

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, January 4, 1994. Vice-chairman Donegan and Commissioners Tom Staley, Mary Johnson, and Fran Pignone were present. County Chairman Linda Chapin and Commissioners Bob Freeman and Mable Butler entered the meeting where indicated. Also present were County Administrator Jean Bennett, County Attorney Tom Wilkes, County Comptroller as Clerk Martha Haynie, and Deputy Clerk Rosilyn Stapleton. There being a quorum, Vice-chairman Donegan called the meeting to order at 9:00 a.m.

WORKSESSION - I-4 MULTI-MODAL MASTER PLAN**Staff Report**

Planning and Development Division Director Bruce McClendon introduced the consultants and State planners who are preparing the I-4 Multi-Modal Master Plan for the Florida Department of Transportation (FDOT).

Alice Gilmartin, planner for the FDOT, District V, and project manager of the I-4 Multi-modal Master Plan, introduced Vic Poteat, vice president with Post Buckley, Schuh, and Jernigan, consultants preparing the plan.

Mr. Poteat addressed the Board and stated the objectives of his presentation are to keep the Board abreast of progress and to receive the Board's input on possible problems in implementing the plan or to learn of new sources of information.

Commissioners Freeman and Butler entered the meeting.

Mr. Poteat described the revised FDOT master plan as one that views interstates as regional rather than local transportation, and that all future expansion of interstates must look for solutions other than adding lanes. Mr. Poteat listed FDOT's objectives in the redesign of I-4; specifically, maintain air quality, serve urban communities, support regional commerce, conserve energy, and maintain cost effectiveness.

Mr. Poteat presented statistics on current and projected traffic levels for the I-4 corridor between Polk and Osceola County lines and Interstate 95 in Volusia County. Traffic is projected to increase to 670,000 trips per day by the year 2010, on a road with a current capacity of 438,000 trips per day.

Mark Boggs, regional manager of transportation planning with Post, Buckley, Schuh, Jernigan addressed the Board and stated that the I-4 multi-modal transportation corridor might consist of car pool lanes, high occupancy per vehicle (HOV) lanes, and light or heavy rail. Five options are being considered, he said, each with a varied emphasis on one or more the modal elements.

Mr. Boggs stated the FDOT will continue to coordinate its planning and implementation with other local transportation agencies. He pointed out that benefits will result from reducing congestion at bottlenecks around busy intersections, such as the one at I-4 and State Road 436.

Discussion

In response to Commissioner Freeman, Mr. Poteat said the beltway system will be completely finished by 2020. Commissioner Freeman expressed concern over the disruption to area businesses during the I-4 corridor upgrade. He further suggested completion of the Western Beltway to diminish interruptions.

County Chairman Chapin entered the meeting.

Commissioner Staley commended FDOT's new policy limiting interstate sprawl and concurred with Commissioner Freeman that completion of the Western Beltway be given a high priority.

Commissioner Johnson asked for clarification on the compatibility of light and high-speed rails to which Mr. Poteat replied that the idea of two parallel tracks and a single track were being examined.

Commissioner Freeman stated that a transportation expansion study must make reasonable estimates of revenues from fares.

Commissioner Pignone preferred solutions that minimize environmental impacts.

Commissioner Donegan noted that the overlapping jurisdictions have to be committed to developing incentives that encourage people to ride the bus or take the train.

Ellen Hardgrove, planning manager, FDOT, District V, addressed the Board and thanked the staff of the Planning and Development Division for its assistance.

Motion

The Board did not take any action

COUNTY CHAIRMAN DISCUSSION AGENDA

1. Election of Vice-Chairman.

Commissioner Butler nominated Commissioner Staley for Vice-chairman of the Board of County Commissioners for 1994. County Chairman Chapin closed the nominations.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting

AYE by voice vote; the Board elected Commissioner Tom Staley to be the Vice-chairman of the Board of County Commissioners for 1994.

COUNTY ADMINISTRATOR DISCUSSION AGENDA

- 1. Authorization for the Chairman to sign the lease among Orange County, the City of Orlando (the "Landlord"), and Team Classic Services, Inc. (the "Tenant").

County Administrator Bennett stated that this item has been postponed until the next Board meeting, January 11, 1994.

COUNTY CONSENT AGENDA

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the County Consent Agenda items as follows:

COMPTROLLER

- 1. Warrants and vouchers, having been certified that same had not been drawn on overexpended accounts:
 - Regular Board: Total - \$9,768,159.48
 - Regular Board: Total - \$17,708,422.24
 - Regular Board: Total - \$17,533,979.74
 - Regular Board: Total - \$31,195,059.25

ADMINISTRATIVE SUPPORT DIVISION

- 1. Approval to fly all flags at Orange County facilities at half-mast on January 10, 1994, to commemorate the 10th anniversary of the killing and wounding of the Orange County Courthouse deputies.

ADMINISTRATIVE SUPPORT DIVISION

Real Estate Management Department

- 1. Approval and execution by County Chairman of resolution and subordination of County utility interests and authorization to record instrument: S.R. 500 (Sand Lake Road to Holden Avenue), Resolution and Subordination of County Utility Interests, Parcel 806.2R, Districts 4 and 6.

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

2. Approval and execution by County Chairman to show acceptance and authorization to record instrument of Joinder and Consent of Easement Modification Agreement: Danis Cypress Park, Joinder and Consent, District 4.
3. Approval and authorization to conduct closing, disburse warrant, record instrument, pay appropriate closing costs and approval of any additional recording fees not to exceed \$30.00: Juvenile Assessment Center, Warranty Deed, Parcel 101, District 6.

(Disburse warrant to Fidelity Guaranty and Trust Company in the amount of \$924,785.50)

4. Re-approval and execution by County Chairman of hangar lease agreement between Greater Orlando Aviation Authority and Orange County: Sheriff's Office, Hangar Lease Agreement, District 3.

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

5. Approval and execution by County Chairman of lease agreement between Aldaberto Arana, Jr., M.D., and Orange County: Sheriff's Section II Headquarters, Lease Agreement. District 3.

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

COUNTY ADMINISTRATOR

1. Approval of the amendment of the engagement letter, and authorization for the Chairman to execute the amended engagement letter between Orange County and Cobb, Cole & Bell, Mathews, Smith & Railey (formerly Mathews, Smith & Railey), regarding Circuit Court Case #CI93-6315 Howard R. Scharlin, as Trustee, Ralph Fisch, as Trustee, and Robert A. Yeager, as Trustee, vs. Orange County.

