

MEETING OPENED

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, April 3, 2001. The following were present:

- County Chairman Richard Crotty
- Commissioners Teresa Jacobs, Bob Sindler, Mary I. Johnson, 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

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

The Board paused for an invocation by the Reverend Eliberto Bonilla, pastor of the Bethel Christian Church, followed by the Pledge of Allegiance to the Flag.

The County Chairman presented a certificate of recognition to Reverend Eliberto Bonilla.

COUNTY CONSENT AGENDA**Action**

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

- **Deferred County Administrator Item 1, Budget Amendment 01-56 only, for discussion (see page 10 for discussion and subsequent approval).**
- **Deferred Administrative Support Department Items 3, 4, and 10 for discussion (see pages 11 through 14 for discussions and subsequent approvals).**
- **Deleted Administrative Support Department Item 7.**
- **Deferred Convention Center Item 1 for discussion (see page 14 for subsequent approval).**
- **Deferred Public Works Department Item 3 for discussion (see page 14 for discussion and subsequent approval);**

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

County Comptroller

1. Acknowledgment and filing for the record of the Investment Report for fiscal year 2000 of the County's portfolio positions and results of investment activities (Administrative/Fiscal Department).
2. Approval to pay Clerk of the Courts' invoices in the total amount of \$352,579.93 for services rendered during the month of February 2001 (Administrative/Fiscal Department).
3. Acknowledgment of receipt of the following file for the record document:
 - a. City of Orlando ordinance notice annexing various properties owned by Orange County Board of Public Instruction.

(Comptroller Clerk of the Board of County Commissioners)

4. Approval of the minutes of the March 13 and 20, 2001, meetings of the Board of County Commissioners (Comptroller Clerk of the Board of County Commissioners).
5. Authorize the disbursement of warrants, vouchers, and wire transfers, having been certified that same had not been drawn on overexpended accounts, for periods as follows:
 - March 9, 2001, to March 14, 2001; total of \$12,264,242.01.
 - March 15, 2001, to March 21, 2001; total of \$18,693,902.63.
 - March 22, 2001, to March 22, 2001; total of \$10,801,854.04.
 - March 23, 2001, to March 28, 2001; total of \$17,268,966.21.

(Finance and Accounting Department)

County Administrator

1. Approval of Budget Amendments 01-42, 01-43, 01-44, 01-45, 01-46, 01-47, 01-48, 01-49, 01-50, 01-52, 01-53, 01-54, and 01-56 (Office of Management and Budget).

(Budget Amendments 01-42 through 01-50 and 01-52 through 01-54 are on file in the Comptroller Finance and Accounting Department.)

(As stated in the above motion, Budget Amendment 01-56 only was deferred for discussion; see page 10 for subsequent approval.)

2. Approval of Budget Transfers 01-256, 01-302, and 01-303 (Office of Management and Budget).

(Budget Transfers 01-256, 01-302, and 01-303 are on file in the Comptroller Finance and Accounting Department.)

3. Approval of CIP Amendments 20-01 and 21-01 (Office of Management and Budget).

(CIP Amendments 20-01 and 21-01 are on file in the Office of Management and Budget.)

4. Approval of payment of intergovernmental claims for March 8 and 15, 2001, totaling \$446,231.07 (Risk Management Division).

5. Receipt and filing of the minutes for the February 1, February 8, March 1, and March 8, 2001, meetings of the Intergovernmental Risk Management Committee for the official County record (Risk Management Division).

6. Approval of Resolution 2001-B-05 approving the renewal and extension of Orange County Industrial Development Authority Industrial Development Revenue Note (Orlando Science Center, Inc., project), Series 1995, in a principal amount not to exceed \$480,000 (Orange County Industrial Development Authority).

7. Approval of Resolution 2001-B-06 authorizing the issuance of Homeowner Revenue Bonds in one or more series in an aggregate principal amount not to exceed \$150,000,000 and Single-family Mortgage Revenue Bonds and the Draw Down Bond Series in one or more series in an aggregate principal amount not to exceed \$100,000,000, on behalf of Orange County by the Orange County Housing Finance Authority (Orange County Housing Finance Authority).

Administrative Support Department

1. Ratification of Emergency Contract Y1-183 with Republic Services of Florida, LP, dba Disposall, Inc., to furnish compactor/roll-off container services for a 2.5-year term contract. The estimated annual contract award amount is \$700,661 ([Orange County Convention Center] Purchasing and Contracts Division).
2. Approval to increase the total estimated contract award amount for Term Contract Y9-1012 with Protection Services, Inc., to provide barricade rentals, from \$93,730 to \$239,000, an increase of \$145,270 ([Traffic Engineering Division] Purchasing and Contracts Division).
3. Approval to award Invitation for Bid Y1-144-DB to the three low responsive and responsible bidders: Construction Solutions & Development, Inc., in the amount of \$574,956.31 (basic year); Schuller Contracting, Inc., in the amount of \$630,575 (basic year); and Parthenon Construction Company, in the amount of \$797,500 (basic year), for concrete sidewalk construction ([Highway Construction Division] Purchasing and Contracts Division).

(As stated in the above motion, this item was deferred for discussion; see pages 11 for subsequent approval.)

4. Approval to enter into a contract with BellSouth to consolidate existing equipment leases and upgrade the Orange County 911 infrastructure equipment to include the ability to locate 911 cellular callers. Total contract award amount is \$4,254,720 ([Public Safety Communications Department] Purchasing and Contracts Division).

(As stated in the above motion, this item was deferred; see page 12 for subsequent approval.)

5. Approval and execution by County Chairman of Lease Agreement for office facilities between Church Street Investment Properties, Inc., and Orange County to provide for the consolidation and relocation of the Fire Loss Management Section into one location at 109 East Church Street, Orlando, Florida; District 4 (Real Estate Management Division).
6. Approval and execution by County Chairman of Easement Modification Agreement and easement and authorization to record instruments for Convention Center Expansion Phase V, District 6 (Real Estate Management Division).

(Easement is on file in the Real Estate Management Division.)

7. Approval and execution by County Chairman of utility easement and authorization to disburse warrant to pay recording fees and record instrument for Petition to Vacate 00-02 (Mann Road and Malcom Road), District 1 (Real Estate Management Division).

