

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, July 19, 1994. County Chairman Linda Chapin, Commissioners Bob Freeman, Tom Staley, Mary Johnson, Fran Pignone, Bill Donegan, and Mable Butler were present. 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, the County Chairman called the meeting to order at 9 a.m.

WORKSESSION - REPORT ON ORANGE COUNTY FIRE AND RESCUE SERVICES DIVISION ASSUMING AMBULANCE TRANSPORT

Staff Report

Assistant County Administrator Ceretha Leon addressed the Board and outlined the topics the speakers would discuss. Ms. Leon stated that County staff from the Office of Management and Budget, the Fire and Rescue Services Division, the Health and Community Services Division, and the County Administrator's office have reviewed the Tri Data study and concur with its recommendation that the County should assume responsibility for providing emergency ambulance transport service in Orange County.

Gordon Routley of Tri Data Corporation addressed the Board and reviewed the study. Mr. Routley stated that the recommendation that Orange County Fire and Rescue Services Division assume responsibility for emergency transportation services is operationally feasible for patients and economically advantageous to Orange County. He added that the Board must consider the public policy issues of whether to move from private to public provision of services, which areas would receive the service, the rates, and the collection policies. In conclusion, Mr. Routley estimated 18 to 24 months to implement the program and recommended that the Board assign implementation to the Orange County Fire and Rescue Services Division.

Clint Vardaman, general manager of AMT Ambulance Service, addressed the Board and discussed the impacts of Orange County Fire and Rescue Services Division assuming responsibility for emergency ambulance transport service on the current private providers.

Commissioner Johnson left the meeting.

Fred Leonhardt, Esquire, addressed the Board and spoke in opposition to the Orange County Fire and Rescue Services Division assuming responsibility for emergency ambulance transportation.

Commissioner Johnson rejoined the meeting.

Alan Crowel, of Health Central in the West Orange Health Care District (WOHCD), addressed the Board and outlined the service area of the district and discussed how the recommendation to remove the International Drive area from the WOHCD would affect the district.

Jerry Polk, president of the International Association of Fire Fighters, addressed the Board in support of the Orange County Fire and Rescue Services Division assuming responsibility for emergency medical transport.

Mark Ram, an Orange County firefighter, addressed the Board regarding the importance of maintaining the continuity of emergency medical care.

Fire and Rescue Services Division Director/Fire Chief Mitch Floyd summarized the Fire and Rescue Services Division's position regarding the Tri Data Report.

Dennis Sargeant, fire chief of the City of Winter Park, addressed the Board and spoke in support of the Orange County Fire and Rescue Services Division assuming responsibility for providing emergency medical transportation.

Discussion

The Board discussed the yearly operating costs of an ambulance, rates for services, percentages of collections, and preserving the West Orange Health Care District.

Motion

A motion by Commissioner Donegan, seconded by Commissioner Butler, to establish an independent committee consisting of representatives from the County Administrator's Office, the County Comptroller's Office, the West Orange Health Care District, each commissioner district, the Orange County fire chief, affected municipalities, a

current provider, and a member of the International Association of Fire Fighters to review the Tri Data Corporation Orange County Emergency Transport Study was withdrawn.

Action

By consensus, the Board authorized Commissioner Donegan to confer with the Tri Data consultant, Gordon Routley, to establish a committee to review the Tri Data Orange County Emergency Transport Study and to serve as its chairman; and further, to report the proposed membership list at the next Board meeting.

FISCAL AND HUMAN RESOURCE DIVISION DISCUSSION AGENDA

1. Selection of two firms and one alternate for entering into contract negotiations for continuing eminent domain engineering services, Y4-908-MK ([Highway Construction Department] Procurement Committee):

Staff Report

Contract Supervisor Joann Carroll requested that the Board select two firms and one alternate to enter into contract negotiations for continuing eminent domain engineering services, RFP Y4-908-MK, from the following firms, listed alphabetically:

BJM Associates
GAI Consultants
Miller-Sellen
Transportation Consulting Group

Ms. Carroll noted that GAI Consultants is effectively out of the running for this contract because they have held the contract for the past six years and County policy states that the firm cannot be selected again until one year has elapsed.

Senior Assistant County Attorney Joe Passiatore explained the policy and added that GAI Consultants will be permitted to complete any cases which are still pending.

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Johnson, and carried with County Chairman Chapin

and Commissioners Staley, Johnson, Pignone, Donegan, and Butler voting AYE by voice vote; Commissioner Freeman voting NO by voice vote; the Board selected two firms:

- Miller-Sellen
- Transportation Consulting Group

and one alternate:

- BJM Associates

for entering into contract negotiations for continuing eminent domain engineering services, Y4-908-MK.

COUNTY CONSENT AGENDA

Motion

Upon a motion by County Chairman Chapin, 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:

County Comptroller

1. Approval to pay Clerk of the Courts' invoices in the total amount of \$303,529.93 (Administrative/Fiscal).
2. Acknowledge "File for the Record" documents received and filed in the Comptroller Clerk of the Board of County Commissioners' office as follows:
 - a. Second Amended Notice of Public Hearing to Florida Power and Light Company, Florida Power Corporation, Gulf Power Corporation, Tampa Electric Company; in re: Adoption of Numeric Conservation Goals and Considerations of National Energy Policy Act; dated June 22, 1994.
 - b. Ordinance from the City of Orlando annexing property located at the intersection of State Route 438 and Brengle Avenue; dated June 20, 1994.

(Clerk of the Board of County Commissioners)

Administrative Support Division

1. Approval and authorization to record instrument: Diamond Cove Unit 1B, Temporary Drainage and Utility Easement, District 1 (Real Estate Management Department).
2. Approval and execution by County Chairman of office lease between Marx Realty and Improvement Company, Inc., and Orange County: Comptroller's Records Administration Building, Office Lease, District 3 (Real Estate Management Department).

