

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, February 1, 1994. County Chairman Linda Chapin, Commissioners Bob Freeman, Tom Staley, Mary Johnson, Fran Pignone, and Mable Butler were present. Commissioner Bill Donegan entered where indicated. Also present were County Administrator Jean Bennett, County Attorney Tom Wilkes, Chief Deputy Comptroller as Clerk Jim Moye, and Assistant Deputy Clerk Thomas Stark. There being a quorum, the County Chairman called the meeting to order at 9:00 a.m.

CHAIRMAN'S REPORT DISCUSSION AGENDA

1. Presentation by the County Chairman/Tourist Development Council for the recommended name change for the Orange County Convention Center.

Chairman's Report

County Chairman Chapin reported that the Tourist Development Council unanimously voted to recommend changing the name of the Orange County Convention Center to the Orlando International Convention Center.

Staff Report

Orange County Convention Center Director Tom Ackert explained the reasons for proposing a name change are to take advantage of the widely recognized name of Orlando and to avoid confusion with Orange County, California.

Discussion

The commissioners discussed alternative convention center names and logos. County Chairman Chapin directed staff to prepare displays of the suggested alternatives.

Motion

The Board did not take any action.

NONAGENDA - NONFOOD CONCESSIONS AT THE CONVENTION CENTER

Commissioner Butler questioned the current contractual arrangement whereby all bidding on concessions, even for sale of nonfood items, must go through Fine Host. She stated that she would prefer that nonfood concessions be negotiated directly with staff.

Commissioner Staley praised the Convention Center staff for providing adequate parking and making visitors comfortable despite the expansion construction.

County Chairman Chapin requested that the Tourist Development Council discuss concession contracting at its next meeting.

COMMISSIONER'S REPORT DISCUSSION AGENDA

1. Motion to rescind the Board's action of January 18, 1994, concerning the Lynx/Commuter Rail Merger Funding Agreement.

County Chairman Chapin announced that this item has been deleted from the agenda since the resignation of the mayor of Kissimmee from the Central Florida Regional Transportation Authority (CFRTA).

Commissioner Staley reiterated that he still objects to the Governor's being able to appoint CFRTA board members from jurisdictions that have contributed little to CFRTA's assets.

Motion

The Board did not take any action.

(Note: See January 18, 1994, and January 25, 1994, for prior actions.)

COUNTY ADMINISTRATOR DISCUSSION AGENDA

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

Staff Report

Assistant County Administrator Warren Wagner summarized the process of bringing together the lease agreement with the City of Orlando and Team Classics Services, Inc., to build a world-class golf course on Water Conserv II land. He emphasized the project is primarily a water reclamation project.

For the record, County Attorney Tom Wilkes stated that the operation is primarily a water utility operation. Furthermore, he continued, if the golf side unravels, the lease has a bias, not for termination, but in favor of the leasee, or lender, to cure the default.

Discussion

The Board discussed the environmental and financial obligation issues connected with the contract.

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all present commissioners voting AYE by voice vote; Commissioner Donegan was absent; the Board approved the lease agreement among Team Classic Services, Inc., Orange County, and the City of Orlando.

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

PUBLIC WORKS DIVISION DISCUSSION AGENDA

1. Approval to waive permit fees for landscaping along Orangewood Boulevard subject to conditions, District 1.

Staff Report

Engineering Department Manager Williams Masi listed the conditions that the Orangewood Homeowners' Association must satisfy for waiver of permit fees for a right-of-way utilization permit.

Discussion

The Board discussed reduction of permit fees to encourage beautification projects. County Chairman Chapin commented that the City of Orlando may serve as a model of study on this matter.

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 waiving permit fees for the Orangewood Homeowners' Association (O.H.A.) to install landscaping along Orangewood Boulevard subject to the O.H.A.:

1. Submitting plans for review and approval by the Orange County Engineering Department.
2. Obtaining liability insurance and naming Orange County as a second party insured.
3. Executing an agreement pertaining to the continuous maintenance of the landscaping when installed.

Commissioner Donegan entered the meeting.

CORRECTIONS DIVISION DISCUSSION AGENDA

1. Approval of Florida Department of Corrections contract proposal.

Staff Report

Community Corrections Department Manager Don Bjoring summarized the terms of the agreement with the Florida Department of Corrections (FDOC) to house State prisoners who do not require high security or exceptional medical care. He related that Judge James Stroker is prepared to issue an administrative order to allow the housing.

Corrections Division Director Tom Allison stated that, through reorganization and new programs, violence has decreased in the Orange County jails even with staff reduction.

Discussion

The Board discussed the earnings to Orange County from renting its low-security correctional facilities and requested to be kept informed of studies and evaluations of the Corrections' facilities and program.

Commissioner Butler noted that this agreement opens up good working relations with the FDOC.

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 agreement between Orange County and the Florida Department of Corrections (FDOC) for the purpose of housing inmates for the FDOC.

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

NONAGENDA - CITY OF ORLANDO'S ANNEXATION OF LAKE NONA

County Attorney Tom Wilkes reported on actions and meetings of the County Attorney's Office with the City of Orlando in response to the City's proposed annexation of Lake Nona. Mr. Wilkes requested the Board's direction on further actions.

Mr. Wilkes noted that the annexation was proceeding quickly; consequently, a letter must be sent to the City giving the required 45 days notice of the County's intention to sue. He added that Orlando Utility Commission has filed a complaint against Orange County's permit application with Florida's Department of Environmental Protection to water two golf courses in the area.

The Board discussed the need to negotiate with the City on the larger territorial and utility issues that the Lake Nona annexation raises. County Chairman Chapin commented that the new owners of Lake Nona, at that time she met with them, had expressed no interest in joining the City. Commissioner Pignone requested to observe the negotiations.

County Chairman Chapin directed Mr. Wilkes to act to preserve the Board's future rights to oppose the City of Orlando's annexation of Lake Nona.

