

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, October 7, 1997. The following were present:

- County Chairman Linda Chapin
- Commissioners Bob Freeman, Tom Staley, Mary Johnson, Clarence Hoenstine, Ted Edwards, and Mable Butler
- County Comptroller as Clerk Martha Haynie
- County Administrator Jean Bennett
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

There being a quorum, the County Chairman called the meeting to order at 9 a.m.

COUNTY CONSENT AGENDA

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board:

- deleted Utilities Division Item 3;
- deferred County Sheriff Item 1 for discussion (see page 160 for discussion and subsequent approval);
- deferred Fiscal and Human Resources Division Item 2 for discussion (see page 169 for discussion and subsequent approval);

and further, approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Authorization to pay an advance to the Property Appraiser in the amount of \$500,000 against the first quarterly billing (Administrative/Fiscal Division).
2. Approval of the minutes of the following Board of County Commissioners' meetings:
 - September 23, 1997

- September 25, 1997 - September 23, 1997, Library Budget

(Comptroller Clerk of the Board of County Commissioners)

3. Acknowledgment of the following "File for the Record" documents received in the Office of the Comptroller, Clerk of the Board of County Commissioners as follows:

- a. Florida Public Service Commission workshop on September 24, 1997, for extended service areas for various exchanges; dated September 15, 1997.
- b. Florida Public Service Commission Notice for hearing and prehearing conference:
 - Petition for approval of early termination amendment to negotiated qualifying facility contract with Orlando Cogen, Ltd., by Florida Power Corporation; dated September 9, 1997.
- c. Florida Public Service Commission Notice for service hearing:
 - BellSouth Telecommunications, Inc., request for review of proposed numbering plan relief for 305 area code; dated September 12, 1997.
- d. City of Orlando notice of ordinance annexing to the corporate limits of the city, property located at the northeast corner of South Hiawassee Road and Yacht Basin Avenue; Annexation Docket Number 30537; dated August 25, 1997.
- e. Budget for the operation of the office of Tax Collector for the period of October 1, 1997, through September 30, 1998, containing tentative amendments and changes made by the Florida Department of Revenue and final salary calculation; dated September 12, 1997.

(Comptroller Clerk of the Board of County Commissioners)

4. Authorize the disbursement of warrants, vouchers, and wire transfers, having been certified that same had not been drawn

on overexpended accounts, as follows:

- Period from September 30, 1997, to October 2, 1997; total of \$58,685,293.98.

(Finance and Accounting Department)

County Sheriff

1. Approval of the Boot Camp Grant and Budget Amendment (Sheriff's Office).

(As stated in the above motion, this item was deferred for discussion and subsequently approved. See page 160.)

(Budget Amendment 98-02 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

2. Approval of the Intensive Community Protection Program Grant and Budget Amendment (Sheriff's Office).

(Budget Amendment 98-03 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Administrative Support Division

1. Approval and authorization to record instrument: Miller's Cove Subdivision, Drainage Easement, District 5 (Real Estate Management Department).
2. Approval and authorization to record instrument in connection with the release and transfer of C.R. 438 from the Department of Transportation: C.R. 438, Quit-Claim Deed, District 1 (Real Estate Management Department).
3. Approval of the appointment of Victor Thompson as chairman of the Orlando-Orange County Airport Zoning Board. The appointment will expire December 31, 1999 (General Services Department/Agenda Development).

Fiscal and Human Resources Division

1. Approval of sole source procurement of a centralized digital recording system, "For The Record," for the new courthouse

from Dictaphone Corporation. The total cost is \$227,392
([Court Administration] Purchasing and Contracts Department).

2. Approval to renew the following insurance policies with Arthur J. Gallagher and Company as agent, for property insurance coverage: Y4-169C with Cigna Property and Casualty Insurance Company in the amount of \$637,108; Y4-169D with Industrial Risk Insurers (IRI) in the amount of \$296,000; and Y4-169F with Zurich Insurance Company in the amount of \$746,892 ([Risk Management Department] Purchasing and Contracts Department).

(As stated in the above motion, this item was deferred for discussion and subsequently approved. See page 169.)

3. Approval to purchase a large \$500,000 deductible insurance policy for workers' compensation under Term Contract Y4-169E with Reliance National as provider through Arthur J. Gallagher and Company as agent. The total cost is \$515,000 ([Risk Management Department] Purchasing and Contracts Department).
4. Approval to provide prior authority to award Invitation for Bid Y8-702-CT, Eastern Regional Water and Wastewater Transmission System Contract 3, to the low responsive and responsible bidder, for extension of water and wastewater services south of the intersection of Wewahootee Road and Moss Park Road. The total budget is \$4,100,000 ([Utilities Engineering Department] Purchasing and Contracts Department).
5. Approval for the Sheriff's Office to spend approximately \$500 from the Law Enforcement Trust Fund to provide a contribution of \$500 to Teen Challenge of Florida (Office of Management and Budget).
6. Approval to disburse \$2,000 from Commissioner Freeman's discretionary funds to United Cerebral Palsy of Central Florida, Inc. (Office of Management and Budget).
7. Approval to pay Florida Power \$849,138.73 for continuation and completion of undergrounding of wiring for the OBT MSTU from FY 1996-97 funds (Office of Management and Budget).
8. Approval of Budget Transfer 97-760 (Office of Management and Budget).

(Budget Transfer 97-760 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

9. Approva

(Budget Amendments 97-94 through 97-96 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

10. Approval of CIP Amendments 105-97 through 111-97 (Office of Management and Budget).

(CIP Amendments 105-97 through 111-97 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

11. Approval of payment of intergovernmental claims for September 18, 1997, totaling \$162,308.98 (Risk Management Department).
12. Receipt and filing of the minutes of the September 11, 1997, meeting of the Intergovernmental Risk Management Committee for the official county record (Risk Management Department).

Health and Community Services Division

1. Approval and execution of annual standard contract between the Florida Department of Health and Orange County for fiscal year 1997-1998 in the amount of \$19,269,875, of which \$2,983,607 reflects Orange County's local contribution. This contract is a continuation of the contracting provisions set forth in Florida Statute 154 and has been previously reviewed by all necessary state and local entities, all districts (Division Office).

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

Public Works Division

1. Approval of "Stop" and "Yield" sign installations in Lake Pickett Manor Subdivision, District 5 (Traffic Engineering Department).
2. Approval to establish a "No Parking" zone on the east side of Dr. Phillips Boulevard from the south right-of-way line of Orange Tree Lane and extending south 735 feet; and on the west side from the south right-of-way line of Caraway Drive and

extending south 1,470 feet, District 1 (Traffic Engineering Department).

3. Approval to establish a "No Parking" zone on the east side of International Drive beginning 270 feet from the north right-of-way line of Republic Drive and extending 500 feet north, District 6 (Traffic Engineering Department).
4. Approval to reduce the speed limit from 40 to 30 miles per hour on Oak Ridge Road beginning 95 feet from the east right-of-way line of Harcourt Avenue and extending east for 1,360 feet, District 6 (Traffic Engineering Department).

Utilities Division

1. Approval and execution of the Fifth Amendment to the Lease Agreement with Team Classic Golf Services, Inc.; the Amended License Agreement with Team Classic Golf Services, Inc.; and the Exchange Agreement with Florida Power Corporation, District 1 (Utilities Engineering Department).

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

2. Approval and execution of the Florida Department of Environmental Protection Recycling and Education Grant and Part II of the grant application for fiscal year 1998, all districts (Solid Waste Department).
3. Approval and execution of an addendum to the City of Orlando/Orange County Azalea Park Property Lease Agreement to provide the County's consent for the City of Orlando to sublease a portion of the property to Primeco Personal Communications, L.P., District 3 (Utilities Engineering Department).

(As stated in the above motion, this item was deleted from the agenda.)

COUNTY CONSENT AGENDA ITEM - DEFERRED FOR DISCUSSION

County Sheriff

1. Approval of the Boot Camp Grant and budget amendment (Sheriff's Office).

Commissioner Edwards stated that he does not wish to amend this item, but because he was not in office when the boot camp was approved, he has requested that Sheriff's Office staff update the Board regarding boot camp issues.

Discussion

The Board discussed County and State boot camp funding, other counties' juvenile offenders receiving treatment at the Wayne Densch Center and at the boot camp, and potential program cost reduction.

Motion

Upon a motion by Commissioner Edwards, seconded by Commissioner Johnson, and carried with County Chairman Chapin and Commissioners Freeman, Staley, Johnson, Hoenstine, and Edwards voting AYE by voice vote; Commissioner Butler voting NO by voice vote; the Board approved the Boot Camp Grant and budget amendment.

(Budget Amendment 98-02 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

COMPREHENSIVE POLICY PLAN AMENDMENT, CYCLE 2, ADOPTION PUBLIC HEARING

Notice was given that the Orange County Board of County Commissioners would hold a public hearing to consider adoption of proposed amendments to the 1990-2010 Comprehensive Policy Plan (CPP), as it has been amended, as authorized by Chapter 163, Florida Statutes, for the matters set forth below:

1. Proposed amendments to the CPP Future Land Use Map which would change the use of lands within the areas identified on the maps on file.
2. Amendments to the Future Land Use Element regarding Objective 3.4, new policy 3.4.3 which assists in the implementation of the Lee Road Corridor Enhancement Plan.
3. Adoption of new element: Public School Facilities Element.

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

(The parcels of property that are subject to possible land use

changes identified by the general location descriptions, acres, and tax parcel identification numbers are on file in the office of the Comptroller Clerk of the Board of County Commissioners. Also, the currently adopted land uses and requested land use changes are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

(A copy of the Objections, Recommendations, and Comments [ORC] Report is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

and

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA, AMENDING ORANGE COUNTY ORDINANCE NO. 91-16, WHICH ESTABLISHED THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "1990-2010 COMPREHENSIVE POLICY PLAN," AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

and

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING ORANGE COUNTY ORDINANCE NO. 91-16, WHICH ESTABLISHED THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "1990-2010 COMPREHENSIVE POLICY PLAN," AS AMENDED; PROVIDING FOR SEVERAL SMALL SCALE FUTURE LAND USE MAP AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Planning Department Manager David Heath informed the Board that this meeting is to consider the final adoption of the 1997 second regular cycle Comprehensive Policy Plan Amendments and two Small Scale Amendments. Mr. Heath stated that all the proposed amendments have been advertised consistent with state statutes and the County CPP. He said that second cycle amendments to be considered were transmitted by the Board of County Commissioners on June 10, 1997, and that the Public School Facilities Element was transmitted on January 14, 1997.

Mr. Heath noted that the Department of Community Affairs (DCA) has reviewed the proposed amendments and issued its ORC Report. He said a response to the ORC Report has been prepared by staff and the applicants and has been available for review by the public since last week. Mr. Heath stated that the Local Planning Agency

conducted its review of all applications at a public hearing on September 18, 1997, and recommends approval. He pointed out that

all these amendments were in the system and applications were on file prior to the Board's action to defer acceptance of CPP amendments.

Mr. Heath stated that Future Land Use Map Amendment 97-2-A-5-1, in the name of Ralph V. Hadley, III, has been withdrawn.

Mr. Heath said he is requesting approval of the items listed under the expedited agenda in one motion, unless a Board member or someone in the audience requests that the item be placed on the public hearing agenda.

Expedited Agenda

Future Land Use Map Amendments and Policy and Textual Amendments

Staff Report

Chief Planner Carol Stricklin announced each of the amendments and policies and text on the expedited agenda as follows:

97-2-A-1-1	Miller-Sellen/Gallimore
97-2-A-2-2	Downtown Lockhart, Ltd.
97-2-B-2-1	Orange County Planning Department
97-2-A-3-1	James G. Willard/Gaines Way, Ltd./Fuller
97-2-B-4-1	Orange County Planning Department
97-2-B-4-2	Orange County Planning Department
97-2-A-5-2	Loblolly Green, Inc./Roslyn Gordon
97-2-B-5-1	Orange County Planning Department/National Bank of Commerce
97-2-B-6-1 A & B	Orange County Planning Department/Various Owners

New Future Land Use Policy 3.4.3 - Related to Lee Road Corridor

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 policies and textual amendments and future land use map amendments on the expedited agenda as outlined above.

Future Land Use Map Amendments 97-2-A-1-2, 97-2-A-1-3, 97-2-A-4-2, and 97-2-A-5-3 were withdrawn.

Regular Agenda - Policies/Textual Amendment Public Hearing

Public School Facilities Element

Staff Report

Planning and Development Division Director Bruce McClendon reviewed the two-year development of the CPP Public School Facilities Element. Mr. McClendon stated that staff held numerous neighborhood meetings with residents, neighborhood associations, the business and development communities, school board staff, and elected officials to create this element. He noted that staff, the Local Planning Agency, and the School Board recommend adoption of the Public School Facilities Element.

Senior Planner Sarah Stack outlined the intent of the Public School Facilities Element to establish schools as a community asset, encourage intergovernmental cooperation, and to ensure that school capacity is available to meet demand. Ms. Stack listed the element's goals as follows:

- Making schools the cornerstone of community planning and design;
- Ensuring the security and safety of children;
- Supporting School Board programs to effectively and efficiently manage existing capital funds;
- Clearly identifying in the Future Land Use Element and in the Land Development Code the land use categories in which schools shall be an allowable use;
- Establishing expedited school siting processes.

Tom Pelham, Esquire, Pelham and Apgar, P.A.; the County's consultant; addressed the Board regarding the legal and planning aspects of the Public School Facilities Element. Mr. Pelham stressed that the County has the legal authority to adopt this element and that it will facilitate planning for new schools.

Mr. Pelham noted that this element does not adopt school concurrency and avoids the mistakes other local governments have made in adopting concurrency without laying the necessary groundwork. He observed that implementation of the element's policies will achieve more efficient provision of services, and its innovative, unique approach to school planning will become a model for other local governments.

Appearances

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

- Kay Ewell, 1381 College Point, Orlando, Florida.
- Theresa Jacobs, 8652 Sugar Plum Court, Orlando, Florida.
- Mary Ellen Levocz, representing Working Through the Community (no address given).

The following person addressed the Board with general comments:

- Cheryl Taubensee, representing the Homebuilders' Association of Mid Florida (no address given).

No one appeared in opposition to the proposed element.

Discussion

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

Motion

Upon a motion by County Chairman Chapin, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board adopted the Public School Facilities Element.

Regular Agenda - Future Land Use Map Amendment Public Hearings

Future Land Use Map Amendment 97-2-A-4-1; Kimley Horn and Associates/Various Owners; District 4

Staff Report

Planning Department Manager David Heath reviewed the request. Mr. Heath noted that staff and the Local Planning Agency recommend adoption of the amendment with a future land use designation of Commercial/Planned Development.

Appearances

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

- Hal Kantor, Esquire; Lowndes, Drosdick, Doster, Kantor, and Reed, P.A. (no address given); for the applicant.

No one appeared in opposition to the request.

Discussion

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

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board adopted Future Land Use Map Amendment 97-2-A-4-1 for Kimley Horn and Associates/Variou Owners.

Future Land Use Map Amendment 97-2-A-5-1; Ralph V. Hadley, III; District 5

Staff Report

Planning Department Manager David Heath stated that the applicant has withdrawn the request.

Action

By consensus, the Board accepted the applicant's withdrawal of Future Land Use Map Amendment 97-2-A-5-1 for Ralph V. Hadley, III.

Small Scale Future Land Use Map Amendment 97-1-S-5-2 and Development Agreement; Charles Bailes, Bailes Properties, Inc.; District 5

Staff Report

Planning Department Manager David Heath reviewed the request. Mr. Heath noted that staff and the Local Planning Agency recommend adoption of the amendment with a future land use designation of Commercial/Planned Development and approval of the Development Agreement.

Appearances

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

- Jim Willard, Esquire (no address given); for the applicant.

The following person addressed the Board with general comments:

- Sandra Cunningham (no address given).

No one appeared in opposition to the request.

Discussion

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

Motion

Upon a motion by Commissioner Edwards, seconded by Commissioner Butler, and carried with all members present and voting AYE by voice vote, the Board adopted Small Scale Future Land Use Map Amendment 97-1-S-5-2 for Charles Bailes, Bailes Properties, Inc.

Motion

Upon a motion by Commissioner Edwards, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the Development Agreement for Small Scale Future Land Use Map Amendment 97-1-S-5-2 with the stipulation that platting of the residential portion be deferred for a period of up to six months to allow time for the County and the owner to explore the use of the property for a park.

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

Comprehensive Policy Plan Amendment Ordinances

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board adopted the proposed ordinance adopting the Regular Cycle 97-2 Future Land Use Map Amendments.

(Ordinance 97-18 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

Motion

Upon a motion by Commissioner Butler, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board adopted the proposed ordinance adopting the Regular Cycle 97-2 Small Scale Future Land Use Map Amendments.

(Ordinance 97-17 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

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. The following were present:

- County Chairman Linda Chapin
- Commissioners Bob Freeman, Tom Staley, Mary Johnson, Clarence Hoenstine, Ted Edwards, and Mable Butler
- Deputy County Administrator Byron Brooks
- County Attorney Tom Wilkes
- Chief Deputy Comptroller as Clerk Jim Moye
- Deputy Clerk Rosilyn Stapleton

The Board paused for an invocation by Father Michael Giglio, pastor of the Holy Family Catholic Church, followed by the Pledge of Allegiance to the Flag.

Presentation of Proclamation - Zoning 40th Anniversary Celebration

County Chairman Chapin presented a proclamation to Zoning Department Manager Melvin Pittman in honor of the 40th anniversary of the County's Zoning Department.

COMMISSIONER'S REPORT - DISCUSSION AGENDA

1. Approval of Interlocal Agreements between Orange County and the City of Apopka for the four-laning of Rock Springs Road (a) north of Ponkan Road; and (b) from Welch Road to Ponkan Road.

Commissioner's Report

Commissioner Staley requested Board approval of two interlocal agreements for Rock Springs Road improvements. He noted that the County did not oppose annexation of the Rock Springs Ridge development into the City of Apopka with the agreement that the County would receive impact fees for the four-laning of Rock Springs Road.

Staff Report

Public Works Engineering Department Manager Jim Harrison reviewed the costs for improving Rock Springs Road.

Motion

Upon a motion by Commissioner Staley, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board approved Interlocal Agreements between Orange County and the City of Apopka for the four-laning of Rock Springs Road north of Ponkan Road; and from Welch Road to Ponkan Road.

(Agreement)

COUNTY CONSENT AGENDA ITEM - DEFERRED FOR DISCUSSION

Fiscal and Human Resources Division

- 2. Approval to renew the following insurance policies with Arthur J. Gallagher and Company as agent, for property insurance coverage: Y4-169C with Cigna Property and Casualty Insurance Company in the amount of \$637,108; Y4-169D with Industrial Risk Insurers (IRI) in the amount of \$296,000; and Y4-169F with Zurich Insurance Company in the amount of \$746,892 ([Risk Management Department] Purchasing and Contracts Department).

Commissioner's Report

Commissioner Edwards stated that he has received the information he requested from staff.

Motion

Upon a motion by Commissioner Edwards, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board approved renewal of the following insurance policies with Arthur J. Gallagher and Company as agent, for property insurance coverage: Y4-169C with Cigna Property and Casualty Insurance Company in the amount of \$637,108; Y4-169D with Industrial Risk Insurers (IRI) in the amount of \$296,000; and Y4-169F with Zurich Insurance Company in the amount of \$746,892.

FISCAL AND HUMAN RESOURCES DIVISION DISCUSSION AGENDA

- 1. Direction regarding impasse issue with the International Association of Fire Fighters concerning the promotional process for lieutenants and engineers (Human Resources Department).

Staff Report

Fire Rescue Division Director Mike Iacona reviewed the chronology of negotiations to resolve the promotion policy issue, the ranked order and pool methods for promotion and the degree of discretion each affords management, and the Special Master's recommendation regarding the process for promoting fire fighters to engineer and lieutenant positions.

Mark Rhame, president of the International Association of Fire

Fighters, Local 5027, addressed the Board and stated that the expiration of an agreed-upon negotiation deadline had automatically triggered the impasse, and that the Union has made concessions on using the ranked-list promotion method that has always been followed.

Richard Siwica, Esquire; Egan, Lev, and Siwica, P.A.; counsel to Local 2057; addressed the Board and explained the Union's position regarding promotion procedures using ranked lists or Rule of One, versus the pool method or Rule of Three and Rule of Five, and the Union's interpretation of the Special Master's recommendation.

Legal Counsel

In response to a question from County Chairman Chapin concerning Board alternatives, Deputy County Attorney Jeff Newton stated that the Board could select from the choices outlined by Mr. Siwica or move to accept the Special Master's recommendation as written and interpreted by Chief Iacona. Mr. Newton pointed out that the parties differ in their interpretations of the Special Master's ruling.

Discussion

The Board discussed the Special Master's unavailability to clarify his ruling, the ability of the chief to appoint candidates from eligibility lists based on the Rule of Three and the Rule of Five, the bypassing of candidates because of documented deficiencies and choosing of candidates with positive attributes, and whether the Board is bound by the Special Master's recommendation.

The Board also discussed clearly defining job descriptions and specifications and promotion practices by the City of Orlando.

Action

The Board did not take any action.

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - WEKIVA RESERVE PRELIMINARY SUBDIVISION, DISTRICT 2

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Wekiva Reserve Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County Subdivision Regulations; on property generally located north of Semoran

Boulevard and west of Piedmont Wekiva Road; District 2; Section 12, Township 21, Range 28; 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:

- Randy June, the applicant; 71 East Church Street, 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 Staley, seconded by Commissioner Butler, and carried with all members present and voting AYE by voice vote, the Board approved the Wekiva Reserve Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Wekiva Reserve Preliminary Subdivision Plan, dated "Received August 29, 1997," 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 October 7, 1998, in accordance with Orange County Subdivision Regulations, as amended.

2. A waiv

constrictions on Piedmont Wekiva Road.

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: APPLICANT: THOMAS WARLICK, EASTWOOD PLANNED DEVELOPMENT; TO CHANGE ROADWAY IMPROVEMENT REQUIREMENTS; DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider a substantial change request by Thomas Warlick, Eastwood Planned Development (formerly Deer Run South Planned Development), to change Board of County Commissioners' Condition 4 as recorded in the minutes of April 13, 1987, page 304, which states that the required roadway improvements are to be completed prior to reaching 777 lots. Orange County and the developer are proposing to enter into a transportation impact fee agreement which will require the developer to make improvements to Woodbury Road between Lake Underhill Drive and S.R. 50 within 14 months of the execution of the agreement, pursuant to Orange County Code, Section 34-27; on property generally located on the north side of Alafaya Trail, south of Woodbury Road; District 5; Sections 35 and 36, 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 change request and the Development Review Committee's determination of substantial change; and further, stated the Development Review Committee recommended approval of the request.

Appearances

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

- Tom Warlick, the applicant; 2912 Lakeshore Drive, Orlando, Florida.

No one appeared in opposition to the request.

Discussion

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

Motion

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Freeman, and carried with all members present and voting AYE by voice vote, the Board approved the request by Thomas Warlick, Eastwood Planned Development (formerly Deer Run South Planned Development), to change Board of County Commissioners' Condition 4 as recorded in the minutes of April 13, 1987, page 304, which states that the required roadway improvements are to be completed prior to reaching 777 lots; which constitutes a substantial change to the development on the above-described property; further, approved the Developer's Agreement; and further, made a finding of consistency with the Comprehensive Policy Plan.

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

PETITION TO VACATE PUBLIC HEARING - APPLICANT: DANA A. BENNETT, CAMBRIDGE HOMES, LTD.; 5.0-FOOT PORTION OF A 30.0-FOOT DRAINAGE EASEMENT; DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Dana A. Bennett, Cambridge Homes, Petition to Vacate 97-32, to vacate a 5.0-foot portion of a 30.0-foot drainage easement in the Sherwood Phase Two subdivision; on property located at 119 Portstewart Drive; District 4; Section 36, 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.

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 Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution granting Petition to

Vacate 97-32 vacating a 5.0-foot portion of a 30.0-foot drainage easement in the Sherwood Phase Two subdivision on the above-described property.

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

STREET NAME DESIGNATION BOARD-CALLED PUBLIC HEARING - INTERNATIONAL DRIVE EXTENSION, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the International Drive extension and street name designation on property generally located where International Drive intersects with the Southern Connector heading west to S.R. 536 and continuing to Interstate 4; and, from the International Drive/Southern Connector intersection heading south and west through the World Gateway Planned Development/Development of Regional Impact to the Osceola County line; District 1; Sections 33, 34, and 35, Township 24, Range 28; Orange County, Florida.

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

County Chairman's Report

County Chairman Chapin stated that the applicant has requested that the public hearing be continued.

Court Reporter

A court reporter, Monica Josyln; Miller, Jackowski, and Carls, Inc.; was present. Deputy Clerk Rosilyn Stapleton read the Notice of Appeal into the record.

Appearances

The following person addressed the Board with general comments:

- Mary Jane Arrington, Chairman, Board of County Commissioners, Osceola County (no address given).

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 Butler, seconded by Commissioner

Edwards, and carried with Commissioners Freeman, Johnson, Edwards, and Butler voting AYE by voice vote; County Chairman Chapin and Commissioners Staley and Hoenstine voting NO by voice vote; the Board continued the public hearing to consider the International Drive extension and street name designation until November 4, 1997, at 2:45 p.m.

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 3:55 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator

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