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

3. Approval and execution by County Chairman of contract for sale and purchase and promissory note, authorization to conduct closing, disburse warrants, record instrument, and pay appropriate closing costs and approval of any additional recording fees not to exceed \$30: Southchase ballfield site, Parcel 102, Deed, District 4 (Real Estate Management Department).
4. Approval and authorization to conduct closing, disburse warrant, record instrument, and pay appropriate closing costs and approval of any additional recording fees not to exceed \$30: Southchase ballfield site, Parcel 101, Deed, District 4 (Real Estate Management Department).

County Administrator

1. Approval of the amendment of the engagement letter, and authorization for the County Chairman to execute the amended engagement letter between Orange County and the firm of Cobb, Cole, and Bell, Mathews, Smith, and Railey regarding representation of Orange County in the case of Howard R. Scharlin, as Trustee, Ralph Fisch, as Trustee, and Robert A. Yeager, as Trustee, vs. Orange County, Case No. CI93-6315 (County Attorney).
2. Approval and execution of proposed settlement agreement among Orange County and the Lake Holden Property Owners

Association, Inc.; Robert C. Wilkins, Jr.; H. W. Helem; Beularess Helem; Oriana Schoeneberg; and Sharon L. Stedman (County Attorney).

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

Fiscal and Human Resource Division

1. Award of Invitation for Bid Y4-748-EG to the low responsive and responsible bidder, Gibbs and Register, Inc., Piedmont-Wekiva Road (Semoran Boulevard to County Line), \$4,280,103.65 ([Highway Construction] Purchasing and Contracts Department).
2. Award of Invitation for Bid Y4-752-NS to the low responsive and responsible bidder, Florida Petroleum Services, automated diesel site (Public Works Complex), \$80,200 ([Construction Administration] Purchasing and Contracts Department).
3. Approval to enter into a contract with the only known source, AT&T, for the purchase of a Definity G3I telephone system, \$130,696.58 ([Management Information Services] Purchasing and Contracts Department).

(Contract is on file in the Purchasing and Contracts Department.)

4. Approval of Change Order No. 14, Contract Y2-761, Pershing Avenue (Semoran to Goldenrod Road) with Martin Paving Company, \$5,638 ([Highway Construction] Purchasing and Contracts Department).
5. Approval of Change Order No. 3, Contract Y3-737, construction of Fleet Management Complex with Walker and Company, \$53,553 ([Construction Administration] Purchasing and Contracts Department).
6. Approval of Change Order No. 4 (Final), Contract Y3-785, Old Winter Garden Road sidewalk improvement with Planted Earth Contracting, \$21,144.50 ([Highway Construction] Purchasing and Contracts Department).

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7. Approval to enter into a formal contract with Post, Buckley, Schuh and Jernigan for engineering services for Lake Georgia drainage basin, RFP Y4-800-MK, \$106,000 ([Stormwater Management Department] Purchasing and Contracts Department).

(Contract is on file in the Purchasing and Contracts Department.)
8. Approval of Amendment 1, Contract Y2-817, soils and materials testing services for the Convention Center with PSI/Jammal and Associates, \$595,768 ([Construction Administration Department] Procurement Committee).
9. Approval of Amendment 1, Task Authorization 5, Contract Y4-900A, additional continuing soils and materials testing services for a sinkhole on Pine Hills Road with Ardaman and Associates, \$73,300 ([Highway Construction Department] Procurement Committee).
10. Approval of an emergency purchase from Roe Design Group to provide architectural and electrical engineering services for the Pine Street renovation project in the amount of \$97,912 ([Construction Administration Department] Purchasing and Contracts Department).
11. Approval to enter into negotiations to establish contracts with *the following responsible proposers responding to RFP Y4-636-GJ, Development of Affordable Housing ([Housing and Community Development] Purchasing and Contracts Department):
 - Cecil Allen Construction
 - ABD of American, Inc.
 - The Watson Group, Inc.
 - City of Winter Park Affordable Housing Program
 - Bob Harrell Properties, Inc.
 - Habitate for Humanity of Winter Park/Maitland, Inc.
 - Homes in Partnership, Inc.
12. Approval of Budget Transfers 94-437 through 94-439 and 94-445 (OMB).

(Budget Transfers 94-437 through 94-439 and 94-445 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
13. Approval of Budget Amendments 94-69 through 94-71 (OMB).

(Budget Amendments 94-69 through 94-71 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

14. Approval of Capital Improvement Plan Amendments 66-94 and 67-94 (OMB).

(CIP Amendments 66-94 and 67-94 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Health and Community Services Division

1. Approval and execution of contracts with the Orange County School Board for off-site preparation of meals (for Head Start children), from October 1, 1994, through September 30, 1995, for Maxey, Apopka, Wheatley, Englewood, Union Park, Bonnevillle, Columbia, Lake Weston, Princeton, Grand Avenue, Orange Center, Palmetto, Pine Hills, Richmond Heights, Tangelo Park, and Washington Shores Elementary Schools, all districts (Community Affairs).
2. Approval and execution of contracts with the Orange County School Board for off-site preparation of meals (for Head Start children), from July 25, 1994, through September 30, 1994, for Wheatley, Grand Avenue, Orange Center, and Tangelo Park Elementary Schools, Districts 2 and 6 (Community Affairs).
3. Approval and execution of a Renewal of Facility Agreement with the Metro-Orlando Girls' Softball Association, Inc., for use of County-owned softball field and related amenities within Orlo Vista Terrace. Less than \$500 of County funds will be utilized annually, District 6 (Parks and Recreation).
4. Approval and execution of Addendum 1 to the Conceptual Approval Agreement between Orange County and Florida Communities Trust for the Kelly Park expansion. The extension is needed to give additional time for survey and appraisals, District 2 (Division Office - Health and Community Services).

