

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, March 7, 2000. The following were present:

- County Chairman Mel Martinez
- Commissioners Bob Freeman, Bob Sindler, Clarence Hoenstine, Ted Edwards, and Homer Hartage
- County Comptroller as Clerk Martha Haynie
- County Administrator Ajit Lalchandani
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

Commissioner Mary Johnson was absent.

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

The Board paused for an invocation by County Attorney Tom Wilkes, followed by the Pledge of Allegiance to the Flag.

COUNTY CONSENT AGENDA**Action**

Upon a motion by Commissioner Edwards, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board approved the County Consent Agenda items as follows, including Growth Management and Environmental Resources Department Addendum 1:

County Chairman

1. Approval of the resignations from and appointments of Commissioner Edwards and Commissioner Hartage to the MetroPlan Orlando (MPO) effective March 7, 2000, as follows:
 - accept the resignation of Commissioner Hartage, as a member of the MPO, and appoint Commissioner Edwards to fill the vacancy;

- accept the resignation of Commissioner Edwards, as the permanent alternate on the MPO, and appoint Commissioner Hartage to fill the vacancy.

County Comptroller

1. Approval to pay Clerk of the Courts' invoices for services rendered for the month of January 2000 in the total amount of \$322,056.37 (Administrative/Fiscal Division).
2. Approval of the Andover Lakes Phases 1A, 1B, and 1C MSTU/BU agreement for reimbursable retention pond maintenance between the Homeowners' Association - Andover Lakes Phases 1A, 1B, and 1C and the County (Administrative/Fiscal Division).

(Agreement is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)
3. Approval to pay the Property Appraiser's second quarter billing, January 1 through March 31, 2000, in the amount of \$934,260.52 (Administrative/Fiscal Division).
4. Acknowledgment of receipt of the following file for the record documents:
 - a. Florida Public Service Commission notice of commission hearing and prehearing conference re: Petition by Bluestar Networks, Inc., for arbitration of certain unresolved issues in interconnection negotiations with BellSouth Telecommunications, Inc.; dated February 8, 2000.
 - b. Copy of Orange County Tax Collector Budget Amendment/Transfer for budget year ending September 30, 2000, as submitted to the Florida Department of Revenue; dated February 10, 2000.
 - c. State of Florida Office of the Auditor General local government audit report submittal checklist of Ranger

Drainage District for fiscal year audited September 30, 1999; dated January 11, 2000.

- d. Ranger Drainage District financial statements and supplementary reports for year ended September 30, 1999; dated December 1, 1999.
- e. Falcon Trace Community Development District meeting minutes dated August 26 and December 15, 1999.
- f. United States of America Federal Energy Regulatory Commission notice of intent to prepare an Environmental Impact Statement for the proposed Florida Gas Transmission Company (FGT) Phase V Expansion Project, request for comments on environmental issues, and notice of public scoping meetings and site visit; dated February 11, 2000.

(Comptroller Clerk of the Board of County Commissioners)

- 5. Approval of the minutes of the January 25, February 1, February 15, and February 22, 2000, meetings of the Board of County Commissioners.

(Comptroller Clerk of the Board of County Commissioners)

- 6. 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 February 11, 2000, to February 16, 2000; total of \$5,366,349.92.
- Period from February 17, 2000, to February 23, 2000; total of \$10,480,654.58.
- Period from February 24, 2000, to February 24, 2000; total of \$10,415,062.78.

- Period from February 25, 2000, to March 1, 2000; total of \$27,061,414.78.

County Administrator

1. Approval of the Sovereignty Submerged Land Lease Renewal Agreement between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and Orange County, Florida, for construction and operation of two public docking facilities on Lake Carlton and Lake Beauclair (Parks and Recreation Division).

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

Administrative Support Department

1. Approval to award Invitation for Bid Y0-140-GH to the low responsive and responsible bidder, Florida Highway Products, Inc., for one-year term contract for micro-resurfacing. The estimated annual contract amount is \$927,500 ([Roads and Drainage Division] Purchasing and Contracts Division).
2. Approval to award Invitation for Bid Y0-723-DB to the low responsive and responsible bidder, Cathcart Contracting Company, for South Apopka East 13th Street extension. The total contract amount is \$254,626.90 ([Highway Construction Division] Purchasing and Contracts Division).
3. Approval of Amendment 9, Contract Y3-809, with Singhofen and Associates, Inc., for engineering services for Bonnevill Drive Master Drainage Study. The lump sum amount is \$11,014.63 for a new contract total to date of \$313,466.52 ([Stormwater Management Division] Purchasing and Contracts Division).
4. Approve sole source contract with BellSouth Telecommunications, Inc., for wide area networking service known as "frame relay." The total contract amount is

\$166,235.10 ([Information Systems and Services Division]
Purchasing and Contracts Division).