Motion

The Board did not take any action.

COUNTY CONSENT AGENDA

Motion

A motion was made by Commissioner Donegan and seconded by Commissioner Johnson, to approve the County Consent Agenda, deleting County Administrator Item #1 (see March 8, 1994, for clarification), and Public Works Items #2 and #5(d).

The motion was amended by Commissioner Donegan, seconded by Commissioner Butler, and carried with County Chairman Chapin and Commissioners Freeman, Staley, Johnson, Donegan, and Butler voting AYE by voice vote; Commissioner Pignone voting NO by voice vote; to not delete Public Works #5(d).

The motion, as amended, by Commissioner Donegan and seconded by Commissioner Johnson, carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, to approve the County Consent Agenda, deleting Items County Administrator #1 and Public Works #2; as follows:

COMPROLLER

1. Acceptance for filing of the Reedy Creek Improvement District Financial Statements.
2. Approval of the January 11, 1994, minutes of the Board of County Commissioners' meeting.
3. Warrants and vouchers, having been certified that same had not been drawn on overexpended accounts:
 - Regular Board: Total - \$35,571,913.08
 - Regular Board: Total - \$15,050,265.99

COUNTY ADMINISTRATOR

1. Approval of the following Administrative Regulations: 8.07.05, Vehicle Take Home Assignment Policy Regulation; 8.07.06, Vehicle Toll Card Assignment Policy; and 6.09.01 (Revised), Summary of Approval Levels.

(As stated in the above motion, this item was deleted from the County Consent Agenda. See March 8, 1994, for clarification as follows: 8.07.05 and 8.07.06 approved and 6.09.01 deleted.)

ADMINISTRATIVE SUPPORT DIVISION

1. Approval and execution by County Chairman of resolution and authorization to initiate condemnation proceedings: West Orange Trail, District 1 (Real Estate and Management Department).
2. Approval and execution by County Chairman of resolution and authorization to initiate condemnation proceedings: Old Winter Garden Road (Kirkman Road to Ivey Lane), Districts 1 and 6 (Real Estate and Management Department).
3. Approval and authorization to record instrument: Southchase Phase 1A, Parcel 5, Phase II, Temporary Utility Easement, District 4 (Real Estate and Management Department).
4. Approval and execution by County Chairman of a Grant of Easement between Orange County and Michael Garlick and authorization to record instrument and pay appropriate recording fees: John Young Parkway (Sand Lake Road to I-4), Grant of Easement, Parcel 101, District 6.

FISCAL AND HUMAN RESOURCE DIVISION

1. Award of Invitation for Bid Y4-138-CI to the low responsive and responsible bidder, Apperson Chemical, Inc., for a one-year term contract to furnish caustic soda and sulfuric acid, \$50,932.20 estimated annual cost ([Wastewater Department] Purchasing and Contracts Department).
2. Award of Invitation for Bid Y4-709 to the low responsive and responsible bidder, Metropolitan/Adel, Kewanee Trail, Mott Avenue and Old Dixie Highway Sidewalk Improvements, \$94,453.21 ([Highway Construction Department] Purchasing and Contracts Department).
3. Approval to negotiate contract for consulting engineering services for Illicit Discharge Program and National Pollutant Discharge Elimination System (NPDES) Phase III Implementation with Post, Buckley, Schuh, and Jernigan, Inc. ([Stormwater Management Department] Procurement Committee).
4. Approval of agreement for extension of services for the Eastern Water Reclamation Facility with The University of Florida, \$862,942 ([Public Utilities Division] Procurement Committee).

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

5. Approval of Task Authorization 23, Contract Y2-902, Eastern Regional Water Treatment Plant site with Boyle Engineering, \$1,963,416 ([Public Utilities Engineering Department] Procurement Committee).
6. Approval of Amendment 5, Contract Y1-800A, architectural services for the Convention Center with Hunton, Brady, Pryor, and Maso, \$92,000 ([Construction Administration Department] Procurement Committee).
7. Process budget transfers (OMB).

(Budget Transfers #94-142 through #94-145 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
8. Process capital improvements program (CIP) amendment (OMB).

(CIP Amendment #19-94 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
9. Approval of payment of intergovernmental claims in the amount of \$162,931.52 (Risk Management Department).
10. Receipt and filing of Intergovernmental Risk Management Committee minutes for December 21 and 30, 1993 (Risk Management Department).

(Minutes are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
11. Approval of appointment of David Diggs to the position of Manager, Correctional Facilities, Corrections Division, effective December 19, 1993 (Human Resources Department).

HEALTH AND HUMAN SERVICES

1. Approval and execution of renewal of Non-emergency Medical Transportation License for Dor-Sar Patient Services, all districts (Emergency Medical Services).

PLANNING AND DEVELOPMENT DIVISION

1. Approval of model homes request for Chelsea Parc East Subdivision (Zoning Department), District 4.
2. Approval of street name petition for McGee Avenue in the City of Apopka (Zoning Department), District 2.
3. Approval of request subject to obtaining appropriate permits and licenses prior to conducting the three-day auction of farm and construction equipment and subject to satisfying conditions (Zoning Department), District 1.
4. Approval of nonsubstantial change determination for Orlando Regional Medical Center, Sand Lake Hospital (Zoning Department), District 1.

5. Approval of nonsubstantial change determination for Vista Center PD/DRI, Lot 7 (Zoning Department), District 1.
6. Approval of nonsubstantial change determination for Eastwood PD, Villages at Eastwood PSP/DP (Zoning Department), District 4.
7. Approval to advertise Resolutions to Lien property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning (Zoning Department).

(Resolutions 94-ZON-01 through 94-ZON-44 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

8. Approval and execution of the Road Impact Fee Agreement regarding an Alternative Traffic Study between PTC Enterprises, Inc., and Orange County (Planning Department), District 2.

