



Interoffice Memorandum

05-17-16A09:55 RCVD

A handwritten signature in black ink, appearing to be "John Smogor".

19 returned

DATE: May 13, 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, 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: Waterleigh Planned Development / Land Use Plan (PD / LUP) – Case # CDR-16-03-089

Type of Hearing: Substantial Change

Applicant: John Prowell, VHB, Inc.

Commission District: 1

General Location: Generally located south of Old YMCA Road and west of Avalon Road / County Road 545.

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

July 12, 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:

A Substantial Change request to reconfigure the boundary between PD Parcels 10 and 11, revise and add access points, reduce the residential units within PD Parcel 11 from 508 to 504, and increase the residential units within PD Parcel 13 from 402 to 406.

Additionally, the following five (5) waivers from Orange County Code are requested for Parcels 10 & 11:

1. A waiver from Section 38-1258(c) to allow a maximum height of five (5) stories and sixty-five (65) feet for multi-family residential buildings located within one hundred fifty (150) feet from single family zoned property, in lieu of a maximum height of three stories and forty (40) feet for multi-family residential buildings located within one-hundred fifty (150) feet of single-family zoned property.

2. A waiver from Section 38-1258(f) to eliminate the requirement of constructing a six (6) foot high masonry, brick, or block wall whenever a multi-family development is located adjacent to a single-family zoned property.
3. A waiver from Section 38-1258(g) to allow multi-family development to access any right-of-way serving single-family residential development.
4. A waiver from Section 38-1258(i) to eliminate the requirement of a multi-family development located adjacent to a right-of-way to be fenced whenever single-family zoned property is located across the right-of-way.
5. A waiver from Section 38-1258(j) to allow a minimum twenty (20) feet of building separation where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings, in lieu of thirty (30) feet of separation for two-story buildings, and in lieu of forty (40) feet of separation for building three (3) stories or higher.

Material Provided:

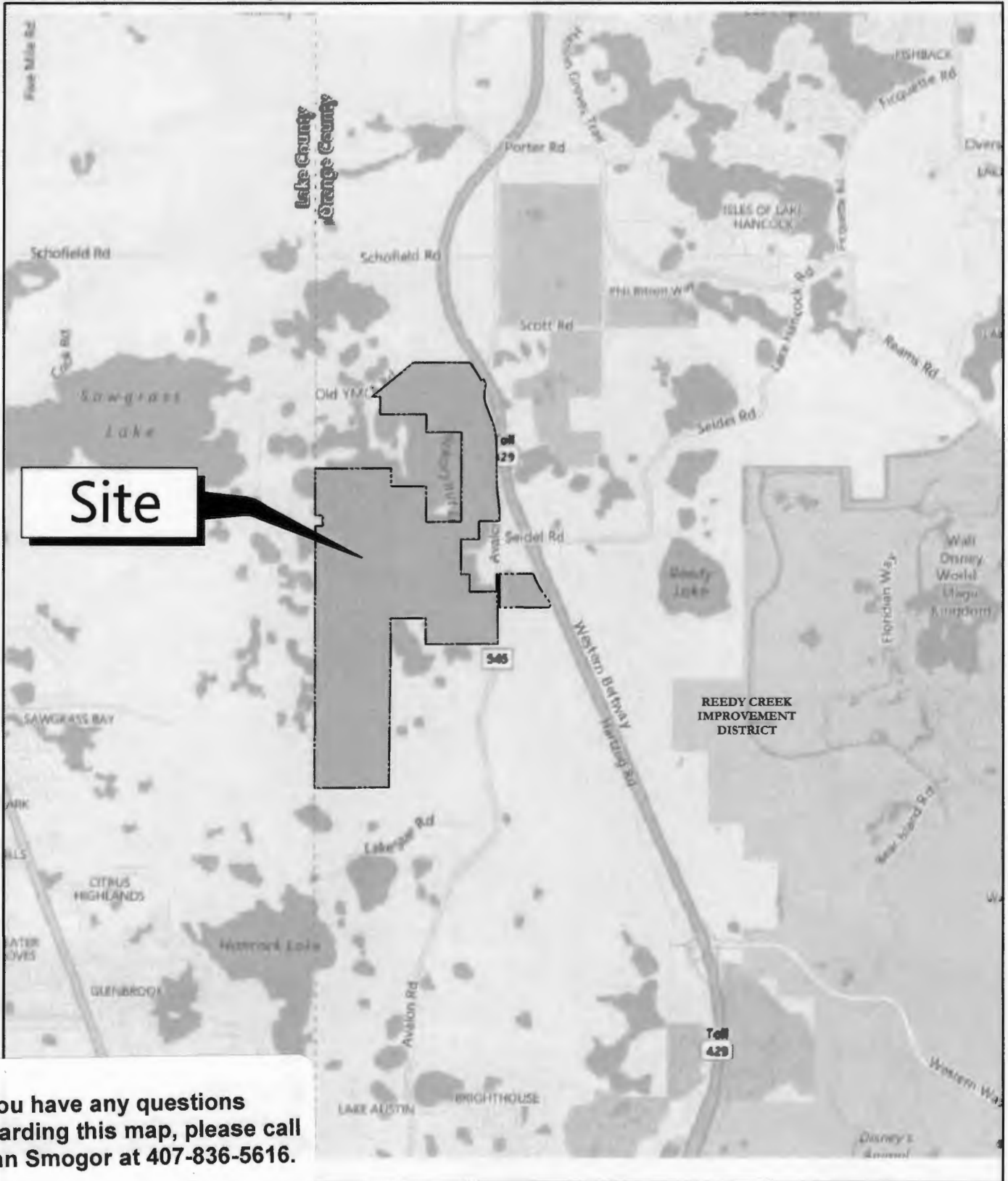
- (1) Names and last known addresses of property owners within 300 feet and beyond (*via email from Fiscal and Operational Support Division*); and
- (2) Location map (*to be mailed to property owners*).