5. Approval of Amendment 6, Contract Y7-187, with Helena Chemical Company for aquatic/nonaquatic herbicides for countywide use. Recommend contract increase of \$307,952.65 for a new contract total of \$771,311.80 (Purchasing and Contracts Division).
6. Approval of drainage easement and authorization to disburse warrant to pay recording fees and record instrument for Windsor Place (Partin property underdrain): drainage easement, District 4 (Real Estate Management Division).
7. Approval and execution by County Chairman of notice of reservation and authorization to disburse warrant to pay recording fees and record instrument for Little Econ Greenway, Phase I (Blanchard Park utilities upgrade), District 3 (Real Estate Management Division).
8. Approval of contract for sale and purchase and execution by County Chairman of resolution and County deed and authorization to conduct closing and record instruments for Fire Station 58 at 14101 Town Loop Boulevard, Orlando, Florida, District 1 (Real Estate Management Division).

(Resolution 2000-M-09 is on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

9. Confirmation of Commissioner Edwards' appointments and reappointments to the Lake Killarney Advisory Board, as follows:
 - reappointment of James Owen Cunningham and John C. Mitchell for terms expiring December 31, 2000;
 - reappointment of David V. Hunter, Harold Lane Thompson, and Conrad John Necrason for terms expiring December 31, 2001;

- appointment of Langdon Stanley and Carl Jenne for terms expiring December 31, 2001;

and further, confirmation of Commissioner Edwards' appointment of Fred Breitbeil, to succeed J.H. McElyea on the Little Lake Fairview Advisory Board, for a term expiring December 31, 2001 (General Services Division/Agenda Development).

Growth Management and Environmental Resources Department

1. Approval to file Satisfaction of Special Assessment lien by resolution against Parcel Number 23-22-28-3565-01-730, 1867 Matterhorn Drive (Building Division).

(Resolution 2000-BUI-07 is on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

2. Approval of a developer's agreement between Davis Heritage, Ltd., and Orange County, Florida, for discounts of impact fees, water capital charges, and wastewater capital charges for Mystic Point II Apartments, an affordable housing development (Division of Housing and Community Development).

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

3. Approval of a developer's agreement between Housing and Neighborhood Development Services of Central Florida, Inc., and Orange County, Florida, for discounts of impact fees, water capital charges and wastewater capital charges for Silver Pines, Phase III, an affordable housing development (Division of Housing and Community Development).

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

4. Approval of a resolution supporting neighborhood revitalization and urban infill housing developments in the

State of Florida's housing tax credit application cycle (Division of Housing and Community Development).

(Resolution 2000-M-07 is on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

5. Approval of the interlocal agreement for creation of the Metropolitan Planning Organization (MetroPlan Orlando) among the State of Florida Department of Transportation and the following parties:

- Orange County
- Osceola County
- Seminole County
- City of Altamonte Springs
- City of Kissimmee
- City of Orlando
- City of Sanford
- City of Winter Park
- Central Florida Regional Transportation Authority
- Greater Orlando Aviation Authority
- Orlando-Orange County Expressway Authority
- West Orange Airport Authority

all districts (Planning Division).

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

**Growth Management and Environmental Resources Department - Addendum
1**

6. Approval of the deferral of the road, fire, and sheriff impact fees to the certificate of occupancy for the Lisa Merlin House, Building Permit B99-902689, District 2.

Health and Family Services Department

1. Approval and execution of the application to license the Lila Mitchell Head Start Center between the State of Florida Department of Children and Families and Orange County, Florida. The effective date of this license is April 10, 2000, through April 10, 2001. There will be no cost to the County, District 6 (Head Start Division).
2. Approval and execution of the application to license the Hannibal Head Start Center between the State of Florida Department of Children and Families and Orange County, Florida. The effective date of this license is April 15, 2000, through April 15, 2001. There will be no cost to the County, District 3 (Head Start Division).
3. Approval and execution of the application to license the East Orange Head Start Center between the State of Florida Department of Children and Families and Orange County, Florida. The effective date of this license is April 15, 2000, through April 15, 2001. There will be no cost to the County, District 5 (Head Start Division).

Public Works Department

1. Approval of "Yield" sign installations in the Country Run Subdivision, Unit 4A, District 2 (Traffic Engineering Division).
2. Approval of "Yield" sign installations in Pinecastle Commerce Center, District 4 (Traffic Engineering Division).
3. Approval of agreement between Orange County, Florida, and Keene's Pointe Community Association, Inc., for traffic control on private roads in Keene's Pointe, District 1 (Public Works Department).

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

NONAGENDA - EMS RESPONSE TIME

Commissioner Sindler stated that last weekend there was a fatal accident on Sandpiper Road in Apopka and that he has been told the response time was more than ten minutes.

County Chairman Martinez stated that he will contact Fire Rescue Department Director Mike Iacona to ask him to review the matter and report back to Commissioner Sindler (see page 451).

ADMINISTRATIVE SUPPORT DEPARTMENT DISCUSSION AGENDA

1. Consideration of Membership and Mission Review Board recommendations for appointments/reappointments to the following advisory boards (General Services Division/Agenda Development):

Staff Report

Lee Chira, chairman of the Membership and Mission Review Board (MMRB), presented the recommendations of the MMRB. The Board took the following actions:

Agricultural Advisory Board

Action

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

- reappointed Scott Boyd in the citrus industry category;
- appointed Clifford Moore, to succeed Mike Grandley in the greenhouse builder category;

to the Agricultural Advisory Board for terms expiring December 31, 2001.