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

PUBLIC WORKS DIVISION

1. Approval to grant a waiver of side and rear lot utility easement for Hunter's Creek Preliminary Subdivision, Tract 115, District 1.
2. Approval to issue Fill Permit #94-F4-365, District 4.

(As stated in the above motion, this item was deleted from the County Consent Agenda.)

3. Approval to install "Yield" signs in the Silver Ridge Phase IV, Unit 2, Subdivision, District 2.
4. Approval of "No Parking" zone on the north and south side of Muskogee Street from the west right-of-way line of Forsyth Road, westerly 80 feet, District 3.
5. Approval of Development Review Committee (DRC) septic tank recommendations:
 - a. #DRC 94-01 - Rocco Nasso - District 2.
 - b. #DRC 94-03 - Patrick Gillman - District 2.
 - c. #DRC 94-04 - Miles T. Scherzer - District 2.
 - d. #DRC 94-07 - Gerald B. Braley; Magna Properties/Wedgefield Development - District 5.
 - e. #DRC 94-02 - Perry L. Brigmond - District 6.
6. Approval of moving expenses for a maximum amount of \$2,000 for Lorenzo Casanova, assistant manager, Highway Maintenance Department.

NONAGENDA - ILLEGAL DUMPING

Commissioner Butler described the unsightly vacant lots and streets where illegal dumping occurs. She urged some action be taken, and County Chairman Chapin directed staff to examine the problem.

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, County Attorney Tom Wilkes, Chief Deputy Comptroller as Clerk Jim Moye, and Assistant Deputy Clerk Thomas Stark. The Board paused for an invocation by the Reverend Leroy Dennis, of New St. Marks Free Methodist Church, followed by the Pledge of Allegiance to the Flag.

PUBLIC DISCUSSION

1. Presentation of service awards and pins.

For the Highway Maintenance Department, Public Works Division:

- Gonzilar McFarland (30 years), foreman
- David Whitehouse (20 years), foreman
- Harry Long (20 years), equipment operator

For the Transportation Department, Public Works Division:

- Lenzo Murrell (20 years), traffic signal technician

2. Proclamation and song in observance of Black History Month.

County Chairman Chapin read the proclamation declaring February as Black History Month in Orange County. She introduced Jackie Miller, chairman of the Orange County Committee to Observe Black History Month, who thanked the Board for its recognition.

Ms. Miller introduced the Washington Brothers from South Apopka who sang the Negro national anthem.

County Chairman Chapin recognized Community Affairs Department Manager Ella Jean Gillmore for her prominence in the Black community.

PLANNING AND ZONING COMMISSION RECOMMENDATIONS OF JANUARY 20, 1994

Staff Report

Zoning Department Manager Melvin Pittman presented the recommendations of the Orange County Planning and Zoning Commission under the date of January 20, 1994.

Commissioner's Report

Commissioner Freeman stated that Paul Curtis had agreed to extend paving 200 feet east, construct a rural paved road, and beautify the area around Palm Lake (Item #1).

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Freeman, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of January 20, 1994, with the exception of Items #2, #8, Continued #3 (December 1993), and Continued #11 (November 1993), subject to the usual right of appeal by any aggrieved parties; and further, authorized scheduling a public hearing for Item #2 in the name of Alex Kuo, "Jas Corporation PD," on March 8, 1994, at 1:35 p.m.; for Item #8 in the name of Landstar Development Corporaton, "Meadow Woods PD/DRI," hearing to be scheduled; for Continued Item #3 (December 1993) in the name of First Sanlando, Inc., "Pembroke Drive PD," on March 8, 1994, at 1:35 p.m.; and, Continued Item #11 (November 1993) in the name of BML Investment, "Lake Frederica Center PD," on March 8, 1994, at 1:35 p.m.

NONAGENDA - CLARIFICATION OF INSURANCE FOR ADOPT-A-HIGHWAY PROGRAM

Public Works Division Director George Cole clarified that the Adopt-A-Highway Program does not require a group or association to post insurance as he had erroneously stated in the morning session.

SHORELINE ALTERATION PUBLIC HEARING - APPLICANT: SALIM JIWA, VEGETATION REMOVAL AND REPLANTING UNDER LAKESHORE PROTECTION ORDINANCE, CHAPTER 15, ARTICLE VII, ORANGE COUNTY CODE; LAKE TIBET, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the permit application of Salim Jiwa to remove vegetation and replant in accordance with Lakeshore Protection Ordinance, Chapter 15, Article VII, Orange County Code, on property described as follows:

Lot 28, Bay Point, according to the plat thereof, as recorded in Plat Book 7, Page 49, of the Public Records of Orange County, Florida.

Staff Report

Acting Environmental Protection Department Manager Nick Sassic outlined the request and recommendation for approval subject to conditions.

Appearances

No one appeared in favor of or in opposition to the application.

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 permit application of Salim Jiwa to remove vegetation and replant on the above-described property, subject to the following conditions:

1. The Environmental Protection Department will be notified by the applicant of the date the activity will begin and upon completion of the work.

2. The torpedo grass may be removed as proposed. Excluding a 30-foot (30') access clearing, the cleared areas must be planted with the species listed in the application.
3. Cleared vegetation must be removed to landward of the Normal High Water Elevation 99.5 feet.
4. Revegetation will occur in the above-cleared areas within thirty (30) days of removal. An 80% survival rate will be required after one (1) year; otherwise, replanting will be required.
5. At the end of one (1) year, a survey of surviving plants including photographic representation, will be submitted to the department.
6. This permit must be posted in a conspicuous place on site, before activity begins and to remain until completion.
7. Erosion and turbidity which may result must be controlled with screens and/or other technology so that turbidity is confined to the area of work.
8. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. If these conditions conflict with those of any other department of agency, the permittee must comply with the strictest conditions.

