



Interoffice Memorandum

03-08-16A11:23 RCVD

**DATE:** March 15, 2016

**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:** Eagle Creek Planned Development / Land Use Plan (PD / LUP) - Case # CDR-16-01-014

**Type of Hearing:** Substantial Change

**Applicant:** Jim Hall, VHB, Inc.

**Commission District:** 4

**General Location:** East side of Narcoossee Road, south of Tyson Road, west of Kirby Smith Road, and north of Clapp Simms Duda 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

April 26, 2016 @ 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](mailto: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 for the following modifications to two (2) existing waivers from Orange County Code:

1. A waiver from Section 38-79(20)(k) to allow single-family attached structures to have a 5-foot side setback between structures in lieu of a 10-foot side setback (with a 20-foot building separation); and a four (4) foot side setback, in lieu of a ten (10) foot side setback for Village L Phase 3 only.
2. A waiver from Section 38-1254(2) to allow a 5-foot street front setback and a 10-foot street side setback for single-family attached lots and a 10-foot street front and street side setback for multi-family units in lieu of the required 20 feet; and a seven (7) foot street side setback for single-family attached lots, in lieu of the twenty (20) foot rights-of-way setback for Village L Phase 3 only.

**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



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

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, Swisstopo, and the GIS User Community

Eagle Creek PD - CDR-16-01-014

Figure 1

Location Map

March 2016

0 2,000 4,000 Feet



## PARCEL 1

A PARCEL OF LAND IN SECTION 29, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 29, AS A POINT OF REFERENCE; THENCE RUN S 88°32'07" W, ALONG THE SOUTH LINE THEREOF 30.00 FEET TO THE WEST RIGHT OF WAY LINE OF KIRBY SMITH ROAD, THENCE RUN N 00°58'40" W, 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF TINDALL ROAD PER OR 2308, PAGES 433, 434 AND 435 OF THE ORANGE COUNTY PUBLIC RECORDS, THENCE RUN S 88°32'07" W, ALONG SAID NORTH RIGHT OF WAY LINE, 2602.04 FEET; THENCE RUN S 88°33'04" W, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, 2569.17 FEET TO THE EAST RIGHT OF WAY LINE OF NARCOOSSEE ROAD PER DB 338, PAGE 39 OF THE ORANGE COUNTY PUBLIC RECORDS, SAID LINE BEING A CURVE CONCAVE TO THE EAST; THENCE RUN NORTHERLY ALONG SAID EAST RIGHT OF WAY LINE AND CURVE HAVING A CENTRAL ANGLE OF 07°35'34", A RADIUS OF 4480.74 FEET, AN ARC LENGTH OF 593.78 FEET, A CHORD BEARING OF N 05°09'52" W AND A CHORD DISTANCE OF 593.34 FEET; THENCE RUN N 01°22'06" W ALONG SAID EAST RIGHT OF WAY LINE, 2016.32 FEET; THENCE RUN N 01°21'43" W, CONTINUING ALONG SAID EAST RIGHT OF WAY LINE, 2673.52 FEET TO THE SOUTH RIGHT OF WAY LINE OF TYSON ROAD; THENCE RUN N 88°33'28" E, ALONG SAID SOUTH LINE, 3286.62 FEET TO THE WEST LINE OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 29; THENCE RUN S 01°08'31" E, ALONG SAID WEST LINE, 1340.67 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE RUN N 88°37'31" E, ALONG SAID SOUTH LINE, 662.25 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE RUN N 01°04'21" W, ALONG SAID EAST LINE, 1016.46 FEET; THENCE RUN N 87°02'49" E, 1297.72 FEET TO THE WEST RIGHT OF WAY LINE OF KIRBY SMITH ROAD, SAID LINE BEING 30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 29; THENCE RUN S 00°56'02" E, ALONG SAID WEST RIGHT OF WAY LINE, 2395.04 FEET; THENCE RUN S 00°58'40" E CONTINUING ALONG SAID WEST RIGHT OF WAY LINE, 2594.96 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 604.223 ACRES MORE OR LESS.