(Agreements for Items 1 through 4 are on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

Planning and Development Division

1. Approval of waiver of Administrative Regulation 7.12.01 allowing reimbursement of moving expenses for John Lewis in the amount of \$6,741 (Division Office).
2. Approval of waiver of Administrative Regulation 7.12.01 allowing reimbursement of moving expenses for Cynthia Hatley in the amount of \$3,360 (Division Office).
3. Receipt and filing of the minutes of the Lake Jessamine Water Advisory Board meeting of May 19, 1994, District 4, (Environmental Protection Department).
4. Approval of Consent Order for Florida Packaging Products, 9777 Satellite Boulevard, Suite 240, Orlando, Florida 32837, District 4 (Environmental Protection Department).

Public Utilities Division

1. Approval of a Joint Project Agreement (JPA) between Florida Department of Transportation (FDOT) and Orange County which will require the FDOT's contractor to construct budgeted capital improvements and miscellaneous utility relocations during FDOT's roadway improvements on South Orange Blossom Trail from Holden Avenue to I-4, Districts 4 and 6.

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

Public Works Division

1. Approval and execution of an Interlocal Agreement with the City of Apopka whereby Orange County will share in costs of construction of additional lanes and traffic signalization at the intersection of Apopka Boulevard and Lakeville Road, District 2 (Traffic Engineering).

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

2. Approval to adopt a resolution vacating a portion of the plat of Prosper Colony, District 6 (Engineering).

(Resolution is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
3. Approval to install "Yield" signs in the Kelly Park Hills South Phase 2 Subdivision, District 2 (Traffic Engineering).
4. Approval to install "Stop" and "Yield" signs:
 - a. Waterford Lakes Tract N-11 Phase One Subdivision, District 4 (Traffic Engineering).
 - b. Woodbury Road Patio Homes Subdivision, a replat of a portion of Lot 2, Woodbury Road Apartments, Plat Book 26, Page 16, District 4 (Traffic Engineering).
5. Approval to install "No Parking" signs on both sides of South Pine Hills Road from Old Winter Garden Road for approximately 300 feet, District 6 (Traffic Engineering).
6. Approval to add a six-foot subdivision screen wall along Pine Hills Road (North Lane to Beggs Road), Ri-Mar Ridge First Addition. The cost will be added to the Pine Hills Road project, District 2 (Highway Construction).

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, Fran Pignone, Bill Donegan, and Mable Butler present. Commissioner Johnson joined the meeting where indicated. Also present were County Administrator Jean Bennett, County Attorney Tom Wilkes, Chief Deputy Comptroller as Clerk Jim Moye, and Deputy Clerk Rosilyn Stapleton. The Board paused for an invocation by E. X. Blaschka, former mayor of the City of Maitland, followed by the Pledge of Allegiance to the Flag.

PUBLIC DISCUSSION

1. Walter Moss, president of the Vietnam Veterans of Central Florida, Inc., wishes to address the Board concerning the Vietnam Veterans Bunker.

Walter Moss, 5465 Curry Ford Road, Orlando, Florida, addressed the Board and reported that construction is complete on the Vietnam Veterans Bunker, a veterans service center. Mr. Moss expressed his gratitude to the Board for its help with the project.

Mr. Moss reported on the group's activities in providing aid to the flood victims in North Florida and providing assistance to the homeless.

Commissioner Johnson joined the meeting.

2. Presentation of Proclamation to the National Space Society designating July 16 through July 24 as "Spaceweek."

County Chairman Chapin read and presented a proclamation designating July 16 through 24, 1994, to Michael Fieldbrook of the National Space Society.

Mr. Fieldbrook addressed the Board regarding the Society's Spaceweek activities.

3. Presentation of Proclamation designating the month of July as Parks and Recreation Month in Orange County.

County Chairman Chapin read and presented a proclamation designating the month of July as Parks and Recreation Month to Parks and Recreation Department Manager Lynn Sordel.

BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS OF JULY 7, 1994**Staff Report**

Zoning Department Manager Melvin Pittman presented the recommendations of the Orange County Board of Zoning Adjustment under the date of July 7, 1994.

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Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner 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 Board of Zoning Adjustment under date of July 7, 1994, subject to:

- a Hold Harmless Agreement for Item 11, Janet Brown;
- the usual right of appeal to any aggrieved parties.

(Hold Harmless Agreement to be filed in the office of the Comptroller Clerk of the Board of County Commissioners.)

For the record, appeals of the recommendations of the Orange County Board of Zoning Adjustment under the date of July 7, 1994, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- Continued Item 12, Appellant: Michael Looney, R. Miller Architecture, representing the applicant; Applicant: Orlando Christian Center, Public Hearing date: August 16, 1994.
- Continued Item 28, Appellant: Melinda Bell, representing applicant; Applicant: Dial Call, Inc., Public Hearing date: August 16, 1994.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANTS: GARY RUSSELL AND DENNIS CASEY, "THE CLOYD PROPERTY," PLANNING AND ZONING CONTINUED #11 (APRIL 1994), MAY 19, 1994, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Gary Russell and Dennis Casey, "The Cloyd Property," to amend the land use plans of the Chartered Corporate Centre and the Lake Underhill Industrial Park Planned Development for a mixed-use project on the following described property:

Parcel A: That part of the E 1/2 of the SE 1/4 of Sec. 29, Twp. 22 S, Rge. 31 E, Orange County, Florida, lying S of Lake Underhill Road, together with
Parcel B: The E 1/4 of the NE 1/4 of the NE 1/4 of Sec. 32, Twp. 22, Rge. 31 S, Orange County, Florida; together with: That part of the E

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1/2 of the SE 1/4 of Sec. 29, Twp. 22 S, Rge. 31 E, Orange County, Florida,
and the NW 1/4 of sd. SE 1/4 less the W 1/2 thereof; together with: Beg. at
the NE cor. of Sec. 32, Twp. 22 S, Rge. 31 E, th. run S00°08'57"E, a dist. of

