

## MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, June 15, 1999. The following were present:

- Vice-chairman Ted Edwards
- Commissioners Bob Freeman, Bob Sindler, Clarence Hoenstine, and Homer Hartage
- County Administrator Ajit Lalchandani
- County Attorney Tom Wilkes
- Chief Deputy Comptroller as Clerk Jim Moye
- Assistant Deputy Clerk Jeanene Wells

County Chairman Mel Martinez was absent. Commissioner Mary Johnson joined the meeting where indicated.

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

The Board paused for an invocation by Arto Woodley, Jr., Executive Director of Frontline Outreach, followed by the Pledge of Allegiance to the Flag.

Commissioner Johnson joined the meeting.

## COUNTY CONSENT AGENDA

### Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board:

- deleted Health and Family Services Department Item 2;

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

### County Comptroller

1. Acknowledgment of receipt of the following file for the record document:

- a) Falcon Trace Community Development District; minutes of the March 24, 1999, meeting of the Board of Supervisors.

(Comptroller Clerk of the Board of County Commissioners)

2. Approval of the disposition of tangible personal property:
  - a) Dispose of assets that were returned to the vendor for replacement under a maintenance agreement.
  - b) Cannibalize assets for their usable parts.
  - c) Sell an asset through internal sale from Risk Management to Facilities Management for the fair market value of \$1.
  - d) Donate assets with an approximate value of \$12.50 to the Healthy Community Initiative of Orlando.

(Property Accounting Department)

3. 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 June 4, 1999, to June 9, 1999; total of \$8,393,563.94.

(Finance and Accounting Department)

#### County Administrator

1. Approval for the Sheriff's Office to spend approximately \$99,765 from the Law Enforcement Trust Fund to make a contribution to the dive team for equipment (Office of Management and Budget).
2. Approval of Budget Amendments 99-70, 99-71, and 99-72 (Office of Management and Budget).

(Budget Amendments 99-70 through 99-72 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

3. Approval of Budget Transfers 99-519, 99-520, 99-521, 99-522, 99-525, 99-526, and 99-527 (Office of Management and Budget).

(Budget Transfers 99-519 through 99-522 and 99-525 through 99-527 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

4. Approval of CIP Amendments 47-99, 48-99, 49-99, 50-99, and 51-99 (Office of Management and Budget).

(CIP Amendments 47-99 through 51-99 are on file in the office of the Comptroller Clerk's Office.)

5. Approval of payment of intergovernmental claims for May 27, 1999, totaling \$144,827.15 (Risk Management Division).
6. Receipt and filing of the minutes of the May 20, 1999, meeting of the Intergovernmental Risk Management Committee for the official County record (Risk Management Division).
7. Approval of the sufficiency of the public officials' bond for Mel Martinez, County Chairman; Mary I. Johnson, County Commissioner; Robert Freeman, County Commissioner; Ted B. Edwards, County Commissioner; Robert "Bob" Sindler, County Commissioner; Homer Hartage, County Commissioner; Clarence Hoenstine, County Commissioner; Linda Chapin, Clerk of Courts; Earl K. Wood, Tax Collector; Bill Cowles, Supervisor of Elections; Richard T. Crotty, Property Appraiser; and Martha O. Haynie, Comptroller, as recommended by F.S. 137.05 (Risk Management Division).

#### Administrative Support Department

1. Approval to award Invitation for Bid Y9-736-DB to the low responsive and responsible bidder, Florida Petroleum Services, Inc., for construction of Three Points/Bithlo Highway maintenance underground fuel facilities. The contract amount is \$328,934 ([Construction Administration Division] Purchasing and Contracts Division).
2. Approval to award Invitation for Bid Y9-742-DB to the low responsive and responsible bidder, Prime Construction Group, Inc., for Blanchard Park utilities upgrades. The contract amount is \$328,971.25 ([Construction Administration Division] Purchasing and Contracts Division).

3. Approval to award Invitation for Bid Y9-1001-RW to the low responsive and responsible bidder, Orlando Paving Company, a division of Hubbard Construction Company, to furnish asphalt products. The annual estimated contract amount is \$3,500,000 ([Roads and Drainage Division] Purchasing and Contracts Division)
4. Approval to award a sole source contract to Collage Companies Construction for the 200-bed housing facility perimeter security fencing at Corrections. The contract amount is \$218,090 ([Construction Administration Division] Purchasing and Contracts Division).
5. Approval and authorization to record instrument: Windermere Ward Meeting House, utility easement, District 1 (Real Estate Management Division).
6. Approval and execution by County Chairman of Temporary Drainage Easement Agreement between Falcon Trace Partners Limited Partnership and the County and authorization to disburse warrants, pay appropriate recording fees, and record instrument: Southchase Road, Temporary Drainage Easement Agreement, District 4 (Real Estate Management Division).