Animal Services Advisory Board

Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Freeman, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Dr. Robert Alan Porter, to succeed Dr. Bruce Bogoslavsky, to the Animal Services Advisory Board for a term expiring December 31, 2001.

Bikeways Advisory Board

Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Freeman, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Theodore Andrew Paul, to succeed Fernando Villanueva in the at large category, to the Bikeways Advisory Board for a term expiring June 20, 2000.

Citizens' Commission for Children

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Terrence Robert Holihen, to succeed Marilyn M. King, to the Citizens' Commission for Children for a term expiring December 31, 2000.

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Edwards, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board accepted the resignation of Commissioner Edwards as a member of the Citizens' Commission for Children and appointed Commissioner Hoenstine to fill the vacancy.

Health Facilities Authority

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Elese C. Sanford, to succeed Linda M. Shaughnessy, to the Health Facilities Authority for a term expiring December 31, 2003.

Library Board of Trustees

Action

Upon a motion by County Chairman Martinez, seconded by Commissioner Hartage, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Gloria E. Fernandez, to succeed Laura Santos as an Orange County representative, to the Library Board of Trustees for a term expiring December 31, 2000.

Local Health Council of East Central Florida, Inc.

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board deferred appointments to the Local Health Council of East Central Florida, Inc.

Parks and Recreation Advisory Board

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Peter Partlow, to succeed Harold Maxwell Hunt in the District 4 category as requested by Commissioner Hoenstine, to the Parks and Recreation Advisory Board for a term expiring June 30, 2001.

Urban Design Commission**Action**

Upon a motion by Commissioner Sindler, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Bonita A. Player, to succeed Rick Dye, to the Urban Design Commission for a term expiring December 31, 2002.

COMMISSIONER'S REPORT DISCUSSION AGENDA - ADDENDUM 1

1. Confirmation of the appointment of Carl Reynolds to the Planning and Zoning Commission, District 1.

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioner Johnson was absent; the Board appointed Carl Reynolds to replace Michael O'Quinn on the Planning and Zoning Commission for a term expiring December 31, 2000.

County Chairman Martinez left the meeting.

2. Selection of The Civil Design Group, Inc., to provide continuing engineering services for erosion and sedimentation control projects, RFP Y0-902-BI ([Stormwater Management Division] Purchasing and Contracts Division).

Commissioner's Report

Commissioner Edwards, who was present at the February 16, 2000, Procurement Review Committee meeting, reviewed the committee's recommendation of the selection of one firm, The Civil Design Group, Inc., to provide continuing engineering services for erosion and sedimentation control projects.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; County Chairman Martinez and

Commissioner Johnson were absent; the Board selected The Civil Design Group, Inc.; and further, authorized staff to enter into contract negotiations to provide continuing engineering services for erosion and sedimentation control projects, Contract Y0-902-BI.

3. Selection of one firm and two alternates to provide engineering services for 96-inch arch pipe replacement at the Riverside Park Subdivision, RFP Y0-808-BI ([Stormwater Management Division] Purchasing and Contracts Division).

Commissioner's Report

Commissioner Edwards, who was present at the February 9, 2000, Procurement Review Committee meeting, reviewed the committee's recommendation on the selection of one firm and two ranked alternates to provide engineering services for 96-inch arch pipe replacement at the Riverside Park Subdivision, from the following firms listed alphabetically:

- Civil Engineering Group, Inc.
- Dyer, Riddle, Mills, and Precourt, Inc.
- The Civil Design Group, Inc.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; County Chairman Martinez and Commissioner Johnson were absent; the Board approved the following short list ranked as follows:

- #1 Dyer, Riddle, Mills, and Precourt, Inc.
- #2 The Civil Design Group, Inc.
- #3 Civil Engineering Group, Inc.

and further, authorized staff to enter into contract negotiations for engineering services for 96-inch arch pipe replacement at the Riverside Park Subdivision, Contract Y0-808-BI.

County Chairman Martinez rejoined the meeting.

COUNTY ADMINISTRATOR DISCUSSION AGENDA1. Discussion concerning Fraternal Order of Police impasse.

Staff Report

County Administrator Ajit Lalchandani presented an overview of the Fraternal Order of Police (FOP) impasse. Mr. Lalchandani reviewed the personnel breakdown of the Corrections Department, its operating budget, pay issues and ranges, creation of a step plan, and financial considerations. He also outlined the two recommended options which will be presented today for Board approval.

Phillip Lolli, chairman of the Fraternal Order of Police (FOP) Lodge 86, addressed the Board and explained how the County will save money by hiring certified officers. Mr. Lolli stated that the FOP will support Option 2 if the 30 corporals and sergeants are given credit for time served.

Officer Joseph Szirotnyak, spokesperson for FOP Lodge 86, addressed the Board and presented a wage package which will give correction officers a fair market pay scale while retaining experienced staff and reducing turnover. Mr. Szirotnyak stated that a 1998 wage study was not accepted by the County and an impasse was declared. He noted that the County requested a special master be appointed and that he recommended a two-year contract. Mr. Szirotnyak explained that it would have been accepted by the FOP if appropriate seniority for previous certified service was given. He concluded his presentation by proposing a seniority-based step plan.