SHORELINE ALTERATION PUBLIC HEARING - APPLICANT: TOM HURLBURT, JR.; VEGETATION REMOVAL AND REPLANTING UNDER LAKESHORE PROTECTION ORDINANCE, CHAPTER 15, ARTICLE VII, ORANGE COUNTY CODE; LAKE OLA, DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider the permit application of Tom Hurlburt, Jr., to remove vegetation and replant in accordance with Lakeshore Protection Ordinance, Chapter 15, Article VII, Orange County Code, on property described as follows:

Marots Addition to Tangerine Mtg. E/506 S 725.20 feet of N 1897 feet of SW 1/4 lying W of shoreline of Lake Ola 2677/466, said property being located adjacent to Lake Ola, District 2.

Staff Report

Acting Environmental Protection Department Manager Nick Sassic outlined the request and recommendation for approval subject to conditions.

Appearances

No one appeared in favor of or in opposition to the application.

Discussion

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

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Butler, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the permit application of Tom Hurlburt, Jr.,

to remove vegetation and replant on the above-described property, subject to the following conditions:

1. The Environmental Protection Department will be notified by the applicant of the date the activity will begin and upon completion of the work.
- 2a. Cattails and primrose willow may be selectively removed with chemicals and by hand as proposed.
- 2b. The numerous desirable native species listed will be preserved as proposed. Revegetation is not indicated due to the existing coverage of these plants in and around the same area.
3. Cleared vegetation must be removed to landward of the Normal High Water Line, 73.0 feet.
4. At the end of one (1) year, a diagram of surviving plants and photographic representation will be submitted to the Orange County Environmental Protection Department.
5. This permit must be posted in a conspicuous place on site before activity begins and to remain until completion.
6. Erosion and turbidity which may result must be controlled with screens and/or other technology so that turbidity is confined to the area of work.
7. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. If these conditions conflict with those of any other department or agency, the permittee must comply with the strictest conditions.

SHORELINE ALTERATION PUBLIC HEARING - APPLICANT: DR. KATTA; VEGETATION REMOVAL AND REPLANTING UNDER LAKESHORE PROTECTION ORDINANCE, CHAPTER 15, ARTICLE VII, ORANGE COUNTY CODE; LAKE BUTLER, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the permit application of Dr. Katta to remove vegetation and replant in accordance with Lakeshore Protection Ordinance, Chapter 15, Article VII, Orange County Code, on property described as follows:

Lot 34, from a point 404.43 feet east and 543.28 feet south of the center of Section 12, Township 23 South, Range 27 East, run south 69 degrees, 02 minutes west 407.7 feet to the point of beginning; run thence south 32 degrees, 11 minutes east 583.0 feet more or less to a point on the water line of Lake Butler; thence returning to the point of beginning, run south 69 degrees, 02 minutes west 25 feet, run south 32 degrees, 11 minutes east 212.24 feet, run south 37 degrees, 37 minutes, 47 seconds west 128.75 feet; run thence south 32 degrees, 11 minutes east 174.62 feet, run south 32 degrees, 11 minutes east 135 feet more or less to the water line of Lake Butler; run thence northeasterly along the water line 145 feet more or less to the aforementioned point on the water line. Lying and being situated in Orange County, Florida, said property being located adjacent to Lake Butler.

Staff Report

Acting Environmental Protection Department Manager Nick Sassic outlined the request and recommendation for approval subject to conditions.

Appearances

No one appeared in favor of or in opposition to the application.

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 permit request of Dr. Katta to remove vegetation and replant on the above-described property, subject to the following conditions:

1. The Environmental Protection Department will be notified by the applicant of the date the activity will begin and upon completion of the work.
2. These exotics and overgrown natives may be removed: Torpedo grass, primrose willow, cattails, and burhead sedge. Excluding a 30-foot (30') access clearing, the cleared areas must be planted with the species listed in the application.
3. Cleared vegetation must be removed to landward of the Normal High Water Line, 99.5 feet.
4. Revegetation will occur in the above-cleared areas within thirty (30) days of removal. An 80% survival rate will be required after one (1) year; otherwise, replanting will be required.
5. At the end of one (1) year, a diagram of surviving plants and photographic representation will be submitted to the Orange County Environmental Protection Department.
6. This permit must be posted in a conspicuous place on site before activity begins and to remain until completion.
7. Erosion and turbidity which may result must be controlled with screens and/or other technology, so that turbidity is confined to the area of work.
8. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. If these conditions conflict with those of any other department or agency, the permittee must comply with the strictest conditions.

NONAGENDA - RECOGNITION OF AGRICULTURAL/HORTICULTURAL VOLUNTEERS

Cooperative Extension Service Director Jay Hebert addressed the Board and presented the Board with a token check for \$770,361 representing the value of the time volunteered by Orange County citizens in agricultural and horticultural services over several years.

The Board discussed the recognition that volunteers have received in Orange County in prior years and directed staff to review past practices and make recommendations.

ORDINANCE PUBLIC HEARING - AMEND QUORUM AND VOTING REQUIREMENTS FOR THE LOCAL PLANNING AGENCY AND THE PLANNING AND ZONING COMMISSION

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

AN ORDINANCE AMENDING THE QUORUM AND VOTING REQUIREMENTS FOR THE ORANGE COUNTY PLANNING AND ZONING COMMISSION AND THE ORANGE COUNTY LOCAL PLANNING AGENCY BY REVISING SECTION 30-34 OF THE ORANGE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the proposed ordinance.

Mr. McClendon outlined a revision on page 2, part (e), lines 45 through 47, which were, he stated, inadvertently struck through but which are intended to be included in the ordinance: "In the absence of the chairman, the vice chairman shall proceed and have the same power and duties."

Appearances

No one appeared in favor of or in opposition to the proposed ordinance.

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 Donegan, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board adopted an ordinance amending quorum and voting requirements for the Local Planning Agency and the Planning and Zoning Commission, as amended.