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



Site

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



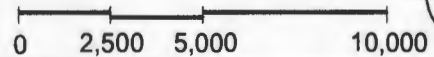
225 E. Robinson Street, Suite 300
Orlando, Florida 32801 | 407.839.4006

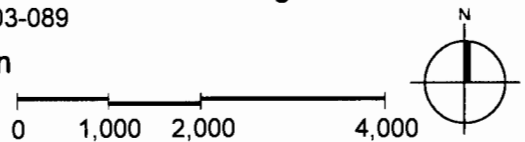
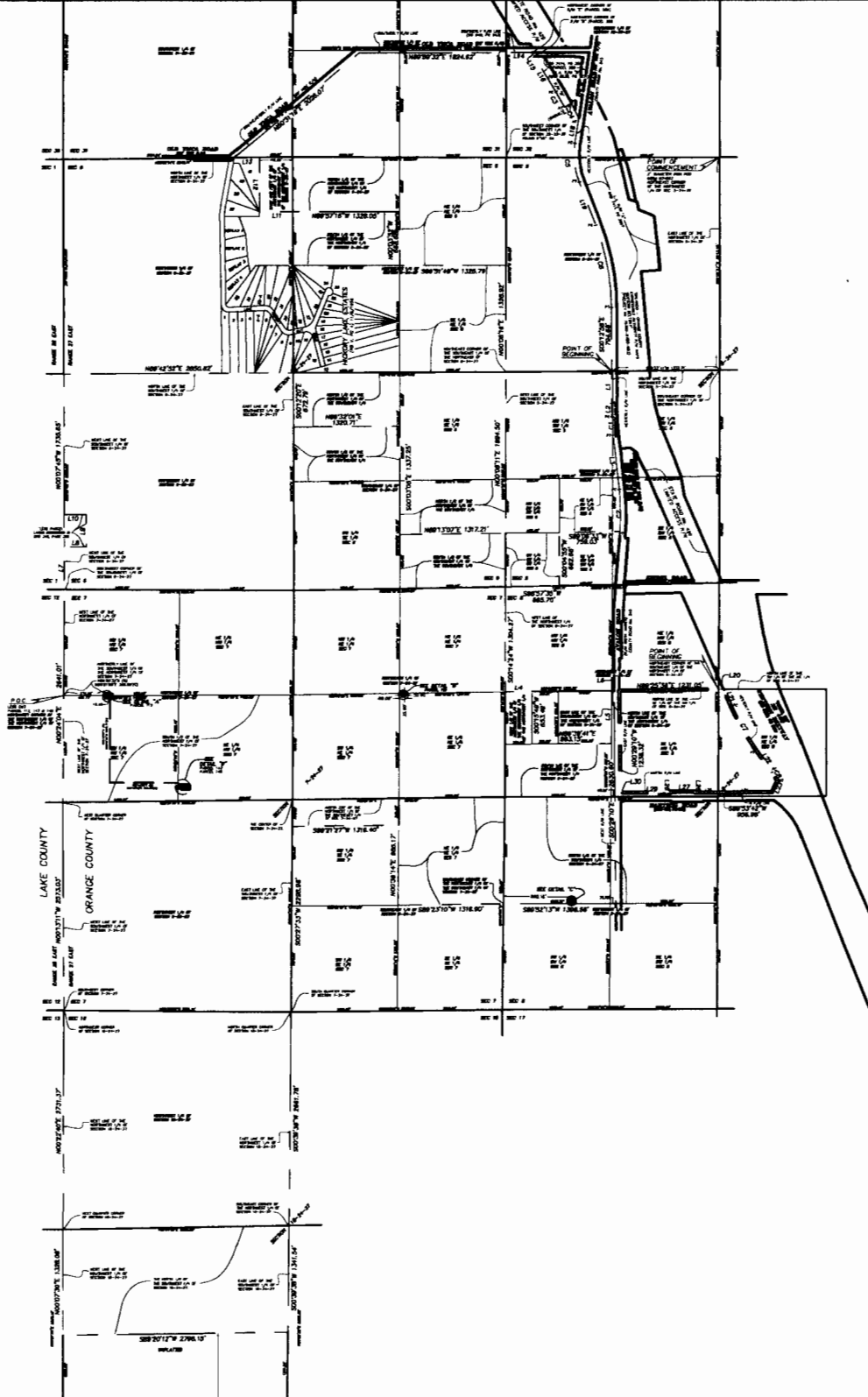
Waterleigh PD
Case No. CDR-16-03-089