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1320 ft. more or less to the SE cor. of the E 1/4 of the NE 1/4 of the NE 1/4 of sd. Sec. 32, being the POB of the land described herein th. run S00°08'57"E a dist. of 1373.46 ft. more or less to the SE cor. of the NE 1/4 of sd. Sec. 32, th. run N57°31'58"W, a dist. of 104.89 ft., th. run S81°53'43"W, a dist. of 413.90 ft.; th. run S66°53'56"W, a dist. of 202.95 ft.; th. run N52°53'21"W, 130 ft. to the N line of the SE 1/4 of sd. Sec. 32; th. run N52°53'21"W a dist. of 178.39 ft.; th. N79°42'39"W a dist. of 135.21 ft.; th. N50°18'55"W, a dist. of 95.12 ft.; th. N86°27'55"W, a dist. of 184.02 ft.; th. N37°59'22"W, a dist. of 112.56 ft.; th. N76°17'01"W, a dist. of 117.68 ft.; th. N37°59'01"W, a dist. of 110.43 ft.; th. S68°06'55"W, a dist. of 132.25 ft.; th. N 78°58'08"W, a dist. of 108.88 ft.; th. N32°59'54"W, a dist. of 99.65 ft.; th. S65°27'34"W, a dist. of 150.36 ft.; th. N45°55'42"W, a dist. of 139.72 ft.; th. N85°55'47"W, a dist. of 479.55 ft.; to a pt. on the W line of the NE 1/4 of sd. Sec. 32; th. N57°50'18"W, a dist. of 242.71 ft.; th. S69°49'37"W, a dist. of 115.02 ft.; th. N73°43'00"W, a dist. of 87.7 ft.; th. 33°59'35"W, a dist. of 363.56 ft.; th. N07°30'27"W, a dist. of 143.65 ft. to the W line of the E 1/2 of the SE 1/4 of the NW 1/4 of sd. Sec. 32; th. N01°09'02"W along sd. W line, a dist. of 549.08 ft. to the NW cor. of the E 1/2 of the SE 1/4 of the NW 1/4 of sd. Sec. 32; th. S89°52'34"W, along the S line of the NE 1/4 of the NW 1/4 of sd. Sec. 32, a dist. of 607.12 ft. to the E'ly R/W line of Dean Road; th. run N01°50'21"W, along sd. E'ly R/W line, a dist. of 166.35 ft., to the pt. of curvature of a curve, concave W'ly, hvg. a radius of 368.27 ft., th. run N'ly along the arc of sd. curve thru a central angle of 23°17'12", a dist. of 149.68 ft. to a pt. on the W line of the NE 1/4 of the NW 1/4 of sd. Sec. 32, th. N01°50'21"W, along sd. W line, a dist. of 973.3 ft., to a pt. on the S'ly R/W line of Lk. Underhill Rd.; th. N89°49'27", along sd. S'ly R/W line, a dist. of 1061.88 ft.; th. S00°12'33"E, a dist. of 15 ft.; th. N89°49'27"E, a dist. of 243.33 ft.; to a pt. on the W line of the NE 1/4 of sd. Sec. 32, at a pt. 75 ft. S of the NW cor. of the NE 1/4 of sd. Sec. 32; th. N89°38'46"E, a dist. of 106.89 ft.; th. N00°12'33"W, a dist. of 15 ft. th. N89°38'46"E along sd. S R/W line, a dist. of 870.69 ft. to a pt. on the E line of the W 3/4 of

the NW 1/4 of the NE 1/4 of sd. Sec. 32; th. S00°20'38"E, along sd. E line, a dist. of 1285.04 ft.; to the SE cor. of the W 3/4 of the NW 1/4 of the NE 1/4 of sd. Sec. 32, th. N89°42'19"E along the S line of the NW 1/4 of the NE 1/4 of sd. Sec. 32, a dist. of 325 ft., to the SW cor. of the NE 1/4 of the NE 1/4 of sd. Sec. 32; th. N00°18'18"W, along the W line of the NE 1/4 of the NE 1/4 of sd. Sec. 32, a dist. of 1285.38 ft. to a pt. on the S'ly r/w line of Lk. Underhill Rd., sd. pt. being 60 ft. S of the NW cor. of the NE 1/4 of the NE 1/4 of sd. Sec. 32; th. N89°38'46"E, along sd. S r/w line, a dist. of 287.71 ft. to the pt. of curvature of a curve, concave N'ly, hvg. a radius of 1969.86 ft.; th. E'ly along the arc of sd. curve, through a central angle of 14°10'40", a dist. of 487.44 ft., to a pt. on the N line of sd. Sec. 32; th. departing sd. R/W line, run N89°38'46"E, along the N line of sd. Sec. 32, a dist. of 200.51 ft., more or less, to the NW cor. of the E 1/4 of the NE 1/4 of the NE 1/4 of sd. Sec. 32; th. run S along the W boundary of sd. E 1/4 of the NE 1/4 of the NE 1/4 of sd. Sec. 32 to the SW cor. of sd. E 1/4 of sd. NE 1/4 of sd. NE 1/4 of Sec. 32, th. run E to the POB (NE 1/4 of the NE 1/4 29-22-31 32-22-31 Tract Size: 289.5 acres, District #4).

A court reporter was present; Beverly Heffelfinger of Omni Reporting Company; Deputy Clerk Rosilyn Stapleton read the Notice of Appeal into the record.

Commissioner's Report

For the record, Commissioner Pignone identified persons in the audience associated with this request who made contributions to her political campaign.

Staff Report

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

Appearances

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

- Nicholas Pope, Esquire; Lowndes, Drosdick, Doster, Kantor & Reed, P.A.; 215 North Eola Drive, Orlando, Florida; representing the applicant.
- Doug Youaish, president of Youaish Engineering Sciences (no address given).
- Vince Cloyd, the applicant, 1925 Lakeside Drive, Orlando, Florida.