(Amendment is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

FISCAL AND HUMAN RESOURCES DIVISION

1. Confirmation of the County Chairman's staff reappointments for the month of January 1994 (Human Resources):

- Peter Clarke, manager, Health and Human Services, Medical Clinic
- Mark Griffin, manager, Health and Human Services, Human Services
- Renzy Hanshaw, deputy chief, Fire/Rescue, Administration
- Dan Kirchner, division director, Community Services, Administration
- Christopher Kohl, manager, Public Utilities, Resource Recovery
- John Terwilliger, manager, Administrative Support, Real Estate Management
- Linda Tidwell, division director, Fiscal and Human Resources, Administration

2. Approval of Budget Transfers #94-107 through #94-111 (OMB).

(Budget transfers are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

3. Approval of CIP Amendments #14-94 through #18-94 (OMB).

(CIP Amendments are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

FISCAL AND HUMAN RESOURCES DIVISION

Purchasing and Contracts Department

1. Approval to award Invitation for Bid #Y4-717-NS, Renovation of Existing Orange County Courthouse, to the low responsive and responsible bidder, M & V Builders, Inc., to provide more courtroom space in the existing courthouse in the amount of \$146,710 (Construction Administration).

(Contracts are on file in the Purchasing and Contracts Department.)

PLANNING AND DEVELOPMENT DIVISION

1. Approval and execution of the Road Impact Fee Agreement regarding an Alternative Traffic Study between Russell Automotive & Towing, Inc., and Orange County (Planning Department), District 2.
2. Approval and execution of the Road Impact Fee Agreement regarding an Alternative Traffic Study between Korean Family Life Center (aka Orlando Central Baptist Church) and Orange County (Planning Department), District 2.
3. Approval and execution of the Land Uses Agreement among Orange County, Florida, Martin Marietta Corporation, and Orlando Central Park (Planning Department), District 6.

(Agreements are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

NONAGENDA - CLOSED SESSIONS SCHEDULED FOR JANUARY 11, 1994

County Attorney Tom Wilkes read the following notices of closed sessions of the Board of County Commissioners for January 11, 1994:

- Pursuant to Chapter 286, Florida Statutes, as amended by Chapter 93-232, Laws of Florida, there will be a closed session of the Board of County Commissioner's meeting on January 11, 1994, in order that the Board may discuss with its attorneys the following litigation:
- In re: Application for Modification of Supplemental Power Plant Certification of Orlando Utilities Commission for Curtis H. Stanton Energy Center PA 81-14C, DOAH Case No. 92-6153EPP. This matter is specific to the placement of the Alafaya Trail Extension across the OUC Stanton Energy Center property.

This closed session will commence at 1 p.m. Present will be the Board of County Commissioners; the County Administrator or her designee; the County Attorney or his designee; the County Comptroller or her designee; the Clerk to the Board of County Commissioners or her designee; Assistant County Attorneys Lynn P. Porter-Carlton and Paul H. Chipok; George Cole, Director, Public Works Division or, his designee; Alan Ispass, Director, Public Utilities Division, or his designee; Stan Keely, Deputy Director, Public Utilities Division, or his designee, and Bruce McClendon, Director, Planning and Development Division, or his designee.

The closed session will be transcribed by a certified court reporter. The session shall last approximately 20 minutes.

- Pursuant to Chapter 286, Florida Statutes, as amended by Chapter 93-232, Laws of Florida, there will be a closed session of the Board of County Commissioner's meeting on January 11, 1994, in order that the Board may discuss with its attorneys the following litigation: Orange County vs. Fred C. Morrison, et al., Case No. CI91-4303, Parcels 113/9213; 1214/9214; 1215/9215, Project: Piedmont-Wekiwa Springs Road - Phase 1.

This closed session will commence at approximately 1:20 p.m. Present will be the Board of County Commissioners; the County Administrator or her designee; the County Attorney or his designee; the County Comptroller or her designee; the Clerk to the Board of County Commissioners or her designee; Assistant County Attorney Joseph L. Passiatore; George Cole, Director, Public Works Division; Bill Wythe, Manager, Highway Construction Department; and John Terwilliger, Manager, Real Estate Management Department.

The closed session will be transcribed by a certified court reporter. The session shall last approximately 10 minutes.

Discussion

In response to Commissioner Pignone's questions, Mr. Wilkes explained that a closed session permits the Board to advise its staff and attorneys on how to proceed in negotiating for a settlement of lawsuits. Commissioner Pignone commented that these closed sessions may not be appropriate as the advice from Board members may reflect political considerations that should be aired in public.

NONAGENDA - FUNDING CAP FOR ECONOMIC FEASIBILITY STUDY

Commissioner Johnson stated that last week the Board approved a motion by Commissioner Donegan to conduct an economic feasibility study for locating a merchandise/apparel mart in Orange County.

Commissioner Donegan clarified that his motion should include a cap of \$65,000.

Motion

By consensus, the Board approved a funding cap of \$65,000 on a study of the economic feasibility of locating a merchandise/apparel mart in Orange County, as approved by the Board of County Commissioners at its meeting of December 28, 1993.

NONAGENDA - REPORT ON ADVISORY BOARD APPOINTMENT

Commissioner Donegan reported that he had appointed Winter Park Commissioner Roland (Terry) Hotard as the Winter Park representative to the Civic Facilities Authority. Since then, Mr. Hotard has been appointed to the Regional Planning Authority and cannot serve effectively on both boards. Commissioner Donegan stated he will submit a new nomination, possibly next week.

NONAGENDA - RESOLUTION HONORING DR. RICHARD B. MOORE

Commissioner Butler requested a posthumous resolution honoring Dr. Richard B. Moore, past president of Bethune-Cookman College, for his contributions.

NONAGENDA - CHIEF MEDICAL EXAMINER

County Administrator Bennett announced that Dr. Thomas Hegert, Orange County Chief Medical Examiner, is currently a patient at Orlando Regional Hospital.

ORDINANCE PUBLIC HEARING - AMENDING SECTION 14-1, ORANGE COUNTY CODE, PERTAINING TO CIRCUIT COURT FEES

Notice was given that the Board of County Commissioners would hold a public hearing to consider the following proposed ordinance:

AN ORDINANCE PERTAINING TO CIRCUIT COURTS IN ORANGE COUNTY, FLORIDA; AMENDING SECTION 14-1 OF THE ORANGE COUNTY CODE TO PROVIDE FOR A FEE TO BE PAID UPON THE INSTITUTION OF ANY CIVIL ACTION IN CIRCUIT COURT FOR PAYMENT OF COSTS ASSOCIATED WITH PUBLIC GUARDIANSHIPS; PROVIDING FOR MATCHING FUNDS FROM COUNTY GENERAL REVENUE; CREATING A SUNSET PROVISION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

County Attorney Tom Wilkes reviewed the proposed ordinance and stated that the filing fee will go up by \$3.25 on civil court cases in Orange County.

Appearances

The following person addressed the Board in favor of the proposed ordinance:

- Donna Stiteler, executive director, Seniors First, Inc. (no address given).

No one appeared in opposition to the ordinance.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board adopted an ordinance amending Section 140-1 of the Orange County Code to provide for a fee to be paid upon the institution of any civil action in circuit court for payment of costs associated with public guardianships.

(Ordinance Number 94-01 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

NONAGENDA - FIREFIGHTERS' PAY

Commissioner Pignone asked about whether the Board will be asked to take action on the impasse with the firefighters' union, in light of an updated Mercer study. County Administrator Jean Bennett stated that the matter might best be discussed in executive session and that she will be making a determination soon.