Location Map

May 2016

Figure 1

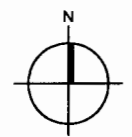




DESCRIPTION:

That part of Sections 31 and 32, Township 23 South, Range 27 East, and Sections 5, 6, 7, 8 and 18, Township 24 South, Range 27 East, Orange County, Florida, described as follows:

COMMENCE at a 3 inch diameter iron pipe found at the Northeast corner of the Northwest 1/4 of said Section 5, said iron pipe as shown and recorded in Certified Corner Record #074863; thence run S00°05'37"W along the East line of said Northwest 1/4 for a distance of 2642.65 feet to the Southeast corner of said Northwest 1/4; thence run S89°33'41"W along the South line of said Northwest 1/4 for a distance of 1337.71 feet to a point on the West right-of-way line of Avalon Road (County Road No. 545), a 66' wide right-of-way as recorded in Official Records Book 402, Page 351, and Official Records Book 402, Page 359, of the Public Records of Orange County, Florida; said right-of-way also as shown and defined in the "Orlando - Orange County Expressway Authority Right-of-Way Maps WESTERN BELTWAY" Project No. 75320-6460-653 for State Road No. 429, and the POINT OF BEGINNING; thence run the following five (5) courses along said Westerly right-of-way line: S00°12'58"E for a distance of 401.65 feet; S00°48'39"E for a distance of 169.02 feet to the point of curvature of a curve concave Easterly having a radius of 2324.89 feet and a chord bearing of S03°36'05"E; thence Southerly along the arc of said curve through a central angle of 05°34'53" for a distance of 226.48 feet to the point of tangency; thence S06°23'32"E for a distance of 674.68 feet to the point of curvature of a curve concave Westerly having a radius of 2831.93 feet and a chord bearing of S01°10'53"E; thence Southerly along the arc of said curve through a central angle of 10°25'18" for a distance of 515.10 feet to a non-tangent line; thence departing said Westerly right-of-way line, run S89°06'33"W along the South line of the Northeast 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 5 and the Easterly prolongation thereof for a distance of 759.03 feet to the East line of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 5; thence S00°04'55"W along said East line 662.68 feet to the South line of said Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4; thence S88°57'35"W along said South line 665.70 feet to the West line of the Northwest 1/4 of said Section 8; thence S00°14'24"W, along said West line 1304.27 feet to the North line of the West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of said Section 8; thence N89°25'38"E, along said North line 331.34 feet to the East line of said West 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Northwest 1/4; thence S00°15'49"W, along said East line 653.49 feet to the North line of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 8; thence N89°39'41"E, along said North line 993.15 feet to the East line of the Southwest 1/4 of the Northwest 1/4 of said Section 8; thence N00°20'04"E, along said East line 657.57 feet to the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 8; thence N89°25'38"E, along said North line 28.30 feet to the West right-of-way line of County Road 545; thence S00°29'10"E, along said West right-of-way line 2630.60 feet to the South line of the North 1/2 of the Southwest 1/4 of said Section 8; thence S89°52'13"W, along said South line 1398.56 feet to the Southeast corner of the Northeast 1/4 of the Southeast 1/4 of said Section 7; thence S89°23'10"W, along the South line 1316.90 feet to the West line of said Northeast 1/4 of the Southeast 1/4; thence N00°36'14"E, along said West line 985.17 feet to the South line of the North 330 feet of the Northwest 1/4 of the Southeast 1/4 of said Section 7; thence S89°21'27"W, along said South line, 1319.40 feet to the East line of the Southwest 1/4 of said Section 7; thence S00°27'33"W, along said East line, 2298.98 feet to the North Quarter corner of said Section 18; thence S00°39'38"W, along the East line of the Northwest 1/4 of said Section 18, a distance of 2661.78 feet to the Southeast corner of the Northwest 1/4 of said Section 18; thence S00°39'38"W, along the East line of the Southwest 1/4 of said Section 18 for a distance of 1341.54 feet to the South line of the North 1/2 of the Southwest 1/4 of said Section 18; thence S89°20'12"W, along said South line, 2796.15 feet to the West line of the Southwest 1/4 of said Section 18; thence N00°07'30"E, along said West line, for a distance of 1328.08 feet to the West Quarter corner of said Section 18; thence N00°22'40"E along the West line of the Northwest 1/4 of said Section 18 for a distance of 2731.37 feet