



Interoffice Memorandum


03-03-16A10:28 RCVD

DATE: March 11, 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: Village F Master Planned Development / Land Use Plan (PD / LUP) - Case # CDR-15-12-401

Type of Hearing: Substantial Change

Applicant: Daniel T. O'Keefe, Shutts & Bowen, LLP

Commission District: 1

General Location: North and South of Seidel Road / East of State Road 429

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 @ 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:

This PD substantial change request is for the following four (4) waivers from Orange County Code, which if approved, would apply only to one-hundred sixteen (116) lots located within Watermark Phases 1A through 2C and controlled by Meritage Homes:

1. A waiver from Section 38-1384(g)(3)f. to allow lots 60 feet and greater to have garages placed in front of the primary structure if oriented toward either side yard with windows facing the street and meeting the setbacks for the primary structure, in lieu of the requirement that lots greater than 65 feet can have garages placed in front of the primary structure if oriented toward either side yard with windows facing the street and meeting the setbacks for the primary structure;
2. A waiver from Section 38-1384(g)(2) to permit the "J load" home product and the "half and half" home product to have front-loaded garage doors that are flush with the nearest adjacent plane of the primary structure, in lieu of the requirement that front-loaded garage doors be recessed a minimum of ten (10) feet behind the nearest adjacent plane of the primary structure (Note: See

Sheet No. 14 of 14 of the Village F PD for "J load" home product and "half and half" home product elevations);

3. A waiver from Section 38-1384(f)(2)c. to allow first floor elevations with one (1) step above the finished grade of the sidewalk on "J load" homes, in lieu of the requirement to have first floor elevations with a minimum of three (3) steps above the finished grade of the sidewalk; and
4. A waiver from Section 38-1384(d) to permit porches less than ten feet wide to be constructed without railings, in lieu of the requirement that porches less than 10 feet wide include railings.

Material Provided:

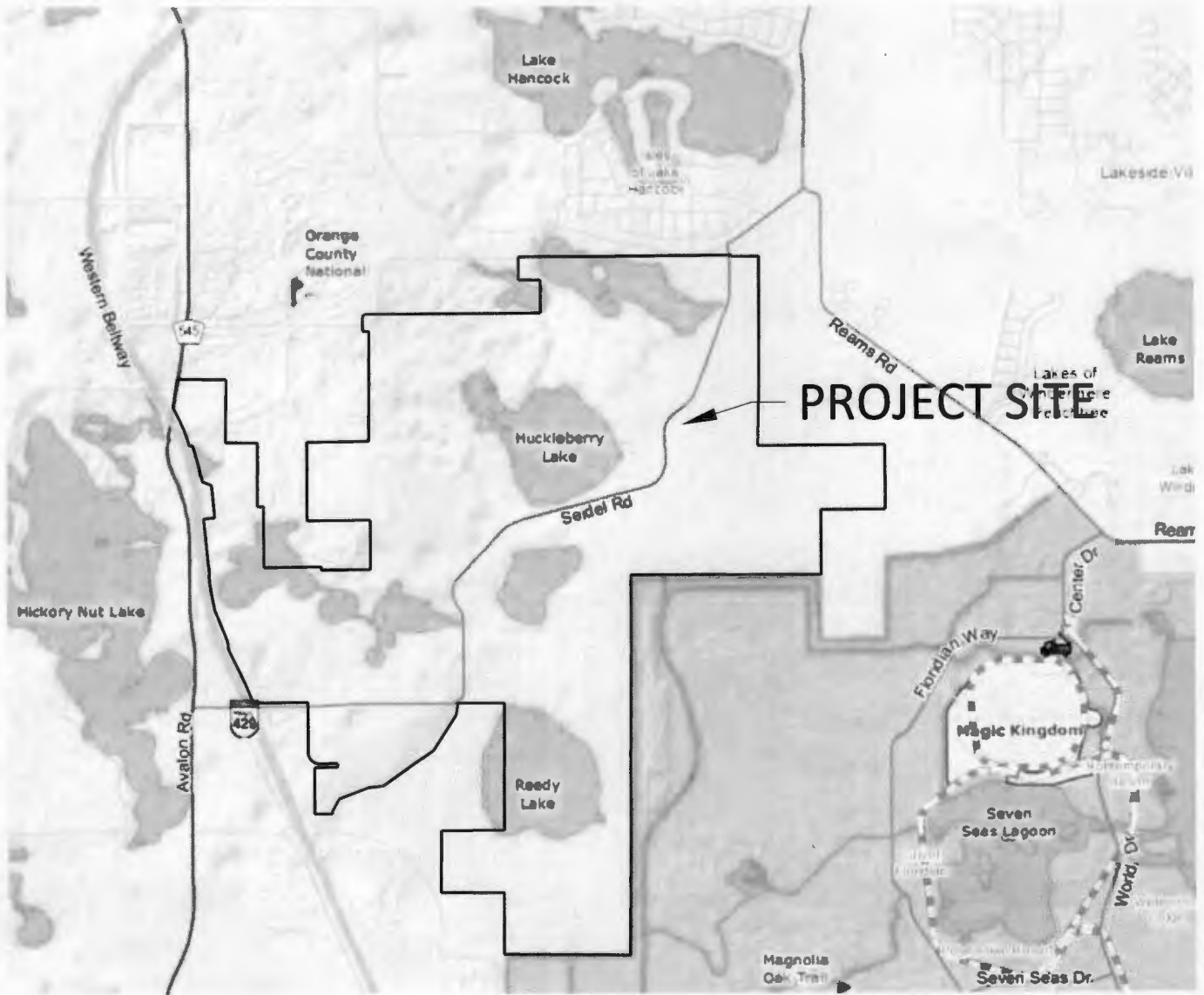
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