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 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 request by Gary Russell and Dennis Casey, "The Cloyd Property," to amend the land use plans of the Chartered Corporate Centre and the Lake Underhill Industrial Park Planned Development for a mixed use project on the above-described property, subject to the following conditions:

1. Development shall conform to the Field Stream Planned Development, dated "Received March 29, 1994," 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 Commissioners, or by action of the Board of County Commissioners.
2. A master drainage plan for the entire site is required prior to submittal of the first development plan for review.

3. Prior to construction plan approval, a 100-year flood elevation study for the project shall be submitted for approval by the county engineer.
4. Outside storage and display and manufacturing shall be prohibited.
5. Prior to submittal of any development plans, a conservation area determination shall be completed. If there is encroachment into the conservation areas, then a mitigation plan shall also be approved.
6. Master water and wastewater plans including preliminary calculations shall be required to be submitted for review and approval prior to submission of construction plan.
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 any development or subdivision plan, the developer shall submit a report for review and approval by the County for properties to be developed within 700 feet of the former landfill indicating groundwater influence on site, potential gas migration, and potential for groundwater contamination. Also, the developer shall submit a groundwater monitoring plan for those properties within 700 feet. Orange County shall respond to this report with specific comments within 45 days of receipt of the report.
9. Prior to submittal of the development plan, the developer shall include a notice in the public record for property within 700 feet to acknowledge:
 - a. The location of the landfill next to the property.
 - b. That monitoring conditions are imposed thereon.
 - c. No shallow wells will be allowed within 700 feet of the

landfill sites. No other wells will be allowed on any portion of the site unless approved by Orange County.

- 10. The industrial parcel shall comply with the I-1A Restricted Industrial Zoning District regarding yard requirements, parking, and other requirements (Section 38-905 through 38-908).

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -
 APPLICANT: WELLINGTON ENTERPRISES, LTD., "DOWN COVE PLANNED DEVELOPMENT,"
 PLANNING AND ZONING CONTINUED #2 (MARCH 1994), APRIL 21, 1994 (CONTINUED FROM
 JUNE 7, 1994), DISTRICT 1

By consensus, the Board reopened the public hearing to consider a request by Wellington Enterprises, Ltd., "Down Cove Planned Development," to amend the approved Land Use Plan, to convert open space to residential development (21 single-family units), and to provide for a five-acre church site.

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 persons addressed the Board in favor of the request:

- John Anderson, 1500 Lee Road, Orlando, Florida.
- Alex McKinnon (no address given), representing 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 present and voting AYE by voice vote, the Board

approved the request by Wellington Enterprises, Ltd., "Down Cove Planned Development," to amend the approved Land Use Plan, to convert open space to residential development (21 single-family units), and to provide for a five-acre church site, on the above-described property, subject to the following conditions:

1. Development shall conform to the Windsor Hill Phase II/Land Use Plan, dated "Received March 16, 1994," 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. Development rights to all open space tracts shall be dedicated to Orange County, consistent with the December 16, 1985, Board of County Commissioners' Condition of Approval #2 for Windsor Hill Phase I (aka Down Cove Planned Development).
3. Prior to construction plan approval, certification with supporting calculations shall be submitted which demonstrates that the existing retention pond has the capacity to accommodate the proposed development.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - ORANGEWOOD CENTER PHASE 2
PRELIMINARY SUBDIVISION PLAN, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Orangewood Center Phase 2 Preliminary Subdivision Plan on the following described property:

Commence at the northeast corner of the northwest 1/4 of said Section 18, said point on the south boundary line of the Town Center Parcel, as recorded in Official Records Book 3213, Page 2592, Public Records of Orange County, Florida; thence S89°10'28"W, along said south boundary line and along the north line of the northwest 1/4 of said Section 18, a distance of 618.95 feet for the Point of

Beginning; thence leaving said line S08°30'00"E, 281.97 feet; thence S50°00'19"W, 449.07 feet to the east right-of-way line of an Orlando Utilities Commission Easement (135 feet wide), as recorded in Official Records Book 1934, Pages 12, 13, and 14, Public Records of Orange County, Florida; thence S00°20'04"E, along said east right-of-way line, 276.02 feet; thence S88°25'06"W, 67.52 feet to the centerline of said Orlando Utilities Commission Easement; thence N00°20'04"W, along said centerline, 63.41 feet; thence S89°10'28"W, 931.24 feet to a point on a curve, concave westerly, on the easterly right-of-way line of International Drive, as shown on the Plat of Orangewood Neighborhood 2, as recorded in Plat Book 17, Pages 81 thru 87, inclusive, Public Records of Orange County, Florida; thence along said easterly right-of-way line of International Drive the following three (3) courses and distances; from a tangent bearing of N16°29'25"E, run 851.36 feet along the arc of said curve, having a radius of 2949.79 feet thru a central angle of 16°32'11" to the point of tangency thereof; thence N00°02'46"W, 68.18 feet to a point of curvature of a curve, concave southeasterly, having a radius of 50.00 feet and a central angle of 73°02'46"; thence run 63.75 feet along the arc of said curve to the point of tangency thereof; said point lying on the southerly right-of-way line of Central Florida Parkway, as shown on the aforementioned plat of Orangewood Neighborhood 2; thence along said southerly right-of-way line of Central Florida Parkway the following two (2) courses and distances; run N73°00'00"E, 119.97 feet to a point of curvature of a curve, concave southerly, having a radius of 2940.00 feet and a central angle of 12°58'41"; thence run 665.94 feet along the arc of said curve to a point on the centerline of the aforementioned Orlando Utilities Easement; thence S00°19'54"E, along said centerline, 322.02 feet to the aforementioned north line of the northwest 1/4 of Section 18; thence N89°10'28"E, along said north line 373.18 feet to the point of beginning. Containing 24.52 acres more or less.