Discussion

The Board discussed salary comparisons with other counties, the special master's recommendations, officer turnover, savings for training costs and overtime, contract length, working conditions, and availability of funds currently in reserve.

Deputy County Attorney Jeff Newton stated that the County's wage proposal has been submitted to the union for ratification and, if approved, will be retroactive to October 1999. Mr. Newton stated that there is an "insulation period" which prohibits both parties from discussing the merits of the issues with the Board.

Legal Counsel

County Attorney Tom Wilkes advised the Board that the County needs to have discussions with representatives of the FOP and present the matter before the full Board to decide the issue.

Action

A motion by County Chairman Martinez, seconded by Commissioner Hoenstine, with County Chairman Martinez and Commissioners Hoenstine and Edwards voting AYE by voice vote; Commissioners Freeman, Sindler, and Hartage voting NO by voice vote; Commissioner Johnson was absent; to approve Option 2, to include 30 sergeants, corporals, and food service workers, retroactive to the first full pay period in October 1999, as amended below, failed.

Action

A motion by Commissioner Sindler, seconded by Commissioner Hartage; with Commissioners Freeman, Sindler, and Hartage voting AYE by voice; County Chairman Martinez and Commissioners Hoenstine and Edwards voting NO by voice; Commissioner Johnson was absent; to amend the above motion to support the special master's recommendation and set aside the 30 corporals, sergeants, and food service workers and give them a five percent pay increase retroactive to the first pay in October 1999 failed.

County Chairman Martinez 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 Mel Martinez
- Commissioners Bob Freeman, Mary Johnson, Clarence Hoenstine, and Homer Hartage
- County Comptroller as Clerk Martha Haynie
- Deputy County Administrator Byron Brooks
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

Commissioners Edwards and Sindler joined the meeting where indicated.

Presentation of Employee Service Awards

County Chairman Martinez presented service awards and pins to the following employees:

- Michael P. Heller, Parks and Recreation Division, and Glenden Wilder, Correctional Work Release, Corrections Department for 20 years of service.
- Thomas T. Only, Fire Field Services, Fire Rescue Services, and Clarence Green, Jr., Main Detention, Corrections Department for 25 years of service.

Commissioner Edwards joined the meeting.

NONAGENDA - FUNERAL

Commissioner Johnson informed the Board that she was not present at the morning meeting because she attended the funeral of Dell Black, the first Master Chief of the Navy, who will be buried in Arlington National Cemetery in Washington, D.C.

NONAGENDA - BLACK HISTORY COMMITTEE ACTIVITIES

Don Tillman, chairman of the Black History Committee, thanked the volunteers who helped with Black History month activities during February 2000.

NONAGENDA - EMS RESPONSE TIME (CONTINUED)

County Chairman Martinez reported that the Fire Rescue Division has confirmed the actual response time was 7.75 minutes, which is under the 8-minute acceptable response time (see page 443).

**OFFICE OF ECONOMIC, TRADE, AND TOURISM DEVELOPMENT DEPARTMENT
DISCUSSION AGENDA**

1. Approval of Lockheed Martin Information Systems Commercial Flight Training Center Qualified Target Industry (QTI) Tax Refund Resolution.

Staff Report

Director of Economic, Trade, and Tourism Development George Rodon introduced Jim Keeler, director of Flight Training Solutions with Lockheed Martin, who addressed the Board and reported on the commercial flight training center in Orange County.

Discussion

The Board discussed salaries at the proposed flight center.

Action

Upon a motion by Commissioner Sindler, seconded by Commissioner Johnson, and carried with all present members voting AYE by voice vote; Commissioner Sindler was absent; the Board adopted the Lockheed Martin Information Systems Commercial Flight Training Center Qualified Target Industry (QTI) Tax Refund Resolution.

(Resolution 2000-M-08 is on file in the Office of the Comptroller Clerk of the Board of County Commissioners.)

Commissioner Sindler joined the meeting.

FEBRUARY 17, 2000, PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Hartage, and carried with all members present and voting AYE by voice vote, the Board accepted the recommendations of the Orange County Planning and Zoning Commission under date of February 17, 2000, with the exception of Cases Z-00-002, Z-00-008, and Z-00-010; subject to the usual right of appeal by any aggrieved parties; and further, authorized scheduling a public hearings as follows:

- Case Z-00-002, in the name of Sunterra Resorts, on April 18, 2000.
- Case Z-00-008, in the name of Ryals Equipment Company, on May 2, 2000.
- Case Z-00-010, in the name of William Oleyar, on May 2, 2000.

For the record, appeals of the recommendations of the Orange County Planning and Zoning Commission under date of February 17, 2000, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- None filed.

ORDINANCE PUBLIC HEARING - REPEAL ORANGE COUNTY ORDINANCE 81-18 AND ENACT NEW AIRPORT NOISE ZONING ORDINANCE - 1ST HEARING

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

AN ORDINANCE REPEALING ORDINANCE NO. 81-18, AS AMENDED, KNOWN AS "THE AIRPORT NOISE ZONING ORDINANCE"; ENACTING A NEW "AIRPORT NOISE ZONING ORDINANCE"; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Acting Zoning Division Manager Mitch Gordon reviewed the proposed ordinance, outlined its provisions, and requested the Board waive

the 5:01 p.m. requirement for the second public hearing on March 21, 2000.