to the Northwest corner of said Section 18; thence N00°13'11"W, along the West line of the Southwest 1/4 of said Section 7, for a distance of 2573.03 feet to the West Quarter corner of said Section 7; thence N00°24'04"E, along the West line of the Northwest 1/4 of said Section 7 for a distance of 2641.01 feet to the Southwest corner of the Southwest 1/4 of said Section 6; thence N00°07'45"W, along the West line of said Southwest 1/4, a distance of 524.00 feet to the South line of lands described in Book 349, Page 366, of the Public Records of Orange County, Florida; thence N89°52'15"E, along said South line 275.00 feet to the East line of said Lands; thence N00°07'45"W, along said East line 400.00 feet to the North line of said Lands; thence S89°52'15"W, along said North line 275.00 feet to said West line of the Southwest 1/4; thence N00°07'45"W, along said West line 1735.65 feet to the North line of said Southwest 1/4 of Section 6; thence N89°42'52"E, along said North line 2850.82 feet to the East line of said Southwest 1/4 of Section 6; thence S00°12'20"E, along said East line 672.79 feet to the North line of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of said Section 6; thence N89°32'01"E, along said North line 1320.71 feet to the East line of said South 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 6; thence S00°03'05"E, along said East line and the West line of the North 1/2 of the Southeast 1/4 of the Southeast 1/4 of said Section 6, a distance of 1337.25 feet to the North line of said South 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 6; thence N89°13'07"E, along said North line 1317.21 feet to the West line of the Southwest 1/4 of said Section 5; thence N00°06'11"E, along said West line 1994.50 feet to the Southeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 6; thence N00°06'16"E, along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 6, a distance of 1328.92 feet to the North line of said Southeast 1/4 of the Northeast 1/4 of Section 6; thence S89°51'49"W, along said North line 1325.79 feet to the West line of the Northeast 1/4 of the Northeast 1/4 of said Section 6; thence run N00°03'52"W along said West line 668.68 feet; thence run N89°57'16"W along the South line of the North 1/2 of the Northwest 1/4 of the Northeast 1/4 of said Section 6 for a distance of 1328.05 feet; thence run S89°24'08"W along the South line of the East 412 feet of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 6 for a distance of 412.01 feet to the West line of said East 412 feet of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 6; thence run N00°12'18"W along said West line for a distance of 672.68 feet to the North line of the Northwest 1/4 of said Section 6; thence run S89°22'14"W along said North line for a distance of 313.16 feet to the Southeasterly right-of-way line of OLD YMCA ROAD, a 60' right-of-way as recorded in Deed Book 623, Page 348, of the aforesaid Public Records; thence run N50°31'19"E along said Southeasterly right-of-way line for a distance of 2026.07 feet; thence run N89°59'32"E along the Southerly right-of-way line of said OLD YMCA ROAD for a distance of 1824.62 feet to a point being distant 1290.98 feet on a bearing of N00°10'29"E from a 6"x6" concrete monument at the Southwest corner of the Southwest 1/4 of said Section 32; thence run N89°43'52"E along said Southerly right-of-way line of OLD YMCA ROAD, as recorded in Deed Book 640, Page 243, of said Public Records, for a distance of 318.50 feet to the Northwest corner of Right-of-Way "C" of Parcel 209, said Parcel 209 as recorded in Official Records Book 8039, Page 1871 of said Public Records; thence departing said Southerly right-of-way line, run S31°29'22"E along the Southwesterly boundary of said Right-of-Way "C" 56.46 feet to the Northwest corner of Right-of-Way "D" of said Parcel 209; thence run S31°29'22"E along the Southwesterly boundary of said right-of-way "D" 506.01 feet to the point of curvature of a curve concave Southwesterly having a radius of 4336.66 feet and chord bearing of S30°02'52"E; thence Southeasterly along said Southwesterly boundary of said Right-of-Way "D" and along the arc of said curve through a central angle of 02°53'01" for a distance of 218.26 feet to a radial line; thence N61°23'39"E along said radial line and the Southeasterly boundary of said Right-of-Way "D" 97.00 feet to the Southwesterly boundary of Limited Access Right-of-Way "B" of said Parcel 209 and to a point on a non-tangent curve concave Southwesterly having a radius of 4433.66 and a chord bearing of S27°17'56"E; thence Southeasterly along said Southwesterly boundaries of Limited Access Right-of-Way "B"