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

8. Approval of utility easement and subordination of encumbrance to property rights and authorization to record instruments for Heritage Place II Phase 2, District 1 (Real Estate Management Division).
9. Approval of quit-claim deed and authorization to disburse warrant to pay recording fees and record instrument for Bryan Road (State of Florida Department of Transportation Project 100, Parcel 1-110), District 3 (Real Estate Management Division).
10. Approval of purchase price above appraised value, Contract for Sale and Purchase, warranty deed and drainage easement, and authorization to disburse warrant to pay purchase price and closing costs, conduct closing, and record instruments for Center Street retention pond, District 1 (Real Estate Management Division).

(As stated in the above motion, this item was deferred for discussion; see page 13 for subsequent approval.)

11. Approval of the Membership and Mission Review Board's recommendations for the following advisory board appointments:
 - a. Approval of the appointment of Teresa Ann Johannessen to the Agricultural Advisory Board in the at-large category for a term expiring December 31, 2002.
 - b. Approval of the appointment of Daniel F. Dill to the Civic Facilities Authority as a representative of the City of Orlando for a term expiring December 31, 2003.
 - c. Approval of the appointment of Elaine B. Wiggs to the Community Development Advisory Board as the District 3 representative for a term expiring June 30, 2001.
 - d. Approval of the appointment of Peter Garritt Toohey to the MetroPlan Orlando Citizens' Advisory Committee for a term expiring December 31, 2003.
 - e. Approval of the appointment of Jason G. Toll to the Nuisance Abatement Board for a term expiring January 1, 2002.
 - f. Approval of the appointment of Roy Nathan Bordes to the Orange Blossom Trail Development Board, Inc., for a term expiring January 14, 2005.
 - g. Approval of the appointment of David Allen Perry to the Urban Design Commission for a term expiring December 31, 2001.

(Agenda Development Office)

Convention Center

1. Approval of agreement between Orange County and Rosen Centre (formerly Omni Hotel) to construct an access driveway from the Convention Center southbound

ring road to the parking area of the Rosen Centre (Convention Center Transportation Management).

(As stated in the above motion, this item was deferred; see page 14 for subsequent approval.)

Fire Rescue Department

1. Approval of Federally Funded Agreement 01-EO-73-06-58-01-102 for the State of Florida warning and information network grant between the State of Florida Department of Community Affairs and Orange County for retrofitting the Community Center in Gulfstream Harbor Mobile Home Park (Office of Emergency Management).

Growth Management and Environmental Resources Department

1. Approval to advertise Resolutions 2001-CED-094 through 2001-CED-097 for special assessment liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Resolutions for special assessment liens:

LC 01-121; LC 01-103; LC 01-143; LC 01-145;

Districts 2 and 6 (Code Enforcement Division).

2. Approval of the developer's agreements between Orange County and Florida Road Base Materials and Buttrey Development Two, LLC, to provide for the donation of real property to Orange County after the closure of the Florida Road Base and Buttrey landfills, District 2 (Zoning Division).
3. Approval to file satisfaction of special assessment lien by Resolution 2001-BUI-02 against the property located at 20438 Maxim Parkway, pursuant to Ordinance 96-23, District 5 (Building Division).
4. Receipt and filing of the minutes of the Lake Conway Water and Navigation Control District Advisory Board meetings of August 8, September 12, October 10, November 14, and December 12, 2000, and January 9, 2001, for the official County record, District 4 (Environmental Protection Division).

5. Receipt and filing of the minutes of the Windermere Water and Navigation Control District Advisory Board meeting of January 22, 2001, for the official County record, District 1 (Environmental Protection Division).
6. Receipt and filing of the minutes of the Lake Holden Water Advisory Board meeting of February 1, 2001, for the official County record, District 1 (Environmental Protection Division).
7. Receipt and filing of the minutes of the Lake Killarney Advisory Board meeting of January 18, 2001, for the official County record, District 5 (Environmental Protection Division).
8. Approval of a developer's agreement between Orange County and Partners Self-Storage III, Ltd., for a "Pay-As-You-Go" fee payment for the Colonial Drive/Storaway Self-Storage Impact Property, District 5 (Planning Division).

Health and Family Services Department

1. Approval of the application to license the John H. Bridges Head Start Center between the State of Florida Department of Children and Families and Orange County. There is no cost to the County (Head Start).
2. Approval of the application to license the Palms Head Start Center between the State of Florida Department of Children and Families and Orange County. There is no cost to the County (Head Start).
3. Approval for the County Chairman or his designee to approve any contract modifications for the Low-income Home Energy Assistance Program (LIHEAP). There is no cost to the County (Youth and Family Services).

Public Works Department

1. Approval of agreement between Orange County and Vista Del Lago for traffic control on private roads in Vista Del Lago, District 1 (Public Works Department).

2. Approval of an Interlocal Agreement and County deed between Orange County and the City of Belle Isle for the jurisdictional transfer of Nela Avenue from Matchett Road to Indian Drive, District 4 (Public Works Department).
3. Approval of the Right-of-Way Agreement among Orange County, Michael J. Etchison, and Donald Wray Leach Revocable Trust for conveyance of right-of-way for the Lake Cypress Cove Phases 2 and 3 Development and C.R. 535 improvements, District 1 (Public Works Engineering Division).

(As stated in the above motion, this item was deferred for discussion; see pages 14 and 15 for subsequent approval.)

4. Approval of an agreement between Orange County and Buena Vista Shores, LP, pertaining to right-of-way and easement conveyance along the Lake Avenue portion of the International Drive road network, District 1 (Public Works Engineering Division).
5. Approval of Cooperative Funding Agreement between the St. Johns River Water Management District and Orange County for the Park Avenue/Votaw Road pond retrofit, District 2 (Stormwater Management Division).
6. Approval of the installation of "Yield" signs in the Villages at Summer Lakes, Cypress Springs II Subdivision, District 4 (Traffic Engineering Division).
7. Approval of the installation of "Stop" and "Yield" signs in the Estates at Summer Lakes, Cypress Springs II Subdivision, District 4 (Traffic Engineering Division).
8. Approval to replace the existing "Yield" signs with "Stop" signs on Minippi Drive approaches to Coral Cove Drive, District 2 (Traffic Engineering Division).
9. Approval to remove 194 "No Parking" signs on International Drive between Sand Lake Road and Central Florida Parkway that were installed between the years 1992 and 1999, Districts 1 and 6 (Traffic Engineering Division).