Staff Report

Public Works Division Deputy Director William Baxter 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:

- Gary Singer, the developer, 6305 Westwood Blvd., 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 Orangewood Center Phase 2 Preliminary Subdivision Plan on the above-described property, subject to conditions:

1. Development shall conform to the Orangewood Planned Development, BCC approvals, and Orangewood Center Phase 2 Preliminary Subdivision Plan/Development Plan, dated "Received April 26, 1994," 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 on July 19, 1995, in accordance with Orange County Subdivision Regulations, as amended.

2. Prior to construction plan approval, permits from Florida Power Corporation and Orlando Utilities Commission shall be obtained for encroachment within the utility easement.

3. 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 project.
4. Consistent with the International Drive Activity Center development standards, a seven-foot (7') sidewalk shall be constructed along International Drive and a five-foot (5') sidewalk shall be constructed along Central Florida Parkway fronting the length of the project.
5. At time of platting, cross-access easements shall be recorded which service all lots.
6. Mitigation shall be provided per the approved mitigation plan dated March 28, 1994.
7. Orange County shall not own, operate, or maintain the on-site wastewater system and will only own, operate, and maintain that portion of the water main system covered by the easement.
8. All landscaping/buffers shall comply with Chapter 24 and tourist commercial requirements.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - AL HOCHSTADT PRELIMINARY
SUBDIVISION PLAN, DISTRICT 2

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

Lots 27 and 28 "Interlaken" according to the plat thereof as recorded in Plat Book Q, at Page 81, of the Public Records of Orange County, Florida: Less the following described portion of said lots: Begin at the southeast corner of said Lot 28; thence run S89°55'48"W along the south line of said Lot 28 for 181.21 feet; thence run N0°4'12"W for 200.16 feet, to the north line of said Lot 27; thence run N89°55'48"E for 108.79 feet to the northeast corner of said Lot 27; thence run southeasterly along the east line of said Lots 27 and 28, being a circular curve,

concave to the northeast and having for its elements a radius of 551.95 feet, a central angle of 22°14'07", a chord of 212.86 feet and a chord bearing of S19°57'34"E, for an arc distance of 214.20 feet to the point of beginning. Containing 2.36+/- acres more or less.

Staff Report

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

Planning and Development Division Director Bruce McClendon informed the Board that the request includes a vacation of a portion of the plat of Interlaken. He suggested that this item be continued until the applicant applies for a vacation of the existing plat which must be recorded prior to the Preliminary Subdivision Plan approval.

Appearances

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

- Al Hochstadt, property owner (no address given).

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 County Chairman Chapin, and carried with County Chairman Chapin and all commissioners present and voting AYE by voice vote, the Board continued the public hearing to consider approval of the Al Hochstadt Preliminary Subdivision Plan, on the above-described property, until a public hearing is held to consider the required vacation of a portion of the plat of Interlaken, within the subject property; and further, approved the staff administrative rezoning to reflect the existing land uses.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - UNIVERSITY ACRES, LOT 9,
PRELIMINARY SUBDIVISION PLAN, DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider the University Acres, Lot 9, Preliminary Subdivision Plan on the following described property:

That part of Section 9, Township 22 South, Range 31, Orange County, Florida, and a portion of Mackay Park Subdivision Number One, as recorded in Plat Book X, Page 5, of the Public Records of Orange County, Florida, described as follows: Commence at the south 1/4 corner of Section 9, Township 22 South, Range 31 East, Orange County, Florida and run N00°06'52"E along the north-south center of section line for a distance of 1296.34 feet to the southeast corner of the northeast 1/4 of the southwest 1/4 of said Section 9 and the point of beginning; thence continue N00°06'52"E along said line for a distance of 30.00 feet; thence run N89°58'55"W along the north line of the south 30.00 feet of said northeast 1/4 of the southwest 1/4 for a distance of 1125.42 feet to the southeast corner Mackay Park Subdivision Number One, as recorded in Plat Book X, Page 5, of the Public Records of Orange County, Florida; thence run N00°05'06"E along the east line of said Mackay Park for a distance of 487.59 feet to the southeast corner of the north 1/2 of Lot 2, Block B, of said Mackay Park; thence run N89°59'46"W along the south line of said north 1/2 of Lot 2 for a distance of 150.00 feet to the southwest corner of said north 1/2 of Lot 2; thence run N00°05'06"E along the east right-of-way line of Rouse Road and the west line of said Mackay Park for a distance of 114.79 feet to the northwest corner of Lot 1, Block "B" of said Mackay Park; thence run S89°59'46"E along the north line of said Lot 1 for a distance of 150.00 feet to the northeast corner thereof; thence run N00°05'06"E along the aforesaid east line of Mackay Park for a distance of 637.30 feet to the northeast corner of the south 50.00 feet of Lot 1, Block A, of said Mackay Park; thence run S89°57'40"W along the north line of said south 50.00 feet of Lot 1, Block A, for a distance of 150.00 feet to the northwest corner thereof; thence run N00°05'06"E along the east right-of-way line of Rouse Road

and the west line of said Mackay Park for a distance of 24.74 feet to a point on the east-west center of Section line of said Section 9; thence run S89°59'35"W along said line for a distance of 3.00 feet to the east right-of-way line of Rouse Road, as described in Deed Book 347, Page 55, of said Public Records; thence run N00°07'02"E along said right-of-way line for a distance of 556.40 feet; thence run S89°52'58"E along said right-of-way line for a distance of 15.00 feet; thence run N00°07'02"E along said right-of-way line for a distance of 108.71 feet; thence run N80°50'51"E for a distance of 61.56 feet; thence run S70°49'15"E for a distance of 320.52 feet; thence run S50°50'23"E for a distance of 491.57 feet; thence run S11°34'06"E for a distance of 263.00 feet; thence run S08°34'06"E for a distance of 430.00 feet; thence run S25°34'06"E for a distance of 130.00 feet; thence run S61°04'06"E for a distance of 589.36 feet; thence run S36°02'52"E for a distance of 577.02 feet to a point on the south line of the northwest 1/4 of the southeast 1/4 of said Section 9; thence run S89°46'35"W along said line for a distance of 512.85 feet to the point of beginning. Containing 40.312 acres more or less and being subject to any rights-of-way, restrictions and easements.

