



Interoffice Memorandum

08-31-15 A10:34 RCVD

DATE: August 27, 2015

TO: Katie A. Smith, Deputy Clerk of the Board of County Commissioners, County Comptroller's Office

THROUGH: Cheryl Gillespie, Supervisor, Agenda Development Office *[Signature]*

FROM: Alberto A. Vargas, MArch., Manager, Planning Division *[Signature]*

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: Daryl M. Carter

Case Information: Case # LUP-15-01-029 (New Independence PD/UNP); Planning and Zoning Commission (PZC) Meeting Date: May 21, 2015

Type of Hearing: Rezoning Public Hearing

Commission District: 1

General Location: Generally located on the west side of S.R. S.R. 429 (Western Beltway), north of New Independence Parkway, and west of C.R. 545 (Avalon Road).

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

October 6, 2015 @ 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:

A request to rezone four (4) parcels comprising 61.12 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct up to 285 residential dwelling units.

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*).

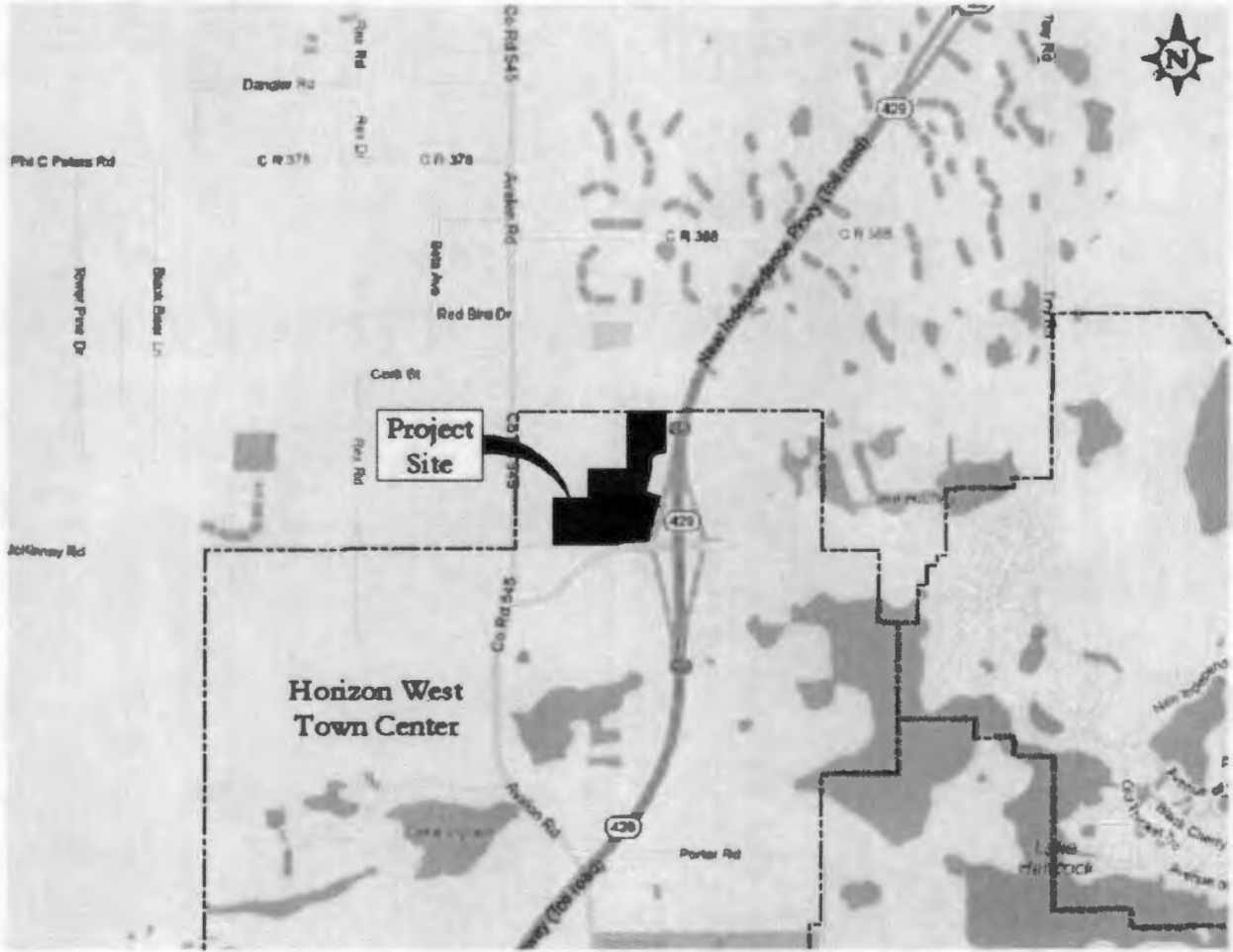
Special instructions to the Clerk:

Please place this request on 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

Project Area Location Map



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

Legal Description and Sketch of Description for the Property

DESCRIPTIONS:

FROM OFFICIAL RECORDS BOOK 7832, PAGE 3870, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA:

PARCEL 1 (FEE SIMPLE ESTATE)

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

PARCEL 2 (NON EXCLUSIVE EASEMENT ESTATE)

TOGETHER WITH THE NON EXCLUSIVE INGRESS AND EGRESS EASEMENT AS CREATED IN THE WARRANTY DEED RECORDED OCTOBER 3, 1960, IN OFFICIAL RECORDS BOOK 797, PAGE 178, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 23 SOUTH, RANGE 27 EAST; THENCE EAST ALONG THE NORTHERN BOUNDARY OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF AFORESAID SECTION TO THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF THE AFORESAID SECTION; THENCE DUE SOUTH 30 FEET; THENCE RUN WEST PARALLEL TO THE NORTHERN BOUNDARY OF SOUTH HALF OF SOUTHWEST QUARTER OF SAID SECTION TO THE WESTERN BOUNDARY OF THE SAID SECTION; THENCE DUE NORTH 30 FEET TO THE POINT OF BEGINNING.