10. Approval to establish "No Parking" zones on the north side of Beggs Road beginning from the east right-of-way line of Devecote Drive/Sparkling Lane extending 300 feet, and beginning from the west right-of-way line of Devecote Drive/Sparkling Lane extending west 260 feet, District 2 (Traffic Engineering Division).

Utilities Department

1. Approval of Carter-OCC Land Trust Utility Line Construction and Easement Agreement between Orange County and Carter-OCC Land Trust for water and wastewater facilities along the Goldenrod Road Extension. Orange County's portion of the utility line construction and agreement cost is \$528,327.50, District 4 (Engineering Division).
2. Approval of payment to Woodard & Curran, Inc., in the amount of \$879,420 for Orange County's portion of the project costs for removal and relocation of a 54-inch reclaimed water transmission main at Apopka-Vineland Road for the delivery of treated wastewater effluent to CONSERV II, District 1 (Engineering Division).

CONSENT AGENDA ITEMS DEFERRED FOR DISCUSSION

County Administrator

1. Approval of Budget Amendment 01-56 (Office of Management and Budget).

Discussion

Commissioner Edwards explained that he deferred this item to discuss the acquisition costs of wetland mitigation property for the Convention Center Phase V project. He stated that he was aware of wetland issues with the property when it was originally purchased for the project but did not anticipate the mitigation property budget to be \$7,000,000. Commissioner Edwards noted the restrictions placed on qualifying mitigation properties by the South Florida Water Management District.

The Board discussed wetland mitigation property requirements imposed by the South Florida Water Management District for the project.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved Budget Amendment 01-56.

(Budget Amendment 01-56 is on file in the Comptroller Finance and Accounting Department.)

Administrative Support Department

3. Approval to award Invitation for Bid Y1-144-DB to the three low responsive and responsible bidders: Construction Solutions & Development, Inc., in the amount of \$574,956.31 (basic year); Schuller Contracting, Inc., in the amount of \$630,575 (basic year); and Parthenon Construction Company, in the amount of \$797,500 (basic year) for concrete sidewalk construction ([Highway Construction Division] Purchasing and Contracts Division).

Discussion

Commissioner Edwards explained that he deferred this item to request that the Board select only the two low bidders because the third bidder submitted a proposal that is approximately \$500,000 more than the two low bids.

Discussion

The Board discussed the possibility of completing the required work with only two contractors, renegotiating the bid price with the third lowest bidder, utilizing the third lowest bidder only as a last resort, and the County's bid procedures.

Legal Counsel

In response to a question from the County Chairman regarding the Board's ability to renegotiate a bid price, the County Attorney requested a continuance for one week to allow time to research the legal issues.

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Jacobs, and carried with County Chairman Crotty and Commissioners Jacobs, Johnson, Sindler, Hoenstine, and Hartage voting AYE by voice vote; Commissioner Edwards voting NO by voice vote; the Board awarded Invitation for Bid Y1-144-DB to the three low responsive and responsible bidders:

- Construction Solutions & Development, Inc., in the amount of \$574,956.31 (basic year).
- Schuller Contracting, Inc., in the amount of \$630,575 (basic year).
- Parthenon Construction Company, in the amount of \$797,500 (basic year);

for concrete sidewalk construction.

Action

A motion by Commissioner Edwards, seconded by Commissioner Hartage, with Commissioners Sindler, Edwards, and Hartage voting AYE by voice vote; County Chairman Crotty and Commissioners Jacobs, Johnson, and Hoenstine voting NO by voice vote; to amend the main motion to award Invitation for Bid Y1-144-DB to the two low responsive and responsible bidders: Construction Solutions & Development, Inc., in the amount of \$574,956.31 (basic year), and Schuller Contracting, Inc., in the amount of \$630,575 (basic year); and further, continue consideration for the award of Invitation for Bid Y1-144-DB to the third low responsive and responsible bidder, Parthenon Construction Company, in the amount of \$797,500 (basic year), for concrete sidewalk construction until April 10, 2001, failed.

Administrative Support Department

4. Approval to enter into a contract with BellSouth to consolidate existing equipment leases and upgrade the Orange County 911 infrastructure equipment to include

the ability to locate 911 cellular callers. Total contract award amount is \$4,254,720 ([Public Safety Communications] Purchasing and Contracts Division).

Commissioner Hartage announced a conflict of interest (Memorandum of Voting Conflict is on file).

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with County Chairman Crotty and Commissioners Jacobs, Johnson, Sindler, Hoenstine, and Edwards voting AYE by voice vote; Commissioner Hartage abstaining; the Board approved entering into a contract with BellSouth to consolidate existing equipment leases and upgrade the Orange County 911 infrastructure equipment to include the ability to locate 911 cellular callers; total contract award amount is \$4,254,720.

Administrative Support Department

10. Approval of purchase price above appraised value, Contract for Sale and Purchase, warranty deed and drainage easement, and authorization to disburse warrant to pay purchase price and closing costs, conduct closing, and record instruments for Center Street retention pond, District 1 (Real Estate Management Division).

Discussion

Commissioner Hoenstine stated that he deferred this item from the consent agenda because it is similar in nature to the scheduled discussion item for the purchase of property located on Birr Street, Orlando, for the Randolph Street boat ramp. He reported that the appraised value of this property is \$68,000 and that the recommended settlement is \$75,000. Commissioner Hoenstine explained that this property will provide a retention area for stormwater runoff that has been a problem for the area and that the purchase of the property is in the best interest of the County at a fair price.

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 purchase price above appraised value, Contract for

Sale and Purchase, and warranty deed and drainage easement; and further authorized disbursement of warrant to pay purchase price and closing costs, conduct closing, and record instruments for Center Street retention pond.

Convention Center

1. Approval of agreement between Orange County and Rosen Centre (formerly Omni Hotel) to construct an access driveway from the Convention Center southbound ring road to the parking area of the Rosen Centre (Convention Center Transportation Management).