Appearances

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

Discussion

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

Commissioner Hoenstine requested a disclaimer document be signed by the owner and recorded at closing; and further, directed staff to add a disclosure statement to the ordinance to protect property owners.

Action

Upon a motion by County Chairman Martinez, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board waived the 5:01 p.m. requirement for the second public hearing on March 21, 2000.

County Chairman Martinez announced the second of two public hearings to consider the proposed ordinance will be held on March 21, 2000, at 2 p.m.

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, SECTION 17-238, PERTAINING TO THE PUBLIC SERVICE TAX AND ZELLWOOD COOPERATIVE, INC., EXEMPTION

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

AN ORDINANCE PERTAINING TO TAXATION IN ORANGE COUNTY, FLORIDA; AMENDING SECTION 17-238 OF THE ORANGE COUNTY CODE PERTAINING TO THE ORANGE COUNTY PUBLIC SERVICE TAX LEVIED PURSUANT TO SECTION 166.231 OF FLORIDA STATUTES; PROVIDING FOR AN EXEMPTION FOR TAXABLE ITEMS PURCHASED BY THE ZELLWOOD COOPERATIVE, INC., A FLORIDA NONPROFIT CORPORATION OR COOPERATIVE ASSOCIATION

ORGANIZED UNDER CHAPTER 617 OF FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Staff Report

Office of Management and Budget Manager Eric Gassman reviewed the proposed ordinance and outlined its provisions.

Appearances

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

- Tom Cloud, Esquire; Gray, Harris & Robinson, P.A.; 201 East Pine Street, Orlando, Florida; for Zellwood Station Cooperative.
- Mr. Howe, president of Zellwood Station Cooperative (no address given).

No one appeared in opposition to the proposed ordinance.

County Chairman Martinez 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 County Chairman Martinez and Commissioners Freeman, Sindler, Johnson, Hoenstine, and Hartage voting AYE by voice vote; Commissioner Edwards voting NO by voice vote; the Board adopted the proposed ordinance amending Orange County Code, Section 17-238, pertaining to the Public Service Tax and Zellwood Cooperative, Inc., exemption, as amended below.

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board amended the above motion to reflect that the ordinance will become effective on April 9, 2000, and expire on January 1, 2020.

(Ordinance 2000-05 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

**BOAT DOCK PUBLIC HEARING - APPLICANT: DEAN, MEAD, EGERTON, ET AL.;
LAKE ACCESS PLAN, HIGHPOINT PLANNED DEVELOPMENT/PARCELS 1-7/ KEHOE
PRESERVE PRELIMINARY SUBDIVISION; DISTRICT 4**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Dean, Mead, Egerton, et al.; for approval of Lake Access Plan for Highpoint Planned Development, Parcels 1-7, Kehoe Preserve Preliminary Subdivision; as required per Board of County Commissioners' Condition of Approval 4 from the public hearing of June 22, 1999; pursuant to Orange County Code Chapter 15, Article IX, on property located north of the East-West Expressway, west of O'Berry-Hoover Road; District 4; Section 28, 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

Acting Ecosystems Management Program Manager Beth Jackson requested the public hearing be continued to allow proper notification to the area residents.

Appearances

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

Discussion

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

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board continued the public hearing to consider a request by Dean, Mead, Egerton, et al.; for approval of Lake Access Plan for Highpoint Planned Development, Parcels 1-7, Kehoe Preserve Preliminary Subdivision; as required per Board of County

Commissioners' Condition of Approval 4 from the public hearing of June 22, 1999, until March 28, 2000, at 3 p.m.

PETITION TO VACATE PUBLIC HEARING - APPLICANT: EDUARDO JULIAN; NO. 00-01, PORTION OF 7.5-FOOT UTILITY EASEMENT; DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Eduardo Julian, Petition to Vacate 00-01, to vacate a portion of a 7.5-foot utility easement lying along the north property line of Lot 64, Sylvan Pond Subdivision, which is generally located south of Colonial Drive and east of Rouse Road; District 4; Section 21, 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

Public Works Department Director Bill Baxter reviewed the request and the recommendation for approval of the petition to vacate as submitted. Mr. Baxter stated that the advertisement in the Orlando Sentinel for this public hearing is correct.

Appearances

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

Discussion

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

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Hartage, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution granting Petition to Vacate 00-01, vacating a portion of a 7.5-foot utility easement lying along the north property line of Lot 64, Sylvan Pond Subdivision on the above-described property.

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

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: W.B.Q. DESIGN & ENGINEERING, INC.; HUBBARD CONSTRUCTION PLANNED DEVELOPMENT/LAND USE PLAN (PD/LUP); AMEND THE LUP; DISTRICT 2

Notice was given that the Board of County Commissioners hold a public hearing to consider a substantial change request by W.B.Q. Design & Engineering, Inc.; Hubbard Construction Planned Development/Land Use Plan (LUP/PD); to amend the LUP to exchange approximately 7.5 acres of multi-family (at 7.5 units per acre) for commercial and office/industrial uses. Additionally, the office/industrial site shall accommodate an expansion of the existing school bus maintenance and storage yard, pursuant to Orange County Code, Section 38-1207. The property is generally located on the west side of Pine Hills Road, approximately one-tenth of a mile south of Clarion Drive; District 2; Section 6, Township 22, Range 29; 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 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. Mr. Heath recommended the following conditions be added:

- Adopt the January 14, 2000, plan;
- All multi-family shall have a maximum height of two stories;
- Construction plans for the school board facility shall be submitted to the Development Review Committee for review and approval;
- A neighborhood meeting shall be conducted for all development prior to development plan approval;
- All conditions approved at the July 21, 1986, Board of County Commissioners' meeting shall apply.

Action

A motion by Commissioner Sindler to continue the public hearing to consider a substantial change request by W.B.Q. Design & Engineering, Inc.; Hubbard Construction Planned Development/Land Use Plan (LUP/PD); to amend the LUP to exchange approximately 7.5 acres of multi-family (at 7.5 units per acre) for commercial and office/industrial uses died for the lack of a second.

Appearances

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

- Steve Wiedenbeck, W.B.Q. Design & Engineering, Inc.; the applicant; 201 North Magnolia Avenue, Orlando, Florida.
- John Martin (no address given), for the Orange County School Board.

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

- Bud Hosier, 4985 Lake Sparling Road, Orlando, Florida.
- Ed Leach, 4950 Lake Sparling Road, Orlando, Florida.
- Don Tourangeau, 4977 Lake Sparling Road, Orlando, Florida.
- Maxine Guthrie, 4721 Lake Sparling Road, Orlando, Florida.
- Lee Clark, 5357 Lake Sparling Road, Orlando, Florida.
- Terry Stermer, 4868 Robbins Avenue, Orlando, Florida, member of the board of directors of La Joya Cove.

Discussion

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

Action

A motion by Commissioner Sindler to deny the substantial change request by W.B.Q. Design & Engineering, Inc.; Hubbard Construction

Planned Development/Land Use Plan (LUP/PD); to amend the LUP to exchange approximately 7.5 acres of multi-family (at 7.5 units per acre) for commercial and office/industrial uses died for the lack of a second.

Action

Upon a motion by Commissioner Hartage, seconded by Commissioner Hoenstine, and carried with County Chairman Martinez and Commissioners Freeman, Johnson, Hoenstine, Edwards, and Hartage voting AYE by voice vote; Commissioner Sindler voting NO by voice vote; the Board approved the request by W.B.Q. Design & Engineering, Inc.; Hubbard Construction Planned Development/Land Use Plan (LUP/PD); to amend the LUP to exchange approximately 7.5 acres of multi-family (at 7.5 units per acre) for commercial and office/industrial uses; additionally, the office/industrial site shall accommodate an expansion of the existing school bus maintenance and storage yard; which constitutes a substantial change to the development on the above-described property; subject to the following conditions:

1. The January 14, 2000, plan shall be adopted.
2. All multi-family shall have a maximum height of two stories.
3. Construction plans for the school board facility shall be submitted to the Development Review Committee for review and approval.
4. A neighborhood meeting shall be conducted for all development prior to development plan approval.
5. All conditions approved at the July 21, 1986, Board of County Commissioners' meeting shall apply;

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

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - THE ISLES OF LAKE HANCOCK PHASE II PRELIMINARY SUBDIVISION, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Isles of Lake Hancock Phase II 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 east of Porter Road and south and west of Lake Hancock; District 1; Sections 27, 28, and 34, Township 23, Range 27; 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 reviewed the plan and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

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

- Charles Madden, Madden Engineering, Inc.; 431 East Horatio Avenue, Maitland, Florida; for the applicant.

No one appeared in opposition to the plan.

Discussion

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

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the Isles of Lake Hancock Phase II Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

1. Development shall conform to the Isles of Lake Hancock Planned Development; Board of County Commissioners' (BCC) approvals; Phase II Preliminary Subdivision Plan, dated "Received January 10, 2000"; 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 BCC, or by action of the BCC.

This Preliminary Subdivision Plan approval automatically expires on March 7, 2001, in accordance with the Orange County Subdivision Regulations as amended.

2. This project shall comply with Resolution 96-M-22 for gated communities.

**PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING-
APPLICANT: WILLIAM R. SENN; Z-00-001, JANUARY 20, 2000; DISTRICT 4**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by William R. Senn to rezone from Farmland Rural (A-2)(1957) to Industrial (I-1/I-5), on property which is generally located 0.25 miles east of the Hoffner Avenue and Semoran Boulevard intersection, on the south side of Hoffner Avenue; District 4; Section 22, 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 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.

Appearances

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

- Billy Starling (no address given), for the applicant.
- Laura Arthur Jeffries, 5380 Beatles Lane, Orlando, Florida.

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

- Steven Preston, Esquire; 225 East Robinson Street, Orlando, Florida; for adjacent property owners, Robert and Maureen Gibilisco.