(Ordinance No. 94-xx is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

APPEAL OF DEVELOPMENT REVIEW COMMITTEE (DRC) DECISION - APPLICANT/APPELLANT: KARL PECHT, APPEAL OF DRC DECISION OF SUBSTANTIAL CHANGE FOR ORANGEWOOD PD/VILLAGE 9/NEIGHBORHOOD I/LUP - WINDSOR WALK, TOWNHOMES TO SINGLE-FAMILY HOMES; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the request of Karl Pecht for a change determination that converting a portion of the Windsor Walk development from 122 townhouse units to 75 single-family residential units would constitute a nonsubstantial change to the approved Orangewood PD/Village 9/Neighborhood I/LUP.

Staff Report

Public Works Division Director George Cole reviewed the request and the Development Review Committee's determination of substantial change.

Appearances

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

- David Evans, Pecht-Evans Engineering, 501 East Jackson Street, Orlando, Florida; for the applicant.

No one appeared in opposition to the request.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Donegan, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board overruled the decision of the Development Review Committee and approved the request of Karl Pecht for a change determination that converting a portion of the Windsor Walk development from 122 townhouse units to 75 single-family residential units constitutes a nonsubstantial change to the approved Orangewood PD/ Village 9/Neighborhood I/LUP.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - WINFIELD PRELIMINARY SUBDIVISION, DISTRICT 2

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

Commence at the southeast corner of the southwest 1/4 of Section 27, Township 21 South, Range 29 East, Orange County, Florida; thence run N89°49'43"W along the south line of said southwest 1/4 for a distance of 661.12 feet to the southeast corner of the southwest 1/4 of the southeast 1/4 of said southwest 1/4 and the Point of Beginning.

Thence continue N89°49'43"W along the south line of said southwest 1/4 of the southeast 1/4 of the southwest 1/4 for a distance of 661.12 feet to the southwest corner thereof; thence run N00°06'02"W along the west line of said southwest 1/4 of the southeast 1/4 of the southwest 1/4 and the east line of Avonwood, as recorded in Plat Book X, Page 136, of the Public Records of Orange County, Florida, for a distance of 653.97 feet; thence run N89°58'48"W along the north line of the southeast 1/4 of the southwest 1/4 of the southwest 1/4 of said Section 27 and the north line of said Avonwood for a distance of 394.60 feet; thence run the following courses along the east line of Plantation Estates, as recorded in Plat Book X, Page 120, of the Public Records of Orange County, Florida, thence run N00°25'31"W for a distance of 110.06 feet; thence run N89°30'55"E for a distance of 7.50 feet; thence run N00°15'36"W for a distance of 164.83 feet; thence run N89°30'55"E for a distance of 37.48 feet; thence run N00°16'27"W for a distance of 420.05 feet; thence run S89°38'00"W for a distance of 14.73 feet; thence run N17°06'06"W for a distance of 105.82 feet to a point on a nontangent curve concave northwesterly having a radius of 485.35 feet and a chord bearing of N77°47'57"E; thence run northeasterly along the arc of said curve through a central angle of 02°49'39" for a distance of 23.95 feet

to the end of said curve; thence run N13°28'37"W for a distance of 60.04 feet; thence run N16°28'57"W for a distance of 102.59 feet;

Thence run N55°05'32"E for a distance of 78.44 feet; thence run N00°13'55"W for a distance of 305.27 feet; thence run S89°48'47"W along the north line of said Plantation Estates for a distance of 305.48 feet; thence run N00°02'01"W along the west line of the east 1/2 of the west 1/2 of the southwest 1/4 of said Section 27 for a distance of 619.42 feet; thence run N89°33'50"E along the south right-of-way line of Pembroke Drive (a 60' R/W) for a distance of 1944.33 feet; thence run S00°14'01"E along a line lying 30.00 feet west of, when measured at right angles to the east line of said southwest 1/4 of Section 27 and the west right-of-way line of Rickets Drive for a distance of 627.39 feet; thence run N89°42'58"E along the south line of north 1/4 of the southwest 1/4 of said Section 27 for a distance of 30.00 feet; thence run S00°14'01"E along the east line of said southwest 1/4 for a distance of 680.41 feet; thence run N89°58'48"W along the north line of the south 634.51 feet of the north 1/2 of the southeast 1/4 of the southwest 1/4 of said Section 27 for a distance of 720.01 feet; thence run S00°14'01"E along the west line of the east 720.00 feet of said north 1/2 of the southeast 1/4 of the southwest 1/4 for a distance of 634.52 feet; thence run S89°58'48"E along the south line of said north 1/2 of the southeast 1/4 of the southwest 1/4 for a distance of 59.65 feet; thence run S00°10'03"E along the east line of the southwest 1/4 of the southeast 1/4 of the southwest 1/4 for a distance of 655.72 feet to the point of beginning. Containing 78.115 acres more or less and being subject to any rights-of-way, restrictions, and easements of record.

Less:

That part of the southwest 1/4 of Section 27, Township 21 South, Range 29 East, Orange County, Florida, described as follows: From the northwest corner of said southwest 1/4, thence run N89°33'50"E along the north line of the southwest 1/4 of said Section 27 for a distance of 658.07 feet; thence run S00°02'01"E for a distance of 30.00 feet to a point on the south right-of-way line of Pembroke Drive (60' R/W), said point being the point of beginning; thence run N89°33'50"E along said south right-of-way line for a distance of 421.35 feet; thence run S00°02'01"E for a distance of 623.34 feet; thence run S89°42'58"W along the south line of the north 1/4 of the southwest 1/4 of said Section 27 for a distance of 115.86 feet; thence run N00°13'55"W along the east line of Plantation Estates, recorded in Plat Book "X," Page 120, of the Public Records of Orange County, Florida, for a distance of 2.29 feet; thence run S89°48'47"W along the north line of said Plantation Estates for a distance of 305.48 feet; thence run N00°02'01"W along the west line of the east 1/2 of the west 1/2 of said southwest 1/4 for a distance of 619.42 feet to the point of beginning. Containing 6.006 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

Staff Report

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

Appearances

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

- Charlie True, Donald W. McIntosh Associates, 2200 Park Avenue, Winter Park, Florida; for the applicant.