Staff Report

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

County Chairman Chapin and Commissioner Johnson left the meeting.

Appearances

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

- Tom Ross, Esquire; Akerman, Senterfitt & Eidson, P.A.; 255 South Orange Avenue, 17th Floor, Orlando, Florida; representing the applicant.
- Charlie True, P.E.; Professional Engineering Consultants (no address given).

The following persons addressed the Board with in opposition to the request:

- Ronald Offel, 2735 Rouse Road, Orlando, Florida.
- Jeff Meadows, 2759 Rouse Road, Orlando, Florida.
- Martin Lednick, 2919 Rouse Road, Orlando, Florida.

County Chairman Chapin rejoined the meeting.

Commissioner Johnson rejoined the meeting.

Discussion

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

At Mr. Ross' request, the Board agreed to add the Palm Lake Terrace Preliminary Subdivision Plan conditions of approval to the conditions of approval recommended by the Development Review Committee.

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Butler, and carried with Commissioners Freeman, Staley, Johnson, and Butler voting AYE by voice vote; County Chairman Chapin and Commissioners Pignone and Donegan voting NO by voice vote; the Board approved the University Acres, Lot 9, Preliminary Subdivision Plan on the above-described property, subject to the following conditions, as amended:

1. Development shall conform to the University Acres Lot 9 Preliminary Subdivision Plan, dated "Received June 17, 1994," 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 on July 19, 1995, in accordance with Orange County Subdivision Regulations, as amended.

2. All "C" graded lots adjacent to the conservation area shall have an easement and environment swale maintained by the homeowners' association.
3. Intersection improvements consisting of left-turn lanes shall be provided along Buck Road.
4. All conservation areas shall be platted as tracts to be owned and maintained by the homeowners association with development rights dedicated to Orange County.
5. Development shall comply with Conservation Area blue-line survey, dated Received May 23, 1991.
6. Prior to construction plan approval, the size, location, and points of connection for water mains, sewer mains, and force mains shall be determined.
7. Streets and drainage ponds shall be platted as a separate tract.
8. Tract shall be owned by the property owners with an undivided interest among all lot owners.
9. Easement rights over tract shall be dedicated to mandatory property owners association that shall be responsible for operation, maintenance, and repair of tract.
10. Developers agreement shall be executed between Orange County and developer prior to recording of plat that provides:
 - a. Establishment of mandatory homeowners' association with ability and duty to make assessments and collect on assessments.
 - b. Establishment of fund for reserves for periodic major maintenance with minimum level of reserves to be

maintained. The amount of the fund shall be determined jointly by Orange County and developer prior to execution of agreement.

- c. Require annual audit report to be submitted to County confirming existence of fund.
- d. Require annual inspection of infrastructure of the tract by registered engineer. This inspection shall, using good engineering practice, determine the level of maintenance and identify any needed repairs. Within 60 days of receipt of the report, the homeowners' association shall complete remedial work recommended by the engineer.
- e. Annual engineering report shall be submitted to County engineer within 15 days of completion of report.

Commissioners Johnson, Pignone, and Butler left the meeting.

LAND USE PLAN AMENDMENT PUBLIC HEARING - APPLICANT: JAMES H. PUGH, JR.; TY TARBY, ET AL.; FOR "DORSCHER PLACE PLANNED DEVELOPMENT/LOT 1," DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by James H. Pugh, Jr., Ty Tarby, et al., for Dorscher Place Planned Development/Lot 1 for an amendment to the Land Use Plan to convert the land use on Lot 1 from Bank/Office use to Retail Commercial, on the following described property:

Lot 1 of the plat of Dorscher Place, as recorded in Plat Book 22, Page 93, of the Official Records of Orange County, Florida.

Staff Report

Planning and Development Director Bruce McClendon 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 request:

- Hal Kantor, Esquire; Lowndes, Drosdick, Doster, Kantor & Reed, P.A.; 215 North Eola Drive, Orlando, Florida.

No one appeared in opposition to the request.

Commissioner Johnson rejoined the meeting.

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 present commissioners voting AYE by voice vote; Commissioners Pignone and Butler were absent; the Board approved the request by James H. Pugh, Jr., Ty Tarby, et al. for Dorscher Place Planned Development /Lot 1 for an amendment to the Land Use Plan to convert the land use on Lot 1 from Bank/Office use to Retail Commercial, on the above-described property subject to the following conditions:

1. Development shall conform to the Dorscher Place Planned Development, the Board of County Commissioners' approvals, and the land use plan amendment, dated "Received April 19, 1994," 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. Billboards shall be prohibited.
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. Setbacks from State Road 50 shall be a minimum of 150 feet from the centerline or 40 feet from the right-of-way line, whichever is greater.

Commissioner Butler rejoined the meeting.

APPEAL OF BOARD OF ZONING ADJUSTMENT (BZA) DECISION - APPELLANT: HARRY A. STEWART, ESQUIRE, FOR THE APPLICANT - APPLICANT: K-MART GARDEN CENTER, BZA #27, JUNE 2, 1994, 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 Board of Zoning Adjustment under the date of June 2, 1994, Hearing 27, on application of Harry A. Stewart for K-Mart Garden Center for a variance in C-1 zone to provide 637 parking spaces in lieu of 1,100 parking spaces on property described as follows:

Lots 1, 3, and 4, K-Mart Subdivision, as recorded in Plat Book 12, Page 67, Public Records of Orange County, Florida, which is located northwest corner of Goldenrod Road and University Boulevard or 4000 Goldenrod Road. (SE 1/4 of SW 1/4 2-22-30 Tract Size: 17.6 acres +/- District 5.)

