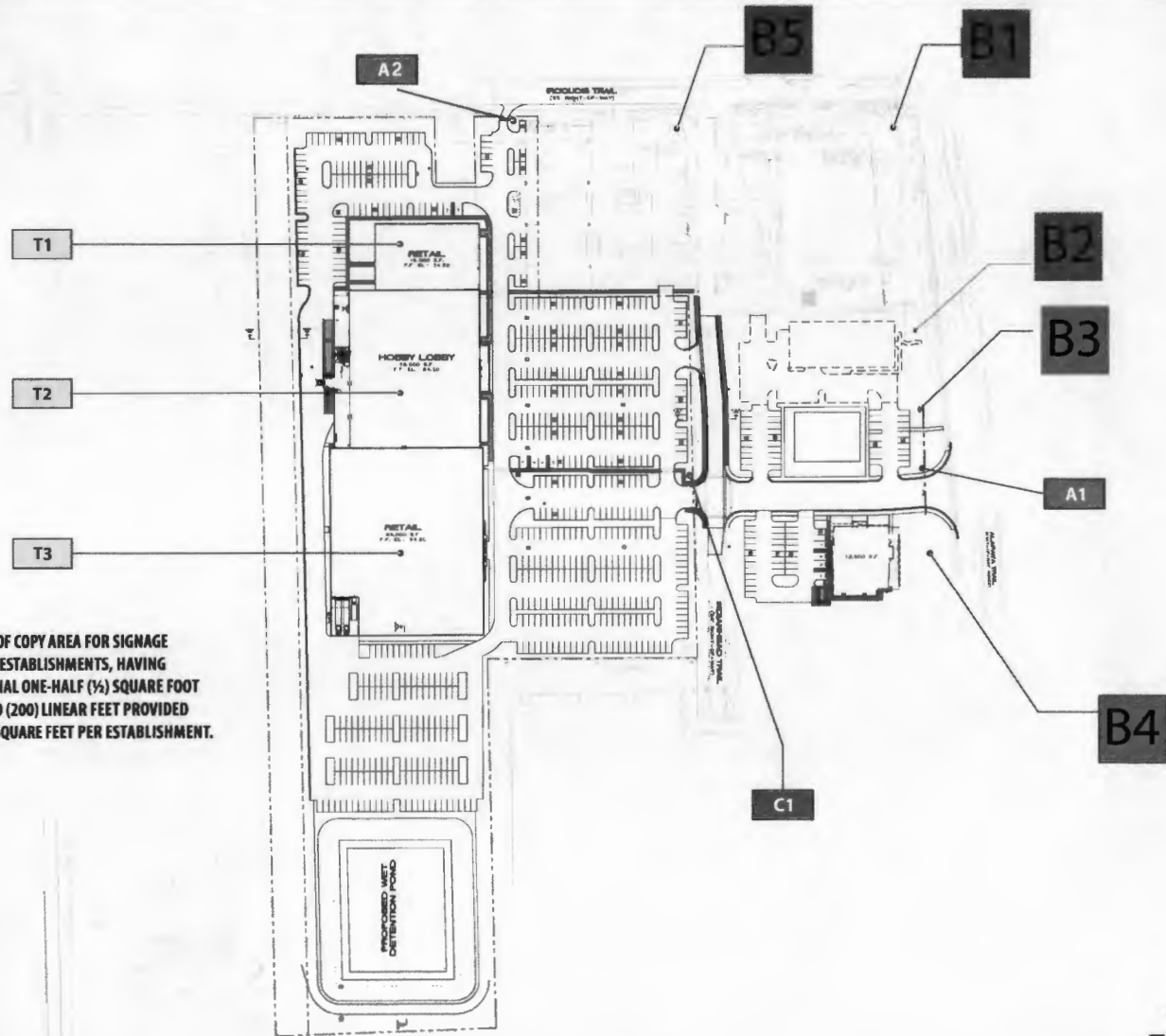
Symbol Key

- MAIN ID SIGNS
- MONUMENT SIGN
- TENANT
- DIRECTIONAL SIGN

WALL SIGNS (FACIA SIGNS), A TOTAL OF ONE AND ONE-HALF (1½) SQUARE FEET OF COPY AREA FOR SIGNAGE MAY BE ALLOWED FOR EACH ONE (1) LINEAR FOOT OF BUILDING FRONTAGE PER ESTABLISHMENTS, HAVING UP TO TWO HUNDRED (200) LINEAR FEET OF BUILDING FRONTAGE. AN ADDITIONAL ONE-HALF (½) SQUARE FOOT OF COPY AREA SHALL BE ALLOWED FOR EACH LINEAR FOOT OVER TWO HUNDRED (200) LINEAR FEET PROVIDED THE TOTAL COPY AREA FOR SIGNAGE SHALL NOT EXCEED FOUR HUNDRED (400) SQUARE FEET PER ESTABLISHMENT.

PRIMARY ROAD FRONTAGE .5 SQ. FT. PER 1 FT. OF PRIMARY ROAD FRONTAGE FOR GROUND SIGNS PER PARCEL

NOTE - TOTAL ROAD FRONTAGE SQ. FT. TO BE DISTRIBUTED BETWEEN PARCELS AND MAIN PYLON I.D.



Orlando Sentinel

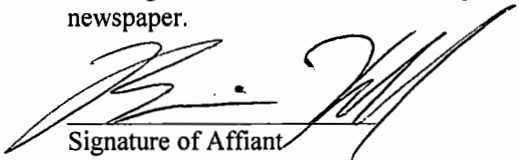
Published Daily
ORANGE County, Florida

STATE OF FLORIDA

ORANGE County

Before the undersigned authority personally appeared **Sheri Schmitz / Adys DelValle / Brian Hall** who on oath says that he/ she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of **Waterford Oaks PD/LUP** in ORANGE County, Florida, was published in said newspaper in the issues **05/10/15**

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

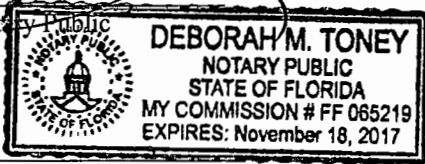


Signature of Affiant

Sworn to and subscribed before me on this 13 day of May, 2015.



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ()

3243993

ORANGE COUNTY NOTICE OF PUBLIC HEARING

The Orange County Board of County Commissioners will conduct a public hearing on June 2, 2015, at 2 p.m., or as soon thereafter as possible, in the County Commission Chambers, First Floor, County Administration Center, 201 South Rosalind Avenue, Orlando, Florida, regarding a request by:

Applicant: Jonathan Huelis, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., Waterford Oaks Planned Development / Land Use Plan (PD/LUP) - Case # LUPA-14-12-364

Consideration: Request to rezone 21.61 acres from A-2 (Farmland Rural District) and PD (Planned Development District) to PD (Planned Development District). More specifically, the request is to aggregate and rezone three (3) adjacent parcels and 4.08 gross acres into the existing Waterford Oaks PD, while increasing existing commercial entitlements from 191,000 square feet to 221,000 square feet. In addition, the following six (6) waivers from the Orange County Code have been requested:

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 6. A waiver from Orange County Code Section 31.5, Article 11, Division 2, to allow an off-site around sign, identified as A1 on the Master Sign Plan; pursuant to Orange County Code, Chapter 38.
- Location: District 4; property generally located south of Iroquois Trail and west of North Alafaya Trail; Orange County, Florida. (legal property description on file)

You may obtain a copy of the legal property description by calling the Comptroller Clerk of the Board of County Commissioners, 407-836-7300; or pick one up at 201 South Rosalind Avenue, Fourth Floor; Orlando, Florida.

IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, CONTACT THE ORANGE COUNTY PLANNING DIVISION, 407-836-5600, Email: planning@ocfl.net

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PÚBLICA CON RESPECTO A UNA AUDIENCIA PÚBLICA SOBRE PROPIEDAD EN SU AREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISION DE PLANIFICACION, AL NUMERO, 407-836-5686.

If you wish to appeal any decision made by the Board of County Commissioners at this meeting you will need a record of the proceedings. You should ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you require special accommodations under the Americans with Disabilities Act of 1990, please call 407-836-5631 no later than two business days prior to the hearing for assistance. Si usted requiere ayuda especial bajo la ley de Americanos con Incapacidades de 1990, por favor, llame al 407-836-3111.

Martha O. Haynie, County Comptroller
As Clerk of the Board of
County Commissioners
Orange County, Florida