




Interoffice Memorandum


08-27-15 P12:52 RCVD

08-27-15 P12:49

DATE: August 26, 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, MArch., 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: Vista Centre Planned Development (PD)
Case # CDR-15-06-164

Type of Hearing: Substantial Change

Applicant: Raymond Stangle, Jordan & Associates, LLC

Commission District: 1

General Location: 12399 S. Apopka Vineland Road; generally located on the east of S.R. 535, approximately 400 feet south of Palm Parkway.

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

October 6, 2015
@
2pm

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:

A Change Determination Request (CDR) to amend the Vista Centre PD by amending PD Parcel 4 development entitlements from 7,000 square feet of commercial (restaurant with 280 seats) to 14,100 square feet of commercial (6,000 sq. ft restaurant with 240 seats, 8,000 sq. ft. gift shop, and 100 sq. ft. tourist information kiosk).

In addition, the following three (3) waivers are requested from Orange County Code:

1. A waiver from Section 38-1272(a)(1) to allow a maximum impervious coverage of eighty (80) percent for commercial development, in lieu of a maximum impervious coverage of seventy (70) percent for commercial development.
2. A waiver from Section 38-1287(1) & (2) to allow a minimum thirty-five (35) foot building setback from an abutting arterial right-of-way for the proposed

tourist information kiosk and main building, in lieu of a minimum sixty (60) foot building setback from an abutting arterial right-of-way.

3. A waiver from Section 38-1287(2) & (4) to allow a minimum five (5) foot setback from the northern side property line only, in lieu of a minimum thirty (30) foot side property line setback, and a minimum seven and one-half (7.5) foot paving setback.

Material Provided:

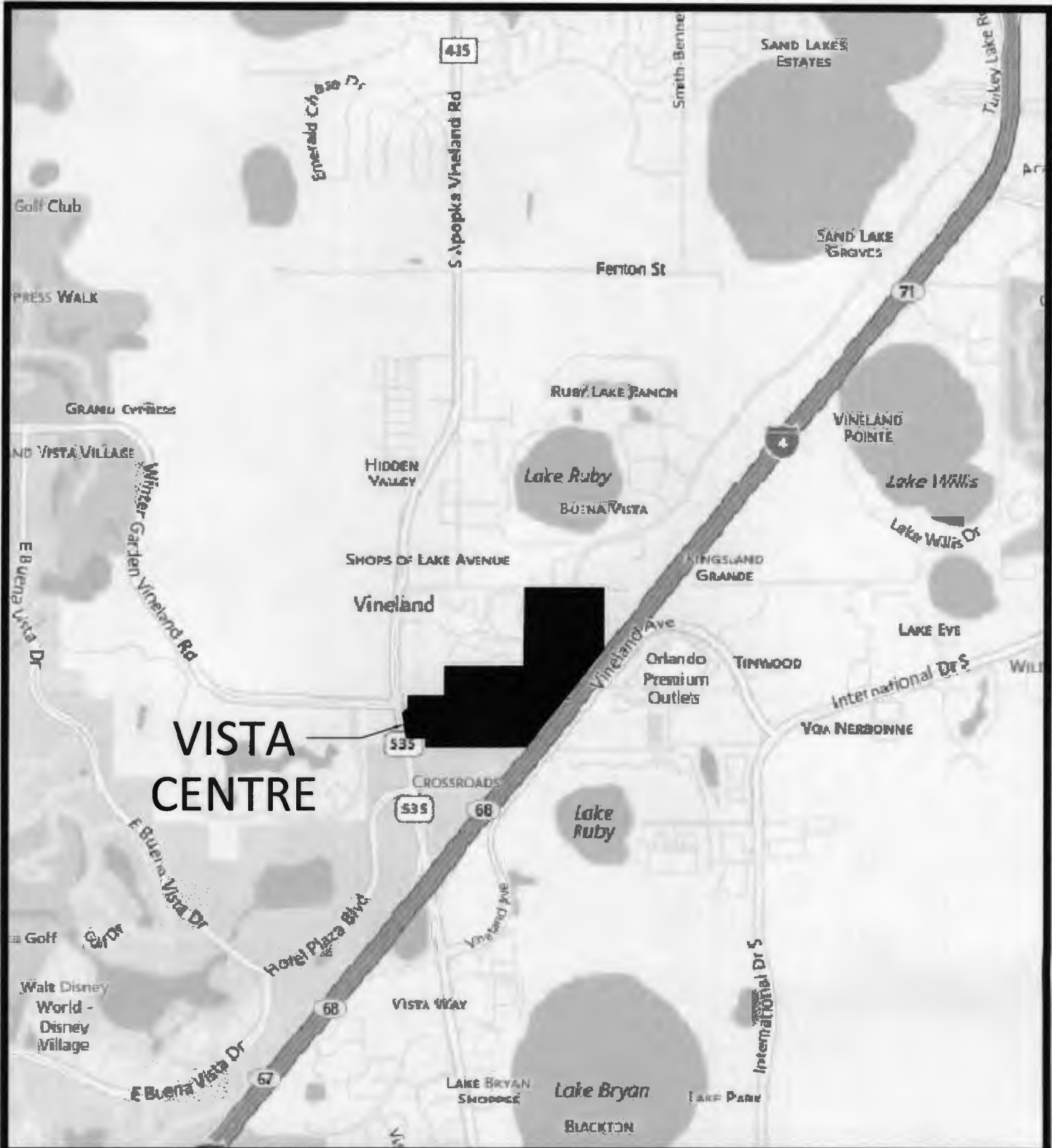
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