and Right-of-Way "C", and the arc of said curve through a central angle of 02°36'50" for a distance of 202.27 feet to the aforementioned West right-of-way line of County Road No. 545; thence run the following five (5) courses along said West right-of-way line: S09°09'08"W for a distance of 313.80 feet to the point of curvature of a curve concave Easterly having a radius of 914.49 feet and a chord bearing of S06°08'03"E; thence, Southerly along the arc of said curve through a central angle of 30°34'22" for a distance of 487.97 feet to the point of tangency; S21°25'13"E for a distance of 570.37 feet to the point of curvature of a curve concave Westerly having a radius of 2831.87 feet and a chord bearing of S10°49'05"E; thence Southerly along the arc of said curve through a central angle of 21°12'15" for a distance of 1048.03 feet to the point of tangency; thence S00°12'58"E for a distance of 794.68 feet to the POINT OF BEGINNING.

AND:

That part of the Northwest 1/4 of Section 8, Township 24 South, Range 27 East, Orange County, Florida, described as follows:

BEGIN at the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of said Section 8; thence N89°51'49"E, along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 8, for a distance of 57.55 feet to the Westerly right-of-way line of the Western Beltway (SR 429) as recorded in Official Records Book 6395, Page 5891 of said Public Records; thence run the following five (5) courses along said Westerly right-of-way line: S23°37'44"E, 227.98 feet to the point of curvature of a curve concave Northeasterly having a radius of 2952.00 feet and a chord bearing of S29°39'00"E; thence Southeasterly along the arc of said curve through a central angle of 12°02'33" for a distance of 620.46 feet to the point of tangency; thence S35°40'18"E, 345.95 feet to the point of curvature of a curve concave Southwesterly having a radius of 2750.00 feet and a chord bearing of S34°23'11"E; thence Southeasterly along the arc of said curve through a central angle of 02°34'11" for a distance of 123.34 feet to a non-tangent line; thence S24°10'09"W, 158.90 feet to the North Right-of-way line of Hartzog Road; thence run along said North Right-of-way line of Hartzog Road the following six (6) courses: S89°53'42"W, 956.96 feet; thence N00°06'18"W, 11.00 feet; thence S89°53'42"W, 300.00 feet; thence S00°06'18"E, 11.00 feet; thence S89°53'42"W, 590.88 feet; thence N51°12'45"W, 43.98 feet to the East Right-of-way line of Avalon Road (a 66 foot wide Right-of-way also known as County Road No. 545); thence N00°29'10"W, along said East Right-of-way line 1238.32 feet to the North line of the Southeast 1/4 of the Northwest 1/4 of said Section 8; thence N89°25'38"E, along said North line, 1231.05 feet to the POINT OF BEGINNING;