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

#### Fire Rescue Department

1. Acceptance of a competitive grant in the amount of \$186,000, Agreement 99CP-07-06-58-01-118, from the State of Florida Department of Community Affairs to assist in the cost of relocating the Emergency Operation Center (EOC) (Office of Emergency Management).

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

#### Health and Family Services Department

1. Approval and execution of application to license the Callahan Head Start Center. Term of the license is July 7, 1999, through July 7, 2000, District 6 (Head Start Program Division).

2. Approval of Memorandum of Agreement between Human Services Associates (HSA) and Orange County to provide a case manager to the Successful Opportunities for Students (SOS) truancy program, all districts (Human Services Division).

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

3. Approval and execution of Amendment 2 to Contract YGJ4E between the State of Florida Department of Children and Families and Orange County for emergency shelter care and residential group care at Great Oaks Village. This amendment modifies the definition of the service unit, department operational liaison, and number of contract renewals. There is no additional cost to the County, all districts (Human Services Division).

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

4. Approval and execution of renewal Contract YGJ4E between the State of Florida Department of Children and Families and Orange County for the operation of emergency shelter and residential group care facility in the amount of \$4,366,527. Residential group care provides services to children under the age of 18 who are in the legal or voluntary custody of the Department of Children and Families. Term of the agreement will be July 1, 1999, through June 30, 2002. There is no additional cost to the County, all districts (Human Services Division).

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

#### Growth Management and Environmental Resources Department

1. Approval to increase the 1998-1999 manning table by adding an Engineer II and an Environmental Engineer I for the Orange County Environmental Protection Division petroleum cleanup team under contract with the State of Florida Department of Environmental Protection, all districts (Environmental Protection Division).

2. Receipt and filing of the minutes of the Lake Killarney Advisory Board meetings of February 18, 1999, and March 18, 1999, for the official County record, District 5 (Environmental Protection Division).
3. Approval of the nonsubstantial change and Third Amended Development Order between Unibilt Development Company, Inc., and the County extending the build-out date for the Southmark Centre Planned Development/Development of Regional Impact (PD/DRI) to December 2002, District 1 (Planning Division).

(Amended development order is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

4. Approval of the Fourth Amended Development Order for World Gateway (formerly called the Greene Property) Planned Development/Development of Regional Impact (PD/DRI) between GCB Associates, Ltd., and the County, District 1 (Planning Division).

(Amended development order is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

5. Approval of the Amendment to Development Order for Interstate-4 Plaza Development of Regional Impact (DRI) between Marriott Ownership Resorts, Inc., and the County and make a finding of consistency with the Comprehensive Policy Plan, District 1 (Planning Division).

(Amended development order is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

6. Approval to advertise resolutions to lien property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Resolutions to Lien:

LC 99-138; LC 99-137; LC 99-134; LC 99-139; LC 99-154  
LC 99-133; LC 98-159; LC 99-109; LC 99-118; LC 99-157  
LC 99-160; LC 99-158; LC 98-138; LC 99-156; LC 99-163  
LC 99-099; LC 99-143; LC 99-149; LC 99-102; LC 99-122  
LC 99-136; LC 99-150; LC 99-107; LC 99-151; LC 99-152

Districts 1, 2, 4, 5 and 6 (Zoning Division).

(Resolutions 99-ZON-52, 99-ZON-53, 99-ZON-60 through 99-ZON-70, and 99-ZON-88 through 99-ZON-99 are on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

#### Public Works Department

1. Approval to establish a "No Parking" zone on the north side of Clarcona-Ocoee Road beginning from the east right-of-way line of Hobson Road and extending east 250 feet, District 2 (Traffic Engineering Division).
2. Approval to extend the existing "No Parking" zone on the west side of Winegard Road beginning 1,275 feet north of the north right-of-way line of Lancaster Drive and extending north 300 feet, District 4 (Traffic Engineering Division).
3. Approval of the agreement between Orange County and the Bay Vista Estates Homeowners' Association, Inc., for construction of a screen wall. The cost to the County is 50 percent of the cost of the construction or \$210,000, District 1 (Public Works Engineering Division).

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

#### ADMINISTRATIVE SUPPORT DEPARTMENT DISCUSSION AGENDA

1. Selection of eight firms and two alternates to provide continuing professional surveying and mapping services, RFP Y9-906-DB ([Public Works Engineering Division] Purchasing and Contracts Division).

County Administrator Ajit Lalchandani requested that the Board continue consideration of this item until June 22, 1999.

#### Action

By consensus, the Board continued consideration of the selection of eight firms and two alternates to provide continuing professional surveying and mapping services, RFP Y9-906-DB, until June 22, 1999.

2. Selection of one firm and one alternate to provide owners' representative/program manager services, Orange County Convention Center Phase V Expansion, RFP Y9-814-JO ([Public Works Engineering Division] Purchasing and Contracts Division).

County Administrator Ajit Lalchandani requested that the Board continue consideration of this item until June 22, 1999.