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 Staley, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Winfield Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Winfield Preliminary Subdivision Plan dated, "Received December 27, 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 February 1, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. Prior to construction plan approval, the developer shall submit calculations verifying the capacity of the exiting ditch to convey the overflow runoff from Tract "C."
3. Curb inlets shall not be located within the curb radius.
4. Tract "E" shall be owned by a mandatory homeowners' association with development rights dedicated to the Board of County Commissioners.
5. Lots shall be graded so as not to adversely affect adjacent lots.
6. Prior to construction plan submittal the approved conservation area survey and revised mitigation plan shall be submitted to Orange County for review and approval.
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. Calculations will be required for connection to the exiting 15" gravity sewer line and pump station. Additional capacity may not be available in the 15" line to serve this area. Modifications will be at the developer's expense.

9. 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 - WALDEN GROVE NORTH PRELIMINARY SUBDIVISION, DISTRICT 6

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

The northwest 1/4 of the southwest 1/4 of Section 14, Township 22 South, Range 28 East, less the west 450 feet thereof; also less the right-of-way for Red Gate Road along the west side of said parcel.

Subject to: An easement to Houston Texas Gas and Oil Corporation recorded March 3, 1959, in Official Records Book 504, Page 556, Public Records of Orange County, Florida.

Subject to: An easement to Florida Gas Transmission Company recorded August 15, 1973, in Official Records Book 2441, Page 770, Public Records of Orange County, Florida.

And

The southwest 1/4 of the southwest 1/4 of Section 14, Township 22 South, Range 28 East.

Subject to: Florida Gas Transmission Company easement, Official Records Book 2607, Page 195, Public Records of Orange County, Florida.

Subject to: Florida Gas Transmission Company easement, Official Records Book 2459, Page 781, Public Records of Orange County, Florida.

And

The northwest 1/4 of the northwest 1/4 of Section 23, Township 22 South, Range 28 East.

Subject to: Florida Gas Transmission Company easement, Official Records Book 2607, Page 195, Public Records of Orange County, Florida.

Subject to: Florida Gas Transmission Company easement, Official Records Book 2459, Page 781, Public Records of Orange County, Florida.

Subject to: Florida Power Corporation easement, Deed Book 885, Page 322, Public Records of Orange County, Florida.

Less:

Apopka-Vineland Road right-of-way and those parts platted as: Country Chase, Unit 1, Plat Book 23, Page 78; Country Chase, Unit 2, Plat Book 24, Page 91; Country Chase, Unit 3, Plat Book 27, Page 144.

Staff Report

Public Work 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:

- Tom Schutz, the developer, of Laurel Homes, P. O. Box 300789, Fern Park, 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 Donegan, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the Walden Grove North Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Walden Grove North Preliminary Subdivision Plan dated, "Received December 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 February 1, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. 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.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - MORGAN'S MILL PRELIMINARY SUBDIVISION, DISTRICT 3

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

From the northwest corner of Section 1, Township 23 South, Range 30 East, run N 89°57'21" E along the north line of the northwest 1/4 of said Section 1, a distance of 261.03 feet for a point of beginning; thence continue N 89°57'21" E a distance of 404.75 feet to the northeast corner of the west 1/2 of the

northwest 1/4 of the northwest 1/4 of said Section 1; thence S 00°08'38" E a distance of 30.00 feet to the south right-of-way line of El Prado Avenue; thence N 89°57'21" E along said south right-of-way line a distance of 650.02 feet to the northwest corner of "The Gardens at Rio Pinar" as recorded in Plat Book 24, Page 144, Public Records of Orange County, Florida; thence S 01°07'26" W along the west line of "The Gardens at Rio Pinar" a distance of 1250.79 feet to a point 50.00 feet north of the south line of the northwest 1/4 of the northwest 1/4 of said Section 1; thence N 89°59'45" W parallel to said south line of the northwest 1/4 of the northwest 1/4 a distance of 447.91 feet; thence N 00°00'15" E a distance of 55.79 feet; thence N 83°52'28" W a distance of 51.48 feet; thence N 30°53'59" W a distance of 45.15 feet; thence N 21°22'21" W a distance of 43.60 feet; thence N 31°06'57" W a distance of 50.47 feet; thence N 47°26'04" W a distance of 84.14 feet; thence N 62°56'12" W a distance of 51.31 feet; thence N 66°24'30" W a distance of 65.82 feet; thence N 33°41'12" W a distance of 62.99 feet; thence N 19°42'24" W a distance of 119.27 feet; thence N 25°30'40" W a distance of 154.63 feet; thence N 28°35'34" W a distance of 65.15 feet; thence N 06°48'29" W a distance of 108.28 feet; thence N 21°10'44" W a distance of 76.87 feet; thence N 21°13'39" W a distance of 134.55 feet; thence N 04°35'09" E a distance of 95.64 feet; thence N 00°28'59" W a distance of 37.73 feet; thence N 14°23'42" W a distance of 96.10 feet; thence N 11°13'12" W a distance of 98.94 feet to the point of beginning. Containing 24.411 acres more or less.

Staff Report

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

Appearances

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

- George B. Braley, the developer, Magna Properties (no address given), the developer.

The following persons addressed the Board in opposition to the plan:

- Marcos R. Marchena, Esquire, 1740 Rose Garden Lane, Orlando, Florida.
- John Dick, 1638 Rose Garden Lane, Orlando, Florida.
- Bert Jarman, 1614 Rose Garden Lane, 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

A motion by Commissioner Johnson, seconded by Commissioner Freeman; with Commissioners Freeman, Staley, and Johnson voting AYE by voice vote; County Chairman Chapin and Commissioners Pignone, Donegan, and Butler voting NO by voice vote; to amend the conditions by requiring that Lots 45 through 55 be widened to 90 feet failed.