LESS AND EXCEPT:

Parcel 112 (Official Records Book 3630, Page 1968) All that portion of the Southwest 1/4 of the Northwest 1/4 of Section 7, Township 24 South, Range 27 East, in the County of Orange, State of Florida, included within a parcel of land 50.00 feet of even width, the Easterly line of said 50.00 foot wide parcel of land being described as follows:

Beginning at a point on the Northerly line of said Southwest 1/4 of the Northwest 1/4, distant thereon North 89 Deg. 50' 33" East 560.00 feet from the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence South 00 Deg. 10' 00" West 35.00 feet.

LESS AND EXCEPT:

Parcel 113 (Official Records Book 3630, Page 1968) The Northerly 35.00 feet of the Easterly 50.00 feet of the Westerly 80.00 feet of the Southeast 1/4 of the Northeast 1/4 of Section 7, Township 24 South, Range 27 East, in the County of Orange, State of Florida.

LESS AND EXCEPT:

That part conveyed in Book 3642, Page 1686, described as: The Easterly 35.00 feet of the Westerly 860.16 feet of the Northerly 50.00 feet of the Southerly 57.00 feet of the Northwest 1/4 of the Southwest 1/4 of Section 8, Township 24 South, Range 27 East, in the County of Orange, State of Florida.

LESS AND EXCEPT:

Parcel 147 (Official Records Book 3630, Page 1972)

All that portion of the South 1/2 of the Northwest 1/4 of Section 7, Township 24 South, Range 27 East, in the County of Orange, State of Florida, described as follows:

Commencing at a point on the Northerly line of the Southwest 1/4 of the Northwest 1/4 of said Section 7, distant thereon North 89 Deg. 50' 33" East 572.50 feet from the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence South 00 Deg. 10' 00" West 1078.71 feet; thence South 89 Deg. 44' 00" East 849.88 feet; thence South 22 Deg. 58' 52" East 44.54 feet; thence North 67 Deg. 01' 08" East 15.00 feet to the TRUE POINT OF BEGINNING; thence East a distance of 104.19 feet; thence South a distance of 35.00 feet; thence West a distance of 89.35 feet to a line which bears South 22 Deg. 58' 52" East from the TRUE POINT OF BEGINNING; thence along said line, North 22 Deg. 58' 52" West 38.02 feet to the TRUE POINT OF BEGINNING.

EXCEPTING from the property described above, the Easterly 40.00 feet thereof.

LESS AND EXCEPT:

Parcel 148 (Official Records Book 3630, Page 1972)

The Easterly 40.00 feet of all that portion of the South 1/2 of the Northwest 1/4 of Section 7, Township 24 South, Range 27 East, in the County of Orange, State of Florida, described as follows:

Commencing at a point on the Northerly line of the Southwest 1/4 of the Northwest 1/4 of said Section 7, distant thereon North 89 Deg. 50' 33" East 572.50 feet from the Northwest corner of said Southwest 1/4 of the Northwest 1/4; thence South 00 Deg. 10' 00" West 1078.71 feet; thence South 89 Deg. 44' 00" East 849.88 feet; thence South 22 Deg. 58' 52" East 44.54 feet; thence North 67 Deg. 01' 08" East 15.00 feet to the TRUE POINT OF BEGINNING; thence East a distance of 104.19 feet; thence South a distance of 35.00 feet; thence West a distance of 89.35 feet to a line which bears South 22 Deg. 58' 52" East from the TRUE POINT OF BEGINNING; thence along said line, North 22 Deg. 58' 52" West 38.02 feet to the TRUE POINT OF BEGINNING.

Together containing 1485.435 acres more or less and being subject to any rights-of-way, restrictions and easements of record.



225 E. Robinson Street, Suite 300
Orlando, Florida 32801 | 407.839.4006

Waterleigh PD
Case No. CDR-16-03-089

Legal Description

May 2016

Figure 2C