NONAGENDA - COMMISSIONER'S PARTICIPATION IN BUDGETING PROCESS

Commissioner Pignone requested that the Board discuss its role in the budget process and that it examine the budget in more detail. County Chairman Chapin said that the budget director will meet with each commissioner allowing commissioners opportunity to make suggestions.

County Chairman Chapin adjourned the morning session.

MEETING RECONVENED

The Board of County Commissioners reconvened in Commission Chambers on the First Floor, Orange County Administration Center, with County Chairman Linda Chapin, Commissioners Bob Freeman, Tom Staley, Mary Johnson, Fran Pignone, Bill Donegan, and Mable Butler present. Also present were Assistant County Administrator Howard Tipton, Assistant County Attorney Joel Prinsell, Chief Deputy County Comptroller as Clerk Jim Moye, and Deputy Clerk Rosilyn Stapleton. The Board paused for an invocation by Reverend Richard Koons, Metropolitan Baptist Church, followed by the Pledge of Allegiance to the Flag.

NONAGENDA - STANDING DURING INVOCATION

Commissioner Butler brought to the Board's attention that it is proper to stand during the invocation. County Chairman Chapin welcomed the suggestion and stated that the Board would do so at future meetings.

PUBLIC DISCUSSION

1. Presentation of Service Awards for 20 years, Public Works Division.

County Chairman Chapin presented service awards to:

- Willis "Bill" Strickland, senior inspector, Engineering Department
- Cle Clark, motor vehicle operator, Highway Maintenance
- David Gold, crew leader for sign installation, Traffic Engineering Department

2. Presentation of retirement proclamations, Public Works Division.

County Chairman Chapin read proclamations honoring the following employees retired from Public Works:

- Bobbi McCain, Development Review Committee coordinator (proclamation received by Sue Dinkins, secretary of Public Utilities)
- Jack Swarm, assistant manager, Highway Maintenance Department

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - HUNTER'S CREEK PD/PARCEL 305
PRELIMINARY SUBDIVISION PLAN, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Hunter's Creek PD/Parcel 305 Preliminary Subdivision Plan on the following described property:

Commence at the southeast corner of the southwest 1/4 of Section 32, Township 24 South, Range 29 East, run N00°04'17"W along the north-south center section line, a distance of 4975.09 feet for a Point of Beginning; said point being on the easterly line of Hunter's Creek Tract 335, Phase II, as recorded in Plat Book 31, Pages 19-20, thence run N46°39'25"W along said easterly line, a distance of 662.55 feet to a point on the northerly line of said Hunter's Creek Tract 335 Phase II; thence departing said easterly line, run S49°18'52"W, along said northerly line and the northerly line of Hunter's Creek, Tract 335, Phase I, as recorded in Plat Book 26, Pages 131-133, Public records of Orange County, Florida, a distance of 2195.83 feet to a point on the west line of said Hunter's Creek Tract 335, Phase I; thence departing said northerly line, run S00°48'03"W, along said westerly line, a distance of 967.91 feet to a point on a curve, concave northerly, having a central angle of 09°53'01" and a radius of 2815.00 feet; thence departing said westerly line and from a tangent bearing of N89°11'57"W, run westerly along the arc of said curve, a distance of 485.59 feet to the point of tangency; thence run N79°18'56"W, a distance of 325.32 feet; thence N10°41'04"E, a distance of 35.00 feet; thence N79°18'55"W, a distance of 39.75 feet to the point of a curvature of a curve, concave southwesterly, having a central angle of 04°22'22" and a radius of 2980.00 feet; thence run northwesterly along the arc of said curve, a distance of 227.43 feet to the point of tangency; thence run N83°41'18"W, a distance of 400.28 feet; thence N34° 06'05"E, a distance of 931.96 feet to a point on the southerly right-of-way line of the Eastern Beltway, as recorded in Official Records Book 4477, Pages 3855-3882, Public Records of Orange County, Florida; said point also being on a curve, concave northwesterly, having a central angle of 21°45'55" and a radius of 5879.58 feet; thence from a tangent bearing of N67°39'59"E, run northeasterly along the arc of said curve and said right-of-way line, a distance of 2233.51 feet to the point of tangency; thence run N45°54'04"E, a distance of 118.90 feet; thence N44°06'51"E, a distance of 815.49 feet; thence departing said right-of-way line, run S56°32'16"E, a distance of 748.35 feet; thence S45°08'31", a distance of 334.48 feet; thence S52°29'42"E, a distance of 52.77 feet; thence N46°39'25"E, a distance of 402.50 feet; thence S36°08'32"E, a distance of 101.71 feet; thence S46°14'57"E, a distance of 120.00 feet to a point on a curve, concave southeasterly, having a central angle of 01°21'19" and a radius of 3365.00 feet; thence from a tangent bearing of S44°41'54"W, run southwesterly along the arc of said curve, a distance of 79.59 feet to the point of tangency; thence run S43°20'35"W, a distance of 307.83 feet; thence N45°39'25"W, a distance of 675.14 feet to the Point of Beginning. Containing 62.52 acres, more or less.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the plan:

- Roger Gatlin of American General Land Development, Inc., developers of Hunter's Creek; 7600 Southland Boulevard, Suite 102, Orlando, Florida.

No one appeared in opposition to the plan.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Hunter's Creek PD/Parcel 305 Preliminary subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Hunter's Creek PD/Parcel 305 Preliminary Subdivision Plan dated, "Received October 1, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires January 4, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved Master Drainage Plan for this PD.
3. Lots shall be graded so as not to adversely affect adjacent lots.

4. Conservation Tract 3 shall be owned and maintained by the homeowners' association with development rights dedicated to Orange County.
5. A waiver of Section 34-153(a) of the Orange County Code to delete side and rear lot utility easements and substitute a ten-foot (10') front yard utility easement is granted.
6. An easement over Retention Pond Tracts 36 and 6 shall be granted to Orange County.
7. The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.
8. Prior to construction plan approval, the size, location, and points of connection for water mains and sewer mains shall be determined.
9. Waiver of Section 34-171(8) to eliminate the requirement for the sidewalk along the north side of Street "A" between Lot 20 on the cul-de-sac to Lot 106 is granted.
10. Prior to platting, a developer's agreement shall be executed which identifies the ownership and maintenance responsibilities of all private common facilities.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - HUNTER'S CREEK PD/PARCEL 350B
PRELIMINARY SUBDIVISION PLAN, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Hunter's Creek PD/Parcel 350B Preliminary Subdivision Plan on the following described property:

Commence at the south 1/4 corner of Section 29, Township 24 South, Range 29 East, run N89°43'49"E, along the South line of the southeast 1/4 of said Section 29, a distance of 143.34 feet to a point on the northerly extension of the west line of Hunter's Creek Tract 350, Phase I, as recorded in Plat Book 30, Page 146, Public Records of Orange County, Florida, said point also being the Point of Beginning; thence departing said South line, run S45°08'31"W, along said northerly extension, a distance of 146.12 feet; thence departing said northerly extension, run N56°31'30"W, a distance of 747.78 feet to a point on the southerly right-of-way line of the Eastern Beltway, as recorded in Official Records Book 4477, Pages 3855-3882, Public Records, of Orange County, Florida; thence run the following courses and distances along said southerly right-of-way line; thence N47°57'54"E, a distance of 300.57 feet; thence N44°09'04"E, a distance of 700.73 feet; thence N43°34'41"E, a distance of 36.67 feet to a point on the northerly extension of the

