



Interoffice Memorandum

03-16-16P01:47 RCVD

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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

ODT for SS

Project Name: Windermere Landing Planned Development / Land Use Plan (PD / LUP) - Case # CDR-15-12-397

Type of Hearing: Substantial Change

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

Commission District: 1

General Location: East of Winter Garden Vineland Road / South of Chase 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 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 thirty-eight (38) lots located within the Windermere Landing Preliminary Subdivision Plan (PSP) (aka "The Enclave") and controlled by Meritage Homes:

1. A waiver from Section 38-1384(d) to permit the minimum dimensions of a front porch to be not less than 4 feet deep or less than 4 feet wide, in lieu of the requirement to have minimum front porch dimensions of not less than 7 feet deep or less than 8 feet wide, and 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;
2. 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 of 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 (Note: See sheet 5 of the Windermere Landing PD / LUP for "J load" home product and "half and half" home product elevations);

3. A waiver from Section 38-1384(g)(2) to permit the "J load" home product and the "half and half" home product in the Enclave subdivision 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 5 of the Windermere Landing PD / LUP for "J load" home product and "half and half" home product elevations); and
4. 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.

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)

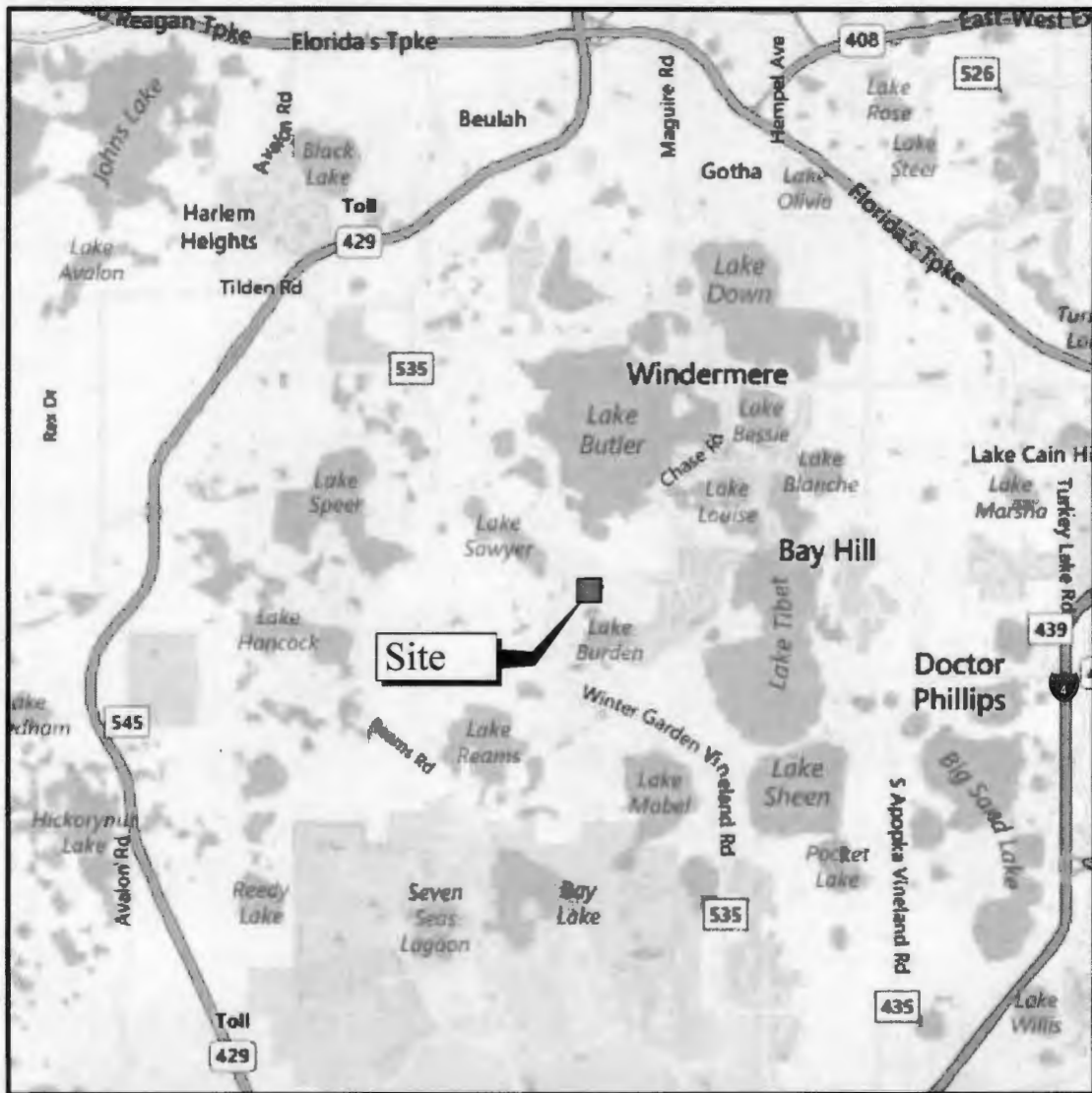
- c: Chris R. Testerman, AICP, Assistant County Administrator
Jon V. Weiss, Director, Community Environmental Development Services
Department

WINDERMERE LANDING – PHASE 3
MERITAGE HOMES

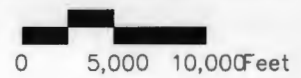
LEGAL DESCRIPTION

THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 30, TOWNSHIP 23 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, LESS THE NORTH 33.0 FEET AND THE WEST 33.0 FEET FOR RIGHT OF WAY;

Together with all buildings, structures, and improvements thereon and all of the rights, privileges, appurtenances, hereditaments, easements, reversions, and remainders pertaining to or used in connection therewith, including, without limitation, all (i) development and concurrency rights and credits, impact fee credits, prepaid fees, air rights, water, water rights, water stock, water capacity, sewer, wastewater and re-use water rights, sewage treatment capacity, other utility capacity and rights, concurrency certificates, approvals, and permits relating thereto, if any, (ii) strips and gores, streets, alleys, easements, rights-of-way, public ways, or other rights appurtenant, adjacent, or connected thereto, if any, and (iii) minerals, oil, gas, and other hydrocarbon substances in, under, or that may be produced therefrom if any.



Site Location Map



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