Action

By consensus, the Board continued the selection of one firm and one alternate to provide owners' representative/program manager services, Orange County Convention Center Phase V Expansion, RFP Y9-814-JO, until June 22, 1999.

3. Confirmation of the appointment of Eartha Salmon as the District 2 representative on the Membership and Mission Review Board with a term expiring December 31, 2000 (General Services Department/Agenda Development).

Commissioner's Report

Commissioner Sindler stated that Steve Brice has resigned from the Membership and Mission Review Board and requested that the Board appoint Eartha Salmon as his replacement.

Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Freeman, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board confirmed the appointment of Eartha Salmon as the District 2 representative on the Membership and Mission Review Board with a term expiring December 31, 2000.

#### NONAGENDA - MEMBERSHIP AND MISSION REVIEW BOARD AT-LARGE REPRESENTATIVE

Vice-chairman Edwards announced that Michael Rudd resigned as the Membership and Mission Review Board's At-Large Representative last week. He suggested that all commissioners consider recommending representatives to fill the vacancy created by Mr. Rudd's resignation.

## WORKSESSION - ADMINISTRATIVE SUPPORT DEPARTMENT

### 1. Presentation regarding Y2K.

Deputy Administrative Support Department Director Warren Geltch reported that staff has been preparing for potential Y2K problems for the last three years. Mr. Geltch stated that the purpose of this worksession is to update the Board on the status of those preparations.

Mr. Geltch summarized the plan outline developed three years ago. He highlighted the critical points; outstanding and completed projects; public awareness initiatives; the ongoing plan of action; and coordination efforts with the State, local agencies, vendors, media, and citizens. Mr. Geltch stated that if all goes well, the County will be prepared for the year 2000.

#### Discussion

The Board discussed product Y2K compliance guarantees issued by vendors, anti-virus guarantees, and the potential liability exposure for the County if it fails to become Y2K compliant.

## WORKSESSION - FIRE RESCUE DEPARTMENT

### 1. Emergency Management Disaster Preparedness.

Fire Rescue Department Director Mike Iacona stated that the purpose of this worksession is to update the Board on the emergency management system and its level of preparedness. Mr. Iacona reported on the state-wide hurricane exercise "Xena" and noted that the County will be hosting a public/private officials' conference in July to discuss emergency preparedness.

Mr. Iacona reviewed the emergency operations center renovation plans, state and federal reimbursements of declared emergencies in 1998, and the local mitigation strategy and other emergency management programs. He emphasized that the keys to disaster management are preparedness, coordination, training, and response and recovery.

#### Discussion

The Board discussed establishing a formal communications plan for Board members during emergencies, stormwater drainage problems, the number of emergency command centers within the County, and the possibility of establishing an Orange/Seminole emergency center near the University of Central Florida. The Board also discussed state and federal reimbursement percentages and Citizen Emergency Response Teams (CERT).

#### NONAGENDA - VISITOR

Vice-chairman Edwards welcomed a visiting boy scout in attendance at the meeting.

#### NONAGENDA - ARMY CIVIL AFFAIRS CONVENTION

Commissioner Sindler stated that he recently attended the Army Civil Affairs annual convention in southwest Orange County. He said that in addition to commissioned and noncommissioned Army officers, armed forces personnel from around the world were also present. Commissioner Sindler reported that he received many positive comments on the County's transportation system, law enforcement, weather, and area attractions. He noted that many people said they looked forward to vacationing in Central Florida and would encourage their friends and families to do the same.

Vice-chairman Edwards 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:

- Vice-chairman Ted Edwards
- Commissioners Bob Freeman, Bob Sindler, Mary Johnson, Clarence Hoenstine, and Homer Hartage
- Deputy County Administrator Byron Brooks
- County Attorney Tom Wilkes
- Chief Deputy Comptroller as Clerk Jim Moye
- Assistant Deputy Clerk Jeanene Wells

County Chairman Mel Martinez was absent.

## Presentation of Proclamation Recognizing the Orlando Solar Bears

Vice-chairman Edwards presented a proclamation to Curt Fraser, head coach of the Orlando Solar Bears ice-hockey team, designating Tuesday, June 15, 1999, as Orlando Solar Bears' Day. He commended the team on its outstanding performance this year and noted that the team is the first to overcome a three/nothing deficit to win the Eastern Conference Championship. Mr. Fraser thanked the Board members and gave them an official ice-hockey stick.

## JUNE 3, 1999, BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS

### Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board accepted the recommendations of the Orange County Board of Zoning Adjustment under date of June 3, 1999; 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 June 3, 1999, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- Appellant/Applicant: Sophia Bradacove, Item 4; public hearing date: July 27, 1999.