## PARCEL 2

A PARCEL OF LAND IN SECTIONS 28, 32 AND 33 OF TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 33 AS THE POINT OF BEGINNING; THENCE RUN N 00°38'04" W, ALONG THE WEST LINE OF GOVERNMENT LOT 4 OF SECTION 28, 1308.43 FEET TO THE NORTH LINE THEREOF; THENCE RUN S 77°51'22" E, ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 4, 644.84 FEET TO THE NORTHERLY EXTENSION OF THE CENTERLINE OF CANAL 29A OF CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT EASEMENT AS RECORDED IN OR 1667, PAGE 245; THENCE RUN S 01°52'52" E, ALONG SAID CENTERLINE, 1179.89 FEET; THENCE RUN S 88°07'11" W, 169.99 FEET TO A POINT ON THE WEST LINE OF AFORESAID CANAL - 29A, SAID POINT HERINAFTER REFERRED TO AS POINT "A", THENCE RUN N 01°52'38" W, ALONG SAID WEST LINE, 54.50 FEET; THENCE RUN S 88°26'08" W, CONTINUING ALONG SAID WEST LINE, 210.64 FEET; THENCE RUN N 01°33'52" W, CONTINUING ALONG SAID WEST LINE, 115.00 FEET; THENCE RUN N 88°26'08" E, CONTINUING ALONG SAID WEST LINE, 300.00 FEET; THENCE RUN N 01°52'54" W, CONTINUING ALONG SAID WEST LINE, 649.99 FEET TO THE NORTH LINE OF SAID CANAL 29-A; THENCE RUN S 88°07'31" W, ALONG SAID NORTH LINE, 50.00 FEET TO A LINE 50 FEET WEST OF THE WEST LINE OF SAID CANAL 29A; THENCE RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID LINE: S 01°52'52" E, 599.72 FEET; THENCE RUN S 88°26'08" W, 299.73 FEET; THENCE RUN S 01°33'52" E, 215.00 FEET; THENCE RUN N 88°26'08" E, 210.92 FEET; THENCE RUN S 01°52'52" E, 255.27 FEET; THENCE RUN N 88°07'08" E, 80.00 FEET; THENCE RUN S 01°52'52" E, 707.48 FEET; THENCE RUN S 06°26'08" W, 252.81 FEET; THENCE RUN S 00°40'52" E, 292.70 FEET TO THE NORTH LINE OF A MITIGATION AREA; THENCE DEPARTING AFORESAID WEST LINE, RUN S 88°26'01" W, ALONG SAID NORTH LINE, 453.35 FEET TO A POINT ON THE NORTH-SOUTH CENTER LINE OF AFOREMENTIONED SECTION 33, SAID POINT BEARS S 02°33'33" E, 1525.92 FEET FROM THE NORTH 1/4 CORNER OF SECTION 33, THENCE CONTINUE S 88°26'01" W, ALONG SAID NORTH LINE OF THE MITIGATION AREA, 1346.67 FEET TO THE WEST LINE THEREOF; THENCE RUN S 00°40'52" E, ALONG SAID WEST LINE, 2659.74 FEET TO THE NORTH RIGHT OF WAY LINE OF CLAPP-SIMMS-DUDA ROAD (A 60' RIGHT OF WAY AS CURRENTLY ESTABLISHED); THENCE RUN S 88°26'04" W, ALONG SAID NORTH RIGHT OF WAY, 1205.34 FEET; THENCE RUN S 88°30'24" W, CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE, 2564.61 FEET TO THE EAST RIGHT OF WAY LINE OF NARCOOSSEE ROAD (SRD 15) AS DESCRIBED IN DEED BOOK 338, PAGE 39 OF THE ORANGE COUNTY PUBLIC RECORDS; THENCE RUN N 43°25'03" W, ALONG SAID EAST RIGHT OF WAY LINE, 2446.21 FEET TO A CURVE CONCAVE TO THE NORTHEAST; THENCE RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE AND CURVE HAVING A CENTRAL ANGLE OF 24°28'02", A RADIUS OF 4480.74 FEET, AN ARC LENGTH OF 1913.43 FEET, A CHORD BEARING OF N 31°11'02" W AND A CHORD DISTANCE OF 1898.92 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, RUN N 72°00'32" E, 149.37 FEET; THENCE RUN N 17°59'28" W, 75.00 FEET; THENCE RUN S 72°00'32" W, 150.00 FEET TO THE AFORESAID EAST RIGHT OF WAY LINE OF NARCOOSSEE ROAD, SAID LINE BEING A CURVE CONCAVE TO THE NORTHEAST; THENCE RUN NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE AND CURVE HAVING A CENTRAL ANGLE OF 08°15'21", A RADIUS OF 4480.74 FEET, AN ARC LENGTH OF 645.65 FEET, A CHORD BEARING OF N 13°51'47" W AND A CHORD DISTANCE OF 645.09 FEET TO THE SOUTH RIGHT OF WAY LINE OF TINDALL ROAD AS RECORDED IN OR 2308, PAGE 436 OF THE ORANGE COUNTY PUBLIC RECORDS; THENCE RUN N 88°33'04" E, ALONG SAID SOUTH LINE, 2561.35 FEET; THENCE RUN N 88°32'07" E, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, 2631.83 FEET; THENCE RUN N 88°43'06" E, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE, 1334.32 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF AFORESAID SECTION 33; THENCE RUN N 02°57'26" W, ALONG SAID WEST LINE, 30.01 FEET TO THE NORTH LINE OF SECTION 33; THENCE RUN N 88°43'06" E, ALONG SAID NORTH LINE, 1334.32 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCE AT AFOREMENTIONED POINT "A" AS A POINT OF REFERENCE; THENCE RUN S 01°52'52" E, 200.00 FEET; THENCE RUN N 88°07'08" E, 80.00 FEET TO THE WEST LINE OF AFORESAID CANAL 29-A AND THE POINT OF BEGINNING; THENCE RUN N 88°07'08" E, ALONG THE NORTH LINE OF CANAL 29-A, 84.99 FEET TO THE APPROXIMATE CENTERLINE OF CANAL 29-A; THENCE RUN S 01°52'52" E, ALONG SAID APPROXIMATE CENTERLINE, 767.30 FEET; THENCE RUN S 06°26'08" W, CONTINUING ALONG SAID CENTERLINE, 254.24 FEET; THENCE RUN S 00°40'52" E, CONTINUING ALONG SAID CENTERLINE, 282.20 FEET; THENCE RUN S 88°05'26" W, 85.00 FEET TO THE WEST LINE OF CANAL 29-A; THENCE RUN N 00°40'52" W, ALONG SAID WEST LINE, 289.33 FEET; THENCE RUN N 06°27'11" E, CONTINUING ALONG SAID WEST LINE, 252.84 FEET; THENCE RUN N 01°52'52" W, CONTINUING ALONG SAID WEST LINE, 761.61 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 605.420 ACRES MORE OR LESS.