FROM OFFICIAL RECORDS BOOK 8160, PAGE 2991, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA:

PARCEL 1

THE WEST 287.00 FEET OF THE EAST 307.00 FEET OF THE SOUTH 830.00 FEET OF THE NW 1/4 OF THE NW 1/4 (LESS THE SOUTH 30 FEET FOR ROAD) IN SECTION 20, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

PARCEL 2

THE SOUTH 830 FEET OF THE NW 1/4 OF THE NW 1/4 (LESS THE WEST 733 FEET AND THE EAST 307 FEET THEREOF AND LESS THE SOUTH 30 FEET FOR ROAD), SECTION 20, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

FROM OFFICIAL RECORDS BOOK 9373, PAGE 3380, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA:

THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 23 SOUTH, RANGE 27 EAST (LESS ROAD ON SOUTH), ORANGE COUNTY, FLORIDA.

AND

THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA.

LESS

THOSE LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 7034, PAGE 1148, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 00°06'31" WEST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17, A DISTANCE OF 300.14 FEET TO A POINT ON THE WESTERLY LINE OF AN EXISTING RIGHT OF WAY AS RECORDED AND DESCRIBED IN SAID OFFICIAL RECORDS BOOK 7034, PAGE 1148 AND THE POINT OF BEGINNING; THENCE RUN SOUTHERLY ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES: RUN SOUTH 70°40'58" WEST, A DISTANCE OF 208.63 FEET; THENCE RUN SOUTH 41°06'22" WEST, A DISTANCE OF 72.08 FEET; THENCE RUN SOUTH 00°32'28" WEST, A DISTANCE OF 134.36 FEET; THENCE RUN SOUTH 11°17'03" WEST, A DISTANCE OF 128.80 FEET TO THE POINT OF CURVATURE OF A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 5378.58 FEET AND A CENTRAL ANGLE OF 03°41'07"; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 346.02 FEET TO A POINT; THENCE RUN SOUTH 75°08'18" EAST, A DISTANCE OF 256.01 FEET; THENCE RUN SOUTH 14°21'44" WEST, A DISTANCE OF 805.83 FEET; THENCE RUN SOUTH 89°41'59" WEST, A DISTANCE OF 225.68 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 1286.08 FEET AND A CENTRAL ANGLE OF 19°06'08"; THENCE ON A CHORD BEARING OF SOUTH 81°05'07" WEST, RUN 338.98 FEET ALONG THE ARC OF SAID CURVE TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF MCKINNEY ROAD AS RECORDED IN DEED BOOK 881, PAGE 361, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89°44'30" WEST, ALONG THE NORTHERLY RIGHT OF WAY LINE OF MCKINNEY ROAD, A DISTANCE OF 458.18 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20; THENCE RUN NORTH 00°06'33" WEST, ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20, A DISTANCE OF 1297.75 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20; THENCE RUN NORTH 89°31'28" EAST, ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 20, A DISTANCE OF 663.24 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 00°03'32" WEST, ALONG THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17, A DISTANCE OF 983.48 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE RUN NORTH 89°52'31" EAST, ALONG THE NORTH LINE OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17, A DISTANCE OF 663.80 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17; THENCE RUN SOUTH 00°08'31" EAST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 17, A DISTANCE OF 683.15 FEET TO THE POINT OF BEGINNING.

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STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared **Sheri Schmitz / Brian Hall / Charity Casas / Jean M. Gailie**, 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 **New Independence PD/UNP**, 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

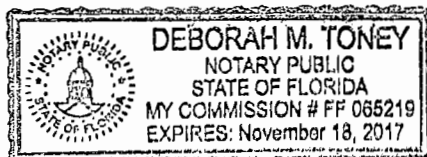
[Signature]

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. 3557336

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, regarding a request by:

Applicant: Daryl M. Carter, New Independence PD/UNP, Case # LUP-15-01-029

Consideration: Request to rezone four (4) parcels comprising 61.12 gross acres from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct up to 285 residential dwelling units; pursuant to Orange County Code, Chapter 30.

Location: District 1, property generally located on the west side of S.R. 429 (Western Beltway), north of New Independence Parkway, and west of C.R. 545 (Avalon Road); 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, 407-836-5616. Email: planning@ocfl.net

PARA MÁS INFORMACIÓN, REFERENTE A ESTA VISTA PÚBLICA CON RESPECTO A UNA AUDIENCIA PÚBLICA SOBRE PROPIEDAD EN SU ÁREA/VECINDAD, FAVOR COMUNICARSE CON LA DIVISIÓN DE PLANIFICACIÓN AL NÚMERO, 407-836-5684.

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

ORG3557336

09/13/15