Commissioner Edwards announced a conflict of interest (Memorandum of Voting Conflict is on file).

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Johnson, and carried with County Chairman Crotty and Commissioners Jacobs, Johnson, Sindler, Hoenstine, and Hartage voting AYE by voice vote; Commissioner Edwards abstaining; the Board approved the agreement between Orange County and Rosen Centre (formerly Omni Hotel) to construct an access driveway from the Convention Center southbound ring road to the parking area of the Rosen Centre.

Public Works Department

3. Approval of the Right-of-Way Agreement among Orange County, Michael J. Etchison, and Donald Wray Leach Revocable Trust for conveyance of right-of-way for the Lake Cypress Cove Phases 2 and 3 Development and C.R. 535 improvements, District 1 (Public Works Engineering Division).

Discussion

Commissioner Edwards explained that he deferred this item from the consent agenda to discuss the County's procedure for property appraisals regarding impact fee credits. He stated that there are inherent problems with the County's policy in allowing the property owner to choose an appraiser even if it is from a list of appraisers under contract with the County.

Staff Report

Staff stated that the County's procedure for appraising property for impact fee credits is derived from the County code and that any revision of that procedure will require an ordinance to amend the code. Staff reviewed the current procedure and its safeguards.

Discussion

The Board discussed the County's current procedure, the selection process for contracting with qualified appraisers, whether a firm could be removed from the County's list of approved appraisers, and the legality of amending the code to allow the County to select an appraiser.

The Board further discussed acknowledged ranges of appraisals, negotiating land donation values during the land use change approval process, and the cost of following the County's current procedure.

Action

Upon a motion by Commissioner Edwards, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board approved the Right-of-Way Agreement among Orange County, Michael J. Etchison, and Donald Wray Leach Revocable Trust for conveyance of right-of-way for the Lake Cypress Cove Phases 2 and 3 Development and C.R. 535 improvements.

The County Chairman directed staff to prepare a memo for distribution to Board members outlining the appraisal process regarding the donation of rights-of-way for impact fee credits, its challenges, and its advantages.

ADMINISTRATIVE SUPPORT DEPARTMENT DISCUSSION AGENDA

1. Discussion regarding Fleet Management.

Staff Report

Staff presented an update on the Fleet Management Division's operation and its use of industry benchmarks and private partnerships for efficiencies.

Discussion

The Board discussed operational cost comparisons between the County and other local governments and the partnership between the Fleet Management Division and the Corrections Department.

Action

The Board did not take any action.

2. Approval of purchase price above appraised value, Contract for Sale and Purchase, warranty deed, and authorization to disburse warrant to pay purchase price and closing costs, conduct closing and record instruments for acquisition of 5601 Birr Court, Orlando, as an addition to the Randolph Street boat ramp and creation of small park, District 4 (Real Estate Management and Parks and Recreation Division).

Staff Report

Staff overviewed the proposed project, the site location, community meetings, cost estimates for the proposed project, and funding options.

Discussion

The Board discussed the community's response to the proposed project, limited availability of public boat ramp access, safety issues, the project's conceptual plan, parking limitations, and code enforcement violations on the property.

The Board further discussed the structure of the funding options, the importance of similar projects throughout the County, the condition of the current boat ramp, prioritization of park projects by district, and the project's proposed wall.

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board approved the purchase price above appraised value, Contract for Sale and Purchase, and warranty deed; and further, authorized disbursement of warrant to pay purchase price and closing costs, conducting closing, and recording instruments for the acquisition of 5601 Birr Court, Orlando, as an addition to the Randolph Street boat ramp and creation of small park.

UTILITIES DEPARTMENT WORKSESSION

1. Board direction concerning fluoridation of water supplied by the Orange County Utilities Department, all districts.

Staff Report

Staff presented a report on the fluoridation of water and recommended fluoridating the County's water supply.

Appearances

The following persons addressed the Board:

- Dr. Price, dentist, past president of the Orange County Dental Society (no address given).
- Christine Dayni (no address given).

Discussion

The Board discussed dental fluorosis, naturally-occurring fluoride in ground water and foods, adjusting fluoridation quantities by distribution plant, and monitoring of the fluoridated water end product.

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Jacobs, and carried with all members present and voting AYE by voice vote, the Board approved conceptual support for including funding for the fluoridation of water supplied by the County Utilities Department in the next fiscal budget.

The County Chairman 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 Richard Crotty
- Commissioners Teresa Jacobs, Bob Sindler, Mary I. Johnson, Clarence Hoenstine, Ted Edwards, and Homer Hartage

- County Administrator Ajit Lalchandani
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

NONAGENDA – CONGRATULATIONS

Commissioner Edwards congratulated the Duke University basketball team on winning the NCAA men's championship.

Presentation of Service Awards

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

- Robert E. Slover and Daniel G. McAvoy, Fire Loss Management, Fire Rescue Department; and Christopher R. Stone, Wastewater/Water Pump, Utilities Department for 20 years of service.
- Michael G. Howell, Fire Field Services, Fire Rescue Division; Mark R. Battaglia, Information System Services, Administrative Support Department; and Dallas T. Bickerton, Wastewater/Water Pump, Utilities Department for 25 years of service.
- Retha Cobb, Facilities Management, Administrative Support Department, for 30 years of service.
- Gladys F. Bell, Community Action, Health and Family Services Department, for 35 years of service.

Presentation of proclamation designating the week of April 1 through April 7, 2001, as "Week of the Young Child."

The County Chairman presented a proclamation to Suzanne Riccaboni, president of the Orange County Association for the Education of Young Children, designating the week of April 1 through April 7, 2001, as "Week of the Young Child."

Ms. Riccaboni, presented child advocate recognition awards to Becky Bailey, Dr. T.J. Dorsey, and Ray Larsen.

Presentation of proclamation designating the week of April 8 through April 14, 2001, as "Telecommunicators Week."

The County Chairman presented a proclamation to Debbie Caruthers, 911 Coordinator for Orange County, designating the week of April 8 through April 14, 2001, as "Telecommunicators Week."

Presentation of proclamation designating the month of April 2001 as "Water Conservation Month."