## ORDINANCE PUBLIC HEARING - CREATING THE ZELLWOOD PRESERVATION DISTRICT

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

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, CREATING THE ZELLWOOD PRESERVATION DISTRICT PURSUANT TO SECTION 505 OF THE ORANGE COUNTY CHARTER; PROVIDING A TITLE; ESTABLISHING DEFINITIONS; STATING PURPOSES AND INTENT; ESTABLISHING BOUNDARIES FOR THE DISTRICT; PROVIDING PROCEDURES FOR THE VOLUNTARY ANNEXATION OF PROPERTY OR PROPERTIES WITHIN THE DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

#### Staff Report

Planning Division Manager David Heath reviewed the proposed ordinance and outlined its provisions.

#### Appearances

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

- Julian Meitin, 1191 Banbury Trail, Maitland, Florida.

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

- Max Sabeti, 132 East Colonial Drive, Suite 128, Orlando, Florida.

#### Discussion

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

#### Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board adopted the proposed ordinance creating the Zellwood Preservation District to include revisions as outlined by staff as follows:

- The effective date shall be July 1, 1999.

(Ordinance 99-14 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

#### ORDINANCE PUBLIC HEARING - CREATING THE ZELLWOOD STATION PRESERVATION DISTRICT

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, CREATING THE ZELLWOOD STATION PRESERVATION DISTRICT PURSUANT TO SECTION 505 OF THE ORANGE COUNTY CHARTER; PROVIDING A TITLE; ESTABLISHING DEFINITIONS; STATING PURPOSES AND INTENT; ESTABLISHING BOUNDARIES FOR THE DISTRICT; PROVIDING PROCEDURES FOR THE VOLUNTARY ANNEXATION OF PROPERTY OR PROPERTIES WITHIN THE DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

#### Staff Report

Planning Division Manager David Heath reviewed the proposed ordinance and outlined its provisions.

#### Appearances

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

#### Discussion

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

#### Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board adopted the proposed ordinance creating the Zellwood Station Preservation District to include revisions as outlined by staff as follows:

- The effective date shall be July 1, 1999.

(Ordinance 99-13 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

#### COMPREHENSIVE POLICY PLAN PUBLIC HEARING - TRANSMITTAL OF 99-2 REGULAR CYCLE COMPREHENSIVE POLICY PLAN AMENDMENTS

Notice was given that the Board of County Commissioners would hold a public hearing regarding transmittal 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 amendment to the CPP Future Land Use Map which would change the use of lands within the areas identified on the maps.
2. New Future Land Use Policies relating to the Holden Heights Targeted Community Initiative Land Use Study as shown on the map.
3. Amendments to the Future Land Use Element regarding Policy 2.2.4 regarding cluster zoning in the Rural Service Area.

4. Amendments to the Future Land Use Element regarding Policy 2.2.5 regarding the requirement of central water services to prevent future health hazards.
5. New Future Land Use Element Policy 6.1.14 permitting adoption of an optional sector plan for Horizon West.
6. Amendments to the Traffic Circulation Element regarding Policy 2.1.9 and Policy 2.1.9.1 (including "Exhibit A" thereto) regarding the Western Beltway Conceptual Alignment.
7. New Fire Rescue Element.
8. Amendment to the International Drive Element regarding Policy 3.1.3 regarding increased square footage for nonresidential uses within ACR designated areas.
9. Amendment to the International Drive Element regarding 3.1.1 regarding allowable nonresidential uses.
10. Amendment to the International Drive Element regarding 1.1.10 regarding increased DRI hotel thresholds.
11. New Public Participation Element Handbook to replace the adopted Public Participation Handbook.
12. New Future Land Use Element Policy 6.3.7.1 permitting the Lake Burden elementary school site to be located outside of the village.
13. Amendments to the Future Land Use Element, Lakeside Village Specific Area Master Plan; Figure 11, Proposed Transportation Network; Figure 31, Proposed Transit Circulation Plan; Figure 32, Proposed Pedestrian/Bicycle Circulation; and Figure 5.1, Adequate Public Facilities, regarding the realignment of Reams Road south of S.R. 535 (withdrawn).

(The Amendment booklet and map are 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.)

#### Staff Report

Planning Division Manager David Heath stated this is the transmittal public hearing for the second cycle of Comprehensive Policy Plan (CPP) Amendments for 1999. Mr. Heath added that community meetings have been held for each of the CPP amendments and that the Local Planning Agency (LPA) has considered all of them.

Mr. Heath explained how the advertising requirements for the CPP Amendment public hearings were met. He added that the final adoption public hearings are scheduled in October 1999. In conclusion, Mr. Heath asked the Board to request an Objections, Recommendations, and Comments (ORC) Report from the Florida Department of Community Affairs (DCA) to be issued within 60 days on all amendments transmitted.

#### Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board authorized staff to request an Objections, Recommendations, and Comments (ORC) Report from the Florida Department of Community Affairs (DCA) to be issued within 60 days on all amendments transmitted.

#### Expedited Agenda

##### Future Land Use Map Amendments and Policy and Textural Amendments

Planning Division Manager David Heath explained the expedited agenda/public hearing format for the meeting. He said the items listed under the expedited agenda will be approved in one motion unless a Board member or someone in the audience requests that the item be placed on the public hearing agenda.