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 Morgan's Mill Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Morgan's Mill Preliminary Subdivision Plan dated, "Received January 4, 1995," 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 February 1, 1995, in accordance with the Orange County Subdivision Regulations as amended.

2. The stormwater management system design shall utilize a tailwater elevation approved by the Orange County Engineering Department prior to construction plan submittal.
3. Lots shall be graded so as not to adversely affect adjacent lots.
4. A five-foot (5') chain link fence shall be provided along the rear of Lots 39-43.
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. At the time of platting, all existing structures shall be removed or comply with County codes and regulations.

Chairman's Report

County Chairman Chapin asked the Board to reopen the public hearing concerning the Morgan's Mill Preliminary Subdivision Plan.

Motion

Upon a motion by Commissioner Pignone, seconded by Commissioner Donegan, and carried with County Chairman Chapin and all commissioners voting AYE by voice vote, the Board approved re-opening the public hearing to consider the Morgan's Mill Preliminary Subdivision Plan.

Staff Report

Public Works Division Director George Cole suggested a proposed additional condition read as follows: "Deed restriction shall be recorded requiring minimum house size to be 2,000 square feet for Lots 45 through 55."

Motion

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

by voice vote, the Board approved an additional condition for approval of Morgan's Mill Preliminary Subdivision Plan:

7. A deed restriction shall be recorded requiring minimum house size to be 2,000 square feet for Lots 45 through 55.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: JOHN PERCY, "DORSCHER PLACE PD," PLANNING AND ZONING #2 (NOVEMBER 1993), DECEMBER 16, 1993, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by John Percy, "Dorscher Place PD," in a PD zone to amend the land use plan for a mixed-use project (from multi-family to commercial) on the following described property:

Begin at the SE corner of Lot 2, Dorscher Place, recorded in Plat Book 22, Page 93, of the Public Records of Orange County, Florida; thence run the following 3 courses along the boundaries of said Lot 2: thence run S89°W 200.00 feet; thence run N 200.00 feet; thence run N89°E 200.00 feet to the W R/W line of Dorscher Road; thence run N along said W R/W line 40.00 feet to the SE corner of Lot 1 of the aforementioned Dorscher Place; thence run the following 2 courses along the boundaries of said Lot 1: thence run S89°W 225.00 feet; thence run N 272.00 feet to the S R/W line of West Colonial Drive; thence run S89°W 408.49 feet; thence run S 838.29 feet to the N R/W line of the E/W Expressway; thence run Easterly along said N R/W line the following 3 courses; thence run N75°E 80.43 feet; thence run N86°E 410.43 feet; thence run S87°E 148.26 feet to the aforementioned W R/W line of Dorscher Road; thence run N along W R/W line 5.01 feet; thence run N87°W 35.05 feet; thence run N 20.00 feet; thence run S87°E 35.05 feet to said W R/W line of Dorscher Road; thence run N along said W R/W line 265.56 feet to the point of beginning; which is located on the south side of West Colonial Drive, 200 feet west of Dorscher Road (NE 1/4 of NW 1/4 26-22-28 Tract Size: 9.4 acres District 1).

Staff Report

Planning and Development Division Director Bruce McClendon explained the location of the subject property, the zoning classifications in the area, and the recommendation for approval subject to conditions.

Appearances

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

- Hal Kantor, Esquire; Lowndes, Drosdick, Doster, Kantor, and Reed; 215 North Eola Drive, Orlando, Florida; for the applicant.

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 Butler, and carried with County Chairman Chapin and all commissioners voting AYE by voice vote, the Board approved the request by John Percy, "Dorscher Place PD," in a PD zone to amend the land use plan for a mixed-use project (from multi-family to

commercial) on the above-described property, subject to the following conditions:

1. Development shall conform to the Dorscher Place Planned Development (PD) Amendment dated, "Received October 14, 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.
2. The on-site billboard shall be removed prior to the next development plan approval.
3. A six-foot (6') wall shall be provided along the west property line.
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. The project shall comply with the following setbacks: 25' from the Expressway; 30' from Dorscher Road; 25' from adjacent residential; ten feet (10') from side and rear.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: DONALD MCINTOSH & ASSOCIATES, INC.; "LES SPRINGS PD," PLANNING AND ZONING #8 (SEPTEMBER 1993), DECEMBER 16, 1993, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Donald McIntosh & Associates, Inc., "Les Springs PD," for a change in zoning classification from A-2 to PD and land use approval for a mixed-use project (residential, commercial, and office) on the following described property:

That part of Section 1, Township 23 S, Range 31 E, lying N of Alafaya Trail, and

That part of Section 2, Township 23 S, Range 31 E, Orange County, Florida, lying NE'ly of Alafaya Trail, less the W 2800 feet of the S 1530 feet of said Section 2, less that part of the W 1468 feet of the NW 1/4 of said Section lying N of the N r/w line of Alafaya Trail, and

That part of the W 1/2 of Section 2, Township 23 S, Range 31 E, lying SW'ly of Alafaya Trail, less the W 2800 feet of the S 1530 feet of said Section 2, which is located on the East and West side of Alafaya Trail at the intersection with Golfway Boulevard (All 01-23-31 All 02-23-31 Tract Size: 1,143 Acres District 4).

Staff Report

Planning and Development Division Director Bruce McClendon described the location of the subject property, the zoning classifications in the area, and the recommendation for approval subject to conditions.

A court reporter, Teri Lynn Grant, Landmark Reporting, Inc., was present; Assistant Deputy Clerk Thomas Stark read the Notice of Appeal into the record.

Appearances

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

- Miranda Fitzgerald, Esquire; Lowndes, Drosdick, Doster, Kantor, and Reed; 215 North Eola Drive, Orlando, Florida; for the applicant.

The following person addressed the Board in opposition to the request:

- Marty Sharpe, vice chairman, Central Florida Sierra Club (no address given).