Special instructions to the Clerk:

Please place 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



PREPARED BY:

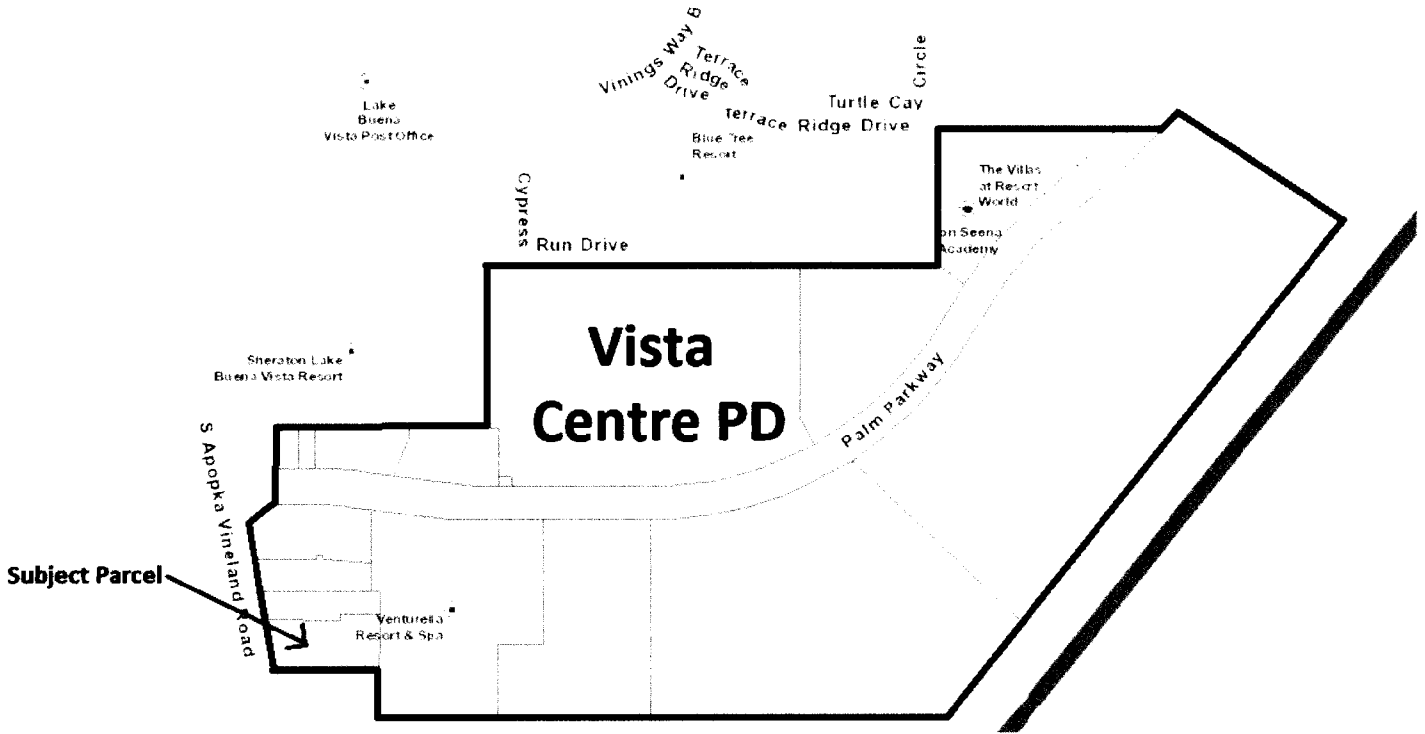
PREPARED FOR:



LOCATION MAP

BLACK ANGUS

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



**LEGAL DESCRIPTION
BLACK ANGUS**

PARCEL 1:

PORTION OF LOTS 1 THROUGH 6, BLOCK D, VACATED POINSETTA DRIVE AND TRACT 4, LIVENGOOD PARK AT VINELAND, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK Q, PAGE 64, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 1, VISTA CENTRE REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 18, PAGES 117 THROUGH 121, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND RUN S 89°50'11" E, ALONG THE SOUTH LINE OF LOT 1 AND THE WESTERLY LINE OF LOT 2 OF SAID VISTA CENTRE REPLAT, FOR A DISTANCE OF 355.15 FEET; THENCE RUN S 00°24'42" W, ALONG SAID WESTERLY LINE, FOR A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 00°24'42" W, ALONG SAID WESTERLY LINE FOR A DISTANCE OF 135.67 FEET; THENCE RUN S 00°14'27" W, ALONG SAID WESTERLY LINE FOR A DISTANCE OF 28.00 FEET TO THE SOUTH LINE OF THE NORTH 28.00 FEET OF SAID TRACT 4; THENCE RUN N 89°38'12" W ALONG SAID SOUTH LINE FOR A DISTANCE OF 323.12 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 535 (AKA SOUTH APOPKA VINELAND ROAD); THENCE N 10°07'12" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR A DISTANCE OF 145.09 FEET; THENCE RUN S 89°38'12" E FOR A DISTANCE OF 233.58 FEET; THENCE RUN N 00°21'48" E FOR A DISTANCE OF 21.00 FEET; THENCE RUN S 89°38'12" E FOR A DISTANCE OF 116.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TOGETHER WITH A NON-EXCLUSIVE EASEMENT OVER AND ACROSS THE FOLLOWING DESCRIBED REAL PROPERTY FOR INGRESS AND EGRESS PURPOSES AS DESCRIBED IN OFFICIAL RECORDS BOOK 3691, PAGE 271, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA :

COMMENCE AT THE WEST 1/4 CORNER OF SECTION 22, TOWNSHIP 24 SOUTH, RANGE 28 EAST AND RUN N 89°50'45" E ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION FOR A DISTANCE OF 704.07 FEET TO THE EASTERLY RIGHT-OF-WAY OF STATE ROAD 535 (A/K/A SOUTH APOPKA VINELAND ROAD);

THENCE N 10°07'12" W ALONG SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 153.46 FEET; THENCE RUN S 89°38'12" E ALONG THE SOUTH LINE OF THE NORTH 28.00 FEET OF TRACT 4 OF LIVENGOOD PARK AT VINELAND AS RECORDED IN PLAT BOOK Q, PAGE 64; OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA FOR A DISTANCE OF 274.12 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE S 89°38'12" E ALONG SAID SOUTH LINE FOR A DISTANCE OF 24.00 FEET; THENCE N 00°14'27"E FOR A DISTANCE OF 27.79 FEET; THENCE RUN N 00°24'42" E FOR A DISTANCE OF 169.78 FEET; THENCE RUN N 09°35'23"E FOR A DISTANCE OF 268.03 FEET TO A POINT ON THE PROPOSED SOUTHERLY RIGHT-OF-WAY LINE OF PALM PARKWAY, SAID POINT BEING ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 1403.40 FEET AND A CENTRAL ANGLE OF 00°34'09"; THENCE FROM A TANGENT BEARING OF N 80°34'00" W RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND SAID PROPOSED RIGHT-OF-WAY, FOR A DISTANCE OF 13.94 FEET; THENCE RUN N 79°59'52" W ALONG SAID PROPOSED RIGHT-OF-WAY LINE FOR A DISTANCE OF 10.06 FEET; THENCE RUN S 09°35'23" W FOR A DISTANCE OF 270.06 FEET; THENCE RUN S 00°24'42" W FOR A DISTANCE OF 171.74 FEET; THENCE RUN S 00°14'27" W FOR A DISTANCE OF 27.77 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

TOGETHER WITH THOSE EASEMENTS AND RIGHTS DESCRIBED IN THAT CERTAIN RESTURANT SITE SEPARATE PARCEL AGREEMENT, DATED MARCH 4, 1987, AND RECORDED MAY 11, 1987, IN OFFICIAL RECORDS BOOK 3867, PAGE 3901, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared **Sheri Schmitz / Brian Hall / Charity Casas / Jean M. Gaille**, 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 **Vista Centre PD**, in ORANGE County Florida, was published in said newspaper in the issues **09/13/15**

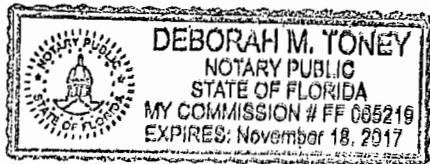
Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, 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.

BRIAN HALL
Printed Name of Affiant

[Signature]
Signature of Affiant

Sworn to and subscribed before me on this **15** day of **September, 2015** by above said affiant, who is personally known to me (X) or who has produced identification ().

[Signature]
Signature of Notary Public (Typed, Printed or Stamped)



Ad No. 3545450

**ORANGE COUNTY
NOTICE OF PUBLIC HEARING**

The Orange County Board of County Commissioners will conduct a public hearing on **October 6, 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. You are invited to attend and be heard regarding the following request by:

Applicant: **Raymond Stangle, Jordan & Associates, LLC, Vista Centre Planned Development (PD), Case # CDR-15-06-164**

Consideration: Substantial change request to amend the Vista Centre PD by amending PD Parcel 4 development entitlements from 7,000 square feet of commercial (restaurant with 280 seats) to 14,100 square feet of commercial (6,000 sq. ft restaurant with 240 seats, 8,000 sq. ft. gift shop, and 100 sq. ft. tourist information kiosk). In addition, the following three (3) waivers are requested from Orange County Code:

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Location: District 1; property located at 12399 S. Apopka Vineland Road; generally located on the east of S.R. 535, approximately 400 feet south of Palm Parkway; 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 PUBLICA CON RESPECTO A UNA AUDIENCIA PUBLICA SOBRE PROPIEDAD EN SU AREAVECINDAD, 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 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

ORG3545450 09/13/15