East line of the above mentioned Hunter's Creek Tract 350 Phase I, thence departing said Southerly right-of-way line, run S35°42'02"E, along said northerly extension, a distance of 967.48 feet to the northeast corner of said Hunter's Creek Tract 350 Phase I; thence run the following courses and distances along the north line of said Hunter's Creek Tract 350 Phase I, thence S43°20'35"W, a distance of 88.46 feet; thence S63°28'46"W, a distance of 87.14 feet; thence S43°20'35"W, a distance of 408.18 feet; thence N46°39'25"W, a distance of 40.53 feet; thence S43°20'35"W, a distance of 151.20 feet to Northwest corner of said Tract 350 Phase I, thence departing said North line, run S45°08'31"W, a distance of 30.80 feet to the Point of Beginning. Containing 18.494 acres, more or less.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the plan:

- Roger Gatlin of American General Land Development, Inc., developers of Hunter's Creek; 7600 Southland Boulevard, Suite 102, Orlando, Florida.

No one appeared in opposition to the plan.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Hunter's Creek PD/Parcel 350B Preliminary Subdivision Plan on the above-described property subject to the following conditions:

1. Development shall conform to the Hunter's Creek PD/Parcel 350B Preliminary Subdivision Plan dated, "Received October 1, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires January 4, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that Project 350B is consistent with the approved Master Drainage Plan for this PD.
3. Lot grading shall be designed so as not to adversely affect the adjacent lots.
4. The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.
5. Prior to construction plan approval, the size, location, and points of connection for water mains and sewer mains shall be determined.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - HUNTER'S CREEK PD/PARCEL 430C
PRELIMINARY SUBDIVISION PLAN, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Hunter's Creek PD/Parcel 430C Preliminary Subdivision Plan on the following described property:

Lot 65B of Hunter's Creek Tract 430A, Phase I, as recorded in Plat Book 28, Plat Page 40, of the Public Records of Orange County, Florida.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the plan:

- Roger Gatlin of American General Land Development, Inc., developers of Hunter's Creek; 7600 Southland Boulevard, Suite 102, Orlando, Florida.

No one appeared in opposition to the plan.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Hunter's Creek PD/Parcel 430C Preliminary Subdivision Plan on the above-described property subject to the following conditions:

1. Development shall conform to the Hunter's Creek PD/Parcel 430C Preliminary Subdivision Plan dated, "Received October 1, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires January 4, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that Project 430C is consistent with the approved Master Drainage Plan for this PD.
3. Conservation tracts shall be owned and maintained by the property owners' association with development rights dedicated to Orange County.
4. Lot grading shall be designed so as not to adversely affect the adjacent lots.
5. The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.
6. Prior to construction plan approval, the size, location, and points of connection for water mains and sewer mains shall be determined.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - MEADOW WOODS PD/PARCEL 33-A
PRELIMINARY SUBDIVISION PLAN, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Meadow Woods PD/Parcel 33-A Preliminary Subdivision Plan on the following described property:

Meadows Woods Parcel 33-A

A portion of Section 31, Township 24 South, Range 30 East, Orange County, Florida, being more fully described as follows:

Commence at the northwest corner of said Section 31, thence run S89°38'21"E, along the north line of said Section 31, a distance of 2035.22 feet; thence run S00°21'39"W, 39.22 feet for the Point of Beginning; thence run N88°09'45"E, 920.45 feet; thence run S44°14'49"E, 196.17 feet to a point on the westerly right-of-way line of the proposed easterly extension of Rhode Island Woods Circle; thence run southerly along said proposed westerly right-of-way line the following three (3) courses and distances; run S25°00'00"W, 211.07 feet to a point of curvature of a curve concave northwesterly, having a radius of 1256.40 feet and a central angle of 42°04'30"; thence run southwesterly, along the arc of said curve, a distance of 922.63 feet to a point of compound curvature of a curve, having a radius of 1140.00 feet and a central angle of 30°11'40"; thence run southwesterly, along the arc of said curve, a distance of 600.77 feet to a point; thence, departing said proposed right-of-way line, run N12°02'50"E, 1139.25 feet to the Point of Beginning. Containing 22.56 acres more or less.

Meadow Woods Parcel 33-A Access Easement

A portion of Section 31, Township 24 South, Range 30 East, Orange County, Florida, being more fully described as follows:

Commence at the northeast corner of said Section 31; thence run S89°38'21"E, along the north line of said Section 31, a distance of 2275.85 feet; thence S00°21'39"W, 1095.99 feet for the Point of Beginning; said point lying on a curve, concave northwesterly, having a radius of 1140.00 feet; said point also being a point on the northerly right-of-way line of the proposed easterly extension of Rhode Island Woods Circle; thence from a tangent bearing of N71°13'03"E, run 122.22 feet along the arc of said curve thru a central angle of 06°08'33" to a point of compound curvature of a curve, having a radius of 1256.40 feet and a central angle of 19°21'59"; thence run northeasterly, along the arc of said curve, a distance of 424.67 feet to a point; thence, departing said proposed northerly right-of-way line, run S44°17'29"E, 82.81 feet to a point on a curve, concave northwesterly, having a radius of 1230.00 feet and a central angle of 21°09'52"; said point also lying on the southerly right-of-way line of the proposed easterly extension of Rhode Island Woods Circle; said point lying on a curve, concave northwesterly, having a radius of 1230.00 feet; said point also lying on the southerly right-of-way line of the proposed easterly extension of Rhode Island Woods Circle; thence, from a tangent bearing of S43°54'37"W, run 586.22 feet along the arc of said curve and along said proposed southerly right-of-way line thru a central angle of 27°18'26" to a point on said curve; thence run N18°46'57"W, 90.00 feet to the Point of Beginning. Containing 1.15 acres more or less.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the plan:

- Kelvin Walsh, P.E.; Miller-Sellen Associates, 214 East Lucerne Circle, Orlando, Florida.

No one appeared in opposition to the plan.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Pignone, seconded by Commissioner Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Meadow Woods PD/Parcel 33-A Preliminary Subdivision Plan on the above-described property subject to the following conditions:

1. Development shall conform to the Meadow Woods PD/Parcel 33-A Preliminary Subdivision Plan dated, "Received October 6, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires January 4, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. An easement over Tract 2 shall be provided to Orange County.
3. Conservation Tract 1 shall be owned and maintained by the homeowners' association with development rights dedicated to Orange County.
4. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved Master Drainage Plan for this PD.