Chief Planner Carol Stricklin announced the expedited agenda, as follows:

- Future Land Use Map Amendment 99-2-A-1-5; Dwight D. Saathoff/  
Doudney Investment Company, Lockwood of Central Florida, Ben J.  
Schroeder, JD Properties; District 1 (page 15 of the amendment  
booklet).
- Future Land Use Map Amendment 99-2-A-1-3; Canin Associates/  
Pasquale Rinaldi; District 1 (page 22 of the amendment  
booklet).
- Future Land Use Map Amendment 99-1-A-1-3; Miller, Sellen,  
Conner, and Walsh/Hannah L. Smith; District 1 (page 29 of the  
amendment booklet).
- Future Land Use Map Amendment 99-2-A-3-1; Charles D. Miner/  
Robert S. and Rosemary Shelhorn; District 3 (page 53 of the  
amendment booklet).
- Future Land Use Map Amendment 99-2-A-3-2; Charles W. Clayton,  
Jr./Banks, Clayton, and Clayton; District 3 (page 58 of the  
amendment booklet).
- Future Land Use Map Amendment 99-2-A-4-1; Floyd Whiddon/ACIC,  
Value Land/Orange County Planning; District 4 (page 64 of the  
amendment booklet).
- Future Land Use Map Amendment 99-2-A-4-2; Bowyer-Singleton &  
Associates, Inc./ Waterford Chase East; District 4 (page 71 of  
the amendment booklet).
- Future Land Use Map Amendment 99-2-A-5-2; James G. Willard/  
Silver City Properties, Ltd.; District 5 (page 81 of the  
amendment booklet).
- New Future Land Use Policies 6.1.14 through 6.1.14.1 permitting  
adoption of an optional sector plan for Horizon West; District  
1 (page 112 of the amendment booklet).
- Amendment to Future Land Use Policy 2.2.4 regarding cluster  
zoning in the Rural Service Area (page 120 of the amendment  
booklet).

- Amendment to the Future Land Use Policy 2.2.5 regarding the requirement of central water services to prevent future health hazards (page 123 of the amendment booklet).
- Amendment to the Traffic Circulation Policy 2.1.9 and Policy 2.1.9.1 regarding the Western Beltway Conceptual Alignment (page 128 of the amendment booklet).
- New Public Participation Handbook to replace the adopted Public Participation Handbook (page 132 of the amendment booklet).
- Amendment to the International Drive Activity Center Plan Policy 3.1.3 regarding increased square footage for nonresidential uses within ACR designated areas; District 1 (page 144 of the amendment booklet).
- Amendment to the International Drive Activity Center Plan Policy 3.1.1 regarding allowable nonresidential uses; District 1 (page 146 of the amendment booklet).

#### Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board adopted the amendments and policies and text on the expedited agenda as outlined above with the exception of 99-1-A-1-3 and 99-2-A-4-2 which were placed on the public hearing agenda; subject to the following conditions for 99-2-A-4-1:

- Approval and execution of a developer's agreement for the realignment of Wetherbee Road prior to adoption.

#### Regular Agenda - Policies/Textual Amendment Public Hearings

New Future Land Use Policies 3.4.4 through 3.4.7 regarding Holden Heights District 6 (page 87 of the amendment booklet).

#### Staff Report

Chief Planner Carol Stricklin reviewed the policies. Ms. Stricklin explained that the policies are related to the promotion of redevelopment and revitalization of Holden Heights. She noted that staff and the Local Planning Agency recommended approval of transmittal of the policies. Linda Painter, with the County's land use consultant EDAW, Inc., overviewed the Holden Heights land use study.

#### Appearances

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

#### Discussion

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

#### Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board approved New Future Land Use Policies 3.4.4 through 3.4.7 regarding Holden Heights for transmittal to the Florida Department of Community Affairs.

New Fire Rescue Element (page 91 of the amendment booklet).

#### Staff Report

Planning Division Manager David Heath stated that the proposed element has been withdrawn.

#### Appearances

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

#### Discussion

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

#### Action

By consensus, the Board accepted the withdrawal of the New Fire Rescue Element.

Amendment to International Drive Policy 1.1.10 regarding increased DRI hotel thresholds, District 1 (page 104 of the amendment booklet).

#### Staff Report

Planning Division Manager David Heath reviewed the new element. Mr. Heath explained that the element addresses amending the

International Drive Activity Center radius from the Convention Center for increased Development of Regional Impact (DRI) hotel thresholds. He noted that staff and the Local Planning Agency recommended approval of transmittal of the new element.

#### Appearances

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

- Jim Hall, Canin Associates; 500 Delaney Avenue, Orlando, Florida.

No one appeared in opposition to the request.

#### Discussion

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

#### Action

Upon a motion by Vice-chairman Edwards, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board approved the amendment to International Drive Policy 1.1.10 regarding increased DRI hotel thresholds for transmittal to the Florida Department of Community Affairs.