## TINDALL ROAD PARCEL:

THAT PORTION OF THE RIGHT-OF-WAY OF TINDALL ROAD VACATED PURSUANT TO THAT CERTAIN RESOLUTION GRANTING PETITION TO VACATE 00-29 ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS, ORANGE COUNTY, FLORIDA AND RECORDED IN OR BOOK 6427, PAGE 665, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

## 20 ACRE PARCEL:

THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA.

LESS A PARCEL OF LAND IN SECTION 33, TOWNSHIP 24 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA BEING DESCRIBED AS FOLLOWS:

## ONE ACRE PARCEL:

COMMENCE AT THE NORTH 1/4 CORNER OF SAID SECTION 33; THENCE RUN N 00°38'04" W, ALONG THE WEST LINE OF GOVERNMENT LOT 4 OF SECTION 28, 1308.43 FEET TO THE NORTH LINE THEREOF; THENCE RUN S 77°51'22" E, ALONG THE NORTH LINE OF SAID GOVERNMENT LOT 4, 644.84 FEET TO THE NORTHERLY EXTENSION OF THE CENTERLINE OF CANAL 29A OF CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT EASEMENT AS RECORDED IN OR 1667, PAGE 245; THENCE RUN S 01°52'52" E, ALONG SAID CENTERLINE, 1179.89 FEET; THENCE RUN S 88°07'11" W, 169.99 FEET TO A POINT ON THE WEST LINE OF AFORESAID CANAL-29A; THENCE RUN N 01°52'38" W, ALONG SAID WEST LINE, 54.50 FEET; THENCE RUN S 88°26'08" W, CONTINUING ALONG SAID WEST LINE, 210.64 FEET; THENCE RUN N 01°33'52" W, CONTINUING ALONG SAID WEST LINE, 115.00 FEET; THENCE RUN N 88°26'08" E, CONTINUING ALONG SAID WEST LINE, 300.00 FEET; THENCE RUN N 01°52'54" W, CONTINUING ALONG SAID WEST LINE, 649.99 FEET TO THE NORTH LINE OF SAID CANAL 29-A; THENCE RUN S 88°07'31" W, ALONG SAID NORTH LINE, 50.00 FEET TO A POINT ON A LINE 50 FEET WEST OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO, THE WEST LINE OF SAID CANAL 29A; THENCE RUN S 01°52'52" E ALONG SAID PARALLEL LINE, 599.72 FEET; THENCE RUN S 88°26'08" W CONTINUING ALONG SAID PARALLEL LINE 299.73 FEET; THENCE RUN S 01°33'52" E CONTINUING ALONG SAID PARALLEL LINE, 215.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 01°33'52" E, 206.21 FEET, THENCE RUN N 88°26'08" E, 212.06 FEET TO A POINT ON A LINE 50 FEET WEST OF LINE OF SAID CANAL 29A; THENCE RUN N 01°52'52" W ALONG SAID PARALLEL LINE, 206.22 FEET; THENCE RUN S 88°26'08" W CONTINUING ALONG SAID PARALLEL LINE, 210.92 FEET TO THE POINT OF BEGINNING.

ALL TOTALING 1,236.20 ACRES, MORE OR LESS