The County Chairman presented a proclamation to Jacqueline Tolbert, Water Department Manager, designating the month of April 2001 as "Water Conservation Month."

Ms. Tolbert presented wall plaques to each of the Board members depicting the importance of water conservation.

MARCH 15, 2001, PLANNING AND ZONING COMMISSION RECOMMENDATIONS

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Jacobs, 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 March 15, 2001, with the exception of Case Z-01-020; subject to the usual right of appeal by any aggrieved party; and further, authorized scheduling a public hearing for Case Z-01-020 in the name of John Kirby, Roberts Island Subdivision, on May 1, 2001.

For the record, appeals of the recommendations of the Orange County Planning and Zoning Commission under date of March 15, 2001, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- Appellant/Applicant: Thomas Speno, Lake Sheen Harbor, Z-00-108; public hearing date: May 15, 2001.

PETITION TO VACATE PUBLIC HEARING - APPLICANT: ORANGE COUNTY UTILITIES DEPARTMENT, NO. 00-02, PORTIONS OF TWO 60.0-FOOT RIGHTS-OF-WAY, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Orange County Utilities Division, Petition to Vacate 00-02, to vacate portions of two 60.0-foot rights-of-way known as Mann Road and Malcom Road; on property generally located east of S.R. 545 and south of Avalon Road; District 1; Sections 9, 16, and 17, Township 23, Range 27; Orange County, Florida (the legal property description is on file).

Staff Report

Staff reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared regarding the request.

Discussion

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

Action

Upon a motion by Commissioner Jacobs, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution granting Petition to Vacate 00-02 vacating portions of two 60.0-foot rights-of-way known as Mann Road and Malcom Road on the above-described property.

PETITION TO VACATE PUBLIC HEARING - APPLICANT: TAHIR S. ANSARI, NO. 00-38, PORTION OF A 30.0-FOOT UNNAMED RIGHT-OF-WAY, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Tahir S. Ansari, Petition to Vacate 00-38, to vacate a portion of a 30.0-foot unnamed right-of-way; on property generally located north of International Drive and east of S.R. 535; District 1; Section 27, Township 24, Range 28; Orange County, Florida (the legal property description is on file).

Staff Report

Staff reviewed the request and the recommendation for approval of the petition to vacate as submitted.

Appearances

No one appeared regarding the request.

Discussion

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

Action

Upon a motion by Commissioner Jacobs, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board adopted a resolution granting Petition to Vacate 00-38 vacating a portion of a 30.0-foot unnamed right-of-way on the above-described property.

(NOTE: THE FOLLOWING SEVEN PUBLIC HEARINGS WERE CONSIDERED TOGETHER. SEE PAGES 24 and 25 FOR APPEARANCES, DISCUSSION, AND ACTION.)

MSTU/BU PUBLIC HEARING - AMEND FALCON TRACE AREA FOR STREETLIGHTING, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the amendment of an MSTU/BU for streetlighting for the Falcon Trace Area; District 4; Section 34, Township 24, Range 29; Sections 27, 34, and 35, Township 24, Range 29; Sections 27 and 34, Township 24, Range 29; Section 27, Township 24, Range 29; Sections 26, 27, and 34, Township 24, Range 29; and Section 34, Township 24, Range 29; Orange County, Florida (the legal description is on file).

Staff Report

Staff reported that this request from the developer has an annual cost of \$86 per lot for streetlighting.

and

MSTU/BU PUBLIC HEARING - AMEND BAY POINT FOR STREETLIGHTING, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the amendment of an MSTU/BU for streetlighting at Bay Point; District 1; Section 28, Township 23, Range 28; Orange County, Florida (the legal description is on file).

Staff Report

Staff reported that this request from the property owner has an annual cost of \$65 per lot for streetlighting.

and

MSTU/BU PUBLIC HEARING - AMEND WILLOW POND PHASES 1 AND 2 FOR RETENTION POND(S) MAINTENANCE AND STREETLIGHTING, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the amendment of an MSTU/BU for streetlighting and maintenance of retention pond(s) at Willow Pond Phases 1 and 2; District 4; Sections 35 and 36, Township 24, Range 29; Orange County, Florida (the legal description is on file).

Staff Report

Staff reported that this request from the developer has an annual cost of \$74 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

and

MSTU/BU PUBLIC HEARING - ESTABLISH HEATHER GLEN AT MEADOW WOODS FOR RETENTION POND(S) MAINTENANCE AND STREETLIGHTING, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for streetlighting and maintenance of retention pond(s) at Heather Glen at Meadow Woods; District 4; Section 30, Township 24, Range 30; Orange County, Florida (the legal description is on file).

Staff Report

Staff reported that this request from the developer has an annual cost of \$43 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

and

MSTU/BU PUBLIC HEARING - ESTABLISH GEORGIA COVE FOR RETENTION POND(S) MAINTENANCE AND STREETLIGHTING, DISTRICT 5

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for streetlighting and maintenance of retention pond(s) at Georgia Cove; District 5; Section 6, Township 22, Range 31; Orange County, Florida (the legal description is on file).

Staff Report

Staff reported that this request from the developer has an annual cost of \$80 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

Staff, noting a typographical error, stated that the Georgia Cove Subdivision is located in District 5.

and

MSTU/BU PUBLIC HEARING - ESTABLISH CULVER WOODS A REPLAT FOR RETENTION POND(S) MAINTENANCE AND STREETLIGHTING, DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for streetlighting and maintenance of retention pond(s) at Culver Woods A Replat; District 3; Section 20, Township 22, Range 31; Orange County, Florida (the legal description is on file).

Staff Report

Staff reported that this request from the developer has an annual cost of \$37 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

and

MSTU/BU PUBLIC HEARING - ESTABLISH PALM CREEK AVENUE-RIO PINAR LAKES UNIT 4 FOR SPEED HUMPS, DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider the establishment of an MSTU/BU for speed humps at Palm Creek Avenue-Rio Pinar Lakes Unit 4; District 3; Section 2, Township 23, Range 30; Orange County, Florida (the legal description is on file).

Staff Report

Staff reported that this request from the area residents has a one time only cost of \$53 per lot for speed humps.

Appearances

No one appeared regarding the requests.

Discussion

The County Chairman closed the public hearings and opened the matters for Board discussion.

Action

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

- **Amending the Falcon Trace Area MSTU/BU, annual cost of \$86 per lot for streetlighting.**
- **Amending the Bay Point MSTU/BU, annual cost of \$65 per lot for streetlighting.**
- **Amending the Willow Pond Phases 1 and 2 MSTU/BU, annual cost of \$74 per lot for streetlighting and \$54 per lot for maintenance of retention pond(s).**
- **Establishing the Heather Glen at Meadow Woods MSTU/BU, annual cost of \$43 per lot for streetlighting and \$54 per lot for maintenance of retention pond(s).**
- **Establishing the Georgia Cove MSTU/BU, annual cost of \$80 per lot for streetlighting and \$54 per lot for maintenance of retention pond(s).**

- Establishing the Culver Woods A Replat MSTU/BU, annual cost of \$37 per lot for streetlighting and \$54 per lot for maintenance of retention pond(s).
- Establishing Palm Creek Avenue-Rio Pinar Lakes Unit 4 MSTU/BU, one time only cost of \$53 per lot for speed humps.

**ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE
PERTAINING TO COMMERCIAL DEVELOPMENT, ARCHITECTURAL DESIGN, AND
LANDSCAPING STANDARDS**

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

AN ORDINANCE AFFECTING THE USE OF LAND IN UNINCORPORATED ORANGE COUNTY; AMENDING PROVISIONS OF THE ORANGE COUNTY CODE PERTAINING TO DEVELOPMENT, ARCHITECTURAL, DESIGN AND LANDSCAPING STANDARDS FOR CERTAIN COMMERCIAL BUILDINGS, STRUCTURES AND PROJECTS; AMENDING CHAPTER 9 ("BUILDING AND CONSTRUCTION REGULATIONS"), ARTICLE V ("BUILDING CODE"), DIVISION 2 ("ARCHITECTURAL STANDARDS AND GUIDELINES FOR COMMERCIAL BUILDINGS AND PROJECTS") BY AMENDING SECTION 9-116 REGARDING APPLICABILITY; CREATING A NEW SECTION 9-117 REGARDING DEFINITIONS AND RENUMBERING SUBSEQUENT SECTIONS SEQUENTIALLY; AMENDING EXISTING SECTION 9-117 REGARDING BUILDING ORIENTATION AND PRIMARY FAÇADE STANDARDS AND CREATING THEREIN SECONDARY FAÇADE STANDARDS; AMENDING EXISTING SECTION 9-118 REGARDING BUILDING DESIGN; AMENDING EXISTING SECTION 9-119 REGARDING ROOF TREATMENTS; AMENDING EXISTING SECTION 9-120 REGARDING CUSTOMER SERVICE REQUIREMENTS; CREATING A NEW SECTION 9-123 REGARDING DRIVE THROUGH WINDOW STANDARDS; CREATING A NEW SECTION 9-124 REGARDING LIGHTING FIXTURES AND STANDARDS; ALSO AMENDING CHAPTER 24 ("LANDSCAPING, BUFFERING AND OPEN SPACE"), ARTICLE I ("IN GENERAL") BY AMENDING SECTION 24-2 REGARDING DEFINITIONS; AMENDING SECTION 24-3 REGARDING APPLICABILITY; AND AMENDING SECTION 24-4 REGARDING GENERAL DESIGN AND DEVELOPMENT STANDARDS; ALSO AMENDING CHAPTER 38 ("ZONING") ARTICLE VII

("COMMERCIAL DISTRICTS") AMENDING SECTION 38-833, SECTION 38-858, AND SECTION 38-883 REGARDING PEDESTRIAN CIRCULATION; ALSO AMENDING ARTICLE VIII ("P-D PLANNED DEVELOPMENT DISTRICT"), DIVISION 4 ("SITE DEVELOPMENT STANDARDS FOR COMMERCIAL DEVELOPMENTS"), BY AMENDING SECTION 38-1272 REGARDING GENERAL COMMERCIAL; MAKING OTHER MISCELLANEOUS AMENDMENTS TOO NUMEROUS TO MENTION HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Staff requested that the public hearing be continued to allow additional community meetings.

Appearances

No one appeared regarding the proposed ordinance.

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board continued the public hearing to consider an ordinance amending the Orange County Code pertaining to commercial development, architectural design, and landscaping standards until June 19, 2001, at 2 p.m.

ORDINANCE PUBLIC HEARING - ORANGE COUNTY CODE PERTAINING TO CAPITAL IMPROVEMENTS AND RESOLUTIONS AS FOLLOWS:

- RIO PINAR WOODS MSBU INITIAL ASSESSMENT**
- LAKE SHERWOOD HILLS WEST SECTION MSBU INITIAL ASSESSMENT**

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

AN ORDINANCE OF ORANGE COUNTY, FLORIDA, RELATING TO CAPITAL IMPROVEMENTS AND RELATED SERVICES PROVIDING A SPECIAL BENEFIT TO LOCAL AREAS WITHIN ORANGE COUNTY, FLORIDA; PROVIDING DEFINITIONS

AND FINDINGS; PROVIDING FOR THE CREATION OF MUNICIPAL SERVICE BENEFIT UNITS; AUTHORIZING THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND THE COST OF CAPITAL IMPROVEMENTS AND RELATED SERVICES PROVIDING A SPECIAL BENEFIT TO LOCAL AREAS WITHIN ORANGE COUNTY; PROVIDING FOR THE OPTIONAL AND MANDATORY PREPAYMENT OF ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS AND FOR CORRECTION OF ERRORS AND OMISSIONS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLLS; ESTABLISHING PROCEDURES AND METHODS FOR COLLECTION OF ASSESSMENTS, INCLUDING ASSESSMENTS IMPOSED ON GOVERNMENT PROPERTY; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR VARIOUS RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS WILL NOT CREATE A GENERAL DEBT OR OBLIGATION OF THE COUNTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff Report

Staff reviewed the proposed ordinance and resolutions and outlined their provisions. Mike Watkins, legal counsel for the County, reviewed the proposed financing for construction of the proposed screen walls for the two subdivisions.

Appearances

No one appeared regarding the proposed ordinance.

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Hartage, and carried with all members present and voting AYE by voice vote, the Board adopted Ordinance 2001-07 amending the Orange County Code pertaining to Capital Improvements; further, adopted the following:

- Resolution 2001-M-10, Rio Pinar Woods MSBU Initial Assessment.
- Resolution 2001-M-11, Lake Sherwood Hills West Section MSBU Initial Assessment;

and further, approved utilizing Banco Popular to establish the line of credit necessary to finance the project.

BOAT DOCK PUBLIC HEARING - APPLICANTS: CARL AND LORETTA WILGUS, VARIANCE, LAKE HOLDEN, DISTRICT 4

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Carl and Loretta Wilgus for approval of a variance for a zero setback to construct a boat dock pursuant to Orange County Code, Chapter 15, Article XV, on property adjacent to Lake Holden, located at 924 37th Street; District 4; Section 11, Township 23, Range 29; Orange County, Florida (the legal property description is on file).

Staff Report

Staff outlined the request and the recommendation for approval subject to conditions.

Appearances

No one appeared regarding the request.

Discussion

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

Action

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board approved a request by Carl and Loretta Wilgus for a variance of a zero setback to construct a boat dock on Lake Holden, subject to the following conditions:

1. **Minimum height of the deck must be one foot (1') above the Normal High Water Elevation (NHWE) of 63.30 feet above mean sea level for Lake Hill. Maximum height of the boathouse shall be 13 feet above the NHWE.**
2. **Minimum height of the deck must be three feet (3') above any conservation areas.**
3. **The permittee may clear an access corridor below the NHWE not to exceed 30 feet in width. The boat dock must be constructed within the allowed access corridor.**
4. **Construction shall be in accordance with stamped, approved drawing.**
5. **Turbidity must be confined to the permitted area of work by the use of best management practices, such as screens, filter cloth, etc., unless it can be demonstrated that state water quality standards on turbidity are not being violated.**
6. **Permit must be posted in a conspicuous place on site before activity begins and must remain until completion.**
7. **If the Environmental Protection Division determines at any time that activities are not in accordance with the conditions of the permit, the permit shall be revoked.**
8. **The permitted work must be completed within one year from the date of issuance of the permit.**
9. **A separate permit from the State of Florida Department of Environmental Protection, if applicable, will be obtained prior to this permit becoming valid.**

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - CHICKASAW TRAIL ESTATES PRELIMINARY SUBDIVISION, DISTRICT 3

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Chickasaw Trail Estates Preliminary Subdivision Plan, submitted in accordance with Chapter 65-2015, Laws of Florida, and Article VI of the Orange County

Subdivision Regulations; on property generally located north of Curry Ford Road, east of Chickasaw Trail; District 3; Section 1, Township 23, Range 30; Orange County, Florida (the legal property description is on file).

Staff Report

Staff reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Appearances

No one appeared regarding the request.

Discussion

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

Action

Upon a motion by Commissioner Johnson, seconded by Commissioner Edwards, and carried with all members present and voting AYE by voice vote, the Board approved the Chickasaw Trail Estates Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

- 1. Development shall conform to the Chickasaw Trail Estates Preliminary Subdivision, dated "Received December 14, 2000," 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 Board of County Commissioners (BCC), or by action of the BCC.**

Preliminary Subdivision Plan approval automatically expires on April 3, 2002, in accordance with the Orange County Subdivision Regulations as amended.

- 2. A waiver of Section 34-209 of the Orange County Code is granted to allow landscaping in lieu of a wall.**
- 3. A waiver of Section 34-176(b) of the Orange County Code is granted for the requirement to construct a left turn lane on Chickasaw Trail.**

4. **At the time of platting, the covenants, conditions, and restrictions (CCR) shall be recorded for Lots 8A, 9A, and 10A with the development rights dedicated to Orange County. The CCRs shall also specify that Lots 8A, 9A, and 10A shall be specified as conservation areas and that no clearing shall be permitted within the conservation areas.**

PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - WATERWOODS PLANNED DEVELOPMENT/WATERWOODS PRELIMINARY SUBDIVISION, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Waterwoods Planned Development/Waterwoods 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 west of C.R. 535, north of Connie Drive and South Lake; District 1; Section 5, Township 24, Range 28; Orange County, Florida (the legal property description is on file).

Staff Report

Staff reviewed the request and the Development Review Committee's recommendation of approval subject to conditions.

Staff requested that proposed Condition 3 be revised to read as follows:

- Phase I shall be platted to include 36 lots, park, and necessary infrastructure. Phase II shall be platted conditioned upon the availability of school capacity as specified in the land use plan approval.

Appearances

No one appeared regarding the request.

Discussion

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

Commissioner Jacobs requested that Condition 3 be revised as follows:

- Phase I shall be platted to include 36 lots, park, and necessary infrastructure. No development shall occur beyond Phase I (36 dwelling units) until:
 - i. Sufficient capacity is or will be available at the affected schools to accommodate the additional students expected from the later phase(s), or
 - ii. Board of County Commissioners determines that Orange County Public Schools otherwise can manage the addition of the students expected from the later phase(s) without material adverse impact on the quality of education at the affected schools.

Action

Upon a motion by Commissioner Jacobs, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board approved the Waterwoods Planned Development/Waterwoods Preliminary Subdivision Plan on the above-described property, subject to the following conditions:

- 1. Development shall conform to the Waterwoods Planned Development; Orange County Board of County Commissioners' (BCC) approvals; Waterwoods Preliminary Subdivision, dated "Received February 22, 2001"; 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.**

Preliminary Subdivision Plan approval automatically expires on April 3, 2002, in accordance with the Orange County Subdivision Regulations as amended.

- 2. A master stormwater management plan and utility plan, including preliminary calculations, shall be approved prior to approval of construction plans.**

3. Phase I shall be platted to include 36 lots, park, and necessary infrastructure. No development shall occur beyond Phase I (36 dwelling units) until:
- i. Sufficient capacity is or will be available at the affected schools to accommodate the additional students expected from the later phase(s), or
 - ii. The BCC determines that Orange County Public Schools otherwise can manage the addition of the students expected from the later phase(s) without material adverse impact on the quality of education at the affected schools.

NONAGENDA – HABITAT FOR HUMANITY

Commissioner Sindler stated that he attended an opening of Habitat for Humanity house in Apopka on April 1, 2001, and presented the Board with a certificate of appreciation from the organization in recognition of the County's contributions.

SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: SPECTRASITE COMMUNICATIONS, INC.; WATERFORD LAKES PLANNED DEVELOPMENT/ LAND USE PLAN (PD/LUP); AMEND LUP; DISTRICT 4 (CONTINUED FROM DECEMBER 19, 2000; AND RESCHEDULED FROM MARCH 27, 2001)

By consensus, the Board reopened the public hearing to consider a substantial change request by SpectraSite Communications, Inc., for Waterford Lakes Planned Development/Land Use Plan (PD/LUP), to consider a substantial change to establish a 139-foot monopole communication tower at the northeast corner of Alafaya Trail and the East-West Expressway, continued from December 19, 2000, Board meeting and rescheduled from the March 27, 2001, Board meeting (the legal property description is on file).

The County Chairman announced that the applicant has withdrawn the request.

Appearances

No one appeared regarding the request.

Action

By consensus, the Board accepted the withdrawal of the request by SpectraSite Communications, Inc., for Waterford Lakes Planned Development/Land Use Plan (PD/LUP), to consider a substantial change to establish a 139-foot monopole communication tower at the northeast corner of Alafaya Trail and the East-West Expressway on the above-described property.

TRANSPORTATION ALTERNATIVE STUDY HEARING - SOUTHWEST ORANGE AND SOUTHEAST LAKE COUNTIES, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Transportation Alternative Study for Southwest Orange and Southeast Lake Counties; District 1; Orange County, Florida.

Staff Report

Staff outlined the study; identified the study area; and further, recommended acceptance of the study's recommendations.

Appearances

No one appeared regarding the study.

Discussion

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

Action

Upon a motion by Commissioner Jacobs, seconded by Commissioner Hartage, and carried with all members present and voting AYE by voice vote, the Board accepted the recommendations of the Transportation Alternative Study for Southwest Orange and Southeast Lake Counties as follows:

- Roadway Conceptual Analysis Study - Hartwood Marsh Road.
- Roadway Conceptual Analysis Study - Hartzog Road.
- Roadway Conceptual Analysis Study - Fenton/Lake Area.
- Traffic Study for Gotha area;

and further, authorized pursuing funding for S.R. 50.

**PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -
APPLICANT: BRIDGEWATER DEVELOPMENT COMPANY, STILLWATER
CROSSINGS AND CENTER BRIDGE NEIGHBORHOOD PLANNED DEVELOPMENT;
CASE Z-00-113, DECEMBER 21, 2000; DISTRICT 1 (CONTINUED FROM FEBRUARY
20, 2001)**

By consensus, the Board reopened the public hearing to consider a request by Bridgewater Development Company, Stillwater Crossings and Center Bridge Neighborhood Planned Development, to rezone Rural Country Estate Cluster (RCEC) (1990) to Planned Development (PD), continued from February 20, 2001, Board meeting (the legal property description is on file).

Staff Report

Staff explained that the public hearing was continued to allow a neighborhood meeting and to address the issue of school capacity. Staff 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 person addressed the Board regarding the request:

- Jim Sellen; Miller Sellen Conner & Walsh, Inc.; 214 East Lucerne Circle, Orlando, Florida; for the applicant.

Discussion

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

Action

Upon a motion by Commissioner Jacobs, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board approved the request by Bridgewater Development Company, Stillwater Crossings and Center Bridge Neighborhood Planned Development, to rezone Rural Country

Estate Cluster (RCEC) (1990) to Planned Development (PD), on the above described property; subject to the following conditions:

- 1. Development shall conform to the Stillwater Crossings and Center Bridge in Bridgewater Planned Development; Orange County Board of County Commissioners' (BCC) approvals; Land Use Plan Amendment, dated "Received December 7, 2000"; 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 action of the BCC.**
- 2. Prior to construction plan approval, a master stormwater management plan shall be submitted to the County engineer for review and approval.**
- 3. Pole signs, billboards, and outdoor storage and display are prohibited.**
- 4. If commercial uses are located adjacent to the school site, there shall be no alcohol sales, lounges, bars, package sales, or video arcades.**
- 5. An Architectural Review Board shall be established for the subdivision which shall be responsible for compliance with Section 38-1384 (addressing all architectural and lot or street front design standards) and shall approve all individual residential permit requests prior to approval by Orange County.**
- 6. Commercial uses shall be limited to Section 38-1388 and Section 38-1389 of the Orange County Code, respectively.**
- 7. The townhome or apartment development in CB-3 will not be permitted motorized boat access to Lake Cawood.**

- 8. No public boat ramps/docks shall be permitted on any of the lakes without a public hearing before the BCC.**
- 9. The developer shall obtain wastewater, water, and reclaimed water services from Orange County subject to County rate resolutions.**
- 10. Master wastewater, water, and reclaimed water plans for the Stillwater Crossings/Center Bridge Neighborhoods, sized for the village-wide requirements, shall be approved prior to approval of construction plans.**
- 11. The developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the project to accommodate the ultimate flows for the entire Bridgewater Village. Utilities infrastructure shall be built connecting to the proposed County system at the Porter Road, Lake Hancock Road, and Ficquette Road intersections for wastewater; to the proposed 24-inch water main on C.R. 535 for water; and to the proposed Conserv II distribution system extension on the north boundaries of the proposed development for reclaimed water.**
- 12. The developer shall maximize available reclaimed water irrigation opportunities within the project.**
- 13. The approval is limited to 78 additional residential units. The remaining 398 units may not be developed until:**
 - i. Sufficient capacity is or will be available at the affected schools to accommodate the additional students expected for this additional development, or**
 - ii. The BCC determines that Orange County Public Schools otherwise can manage the addition of students expected from the additional development without material adverse impact on the quality of education at the affected schools.**

MEETING ADJOURNED

There being no further business, the County Chairman adjourned the meeting at 4:30 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Chairman

Deputy Clerk

Minutes Coordinator