Discussion

Commissioner Pignone requested that the scheduled active park be built at the same that the golf course is built, that is, before the platting of the 650th unit. The applicant's representative agreed.

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

Motion

Upon a motion by Commissioner Pignone, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote; the Board approved the request of Donald McIntosh & Associates, Inc., "Les Springs PD," for a change in zoning classification from A-2 to PD and land use approval for a mixed-use project (residential, commercial, and office) on the above-described property subject to the following conditions:

1. Development shall conform to the Les Springs Planned Development (PD) Land Use Plan dated, "Received October 11, 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.
2. Final construction plans will not be approved until it has been demonstrated that the wet season water table is a minimum of twelve inches (12") below the bottom of the base of the road system, i.e., the stormwater management system construction plans cannot be approved until actual logs of the water table elevation are submitted through a wet season which shows water table at a minimum of twelve inches (12") below the bottom of the base of road system.
3. Development shall comply with the conservation area survey dated, "Received August 6, 1991." The survey for the additional 80 acres not covered by the August 6, 1991, survey shall be submitted with the plat.
4. Prior to any development plan submittal, a mitigation plan for conservation area encroachment shall be submitted and approved by Orange County.

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. A master plan shall be submitted prior to construction plan approval for water and wastewater systems.
7. Prior to construction plan approval, the developer shall agree to use reclaimed water for golf course, landscape, and green area irrigation.
8. The project shall construct the following recreational facilities: a golf course and an active park - prior to platting of the 650th residential unit; and a passive park - prior to platting of the 2,000th residential unit.

PLANNING AND ZONING COMMISSION APPEAL - APPELLANT: MARILOU PIPPIN.
APPLICANT: HAROLD J. NORTHAM, PLANNING AND ZONING CONTINUED ITEM #13 (NOVEMBER
18, 1993), DECEMBER 16, 1993, DISTRICT 5

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 December 16, 1993, Continued Hearing #13, on application of Harold J. Northam, for a change in zoning classification from C-1 and C-2 to C-2 on the following described property:

That part of Section 1, Township 23 S, Range 31 E, lying N of Alafaya Trail,
and

That part of Section 2, Township 23 S, Range 31 E, Orange County, Florida, lying NE'ly of Alafaya Trail, less the W 2800 feet of the S 1530 feet of said Section 2, less that part of the W 1468 feet of the NW 1/4 of said Section lying N of the N R/W line of Alafaya Trail,
and

that part of the W 1/2 of Section 2, Township 23 S, Range 31 E, lying SW'ly of Alafaya Trail, less the W 2800 feet of the S 1530 feet of said Section 2, which is located on the east and west side of Alafaya Trail at the intersection with Golfway Boulevard (ALL 01-23-31 ALL 02-23-31 Tract Size: 1,143 Acres District 4).

Staff Report

Planning and Development Division Director Bruce McClendon announced that Marilou Pippin has withdrawn the appeal.

NONAGENDA - ADVISORY BOARD ISSUES

Commissioner Butler raised procedural issues concerning advisory boards. County Chairman Chapin directed staff to place this item on next week's discussion agenda.

County Chairman Chapin left the meeting.

Commissioner Johnson left the meeting

ORDINANCE PUBLIC HEARING - IMPOSING A MORATORIUM ON THE PERMITTING, ESTABLISHMENT, AND CONSTRUCTION OF TICKET BOOTHS IN THE TOURIST DISTRICT FOR A PERIOD NOT TO EXCEED SIX MONTHS

Notice was given that the Board of County Commissioners would hold the first of two public hearings after 5 p.m. to consider the following proposed ordinance:

AN ORDINANCE AFFECTING THE USE OF LAND IN THE UNINCORPORATED AREA OF ORANGE COUNTY, FLORIDA; IMPOSING A MORATORIUM ON THE PERMITTING, ESTABLISHMENT AND CONSTRUCTION OF TICKET BOOTHS IN THE TOURISM DISTRICT FOR A PERIOD NOT TO EXCEED SIX MONTHS; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Assistant County Attorney Joel Prinsell stated that this is the first of two public hearings for the proposed ordinance. Mr. Prinsell reviewed the proposed ordinance.

Appearances

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

- Maria Chicare, executive director, Florida Center Chamber of Commerce, 9801 International Drive, Orlando, Florida.
- Garret Toohey, representing TRM Enterprises (no address given).
- Phil Wright, president, Central Florida Hotel & Motel Association, 7204 Sand Lake Road, Orlando, Florida.

The following persons addressed the Board in opposition to the proposed ordinance:

- Loretta Gardner, 1359 Fair Oaks Avenue, Kissimmee, Florida.
- Judy Bucholtz, 2534 Rancho Drive, Kissimmee, Florida.
- Patrick Hensell, 330 Colonade Court, Poinciana, Florida.
- Sharon Carter, P.O. Box 590232, Orlando, Florida.
- Michael Levin, 7041 Grand National Drive, Suite 104, Orlando, Florida.
- Roy Nicholson, 2105 Howell Boulevard, Maitland, Florida.
- David Kelly, 9843 Mohr's Cove Lane, Windermere, Florida.

Discussion

Vice-chairman Staley closed the public hearing and opened the matter for Board discussion.

Vice-chairman Staley announced that the second of the two public hearings to consider an ordinance imposing a moratorium on the permitting, establishment, and construction of ticket booths in the tourist district for a period not to exceed six months will be held in two weeks.

NONAGENDA - APPROVAL OF PAY INCREASES

Commission Pignone informed the Board that County Administrator's Item #1, pulled from the Consent Agenda earlier in the day, concerned the County Administrator approving merit pay increases without Board review. She further stated that she has requested that this matter be scheduled for a worksession.

MEETING ADJOURNED

There being no further business, the Vice-chairman adjourned the meeting at 6:10 p.m.

ATTEST:

Martha O. Haynie

County Comptroller as Clerk

County Chairman

Assistant Deputy Clerk

Minutes Coordinator