- 5. Orange County shall not own, operate, or maintain the on-site water and wastewater systems.
- 6. Waiver of Section 34-171 to permit subdividing and platting of private streets is approved.
- 7. Waiver of Section 34-171(8) to eliminate the requirement for internal sidewalks is approved.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - GATLIN GARDENS PRELIMINARY SUBDIVISION PLAN, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Gatlin Gardens Preliminary Subdivision Plan on the following described property:

A portion of Section 16, Township 23 South, Range 30 East, Orange County, Florida, being more fully described as follows:

Commence at the northwest corner of said Section 16; thence run S00°10'48"W, along the west line of said Section 16, a distance of 30.00 feet to a point on the south right-of-way line of Gatlin Avenue and the Point of Beginning; thence run S90°00'00"E, along the south right-of-way line of Gatlin Avenue, a distance of 1327.29 feet to a point on the east line of the northwest 1/4 of the northwest 1/4 of said Section 16; thence run S00°10'44" W, along the east line thereof and along the east line of northeast 1/4 of the southwest 1/4 of the northwest 1/4 of said Section 16, a distance of 1951.16 feet to the southeast corner of the northeast 1/4 of the southwest 1/4 of the northwest 1/4 of said Section 16; thence run N89°53'52"W, along the south line thereof, a distance of 663.67 feet to the southwest corner of the northeast 1/4 of the southwest 1/4 of the northwest 1/4 of said Section 16; thence run N00°10'46"E, along the west line thereof, a distance of 659.99 feet to a point on the south line of the northwest 1/4 of the northwest 1/4 of said Section 16; thence run N89°55'54"W, along the south line thereof, a distance of 663.65 feet to a point on the west line of the northwest 1/4 of said Section 16; thence run S00°10'48"E, along the west line thereof, a distance of 1289.19 feet to the Point of Beginning. Containing 49.365 acres more or less.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the plan:

- Kelvin Walsh, P.E.; Miller-Sellen Associates, 214 East Lucerne Circle, Orlando, Florida.

The following person addressed the Board with general comments:

- Herschel Hughes, 4561 Ironstone Circle, Orlando, Florida.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Pignone, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Gatlin Gardens Preliminary Subdivision Plan on the above-described property subject to the following conditions:

1. Development shall conform to the Gatlin Gardens Preliminary Subdivision Plan dated, "Received September 29, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires January 4, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. A twenty-foot (20') opening through the wall shall be provided to Retention Tract 1 from Gatlin Avenue.
3. Lots shall be graded so as not to adversely affect adjacent lots.
4. Prior to construction plan approval, documentation shall be submitted which indicates that the Gatlin Avenue stormwater system has the capacity to accommodate the discharge proposed from this project.
5. Waiver of Section 34-180 regarding dedication of additional one-half right-of-way is approved.
6. The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.

**PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - PEPPERMILL WEST PRELIMINARY
SUBDIVISION PLAN, DISTRICT 1**

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Peppermill West Preliminary Subdivision Plan on the following described property:

The east 1/2 of the northeast 1/4 of Section 20, Township 24 South, Range 29 East, Orange County, Florida.

Less:

That part of the east 1/2 of the northeast 1/4 of Section 20, Township 24 South, Range 29 East, Orange County, Florida, lying north of a 60-foot Drainage Easement as described in Deed Book 522, Page 185 and released per Official Records Book 790, Pages 676-679, and east of the west line of the east 1/2 of the northeast 1/4 of said Section 20; west of the west right-of-way line of John Young Parkway being 112 feet west of and parallel to the east line of said Section 20 and south of the north line of said Section 20, described as follows: Beginning at the northwest corner of the east 1/2 of the northeast 1/4 of Section 20, Township 24 South, Range 29 East, thence north $89^{\circ}54'52''$ east 1,199.36 feet along the north line of the aforesaid east 1/2 of the northeast 1/4 to a point being at the intersection of aforesaid west right-of-way line of John Young Parkway and the north line of said east 1/2 of the northeast 1/4; thence south $00^{\circ}04'25''$ east 231.92 feet along said right-of-way line to a point on the north line of aforesaid 60-foot drainage easement; thence the following four courses along said south line; south $88^{\circ}28'28''$ west 110.31 feet; thence north $80^{\circ}49'10''$ west 862.48 feet to a point of curvature of a curve concave to the south having a radius of 291.15 feet, a central angle of $38^{\circ}44'29''$ and a chord that bears south $79^{\circ}48'36''$ west; thence southwesterly 196.87 feet along the arc of said curve to a point of tangency; thence south $60^{\circ}26'21''$ west 55.21 feet to a point on the aforesaid west line of the east 1/2 of the northeast 1/4; thence north $00^{\circ}03'28''$ east 156.86 feet along said west line to the Point of Beginning.

Together with that portion of land situate between the west line of the east 1/2 of the northeast 1/4 of Section 20, Township 24 South, Range 29 East and the centerline of Shingle Creek; and situate between the north line of said Section 20 and the south line of the north 1/2 of said section being more particularly described as follows: begin at the northeast corner of the northwest 1/4 of the northeast 1/4 of Section 20, Township 24 South, Range 29 East, Orange County, Florida; thence south $00^{\circ}09'37''$ east 2,661.34 feet (south $00^{\circ}03'28''$ west 2,661.66 feet actual) along said west line of the east 1/2 to the southeast corner of the southwest 1/4 of the northeast 1/4 of said Section 20; thence south $89^{\circ}30'53''$ west 1,270.36 feet (south $89^{\circ}42'59''$ west 1,270.36 feet actual) along the south line of the north 1/2 of said Section 20 to the centerline of Shingle Creek; thence along the centerline of Shingle Creek through the following courses run north $26^{\circ}02'13''$ east 598.76 feet (north $26^{\circ}14'19''$ east 598.76 feet actual); thence north $19^{\circ}00'41''$ east 182.71 feet (north $19^{\circ}12'47''$ east 182.71 feet actual); thence north $11^{\circ}17'07''$

west 1,081.93 feet (north 11°05'01" west 1,081.93 feet actual); thence north 16°04'24" west 574.64 feet (north 15°48'40" west 573.88 feet actual) to a point on the west line of the Northeast 1/4 of Section 20, Township 24 South, Range 29 East; thence leaving said centerline of Shingle Creek run north 00°01'02" west 341.25 feet (north 00°11'21" east 342.48 feet actual) along said west line of the northeast 1/4 of Section 20 to the north 1/4 corner of said Section 20; thence along said north line of Section 20 run north 89°41'51" east 1,311.47 feet (north 89°54'52" east 1,311.47 feet actual) to the Point of Beginning; subject to easements and restrictions of record. Containing 138.40 acres, more or less.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's recommendation of approval subject to conditions. Mr. Cole reported that a condition has been added: "Concurrent with or prior to construction plan submittal for those lots on which effluent disposal basins were located, the developer shall submit a chemical analysis of the soils for approval by Public Utilities."

Appearances

The following person addressed the Board in favor of the plan:

- Jim Bible, Greater Construction Corporation, P. O. Box 3873, Longwood, Florida.

No one appeared in opposition to the Plan.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Peppermill West Preliminary Subdivision Plan on the above-described property subject to the following conditions, as amended:

1. Development shall conform to the Peppermill West PD BCC approvals; Peppermill West Preliminary Subdivision Plan dated, "Received November 17, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires January 4, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.
3. Prior to construction plan approval, the size, locations, and points of connection for water mains and sewer mains shall be determined.
4. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved Master Drainage Plan for this PD.
5. Delineation of the Conservation Area shall comply with the Conservation Area letter dated, June 25, 1987, and revised Conservation Map dated, "Received November 3, 1993."
6. Maximum building height shall be fifty feet (50') per the approved Land Use Plan.
7. Concurrent with or prior to construction plan submittal for those lots on which effluent disposal basins were located, the developer shall submit a chemical analysis of the soils for approval by Public Utilities.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - SILVER STAR PROPERTY PRELIMINARY SUBDIVISION PLAN, DISTRICT 6

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Silver Star Property Preliminary Subdivision Plan on the following described property:

Parcel A

a portion of the northwest quarter of Section 14, Township 22 South, Range 28 East, Orange County, Florida and being more particularly described as follows: Commence at the southwest corner of the northwest quarter of said Section 14; thence north 89°44'56" east (bearings based on the south line of the northwest quarter of the northwest quarter of said Section 14 as shown on the plat of Silver Star Estates, as recorded in Plat Book X, Page 108, of the Public Records of said Orange County) along the south line of the northwest quarter of said Section 14 for 2661.39 feet to the southeast corner of the northwest quarter of said Section 14; thence north 00°00'18" east along the east line of the northwest quarter of said Section 14 for 670.58 feet; thence south 89°54'23" west along a line parallel

with and 660.00 feet south of (when measured at right angles) the north line of the southeast quarter of the northwest quarter of said Section 14 for 330.00 feet to the Point of Beginning; thence continue south $89^{\circ}54'23''$ west for 169.96 feet to the point of curvature of a circular curve concave northeasterly; thence northwesterly along the arc of said curve, having a radius of 25.00 feet and a central angle of $90^{\circ}05'55''$ for 39.31 feet to the point of tangency; thence north $00^{\circ}00'18''$ east for 550.00 feet to the point of curvature of a circular curve concave southeasterly; thence northeasterly along the arc of said curve having a radius of 25.00 feet and a central angle of $89^{\circ}54'05''$ for 39.23 feet to the point of tangency; thence north $00^{\circ}05'37''$ west along a line radial to the aforesaid curve for 30.00 feet to the southerly right-of-way line of Silver Star Road (30.00 feet from the centerline thereof); thence north $89^{\circ}54'23''$ east along said southerly right-of-way line for 170.09 feet; thence south $00^{\circ}00'18''$ west along a line parallel with and 330.00 feet west of (when measured at right angles) the east line of the northwest quarter of said Section 14 for 630.00 feet to the Point of Beginning.

Less:

A portion of the southeast 1/4 of the northwest 1/4 of Section 14, Township 22 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Commence at the northeast corner of the said southeast 1/4 of the northwest 1/4 of section 14, thence S $89^{\circ}54'23''$ W along the northerly line of the southeast 1/4 of the northwest 1/4 of said Section 14, and the center line of Silver Star Road, a distance of 500.07 feet, thence departing the said northerly line S $00^{\circ}00'18''$ W a distance of 40.00 feet to the northeasterly corner of the right-of-way of Summer Glen Drive as per Gatewood Phase 2, as recorded in Plat Book 14, Pages 93 and 94 of the Public Records of Orange County, Florida, said corner being on the southerly right-of-way line of Silver Star Road, thence N $89^{\circ}54'23''$ E along the said southerly right-of-way line of Silver Star Road a distance of 170.09 feet; thence S $00^{\circ}00'18''$ W along a line 330.00 west of and parallel with the easterly line of the said northwest 1/4 of Section 14, a distance of 226.61 feet, thence departing said line S $89^{\circ}54'23''$ W a distance of 195.01 feet to the easterly right-of-way line of said Summer Glen Drive, thence N $00^{\circ}00'18''$ E along the said easterly right-of-way line a distance of 181.65 feet to the point of curvature of a circular curve concave southeasterly having a radius of 25.00 feet, thence northeasterly along the arc of the said curve through a central angle of $89^{\circ}54'05''$ a distance of 39.31 feet to the point of tangency, thence N $00^{\circ}05'37''$ W along said easterly right-of-way line of Summer Glen Drive a distance of 20.00 feet to the Point of Beginning. Contains 76,580 square feet or 1.7580 acres, more or less.

Parcel B

From the northwest corner of the SW 1/4 of the NW 1/4 of Section 14, Township 22 South, Range 28 East, run north $89^{\circ}54'23''$ east along the north line of the said SW 1/4 of NW 1/4 a distance of 1233.48 feet, thence run south $00^{\circ}05'37''$ east a

distance of 40.00 feet to the accepted south right-of-way line of Silver Star Road (S.R. 438), thence run north 89°54'23" east along the aforementioned south right-of-way line a distance of 93.02 feet for the Point of Beginning of this description. thence run north 89°54'23" east along the aforementioned south right-of-way line a distance of 727.68 feet, thence leaving said south right-of-way line run south 00°00'18" west a distance of 20.00 feet to the beginning of a curve concave to the southwesterly and having a radius of 25.00 feet, thence from a tangent bearing of north 89°54'23" east run easterly and southerly along the arc of said curve an arc length of 39.31 feet and through a central angle of 90°05'55" to the point of tangency of said curve on the west right-of-way line of Summer Glen Drive, thence run south 00°00'18" west a distance of 300.00 feet along the said west right-of-way line to the point of curvature of a curve concave to the northwesterly and having and radius of 25.00 feet, thence run southerly and westerly along the arc of said curve an arc length of 39.23 feet and through a central angle of 89°54'05" to the point of tangency of said curve, thence run south 89°54'23" west a distance of 820.06 feet in part along the north right-of-way line of Boxelder Drive to the point of curvature of a curve concave to the northeasterly and having a radius of 25.00 feet, thence run westerly and northerly along the arc of said curve an arc length of 39.27 feet and through a central angle of 90°00'00" to the point of tangency of said curve on the east right-of-way line of Bon Air Drive, thence run north 00°05'37" west a distance of 60.00 feet along the said east right-of-way line, thence leaving said right-of-way line run north 89°54'23" east a distance of 118.02 feet, run thence north 00°05'37" west a distance of 285.00 feet to the Point of Beginning. Contains 287,502.5202 square feet, or 6.60 acres more or less.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

The following person addressed the Board in favor of the plan:

- Steve Helle, Helle Engineering Corporation, 9058 Fryland Boulevard, Orlando, Florida.