New Future Land Use Policy 6.3.7.1 permitting the Lake Burden Elementary School site to be located outside the village, District 1 (page 109 of the amendment booklet).

#### Staff Report

Planning Division Manager David Heath stated that this policy has been withdrawn.

#### Appearances

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

#### Discussion

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

#### Action

By consensus, the Board accepted the withdrawal of New Future Land Use Policy 6.3.7.1.

## Regular Agenda - Future Land Use Map Amendment Public Hearings

Future Land Use Map Amendment 99-2-B-1-1; Orange Center/Orange County Planning (Orange Center Land Use Study); District 1 (page 1 of the amendment booklet).

### Staff Report

Planning Division Manager David Heath reviewed the request. Chief Planner Carol Stricklin overviewed the study. Ms. Stricklin noted the Local Planning Agency recommended transmittal with a land use designation of Office-Planned Development/Activity Center Residential/Activity Center Mixed Use with Orange Center Land Use Study Alternative Plan "B," and staff recommended transmittal with Orange Center Land Use Study Alternative Plan "E."

Mr. Heath stated that if the Board chooses to transmit Orange Center Land Use Study Alternative Plan "B," he recommends that revision be made as follows:

1. The areas shown as Commercial shall be Activity Center Mixed Use.
2. The area shown as Low Density Residential shall be Activity Center Mixed Used.
3. The development guideline criteria shall be amended as follows:
  - Lot aggregation for the Office use east of Commercial Street shall be 1 to 1.5 acres.
  - Lot aggregation for the Office use on Apopka-Vineland Road shall be 12 lots as recommended in the study.

### Appearances

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

- Kay Whitehouse, Jonat Properties; 3338 Johio Shores Road, Ocoee, Florida.
- Jami Reedle, 11345 Apopka-Vineland Road, Orlando, Florida.
- Jim Hall, Canin Associates, 500 Delaney Avenue, Orlando, Florida.

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

- Patrese Lovecraft, 11254 Commercial Street, Orlando, Florida.
- Bob Raley, 11335 Commercial Street, Orlando, Florida.

#### Discussion

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

#### Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board approved transmitting Future Land Use Map Amendment 99-2-B-1-1; Orange Center/Orange County Planning (Orange Center Land Use Study), Alternative Plan "B," to the Florida Department of Community Affairs to include revisions to the Orange Center Land Use Study as outlined by staff as follows:

1. The areas shown as Commercial shall be Activity Center Mixed Use.
2. The area shown as Low Density Residential shall be Activity Center Mixed Used.
3. The development guideline criteria shall be amended as follows:
  - Lot aggregation for the Office use east of Commercial Street shall be 1 to 1.5 acres.
  - Lot aggregation for the Office use on Apopka-Vineland Road shall be 12 lots as recommended in the study.

Commissioner Johnson left the meeting.

Future Land Use Map Amendment 99-2-A-1-2; Edward Williams/Clyde and Sue Hubble; District 1 (page 10 of the amendment booklet).

#### Staff Report

Planning Division Manager David Heath stated that the applicant has withdrawn the application for this amendment.

#### Appearances

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

#### Discussion

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

#### Action

By consensus, the Board accepted the withdrawal of Future Land Use Map Amendment 99-2-A-1-2.

Future Land Use Map Amendment 99-2-A-2-2; Paul Novak/Brittany Construction, Inc.; District 2 (page 36 of the amendment booklet).

#### Staff Report

Planning Division Manager David Heath reviewed the request. Mr. Heath noted that the Local Planning Agency recommended approval of transmittal with a land use designation of Rural Settlement 1/2 and staff recommended denial of transmittal.

#### Appearances

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

- Hugh Harling; Harling Locklin & Associates, Inc.; 850 Courtland Street, Orlando, Florida; for the applicant.

No one appeared in opposition to the request.

Commissioner Johnson rejoined the meeting.

#### Discussion

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

#### Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Hoenstine, and carried with Vice-chairman Edwards and Commissioners Freeman, Sindler, Johnson, and Hoenstine voting AYE by voice vote; Commissioner Hartage voting NO by voice vote; County Chairman Martinez was absent; the Board approved transmitting Future Land Use Map Amendment 99-2-A-2-2 to the Florida Department of Community Affairs subject to the developer presenting the Planned Development (PD) plan to the Board at final adoption.

Future Land Use Map Amendment 99-2-A-2-4; Charles Edwards/David and Caroline Lewis, Jr.; District 2 (page 42 of the amendment booklet).

#### Staff Report

Planning Division Manager David Heath reviewed the request. Mr. Heath noted that staff and the Local Planning Agency recommended denial of transmittal with a land use designation of Commercial.

#### Appearances

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

- Dean Cannon; Gray, Harris & Robinson, P.A.; 201 East Pine Street, Orlando, Florida; for the applicant.
- Charles Edwards, the applicant; 3120 Florence Drive, Orlando, Florida.

No one appeared in opposition to the request.

#### Discussion

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

#### Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Hoenstine, and carried with Vice-chairman Edwards and Commissioners Freeman, Sindler, and Hoenstine voting AYE by voice vote; Commissioners Johnson and Hartage voting NO by voice vote; County Chairman Martinez was absent; the Board approved transmitting Future Land Use Map Amendment 99-2-A-2-4 with a land use designation of Commercial/Planned Development to the Florida Department of Community Affairs.

Future Land Use Map Amendment 99-1-A-1-3; Miller, Sellen, Conner, and Walsh/Hannah L. Smith; District 1 (page 29 of the amendment booklet).

Commissioner Freeman explained that he requested this item be scheduled for a public hearing to obtain additional information. He stated that he is satisfied with the information staff and the applicant have provided and requested that the Board approve transmittal.

#### Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board approved transmitting Future Land Use Map Amendment 99-2-A-1-3 to the Florida Department of Community Affairs.

Future Land Use Map Amendment 99-2-A-4-2; Bowyer-Singleton & Associates, Inc./ Waterford Chase East; District 4 (page 71 of the amendment booklet).

Commissioner Hartage explained that he requested this item be scheduled for a public hearing to allow time for the Board to discuss the proposed changes to the Urban Service Area boundaries. He stated that he has no objection to the transmittal of this amendment.

#### Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Hoenstine and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board approved transmitting Future Land Use Map Amendment 99-2-A-4-2 to the Florida Department of Community Affairs.

Future Land Use Map Amendment 99-2-B-2-1; Orange County - Zellwood Rural Settlement Expansion; District 2 (page 47 of the amendment booklet).

#### Staff Report

Planning Division Manager David Heath reviewed the request. Mr. Heath noted that the Local Planning Agency recommended transmittal with a land use designation of Rural Settlement one unit per five acres (1/5). He stated that staff recommended denial of transmittal.

#### Appearances

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

#### Discussion

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

#### Action

A motion by Commissioner Sindler, seconded by Commissioner Hoenstine; with Commissioners Freeman, Sindler, and Hoenstine voting AYE by voice vote; Vice-chairman Edwards and Commissioners Johnson and Hartage voting NO by voice vote; County Chairman Martinez was absent; to transmit Future Land Use Map Amendment 99-2-B-2-1 to the Florida Department of Community Affairs failed.

#### Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board continued consideration of the transmittal of Future Land Use Map Amendment 99-2-B-2-1 to the Florida Department of Community Affairs until June 22, 1999, at 2:45 p.m., for decision only.

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -  
APPLICANT: CHARLES PARKER; TRAILS CENTER; CASE Z-99-015, APRIL 15,  
1999; DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Charles Parker, Trails Neighborhood Retail Center, to rezone from Urban Mixed Use (UR-3) (1978) to Planned Development-Hotel/Office/Commercial (PD), on property generally located on the northwest corner of the Lokanotosa Trail and Alafaya Trail intersection; District 5; Section 10, 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 Division Manager David Heath outlined the request and identified the location of the subject property, the surrounding zoning classifications, and the future land use map designations in the area.

Mr. Heath requested that a condition be added as follows:

- Auto-part stores shall be prohibited.

#### Appearances

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

- Aaron Gorovitz; Lowndes, Drosdick, Doster, Kantor & Reed, P.A.; 215 North Eola Drive, Orlando, Florida; for the property owners.

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

- Ted Moore, 11132 Lokanotosa Trail, Orlando, Florida.

The following person addressed the Board with general comments:

- Liz Gilson, president of an area homeowners' association (no address given).

Mr. Gorovitz stated that, in response to concerns from area residents, the applicant will agree to additional conditions as follows:

- A six-foot (6') masonry wall shall be constructed along the southern portion of the property boundary to the project entrance on Lokanotosa Trail.
- The 15-foot buffer along the western property line shall be landscaped with trees.
- Lighting shall be shrouded to minimize the impact to the adjacent residential areas.

#### Discussion

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

#### Action

Upon a motion by Vice-chairman Edwards, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board approved the request by Charles Parker, Trails Neighborhood Retail Center, to rezone from Urban Mixed Use (UR-3) (1978) to Planned Development-Hotel/Office/Commercial (PD), on the above-described property; subject to the following conditions:

1. Development shall conform to the Trails Neighborhood Retail Center Land Use Plan, dated "Received March 22, 1999," 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 (BCC), or by action of the BCC.

2. Billboards and pole/pylon signs shall be prohibited.
3. A five-foot-wide (5') sidewalk shall be provided along the north side of Lokanotosa Trail.
4. A waiver of Section 38-1272(3), Orange County Code, to allow a ten-foot (10') setback to the north planned development perimeter in lieu of 25 feet is approved.
5. There shall be no more than four (4) certificates of occupancy for any single building located on the subject property, which are outstanding from time to time.
6. Auto-part stores shall be prohibited.
7. A six-foot (6') masonry wall shall be constructed along the southern portion of the property boundary to the project entrance on Lokanotosa Trail.
8. The 15-foot buffer along the western property line shall be landscaped with trees.
9. Lighting shall be shrouded to minimize the impact to the adjacent residential areas;

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

PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -  
APPLICANT: CIVIL ENGINEERING GROUP, INC.; LUKAS ESTATES  
SUBDIVISION; CASE Z-99-038, APRIL 15, 1999; DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Civil Engineering Group, Inc., Lukas Estates Subdivision, for modification of approval conditions for Rural Country Estate Cluster (RCEC) (1991), on

property generally located at the northwest corner of Lake Pickett Road and Chuluota Road intersection; District 5; Section 9, Township 22, Range 32; 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 Division Manager David Heath outlined the request and identified the location of the subject property, the surrounding zoning classifications, and the future land use map designations in the area.

Vice-chairman Edwards requested that a condition be added as follows:

- The number of units shall be limited to 27.

#### Appearances

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

#### Discussion

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

Commissioner Hoenstine left the meeting.

#### Action

Upon a motion by Vice-chairman Edwards, seconded by Commissioner Commissioner Johnson, and carried with all present members voting AYE by voice vote; County Chairman Martinez and Commissioner Hoenstine were absent; the Board approved the request by Civil Engineering Group, Inc., Lukas Estates Subdivision, for modification of approval conditions for Rural Country Estate Cluster (RCEC) (1991), on the above-described property; subject to the following conditions:

1. All of the existing conditions of approval for the Lake Pickett Cluster Plan shall apply and must be satisfied, except as expressly waived by the Orange County Board of County Commissioners (BCC), as well as the following conditions of approval.

2. Development shall conform to the Lukas Estates Cluster Plan, dated "Received March 2, 1999," 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 BCC, or by action of the BCC.
3. The open space requirement (i.e., Condition 2 under the Lake Pickett Cluster Plan) is expressly waived.
4. Only one access point is required for the Lukas Estates Development, as delineated in the plan, dated "Received March 2, 1999."
5. Density shall be limited to one dwelling unit per acre.
6. The number of units shall be limited to 27;

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

Commissioner Hoenstine rejoined the meeting.

BOARD OF ZONING ADJUSTMENT APPEAL - APPELLANT: ALISON YURKO  
APPLICANT: ANGELO FALLUCA; ITEM 7, NOVEMBER 5, 1998; DISTRICT  
2 (CONTINUED FROM FEBRUARY 16, MARCH 16, AND MAY 11, 1999)

By consensus, the Board reopened the public hearing to sit as a Board of Appeal to consider an appeal by Alison Yurko of the recommendation of the Board of Zoning Adjustment, dated November 5, 1998, on a request by Angelo Falluca for a variance in Single-family Dwelling District (R-1A) to remodel accessory building with 1,564 square feet of floor area (currently existing in violation) in lieu of 561 square feet, continued from the February 16, March 16, and May 11, 1999, Board meetings.

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

#### Staff Report

Zoning Division Manager Melvin Pittman explained that the public hearing was continued to allow time for the district commissioner to hold a community meeting. Mr. Pittman outlined the request, identified the subject property and the surrounding zoning classifications; and further, noted that the Board of Zoning Adjustment recommended approval of the request.

#### Appearances

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

- Dean Cannon; Gray, Harris & Robinson, P.A.; 201 East Pine Street, Orlando, Florida; for the applicant.
- Melvin Hitson, 1010 Meadows Avenue, Orlando, Florida.
- Mrs. Hitson, 1010 Meadows Avenue, Orlando, Florida.
- Bill Ball, 4100 Edgewater Drive, Orlando, Florida.

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

- Al Spieckermann, 1016 Meadows Avenue, Orlando, Florida.

#### Discussion

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

#### Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board upheld the decision of the Orange County Board of Zoning Adjustment and approved the request by Angelo Falluca for a variance in Single-family Dwelling District (R-1A) to remodel accessory building with 1,564 square feet of floor area (currently existing in violation) in lieu of 561 square feet on the above-described property, subject to the following conditions:

1. Limit accessory building size to 800 square feet.

2. Tear down and replace existing accessory building within six months from the date of Board of County Commissioners' approval.
3. Access to garage from Edgewater Drive is prohibited.
4. Site plan of proposed accessory building is to be approved by the Zoning manager.
5. Exterior color, style, and roof peak shall be consistent with the existing residence.
6. New accessory building shall have an electrical meter limited to 60 amp and no plumbing facilities.
7. Accessory building shall be used only for garage/storage for tenants of existing residence and for no other purpose.

MEETING ADJOURNED

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

ATTEST:

Martha O. Haynie  
County Comptroller as Clerk      County Chairman

Deputy Clerk

Minutes Coordinator

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