Commissioner's Report

Commissioner Hoenstine requested a condition to permit access through Beatles Lane be included. He also requested that the Board direct the applicant to pave and maintain Beatles Lane to commercial standards and construct a wall along the property line within 60 days.

Discussion

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

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Hartage, and carried with all members present and voting AYE by voice vote, the Board approved the request by William R. Senn to rezone from Farmland Rural (A-2)(1957) to Industrial (I-1/I-5), on the above-described property; subject to the following conditions:

1. Subject to getting authorization from the easement holder for Beatles Lane, the applicant shall pave and maintain Beatles Lane to commercial standards for the length of his property within 60 days;
2. The applicant is required to construct a six-foot-high (6') masonry wall along the south property line adjacent to the Farmland Rural (A-2) Zoning District within 60 days;

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

County Chairman Martinez left the hearing.

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: LOWNDES, DROSDICK, ET AL.; SIERRA PLANNED DEVELOPMENT/LAND USE PLAN(PD/LUP); AMEND LUP; RESTATED DEVELOPMENT ORDER; DISTRICT 1

Notice was given that the Board of County Commissioners hold a public hearing to consider a substantial change request by Lowndes, Drosdick, et al.; Sierra Planned Development/Land Use Plan (PD/LUP); to amend the LUP, to add 10.7 acres; to add 52 hotel rooms; add parking spaces; and increase the ancillary convention space by 100,000 square feet and authorize the County Chairman to approve the executed and restated Development Order (DO); pursuant to Orange County Code, Section 38-1207. The property is generally located on the west side of International Drive, south of Lake Avenue; District 1; Section 34, 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.)

Staff Report

Planning Division 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 persons addressed the Board in favor of the request:

- Miranda Fitzgerald, Esquire; Lowndes, Drosdick, et al.; 215 North Eola Drive, Orlando, Florida; for the applicant.
- Grant Downing, Esquire; Godbold, Downing, et al.; 222 West Comstock Avenue, Winter Park, Florida; for the applicant.

No one appeared in opposition to the request.

Discussion

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

Action

Upon a motion by Commissioner Freeman, 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 Lowndes, Drosdick, et al.; Sierra Planned Development/Land Use Plan (PD/LUP); to amend the LUP, to add 10.7 acres; to add 52 hotel rooms; add parking spaces; and increase the ancillary convention space by 100,000 square feet; and authorized the County Chairman to execute the restated Development Order (DO); which constitutes a substantial change to the development on the above-described property; subject to the following conditions:

1. Development shall conform to the Sierra Planned Development; Board of County Commissioners' (BCC) approvals; Land Use Plan Amendment 2000, dated "Received December 16, 1999," 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 BCC, or by action of the BCC.
2. Master water, wastewater, and reclaimed water plans, including preliminary calculations, shall be approved prior to approval of construction plans.
3. Billboards and pole signs shall be prohibited.
4. To the extent required to comply with the consistency provisions of the Growth Management Act, the following conditions shall be added to the conditions of approval:

- a. Permitted and prohibited uses shall be those specified in Policies 1.1.2 and 1.1.6 of the International Drive Activity Center Plan.
- b. If the housing linkage program is in place prior to development plan approval, the development of nonresidential development shall be conditioned upon either the development of residential units within the area designated Activity Center Residential on the Future Land Use Map or the payment into a housing linkage fund.
- c. The development guidelines on the International Drive Activity Center shall apply to the subject property if they are established prior to building permit submittal.
- d. The property shall be required to participate in a property owners' association upon its creation (within the International Drive Activity Center).
- e. Stormwater management facilities shall be designed as an aesthetic feature except where determined by the County engineer to be technically unfeasible.
- f. Twenty-foot-wide (20') pedestrian/landscape/utility easement plus a 15-foot-wide transit easement along International Drive and World Center Drive for a total of 35 feet (with the transit easement along International Drive and World Center Drive) shall be included in the development plan.
- g. The development plan provides for interconnection of adjacent development by either cross-access easement or public right-of-way.
- h. Electrical distribution lines shall be underground.

- i. Participation in a shuttle service connection area attractions, major transportation centers, and on-site development shall be required.
- j. Orange County shall not own, operate, or maintain on-site utilities;

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

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

**PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -
APPLICANT: JAMES G. WILLARD, SILVER CITY PHASE II; Z-99-077,
JANUARY 20, 2000; DISTRICT 5**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by James G. Willard, Silver City Phase II; to rezone Industrial (I-2)(1966) and Planned Development (PD)(1998) to Planned Development, on property which is generally located on the northwest corner of University Boulevard and Forsyth Road; District 5; Section 3, Township 22, 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 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 recommended the following condition be added:

- Parking shall be provided per Orange County Code.

Commissioner Johnson left the meeting.

Appearances

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

- Jim Willard, the applicant, 20 North Orange Avenue, Orlando, Florida.

No one appeared in opposition to the request.