No one appeared in opposition to the plan.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting AYE

by voice vote; the Board approved the Silver Star Property Subdivision Plan on the above-described property subject to the following conditions:

1. Development shall conform to the Silver Star Property Preliminary Subdivision Plan dated, "Received November 18, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

This Preliminary Subdivision Plan approval automatically expires January 4, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. A five-foot (5') sidewalk shall be provided along the south side of Silver Star Road fronting the length of the project.
3. A four-foot (4') sidewalk shall be provided along the east side of Summer Glen Drive fronting the length of the project.
4. The roadway cross-section shall be designed consistent with the Orange County Road construction specifications.
5. Lots shall be graded so as not to adversely affect adjacent lots.
6. Prior to construction plan approval, subordination or an agreement acceptable to the County Engineer shall be obtained from the affected power company for encroachment into the existing power easement.
7. Waiver of Section 34-152(c) of the Orange County Code is granted to permit access to an external street for Lots 1-10 and 33-35 only.
8. Prior to construction plan approval, calculations shall be submitted which indicate that there is capacity in the Bon Air Drive stormwater system to accommodate the stormwater discharge proposed from this project.
9. The developer shall obtain wastewater service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.
10. Prior to construction plan approval, the size, location, and point of connection for sewer mains shall be determined.

NONAGENDA - TICKET BOOTHS ON INTERNATIONAL DRIVE

Maria Triscari, from the Florida Center Chamber of Commerce and representing the International Drive Resort Area, addressed the Board and asked that a moratorium be placed on issuing permits for ticket booths along International Drive.

Commissioner Donegan stated that an ordinance is being advertised for the purpose of controlling these booths.

The Board discussed noticing requirements for any action where land use is affected.

County Chairman Chapin declared that the issue will be addressed following regular procedures, such as an ordinance; unless County Attorney Tom Wilkes advises another course of action before the Board adjourns today.

Garrett Toohey, representing the Florida Center Chamber of Commerce, addressed the Board and stated that the Chamber will go through regular channels for future requests.

Chief Deputy Comptroller Jim Moyer left the meeting.

Director of Finance and Accounting Paul Wanderlich as Comptroller Clerk entered the meeting.

PLANNING AND ZONING COMMISSION APPEAL - APPELLANT: CHRISTOPHER C CATHCART, ESQUIRE, FOR APPLICANT. APPLICANT: SAMUEL SOH, PLANNING AND ZONING #10, NOVEMBER 18, 1993, DISTRICT 3

By consensus, the Board of County Commissioners postponed the public hearing until later in the afternoon.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - UNIBILT DEVELOPMENT COMPANY, "ORANGEWOOD PD," PLANNING AND ZONING CONTINUED #1 (OCTOBER 21, 1993), NOVEMBER 18, 1993, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the request of Unibilt Development Company, "Orangewood PD," in a PD zone for an amendment from townhomes to single-family residential land uses on the following described property:

Lots 1 thru 19, inclusive, Lots 31 thru 40, inclusive, Lots 76 thru 100, inclusive, Waterview Townhomes, Section 1, as recorded in Plat Book 28, Pages 76 thru 79, and Lots 1 thru 8, inclusive, Phase 2, Waterview Townhomes, Section 1, as

recorded in Plat Book 29, Pages 111 and 112, Public Records of Orange County, Florida, which is located from the Southeast corner of Orangewood Boulevard and Central Florida Parkway, go east on Central Florida Parkway to Whitley Place and South to Watervista Drive. (SW 1/4 of SW 1/4 08-24-29 Tract Size: 76 ft. x 116 ft. average lot District 1).

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the location of the subject property and described the request to construct single-family homes instead of townhomes. Mr. McClendon stated that the request complies with the Comprehensive Policy Plan, as recently amended, and that staff supports the request subject to a Development Review Committee condition.

Appearances

The following person addressed the Board in favor of the request:

- Gary Singer, 6305 Westwood Boulevard, Orlando, Florida; for Unibilt Development Company.

No one appeared in opposition to the request.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Pignone, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the request of Unibilt Development Company, "Orangewood PD," in a PD zone for an amendment from townhomes to single-family residential land uses on the above-described property, subject to the following condition:

1. Development shall conform to the Orangewood PD/DRI approvals; the Waterview Townhomes Section 1 Amended Land Use Plan dated, "Received September 24, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein by reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: TITAN PROPERTIES, "WILLOW CREEK PD," PLANNING AND ZONING CONTINUED #4 (OCTOBER 21, 1993), NOVEMBER 18, 1993, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the request of Titan Properties, "Willow Creek PD," for a change in zoning classification from A-2 to PD and land use approval for a residential project on the following described property:

A portion of Sec. 5 and 6, Twp. 23 S, Rge. 31 E, Orange County, Florida, lying E of the thread of the Little Econlockhatchee River, being more fully described as follows:

Beg. at the NW cor. of the SW 1/4 of sd. Sec. 5; th. run S 88°47'59" E, 663.41 ft. th. run S 00°13'16" W, 2578.76 ft. th. run N 89°36'39" W, 527.43 ft.; th. run N 89°28'29" W, 28.93 ft.; th. run S 00°31'31" W, 17.68 ft.; th. run N 89°51'00" W, 24.56 ft.; th. N 00°09'00" E, 119.85 ft.; th. N 89°51'00" W, 141 ft.; run N 30°29'21" W, 96.86 ft.; th. run N 11°22'28" W, 182.59 ft.; th. run N 49°39'49" W, 93.37 ft.; th. run N 18°21'39" W, 233.54 ft.; th. run N 41°05'48" W, 66.29 ft. th. N 00°19'47" E, 569.2 ft.; th. N 89°43'45" W, 283.06 ft.; th. run N 22°40'10" W, 382.72 ft.; th. run N 54°50'07" E, 121.86 ft.; th. run N 13°09'59" E, 291.52 ft.; (4) th. N 17°53'32" E, 182.12 ft.; th. run N 06°59'13" E, 334.64 ft.; th. run N 44°57'28" E, 156 ft., S 89°43'29" E, 404.34 ft. to the Point of Beginning, which is located on the north side of Curry Ford Road, east of the Orlando Beltway (SW 1/4 of SE 1/4 05-23-31 Tract Size: 67.71 Acres District 4)

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the location of the subject property, the development patterns in the area, and the request.

Appearances

The following person addressed the Board in favor of the request:

- Steve Miller, president; Miller-Sellen Associates, 214 East Lucerne Circle, Orlando, Florida.

The following person addressed the Board with general comments:

- R. P. Mohnacky, 1820 Prairie Lane, Ocoee, Florida.

Discussion

County Chairman Chapin closed the public hearing and opened the matter for Board discussion.

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the request of Titan Properties, "Willow Creek PD," request for a change in zoning classification from A-2 to PD and land use approval for a residential project, subject to the following conditions:

1. Development shall conform to the Willow Creek Land Use Plan dated, "Received July 30, 1993," and to the following conditions of approval. Development based upon this approval shall comply with all other applicable federal, state, and county laws, ordinances and regulations, which are incorporated herein for reference, except to the extent the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners, or by action of the Board of County Commissioners.
2. Prior to development plan submittal, the applicant shall have completed a conservation determination including a survey of the conservation area.
3. The developer shall obtain wastewater and water service from Orange County subject to County rate resolutions and ordinances. No construction plans will be approved until capacity has been obtained.
4. The developer shall utilize reclaimed water for landscape and green area irrigation if available at time of construction plan approval.
5. The project shall provide a minimum of 6.77 acres of open space for the project.

NONAGENDA - RECONSIDERATION OF A MORATORIUM ON TICKET BOOTH PERMITTING

For the record, County Chairman Chapin stated that County Attorney Wilkes advised that the Board could, under the impending ordinance doctrine, withhold permitting until a relevant ordinance is examined.

For the record, Commissioner Pignone stated that she was voting no on a procedural basis.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Freeman, and carried with County Chairman Chapin and Commissioners Freeman, Staley, Johnson, Donegan, and Butler voting YES by voice vote; Commissioner Pignone voting NO by voice vote; the Board approved placing a moratorium on permitting ticket booths along International Drive until an ordinance affecting these booths is heard.

PLANNING AND ZONING COMMISSIONER BOARD-CALLED PUBLIC HEARING - LITTLE LAKE BRYAN PD/DRI, PLANNING AND ZONING CONTINUED #1 (JULY 15, 1993), NOVEMBER 18, 1993, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the request of Little Lake Bryan PD/DRI to establish a PD zoning classification with land use approval for residential development and Development of Regional Impact on the following described property:

A parcel of land lying in Secs. 22, 23 and 27, Twp. 24 S, Rge. 28 E, Orange County, Florida, being more particularly described as follows:

Beg. at the NE cor. of sd. Sec. 27 run S 89° W 2726.88 ft. along the N line of the NE 1/4 of sd. Sec. 27; th. run S 1328.63 ft. along the W line of the NE 1/4 of sd. Sec. 27; th. run N 89° W 60 ft.; th. run S 01° W 2.36 ft. along the W line of Lake Bryan Drive; th. run N 89° W 1210.44 ft. along the S line of the NE 1/4 of NW 1/4 of sd. Sec. 27 to a pt. on the E'ly R/W line of S.R. 535; th. run N 10° W 302.43 ft. along sd. R/W line to its intersection with the E'ly R/W line of Vineland Avenue; th. run N 79° E 20 ft. to the pt. of curvature of a curve concave NW'ly, hvg. a radius of 100 ft. and a central angle of 83°32'03", run NE'ly along the arc of sd. curve 145.79 ft., with a chord that bears N 38°08'17" E for a dist. of 133.22 ft.; th. run N 03° W 657.35 ft.; to the pt. of curvature of a curve concave E'ly, hvg. a radius of 699.74 ft. and a central angle of 32°36'22", run N'ly along the arc of sd. curve 398.21 ft., with a chord that bears N 12°40'26" E for a dist. of 392.86 ft.; th. run N 28° E 969.04 ft.; to the pt. of a curvature of a curve concave SE'ly hvg. a radius of 1587.03 ft. and a central angle of 09°32'40", run NE'ly along the arc of sd. curve 264.37 ft., with a chord that bears N 33°44'57" E for a dist. of 264.07 ft.; th. run N 38° E 1845.10 ft.; th. departing sd. E'ly R/W line run N 89° E 2129.16 ft. along the N line of the SE 1/4 of sd. Sec. 22; th. run N 89°58'43" E 1330.02 ft. along the N line of the SW 1/4 of sd. Sec. 23; th. run S .85 ft. along the E line of the W 1/2 of the SW 1/4 of sd. Sec. 23; th. run along the W'ly line of those lands described in Official Records Book 4016, Page 3511 the following four courses, S'ly 680.82 ft. along the arc of a curve concave E'ly hvg. a radius of 1208.42 ft., a central angle of 32°16'49" and a chord that bears S 13°34'18" W, th. run S 02° E 279.28 ft. to a pt. of curvature of a curve concave W'ly, hvg. a radius of 22855.84 ft., a central angle of 02°29'07", th. run S'ly along the arc of sd. curve 991.4 ft. with a chord that bears S 01°19'33" E; th. run S 712.93 ft.; th. departing sd. W'ly line run N 89° W 1204.02 ft. along the S line of the SW 1/4 of sd. Sec. 23 to the Point of Beginning, which is located on the east side of State Road 535 at the intersection of West Vineland Road, 1 mile north of State Road 536 (E 1/2 of SW 1/4 22-24-28 W 1/2 of SW 1/4 23-24-28 NW 1/4 of NE 1/4 27-24-28 NE 1/4 of NW 1/4 27-24-28 Tract Size: 300 Acres+/-District #1).

Staff Report

Planning and Development Division Director Bruce McClendon stated that Disney Development Corporation has requested, in writing, a continuance of this hearing. Staff is not opposed to this continuance, he stated.

A court reporter, Candy Lewis Morgan of Landmark Reporting, Inc., was present; Deputy Clerk Rosilyn Stapleton read the Notice of Appeal into the record.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board continued the public hearing to consider the request of Little Lake Bryan PD/DRI to establish a PD zoning classification with land use approval for residential development and Development of Regional Impact until January 25, 1994, at 2:45 p.m.

PLANNING AND ZONING COMMISSION APPEAL - APPELLANT: CHRISTOPHER C CATHCART, ESQUIRE, FOR APPLICANT. APPLICANT: SAMUEL SOH, PLANNING AND ZONING #10, NOVEMBER 18, 1993, DISTRICT 3

Notice was given that the Board of County Commissioners would sit as a Board of Appeal to consider the action of the Orange County Planning and Zoning Commission under the date of November 18, 1993, Hearing #10, on application of Samuel Soh to amend the restrictions placed on the subject property by the Orange County Planning and Zoning Commission as follows:

October 15, 1992: on N 20 feet of S 793.76 feet of W 1/2 of NW 1/4 of NE 1/4 (less Rd. on W), to prohibit:

- 1) Outside storage
- 2) Paint shops
- 3) New or used car lots

AND

October 20, 1983: on N 20 feet of S 593.7 feet of W 1/2 of NW 1/4 of NE 1/4 (less Rd. on W), to prohibit:

- 1) Outside storage
- 2) Paint and body shops
- 3) Car lots

on the following described property:

S 400 ft. of N 600 ft. of S 993.76 ft. of W 1/2 of NW 1/4 of NE 1/4 (less Rd. R/W); which is located on the E side of Goldenrod Road, 300 ft. S of Valencia College Lane (NW 1/4 of NE 1/4 26-22-30 Tract Size: 5.6 acres District 3).

Staff Report

Planning and Development Division Director Bruce McClendon informed the Board that the applicant has requested an extension because weather has delayed the arrival of his attorney.

Motion

Upon a motion by Commissioner Johnson, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board continued the zoning appeal in the name of Christopher C. Cathcart, Esquire, for the applicant, Samuel Soh, concerning the decision of the Planning and Zoning Commission regarding restrictions placed on the subject property by the Orange County Planning and Zoning Commission (October 15, 1992, and October 20, 1993) until January 11, 1994, at 2:45 p.m.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 3:45 p.m.

ATTEST:

Martha O. Haynie

County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator