

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, September 17, 1996. The following were present:

- County Chairman Linda Chapin
- Commissioners Bob Freeman, Tom Staley, Mary Johnson, Clarence Hoenstine, Bill Donegan, and Mable Butler
- County Administrator Jean Bennett
- County Attorney Tom Wilkes
- Chief Deputy Comptroller as Clerk Jim Moye
- Assistant Deputy Clerk Tom Stark

There being a quorum, the County Chairman called the meeting to order at 2 p.m. The Board paused for an invocation by the Reverend Paul Westfall, pastor of Christian Liberty Church, followed by the Pledge of Allegiance to the flag.

COUNTY CONSENT AGENDA

Upon a motion by Commissioner Johnson, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board approved the County Consent Agenda items as follows:

County Attorney

1. Approval of the form of the "Indemnification Agreement" with the Town of Eatonville and authorization for the County Chairman to execute and deliver it, with any nonsubstantial and immaterial changes as the Town of Eatonville may request and the County Attorney may approve, Adult Entertainment (County Attorney's Office).

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

County Comptroller

1. Authorization to make monthly payments to the Supervisor of Elections for fiscal year 1996-97, as follows: October 1996, \$962,239 (which represents 25 percent of 1996-97 budget); November 1996 through September 1997, equal payments of \$262,429 (Administrative/Fiscal Division).
2. Authorization to advance to the Clerk of the Courts for the month of October 1996, the amount of \$850,000, and to make equal payments of \$449,037 for the

months of November 1996 through September 1997 (Administrative/Fiscal Division).

3. Authorization to make payments to the County Comptroller on a recurring basis for fees for providing services to the BCC for the Public Service Tax. This amount represents 1/12 of the fiscal year 1997 budget. These payments are to be generated automatically on the first Tuesday of each month as follows: equal payments of \$15,500 for the month of October 1996 through September 1997 (Administrative/Fiscal Division).
4. Authorization to make payments to the County Comptroller from the General Fund on a recurring basis for fees for providing services to the BCC. This amount represents 1/12 of the fiscal year 1997 budget and is to be generated automatically on the first Tuesday of each month as follows: \$180,559 for October 1996 and equal payments of \$180,557 for the months of November 1996 through September 1997 (Administrative/Fiscal Division).
5. Authorization to make payments to the County Comptroller from the Convention Center Fund for fees for providing services. These payments represent 1/4 of the fiscal year 1997 budget, and are to be generated automatically on a quarterly basis as follows: October 1996 and January, April, and July 1997, equal payments of \$133,500 (Administrative/Fiscal Division).
6. Authorization to make payments to the County Comptroller from the Solid Waste Department Fund for fees for providing services. These payments represent 1/4 of the fiscal year 1997 budget and are to be generated automatically on a quarterly basis as follows: October 1996 and January, April, and July 1997, equal payments of \$50,500 (Administrative/Fiscal Division).
7. Authorization to make payments to the County Comptroller from the Water Utilities System Fund for fees for providing services. These payments represent 1/4 of the fiscal year 1997 budget, and are to be generated automatically on a quarterly basis as follows: October 1996 and January, April, and July 1997, equal payments of \$100,500 (Administrative/ Fiscal Division).
8. Authorization to make payments to the County Comptroller from the Fire and Rescue Division Fund for fees for providing services. These payments represent 1/12 of the fiscal year 1997 budget and are to be generated automatically on the first Tuesday of each month as follows: Equal payments of \$18,500 for the months of October 1996 through September 1997 (Administrative/Fiscal Division).

9. Authorization to make equal monthly payments of \$949,846 to the Tax Collector for October 1996 through September 1997 (Administrative/Fiscal Division).
10. Authorize the disbursement of warrants, vouchers, and wire transfers, having been certified that same had not been drawn on overexpended accounts, as follows:
 - Week of September 10, 1996, through September 16, 1996; total of \$14,811,893.07.

(Finance and Accounting Department)

Administrative Support Division

1. Approval of the appointment of Steven B. Koven as agent by the Orlando Humane Society (General Services Department/Agenda Development).

Fiscal and Human Resources Division

1. Approval to award Invitation for Bid Y6-772-PW to the low responsive and responsible bidder, Southern Site Works, Inc., to upgrade an undersized stormwater conveyance system which will alleviate existing flooding conditions (Bonneville North Pond and Sussex Drive). The total cost is \$1,015,060 ([Highway Construction Department] Purchasing and Contracts Department).
2. Approval to award Invitation for Bid Y6-774-CT to the low responsive and responsible bidder, Masci Construction, Inc., for the Riverside Area/Meadowbrook Water Distribution System Improvements, Phase I. The total cost is \$497,508 ([Utilities Engineering Department] Purchasing and Contracts Department).
3. Approval of Amendment 1, Contract Y6-1014-HF, with Prime Service of America, Inc., for countywide janitorial services. The total cost is \$118,176 ([Facilities Management Department]).

Purchasing and Contracts Department).

4. Approval of Budget Transfer 96-610 (OMB).

(Budget Transfer 96-610 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

5. Approval of Budget Amendment 96-90 (OMB).

(Budget Amendment 96-90 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

6. Approval of payment of Intergovernmental claims for August 29, 1996, totaling \$271,066.69 (Risk Management Department).

7. Receipt and filing of the minutes of the August 22, 1996, Intergovernmental Risk Management Committee meeting (Risk Management Department).

8. Approval and execution of a Memorandum of Understanding between the County and the Sheriff's Office outlining the specifics of the Sheriff's withdrawal from the Board of County Commissioners' self insurance and risk management programs (Risk Management Department).

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

9. Approval of the Sales Tax Revenue Refunding Bonds, Series 1996, Bond Resolution which authorizes public sale of the bonds; authorizes the County Chairman, Vice-chairman, or designee to award the sale of the bonds to the successful bidder subject to certain terms and conditions and execute an award certificate in connection therewith; approves the form of and authorizes the distribution of a preliminary official statement and authorizes the execution and delivery of an official statement; approves the form of and authorizes the execution of a continuing disclosure certificate; appoints the principal paying agent; authorizes the purchase of municipal bond insurance; and authorizes other required actions (Division Office).

(Resolution 96-B-06 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

10. Approval of the issuance of Highlands County Health Facilities Authority Variable Rate Demand Revenue Bonds in a principal amount not to exceed \$500,000,000 for the benefit of Adventist Health Systems/Sunbelt, Inc. (Health Facilities Authority).

(Resolution 96-B-07 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

11. Approval of the issuance of Highlands County Health Facilities Authority Revenue Bonds (Adventist Health System/Sunbelt, Inc., Accounts Receivable Program) in a principal amount not to exceed \$500,000,000 (Health Facilities Authority).

(Resolution 96-B-08 is 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 fiscal year 1996-97 Community Services Block Grant (CSBG) Agreement with the State of Florida Department of Community Affairs. This is a cost-reimbursement agreement not to exceed \$474,517. Funds will be utilized for the continuation of the provision of emergency assistance, social services, housing counseling, case management, and other support services for low-income citizens in Orange and Osceola Counties. The term of the agreement is October 1, 1996, through September 30, 1997, all districts (Department of Community Affairs).

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

2. Approval and execution of the Weatherization Assistance Program (WAP) Agreement with the State of Florida Department of Community Affairs in the amount of \$146,513. The funds will be utilized to weatherize 70 homes in Orange and Osceola Counties and the maximum amount for each home should not exceed \$1,850. The term of the agreement is October 1, 1996, through September 30, 1997, all districts (Department of Community Affairs).

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

3. Approval and execution of Weatherization/Low Income Emergency Home Repair (LIEHRP) Program Agreement with the State of Florida Department of Community Affairs in the amount of \$111,716. A 20 percent local match of \$22,344 is required. The funds will be derived from the County weatherization funds and used to weatherize and/or repair 80 homes of low-income families in

Orange and Osceola Counties, the maximum amount for each home not to exceed \$1,000. The term of the agreement is October 1, 1996, through September 30, 1997, all districts (Department of Community Affairs).

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

4. Approval and execution of Weatherization/Low Income Energy Assistance (LIHEAP) Program Agreement with State of Florida Department of Community Affairs in the amount of \$66,482. The funds will be utilized to weatherize and/or repair 33 homes of low-income families in Orange and Osceola Counties, the maximum amount for each home not to exceed \$1,850. The term of the agreement is October 1, 1996, through September 30, 1997, all districts (Department of Community Affairs).

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

Planning and Development Division

1. Approval and execution of the Road Impact Fee Agreement regarding an alternative traffic study between Boyd Retail Corporation (for Walgreen's at Vinings Way) and the County, District 6 (Planning Department).

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

BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS OF SEPTEMBER 5, 1996

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board accepted the recommendations of the Orange County Board of Zoning Adjustment under date of September 5, 1996, subject to the usual right of appeal by any aggrieved parties.

For the record, appeals of the recommendations of the Orange County Board of Zoning Adjustment under date of September 5, 1996, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- None filed.

PETITION TO VACATE PUBLIC HEARING - APPLICANT: JAMES E. SHEPARD; PETITION TO VACATE 96-07; PORTION OF A DRAINAGE EASEMENT; DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by James E. Shepherd, Petition to Vacate 96-07, to vacate portions of a drainage easement; on property located at 10721 Fernando Street; District 3; Section 20, Township 22, Range 31; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Deputy Public Works Division Director Bill Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared in favor of or 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 Johnson, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution vacating the portions of a drainage easement as described above.

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

PETITION TO VACATE PUBLIC HEARING - APPLICANT: JAMES ROGERS, HOMES IN PARTNERSHIP, INC.; PETITION TO VACATE 96-15, A 35.0-FOOT RIGHT- OF-WAY; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by James Rogers, Homes in Partnership, Inc., Petition to Vacate 96-15, to vacate a 35.0-foot right-of-way known as Ernie Street; on property located on the east side of Massey Avenue approximately 900 feet north of the intersection of Siplin Road; District 1; Section 27, Township 22 South, Range 27 East; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Deputy Public Works Division Director Bill Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared in favor of or 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 Hoenstine, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution vacating the 35.0-foot right-of-way as described above.

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

PETITION TO VACATE PUBLIC HEARING - APPLICANT: ROBERT J. STOWELL, STOWELL BUILDERS, INC.; PETITION TO VACATE 96-27, 1.6-FOOT PORTION OF A 5.0-FOOT EASEMENT; DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Robert J. Stowell, Stowell Builders, Inc., Petition to Vacate 96-27, to vacate a 1.6-foot portion of a 5.0-foot utility easement; on property located at 1061 Vista Palma Way; District 3; Section 19, Township 22 South, Range 31 East; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Deputy Public Works Division Director Bill Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared in favor of or 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 Johnson, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution vacating the 1.6-foot portion of a 5.0-foot utility easement as described above.

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

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, CHAPTER 3, THE ADULT ENTERTAINMENT ORDINANCE

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

AN ORDINANCE AMENDING THE ORANGE COUNTY ADULT ENTERTAINMENT CODE, WHICH IS CODIFIED AT CHAPTER 3 OF THE ORANGE COUNTY CODE; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Assistant County Attorney Joel Prinsell reviewed the proposed ordinance and outlined its amendments. Mr. Prinsell recommended changes to the proposed ordinance as follows:

- Page 1, line 33, revise the phrase, "admission is not restricted to adults only," to read, "admission to all or any part of the establishment is not restricted to adults only";
- Page 2, subparagraph 4, delete the word "and" on line 51 and 53, and insert a comma before "and" on line 54.

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 Johnson, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board adopted the proposed ordinance amending Orange County Code, Chapter 3, the Adult Entertainment Ordinance, to include revisions as outlined by staff as follows:

- Page 1, line 33 revise the phrase, "admission is not restricted to adults only," to read, "admission to all or any part of the establishment is not restricted to adults only";
- Page 2, subparagraph 4, delete the word "and" on line 51 and 53, and insert a comma before "and" on line 54.

(Ordinance 96-27 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

ENVIRONMENTAL PROTECTION DEPARTMENT DECISION APPEAL - APPELLANTS: RONDA BARONE-PALM AND BOB AND LENORE HODGES; APPLICANT: STANLEY FESSEL; BOAT DOCK AND BOAT HOUSE PERMIT; LAKE TELFER, DISTRICT 5

Notice was given that the Board of County Commissioners would sit as a Board of Appeal to consider an appeal filed by Ronda Barone- Palm and Bob and Lenore Hodges of the July 3, 1996, decision of the Orange County Environmental Protection Department on a Boat Dock Permit Application, pursuant to Orange County Code, Chapter 15, Article IX.

Staff Report

Environmental Protection Department Environmental Specialist Pam Thomas reviewed the request and the Environmental Protection Department's decision of approval.

Appearances

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

- Mr. and Mrs. Stanley Fessel, the applicants (no address given).

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

- Unidentified man (owner and resident of Lot 169).

Discussion

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

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board upheld the Environmental Protection Department's decision and approved the request by Stanley Fessel to construct a boat dock and boat house on Lake Telfer, 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. Minimum height of the deck shall be one foot (1') above the normal high water elevation (NHWE) of 59.0 feet msl.
3. During construction, turbidity must be confined to the permitted area of work by the use of appropriate technology (screen, filter cloth, etc.), unless it can be demonstrated that State water quality standards on turbidity are not being violated. If turbid water is found outside of the work area or confining screens, the department shall be notified, construction shall stop and may not resume until corrected to the satisfaction of the department.
4. This permit must be posted in a conspicuous place on site, before activity begins and to remain until completion.
5. Construction shall be in accordance with stamped approved drawing.
6. This permit does not release the permittee from complying with all other federal, state, and local rules and regulations. A separate permit from the Florida Department of Environmental Protection, if applicable, will be obtained prior to this permit becoming valid.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING - APPLICANT: BURKETT ENGINEERING, INC., TANNER ROAD PROPERTY PLANNED DEVELOPMENT; CASE Z-96-050, JULY 18, 1996; DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Burkett Engineering, Inc., Tanner Road Property, to rezone Farmland Rural (A-2) (1957) to Planned Development (PD), on property generally located on the east side of Tanner Road one-half mile south of McCullough Road; District 5; Section 1, Township 22, Range 31; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning and Development Division Director Bruce McClendon outlined the request and identified the location of the subject property.

Appearances

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

-Bill Burkett, 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.

Commissioner Donegan requested that the following condition be added: "Put in speedbumps along Lake Price Road if the majority of homeowners up to 200 feet from the sanctuary agree to speedbumps."

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the request by Burkett Engineering, Inc., Tanner Road Property, to rezone Farmland Rural (A-2) (1957) to Planned Development (PD), on the above described property; subject to the following conditions:

1. Development shall conform to the Tanner Road Property Planned Development/Land Use Plan (PD/LUP), dated "Received July 1, 1996," 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. Existing Tanner Road, which is currently paved, shall be paved to County standards regarding right-of-way, pavement width, and drainage and shall be extended to the south property line.
3. A five-foot (5') wide sidewalk shall be constructed along the east side of Tanner Road fronting the length of the project.
4. A 20-foot access shall be provided to the existing landlocked parcels located south and east of this property.

- 5. The minimum living area shall be 1,100 square feet.
- 6. Waiver of Section 38-1254 (1) of the County Code to allow a 20-foot setback on the perimeter of the Planned Development in lieu of a 25-foot setback is granted.
- 7. Install speedbumps along Lake Price Road if the majority of homeowners up to 200 feet from the sanctuary agree to the installation of speedbumps.

and further, made a finding of consistency with the Comprehensive Policy Plan.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - HIDDEN LAKES PRELIMINARY SUBDIVISION, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Hidden Lakes Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property which is generally located east of Goldenrod Road and north of Narcoossee Road; District 4; Section 14, Township 23, Range 30; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath 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:

- Kevin Hawkins, president of Quantum Development, the applicant (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 Hoenstine, seconded by Commissioner Butler, and carried with all members present and voting AYE by voice vote, the Board approved the Hidden Lake Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Hidden Lake Preliminary Subdivision Plan, dated "Received August 7, 1996," and to the following conditions of approval. Development based on 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 September 17, 1997, in accordance with Orange County Subdivision Regulations, as amended.

2. A drainage study to establish the 100 year flood elevation will need to be submitted to the County Engineer for approval.
3. A Conservation Area Impact Permit shall be submitted and reviewed prior to the approval of construction plans.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - ORANGE RIDGE PRELIMINARY SUBDIVISION, DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Orange Ridge Preliminary Subdivision Plan on property which is generally located east of Eastern Beltway and north of University Boulevard; District 5; Section 6, Township 22, Range 31; Orange County, Florida.

(The legal property description is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Staff Report

Planning Department Manager David Heath 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:

- Goeff Getz, vice-president of Getz and Sons Construction, the applicant (no address given).

The following person addressed the Board with general comments:

- Rodney Miller, 9608 Tetley Court, 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.

Commissioner Donegan suggested adding a condition that would require the developer to participate in a streetlighting MSTU/BU for Lake Georgia Drive.

Motion

Upon a motion by Commissioner Donegan, seconded by Commissioner Butler, and carried with all members present and voting AYE by voice vote, the Board approved the Orange Ridge Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Orange Ridge Preliminary Subdivision Plan, dated "Received August 1, 1996," and to the following conditions of approval. Development based on 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 September 17, 1997, in accordance with Orange County Subdivision Regulations, as amended.

2. Request for a variance from Orange County Code Section 34-250(c) to allow sheet flow across retention pond berm is approved.
3. Prior to construction plan approval, certification with supporting calculations shall be submitted which indicates that the existing outfall system can accommodate this project.
4. The request for a variance from section 34-209 of the subdivision regulations concerning the wall along the expressway, is approved. In lieu of a wall along the expressway, a six-foot (6') masonry wall shall be constructed along Lake Georgia Drive.
5. Prior to construction plan approval, the size, location, and points of connection for water mains, wastewater mains, and force mains shall be determined.
6. Participation in a streetlighting MSTU/BU for Lake Georgia Drive is required.

NONAGENDA - UPDATE ON THE JOSEPH SPAZIANO TRIAL

County Attorney's Report

County Attorney Tom Wilkes stated Judge Dorothy Russell has summarily denied any post-conviction relief for convicted murderer Joseph Spaziano. Mr. Wilkes recounted that the County appealed the first ruling which found Mr. Spaziano to be indigent. He stated that Judge Russell's latest ruling means the County will not incur expenses for further court proceedings.

WORKSESSION - REVIEW OF BILLBOARD REGULATIONS

Staff Report

Planning and Development Division Director Bruce McClendon reported that the purpose of this worksession is to update the Board on meetings that staff held with representatives of the sign industry. Mr. McClendon reviewed a proposed ordinance which provides for the possible placement of billboards along the Southern Connector and contrasted the proposed ordinance with one being developed by sign industry representatives. He indicated that the Planning and Zoning Commission will conduct a public hearing on September 19, 1996, to consider the proposed changes to the sign ordinance affecting billboards and that a public hearing to consider the proposed ordinance is scheduled before the Board on October 22, 1996, at 5:01 p.m.

Discussion

The Board discussed the potential maximum number of signs that could be allowed; exchanging nonconforming old signs for newer, conforming, and more effective

signs; maximizing public benefit while accommodating the billboard industry; whether there is any Federal regulation of billboards; and who is responsible for monitoring the condition of vacant billboards.

Appearances

-Harry Stewart, Esquire; Akerman, Senterfitt, and Eidson, P.A. (no address given).

Commissioners Johnson and Donegan left the meeting.

NOTE: THE FOLLOWING TWO PUBLIC HEARINGS WERE CONSIDERED TOGETHER; FOR APPEARANCES, DISCUSSION, AND MOTION SEE PAGE 86.

ORDINANCE PUBLIC HEARING - CREATING GUIDELINES FOR COMMUNITY VILLAGE CENTERS (2ND HEARING)

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

AN ORDINANCE AMENDING CHAPTER 38 ("ZONING") OF THE ORANGE COUNTY CODE BY CREATING UNDER ARTICLE VIII THEREOF ("PD PLANNED DEVELOPMENT DISTRICT") A DIVISION 6 TO BE ENTITLED "DEVELOPMENT GUIDELINES, DEVELOPMENT REVIEW PROCEDURES, DESIGN GUIDELINES AND SITE DEVELOPMENT STANDARDS FOR COMMUNITY VILLAGE CENTERS," WHICH DIVISION SHALL BE APPLICABLE TO COMMUNITY VILLAGE CENTERS IN GENERAL; AND PROVIDING AN EFFECTIVE DATE.

and

ORDINANCE PUBLIC HEARING - CREATING GUIDELINES FOR THE FOUR CORNERS COMMUNITY VILLAGE CENTER (2ND HEARING)

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

AN ORDINANCE AMENDING CHAPTER 38 ("ZONING") OF THE ORANGE COUNTY CODE BY CREATING UNDER ARTICLE VIII THEREOF ("P-D PLANNED

DEVELOPMENT DISTRICT") A DIVISION 6A TO BE ENTITLED "FOUR CORNERS COMMUNITY VILLAGE CENTER GUIDELINES AND STANDARDS," WHICH DIVISION SHALL BE APPLICABLE ONLY TO THE FOUR CORNERS AREA LOCATED IN WEST ORANGE COUNTY AT THE INTERSECTION OF CONROY- WINDERMERE ROAD AND AOPKA-VINELAND ROAD; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Planning and Development Division Director Bruce McClendon stated he received a letter requesting a continuance on September 11, 1996, from four of the committee chairpersons who are working with the neighborhood residents in the Four Corners area. Mr. McClendon requested a continuance until October 29, 1996, at 5:01 p.m.

Appearances

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

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 Hoenstine, and carried with all present members voting AYE by voice vote; Commissioners Johnson and Donegan were absent; the Board continued the public hearing to consider a proposed ordinance creating guidelines for community village centers until October 29, 1996, at 5:01 p.m.

Motion

Upon a motion by Commissioner Freeman, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioners Johnson and Donegan were absent; the Board continued the public hearing to consider a proposed ordinance creating guidelines for the Four Corners Community Village Center until October 29, 1996, at 5:01 p.m.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 5:10 p.m.