Discussion

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

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; County Chairman Martinez and Commissioner Johnson were absent; the Board approved the request by James G. Willard, Silver City Phase II; to rezone Industrial (I-2)(1966) and Planned Development (PD)(1998) to Planned Development, on the above-described property; subject to the following conditions:

1. Development shall conform to the Silver City Properties Phase 2 Land Use Plan, dated "Received January 7, 2000," 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 BCC, or by action of the BCC.
2. No pylons or billboards are permitted. The two existing billboards along University Boulevard shall be removed in accordance with the developer's agreement.
3. Parking shall be provided per Orange County Code;

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

**PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -
APPLICANT: JOE NISBETT, WINDERMERE VILLAGE CENTER; Z-99-175,
JANUARY 20, 2000; DISTRICT 1**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Joe Nisbett, Windermere Village Center; to rezone Country Estate District (RCE)(1968) to Planned Development District (PD); on property which is generally located south of Conroy-Windermere Road and east of Apopka-Vineland Road; District 1; Section 15, Township 23, 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 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.

Commissioner Johnson rejoined the meeting.

Appearances

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

- Joe Nisbett, the applicant, Amprop Corners; 1321 Edgewater Drive, Orlando, Florida.

The following persons addressed the Board with general comments:

- Bill Folmar, 8705 Wythmere Lane, Orlando, Florida.
- Bill Osborne, Post Office Box 1348, Windermere, Florida; member of Town of Windermere Council.

No one appeared in opposition to the request.

Legal Counsel

County Attorney Tom Wilkes advised the Board that the Zoning Code allows it to restrict individual undesirable uses within any zoning district when it grants a rezoning request.

Discussion

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

Action

Upon a motion by Commissioner Freeman, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; Commissioner Hoenstine voting NO by voice vote; County Chairman Martinez was absent; the Board approved the request by Joe Nisbett, Windermere Village Center; to rezone Country Estate District (RCE)(1968) to Planned Development District (PD), on the above-described property; subject to the following conditions:

1. Development shall conform to the Windermere Village Center Land Use Plan, dated "Received November 18, 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), expressly waived or modifying laws, ordinances, regulations or conditions, or by other action of the BCC.
2. Master sign plans shall be submitted. The maximum size of ground signs shall be 40 square feet. Only diffused lighting shall be used for signs (see Shoppes of Windermere).
3. Prior to building permit issuance, a preliminary schematic design plan review and approval shall be conducted by the Planning, Zoning, and Building Divisions. The intent of this submittal is to make sure that all aspects of design are in accordance with the ordinance and all other applicable

conditions. A copy of these approved plans must accompany the building permit submittal in order for building permits to be issued.

4. A lighting plan shall be submitted to Orange County with the first development plan for review and approval.
5. Only office use is approved per Section 38-1372D. Any uses listed as special exceptions within the Professional Office District (PO) zoning district are prohibited.
6. Master water and wastewater plans including preliminary calculations shall be approved prior to approval of construction plans.
7. A master sign and lighting plan shall be submitted to Orange County for review and approval with the first development plan. Banner signs, special event signs, billboards and pole signs shall be prohibited;

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

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: TIPTON ASSOCIATES, INC.; EXPRESSWAY CENTER PLANNED DEVELOPMENT/LAND USE PLAN (PD/LUP); AMEND LUP; DISTRICT 3 (CONTINUED FROM FEBRUARY 1, 2000)

By consensus, the Board reopened the public hearing to consider a substantial change request by Tipton Associates, Inc.; Expressway Center Planned Development/Land Use Plan (PD/LUP); for an amendment to the LUP to increase the multi-family units from 202 to 240 (the traffic impacts are still less than the previously approved business park) continued from the February 1, 2000, meeting.

(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 stated the applicant has requested a continuance to allow the residents to conduct a neighborhood meeting.

Appearances

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

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board continued the public hearing to consider a request by Tipton Associates, Inc.; Expressway Center Planned Development/Land Use Plan (PD/LUP); for an amendment to the LUP to increase the multi-family units from 202 to 240, until April 18, 2000, at 2 p.m.

ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, CHAPTER 3, 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, CODIFIED AT CHAPTER 3 OF THE ORANGE COUNTY CODE, BY AMENDING THE DEFINITION OF "ADULT BOOKSTORE" AT SECTION 3-6 ("DEFINITIONS"); AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Senior County Attorney Joel Prinsell and Code Enforcement Division Manager Melvin Pittman reviewed the proposed ordinance and outlined its amendments.

Appearances

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

- Assistant State Attorney Joe Cocchiarella (no address given).
- Reverend John Book, 230 West Ventin Avenue, Maitland, Florida.

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

- Steve Mason, Esquire, 1643 Hillcrest Avenue, Orlando, Florida.

The Vice-chairman accepted the following exhibit from Mr. Pittman.

- Clerk's Composite Exhibit 1, affidavits, transcripts, letters.

The Vice-chairman accepted the following exhibits from Mr. Cocchiarella:

- Clerk's Composite Exhibit 2, reports, affidavits, and arrest warrants from the Metropolitan Bureau of Investigation.
- Clerk's Composite Exhibit 3, photographs.

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; County Chairman Martinez was absent; the Board adopted the proposed ordinance amending Orange County Code, Chapter 3, the Adult Entertainment Ordinance.

(Ordinance 2000-06 is on file in the office of the Comptroller Clerk of the Board of County Commissioners.)

MEETING ADJOURNED

There being no further business, the Vice-chairman adjourned the meeting at 5:40 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator

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