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.

A TRACT OF LAND LYING IN SECTION 4, TOWNSHIP 24 SOUTH, RANGE 27 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 4 FOR A POINT OF REFERENCE; THENCE RUN NORTH 89°40'37" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1,361.39 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 89°40'37" EAST, ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1,285.03 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 4; THENCE RUN NORTH 89°44'32" EAST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 1,328.05 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE RUN SOUTH 00°06'53" WEST, ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 2,654.23 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE RUN SOUTH 89°45'44" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 840.79 FEET; THENCE DEPARTING SAID SOUTH OF THE NORTHEAST QUARTER OF SAID SECTION 4, RUN NORTH 30°08'04" WEST, 1,108.82 FEET TO THE CENTERLINE OF THE UNRECORDED RIGHT-OF-WAY FOR SEIDEL ROAD, AS IT NOW EXISTS, SAID POINT LYING ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID CENTERLINE AND SAID NON-TANGENT CURVE, HAVING A RADIUS OF 593.56 FEET, A CENTRAL ANGLE OF 02°17'23", AN ARC LENGTH OF 23.72 FEET, A CHORD LENGTH OF 23.72 FEET AND A CHORD BEARING OF SOUTH 44°11'00" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 43°02'18" WEST, ALONG SAID CENTERLINE, 78.60 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY; THENCE DEPARTING SAID CENTERLINE, RUN NORTHWESTERLY, ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,453.07 FEET, A CENTRAL ANGLE OF 26°14'59", AN ARC LENGTH OF 1,123.85 FEET, A CHORD LENGTH OF 1,114.05 FEET AND A CHORD BEARING OF NORTH 54°54'56" WEST; THENCE RUN SOUTH 32°26'28" WEST, NON-TANGENT TO SAID CURVE, 1,041.74 FEET; THENCE RUN NORTH 57°33'32" WEST, 550.00 FEET; THENCE RUN NORTH 32°26'28" EAST, 477.27 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 476.62 FEET, A CENTRAL ANGLE OF 31°09'27", AN ARC LENGTH OF 259.19 FEET, A CHORD LENGTH OF 256.00 FEET AND A CHORD BEARING OF NORTH 16°51'45" EAST TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY; THENCE RUN NORTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 13.00 FEET, A CENTRAL ANGLE OF 91°36'24", AN ARC LENGTH OF 20.78 FEET, A CHORD LENGTH OF 18.64 FEET AND A CHORD BEARING OF NORTH 44°31'11" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 89°40'37" WEST, 236.82 FEET; THENCE RUN NORTH 00°19'23" WEST, 630.00 FEET; THENCE RUN NORTH 89°40'37" EAST, 460.00 FEET; THENCE RUN NORTH 00°19'23" WEST, 290.00 FEET; THENCE RUN NORTH 89°40'37" EAST, 260.00 FEET; THENCE RUN NORTH 00°19'23" WEST, 120.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED TRACT OF LAND LYING WITHIN ANY RECORDED OR UNRECORDED PORTION OF THE ROAD RIGHT-OF-WAY FOR EXISTING SEIDEL ROAD.

THE ABOVE DESCRIBED TRACT OF LAND LIES IN ORANGE COUNTY, FLORIDA AND CONTAINS 140.87 ACRES MORE OR LESS.

TOGETHER WITH:

COMPASS ROSE PHASE 2

A TRACT OF LAND LYING IN SECTION 4, TOWNSHIP 24 SOUTH, RANGE 27 EAST, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE RUN NORTH 89°40'37" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 1,361.39 FEET; THENCE DEPARTING SAID NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, RUN SOUTH 00°19'23" EAST, 120.00 FEET; THENCE RUN SOUTH 89°40'37" WEST, 260.00 FEET; THENCE RUN SOUTH 00°19'23" EAST, 290.00 FEET; THENCE RUN SOUTH 89°40'37" WEST, 460.00 FEET; THENCE RUN SOUTH 00°19'23" EAST, 630.00 FEET; THENCE RUN NORTH 89°40'37" EAST, 236.82 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 13.00 FEET, A CENTRAL ANGLE OF 91°36'24", AN ARC LENGTH OF 20.78 FEET, A CHORD LENGTH OF 18.64 FEET AND A CHORD BEARING OF SOUTH 44°31'11" EAST TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHWESTERLY; THENCE RUN SOUTHWESTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 476.62 FEET, A CENTRAL ANGLE OF 31°09'27", AN ARC LENGTH OF 259.19 FEET, A CHORD LENGTH OF 256.00 FEET AND A CHORD BEARING OF SOUTH 16°51'45" WEST TO THE POINT OF TANGENCY; THENCE RUN SOUTH 32°26'28" WEST, 477.27 FEET; THENCE RUN SOUTH 57°33'32" EAST, 550.00 FEET; THENCE RUN SOUTH 32°26'28" WEST, 498.02 FEET; THENCE RUN SOUTH 57°33'32" EAST, 958.53 FEET; THENCE RUN NORTH 32°26'28" EAST, 836.02 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CURVE, HAVING A RADIUS OF 2,143.00 FEET, A CENTRAL ANGLE OF 18°05'31", AN ARC LENGTH OF 676.69 FEET, A CHORD LENGTH OF 673.88 FEET AND A CHORD BEARING OF NORTH 41°29'14" EAST TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,453.07 FEET, A CENTRAL ANGLE OF 01°10'16", AN ARC LENGTH OF 50.14 FEET, A CHORD LENGTH OF 50.14 FEET AND A CHORD BEARING OF SOUTH 42°22'34" EAST TO A POINT ON THE CENTERLINE OF THE UNRECORDED RIGHT-OF-WAY FOR SEIDEL ROAD, AS IT NOW EXISTS; THENCE RUN NORTH 43°02'18" EAST, ALONG SAID CENTERLINE OF SEIDEL ROAD, 78.60 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE RUN NORTHEASTERLY, ALONG SAID CENTERLINE AND SAID CURVE, HAVING A RADIUS OF 593.56 FEET, A CENTRAL ANGLE OF 02°17'23", AN ARC LENGTH OF 23.72 FEET, A CHORD LENGTH OF 23.72 FEET AND A CHORD BEARING OF NORTH 44°11'00" EAST; THENCE DEPARTING SAID CENTERLINE OF SEIDEL ROAD, RUN SOUTH 30°08'04" EAST, 1,108.82 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4; THENCE RUN SOUTH 89°45'44" WEST, ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 483.86 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE RUN SOUTH 00°02'30" WEST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 671.07 FEET; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 60°04'07" WEST, 236.27 FEET; THENCE RUN NORTH 64°36'58" WEST, 936.63 FEET; THENCE RUN NORTH 89°46'27" WEST, 30.26 FEET TO A POINT ON THE AFORESAID CENTERLINE OF THE UNRECORDED RIGHT-OF-WAY FOR SEIDEL ROAD, SAID POINT LYING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID CENTERLINE AND SAID NON-TANGENT CURVE, HAVING A RADIUS OF 937.09 FEET, A CENTRAL ANGLE OF 01°23'36", AN ARC LENGTH OF 22.79 FEET, A CHORD LENGTH OF 22.79 FEET AND A CHORD BEARING OF SOUTH 07°55'59" EAST TO THE POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE NORTHEASTERLY; THENCE RUN SOUTHEASTERLY, ALONG SAID CENTERLINE AND SAID CURVE, HAVING A RADIUS OF 438.87 FEET, A CENTRAL ANGLE OF 09°06'31", AN ARC LENGTH OF 69.77 FEET, A CHORD LENGTH OF 69.70 FEET AND A CHORD BEARING OF SOUTH 13°11'02" EAST; THENCE DEPARTING SAID CENTERLINE OF SEIDEL ROAD, RUN SOUTH 32°26'28" WEST, NON-TANGENT TO SAID CURVE, 546.22 FEET; THENCE RUN NORTH 84°18'18" WEST, 1,301.19 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4; THENCE RUN NORTH 00°05'36" EAST, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 798.62 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 4; THENCE RUN NORTH 00°06'06" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 4, A DISTANCE OF 2,649.82 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PORTION OF THE ABOVE DESCRIBED TRACT OF LAND LYING WITHIN ANY RECORDED OR UNRECORDED PORTION OF THE ROAD RIGHT-OF-WAY FOR EXISTING SEIDEL ROAD.