Staff Report

Zoning Department Manager Melvin Pittman located and described the subject property, identified the surrounding zoning classifications and noted that the Board of Zoning Adjustment recommended denial of the request.

A court reporter was present; Toni Murray of Toni Murray and Associates; Deputy Clerk Rosilyn Stapleton read the Notice of Appeal into the record.

Appearances

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

- Harry Stewart, Esquire; Akerman, Senterfitt & Eidson, P.A.; 255

South Orange Avenue, 17th Floor, Orlando, Florida; representing 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 Donegan, seconded by Commissioner Butler, and carried with County Chairman Chapin and all present commissioners voting AYE by voice vote; Commissioner Pignone was absent; the Board overruled the decision of the Orange County Board of Zoning Adjustment and approved the request by Harry A. Stewart for K-Mart Garden Center for a variance in C-1 zone to provide 637 parking spaces in lieu of 1,100 parking spaces on the above-described property.

APPEAL OF COUNTY ENGINEER'S DECISION - APPLICANT: MINORA CARVAJAL, REQUEST FOR WAIVER FOR SIDEWALKS REQUIRED ALONG CYPRESS STREET FOR RAUL'S TRANSPORT OFFICE, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider an appeal filed by Minora Carvajal concerning the County engineer's decision regarding denial of a waiver for sidewalks along Cypress Street and 2nd Avenue frontage.

Staff Report

Public Works Division Deputy Director William Baxter reviewed the request and the county engineer's decision. He further noted staff's recommendation is for denial of the request.

Appearances

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

- Leonard Folcarelli, P.O. 477, Cape Canaveral, Florida; representing the applicant.
- Minora Carvajal, the applicant (no address given).

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 Donegan, seconded by Commissioner Johnson, and carried with Commissioners Staley, Johnson, Donegan, and Butler voting AYE by voice vote; County Chairman Chapin and Commissioner Freeman voting NO by voice vote; Commissioner Pignone was absent; the Board upheld the decision of the Orange County engineer and denied the waiver for sidewalks along Cypress Street and 2nd Avenue frontage on the above-described property.

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Freeman, and carried with Commissioners Freeman, Staley, Johnson, Donegan, and Butler voting AYE by voice vote; County Chairman Chapin voting NO by voice vote; Commissioner Pignone was absent; the Board reconsidered the above motion.

Motion

Upon a motion by County Chairman Chapin, seconded by Commissioner Staley, and carried with County Chairman Chapin and all present commissioners voting AYE by voice vote; Commissioner Pignone was absent; the Board overruled the decision of the Orange County engineer and approved the request of Minora Carvajal for a waiver for sidewalks required along Cypress Street for Raul's Transport Office; and further, established a Notice of Future Assessment to be executed by the applicant when the County determines that the sidewalk should be constructed.

ORDINANCE PUBLIC HEARING - PERTAINING TO OCCUPATIONAL LICENSES (1ST HEARING)

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

AN ORDINANCE PERTAINING TO TAXATION; AMENDING CHAPTER 25 OF THE ORANGE COUNTY CODE PERTAINING TO OCCUPATIONAL LICENSES TO IMPLEMENT THE RECOMMENDATIONS OF THE

OCCUPATIONAL LICENSE EQUITY STUDY COMMISSION; PROVIDING DEFINITIONS; PROVIDING FOR TRANSFER OF LICENSES; INCORPORATING THE EXEMPTIONS PROVIDED BY CHAPTER 205, FLORIDA STATUTES; AMENDING THE LICENSE TAX RATE FOR ADVERTISING SPACE RENTERS; ADDING THE CLASSIFICATION AND RATE FOR AMUSEMENT CENTERS, THEME PARKS, CAMPGROUNDS AND AMUSEMENT DEVICES; AMENDING THE LICENSE TAX RATES FOR RESTAURANTS AND CONTRACTORS; DELETING THE CLASSIFICATION OF EMIGRANT OR LABOR AGENTS; AMENDING THE LICENSE TAX RATES FOR FORTUNETELLERS, HOTELS AND MOTELS, INSURANCE ADJUSTERS AND DEALERS, MANUFACTURERS, INSTALLERS OR DISTRIBUTORS OF LIQUEFIED PETROLEUM GAS; AMENDING THE LICENSE TAX RATE FOR MANUFACTURING, PROCESSING, QUARRYING AND MINING; AMENDING THE TAX RATES FOR THEATERS AND CONVENTION/CIVIC CENTERS; AMENDING THE TAX RATES FOR PACKING, PROCESSING OR CANNING OF AGRICULTURAL PRODUCTS; AMENDING THE TAX RATES FOR PAWNBROKERS, PROFESSIONALS, SERVICES, RETAIL STORES AND RETAILERS, SCHOOLS, COLLEGES AND EDUCATIONAL AND TRAINING INSTITUTIONS; AMENDING THE TAX RATE FOR TRADERS OF TANGIBLE PERSONAL PROPERTY, VENDING MACHINES AND VENDING MACHINE COMPANIES; AMENDING THE TAX RATE FOR UTILITY COMPANIES AND FOR PYROTECHNIC VENDORS; PROVIDING CLASSIFICATIONS AND RATES FOR BUSINESS OFFICES AND SERVICES; PROVIDING FOR SURRENDER OF LICENSES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Assistant County Attorney Kaye Collie reviewed the proposed ordinance.

Tax Collector Earl K. Wood addressed the Board regarding the fees schedule.

Appearances

The following person addressed the Board with general comments:

- Frankie Callene, 621 East Central Blvd., Orlando, Florida.

No one appeared in opposition to the proposed ordinance.

Discussion

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

County Chairman Chapin announced the second of two public hearings to consider the proposed ordinance will be held on August 9, 1994.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 5:05 p.m.

ATTEST: