

**MEETING OPENED**

The Board of County Commissioners met in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, August 28, 2001. The following were present:

- County Chairman Richard Crotty
- Commissioners Teresa Jacobs, Bob Sindler, Mary I. Johnson, Clarence Hoenstine, and Ted Edwards
- County Administrator Ajit Lalchandani
- Deputy County Attorney Jeff Newton
- Chief Deputy Comptroller as Clerk Jim Moye
- Deputy Clerk Rosilyn Stapleton

Commissioner Homer Hartage joined the meeting where indicated.

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

The Board paused for an invocation by the Reverend David Juliano, pastor of Trinity United Methodist Church, followed by the Pledge of Allegiance to the Flag. The County Chairman presented a certificate of recognition to Pastor Juliano.

**NONAGENDA – RECOGNITION**

County Chairman Crotty and Commissioner Sindler recognized the Apopka Little League baseball team for bringing the USA Little League Championship to Apopka and Orange County and the considerable credit they brought to the community. Commissioner Sindler stated the team will be honored at an upcoming Board meeting.

**Commissioner Hartage joined the meeting.**

**COUNTY CONSENT AGENDA****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:**

- **Deferred Administrative Support Department Item 1 for discussion (see page 500 for discussion and subsequent approval);**
- **Deferred Administrative Support Department Item 3 for discussion (see page 500 for discussion and subsequent approval);**
- **Deferred Growth Management and Environmental Resources Department Item 6 for discussion (see page 501 for discussion and subsequent approval);**
- **Deleted Growth Management and Environmental Resources Department Item 7.**

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

**County Chairman's Report**

1. Confirmation of the appointment of Renzy Hanshaw, manager of the Office of Emergency Management, Fire Rescue Department.

**County Comptroller**

1. Acknowledgment and filing of the follow-up audit of the Economic Development Commission of Mid-Florida, Inc. (Administrative/Fiscal Division).
2. Approval to pay Clerk of the Courts' invoices in the total amount of \$296,592.03 for services rendered during the month of July 2001 (Administrative/Fiscal Division).
3. Acknowledgment of receipt of the following file for the record document:

Stoneybrook West Community Development District minutes of the May 2, 2001, meeting of the Board of Supervisors.

(Comptroller Clerk of the Board of County Commissioners)

4. Approval of the minutes of the August 14, 2001, meeting 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:
  - August 16, 2001, to August 22, 2001; total of \$24,467,074.69.
  - August 23, 2001, to August 23, 2001; total of \$10,690,194.15.

(Finance and Accounting Department)

### **County Administrator**

1. Approval of the Civil Traffic Infraction Hearing Officer Grant-in-Aid Agreement and Grant-in-Aid Release between the State of Florida Office of the State Courts Administrator and the County requesting authorizing the State Courts Administrator to make payment to Orange County in the amount of \$47,814 (Office of Management and Budget).
2. Approval of Pay Up Grant between Orange County and the State of Florida Department of Juvenile Justice for the support of the Pay Up Program in the amount of \$56,802.48 (Office of Management and Budget).
3. Acceptance of the Memorandum of Agreement for funding between the Orange County Board of County Commissioners and the State of Florida, Department of State, Division of Elections, for the purchasing of voting equipment or rebates of previously purchased voting systems in the amount of \$866,250 over two years (Office of Management and Budget).
4. Acceptance of the Memorandum of Agreement between the Orange County Board of County Commissioners and the State of Florida, Department of State, Division of Elections for voter education and poll worker training and recruitment for the 2002 election in the amount of \$275,135.37 (Office of Management and Budget).
5. Approval of Budget Amendment 01-88 (Office of Management and Budget).

(Budget Amendment 01-88 is on file in the Comptroller Finance and Accounting Department.)

6. Approval of Budget Transfers 01-592, 01-600, 01-601, 01-608, and 01-609 (Office of Management and Budget).

(Budget Transfers 01-592, 01-600, 01-601, 01-608, and 01-609 are on file in the Comptroller Finance and Accounting Department.)

7. Approval of CIP Amendments 49-01 and 50-01 (Office of Management and Budget).

(CIP Amendments 49-01 and 50-01 are on file in the Office of Management and Budget.)

8. Approval of payment of intergovernmental claims of August 2 and August 9, 2001, totaling \$278,350.23 (Risk Management Division).
9. Receipt and filing of minutes for the July 26 and August 2, 2001, meetings of the Intergovernmental Risk Management Committee for the official County record (Risk Management Division).
10. Approval of the designated holidays for calendar year 2002 for employees of the Board of County Commissioners (Human Resources Division).

#### **Administrative Support Department**

1. Approval of a sole source contract with Parsons, Brinkerhoff, Quade, and Douglas, Inc., for engineering services to review and assess the St. Johns River Water Management District East Central Florida groundwater flow model and minimum flows and levels program in the contract amount of \$300,000 ([Utilities Engineering Division] Purchasing and Contracts Division).

**(As stated in the above motion, this item was deferred for discussion; see page 500 for subsequent approval.)**

2. Approval and execution by County Chairman of easement and authorization to record instrument for West Orange Park soccer lights, District 2 (Real Estate Management Division).

3. Approval and execution by County Chairman of Resolution 2001-M-31 for Extreme Sports Park site (north side of Silver Star Road north of the intersection with Apopka-Vineland Road), District 2 (Real Estate Management Division).

**(As stated in the above motion, this item was deferred for discussion; see page 500 for subsequent approval.)**

4. Approval of utility easement and subordination of encumbrance to property rights and authorization to record instruments for Mystic Pointe II Apartments, District 1 (Real Estate Management Division).
5. Approval of utility easement and subordinations of encumbrances to property rights and authorization to record instruments for Primrose School at Hunter's Creek, District 1 (Real Estate Management Division).
6. Approval of drainage easement and authorization to disburse warrant to pay all recording fees and record instrument for Anderson Village outfall improvements, District 3 (Real Estate Management Division).
7. Approval of contract for sale and purchase, warranty deed, holdover agreement, and authorization to conduct closing, disburse warrant to pay purchase price and closing costs, and record instrument for Riverside Acres arch pipe rehabilitation Parcel 128, District 2 (Real Estate Management Division).

### **Growth Management and Environmental Resources Department**

1. Approval of the Code Enforcement Fine Abatement Agreement between Orange County and Suntrust Mortgage for settlement of a code violation and code enforcement lien, District 6 (Code Enforcement Division).
2. Approval of the Code Enforcement Fine Abatement Agreement between Orange County and Anthony C. Johnson and Cynthia Johnson for settlement of a code violation and code enforcement lien, District 4 (Code Enforcement Division).
3. Receipt of filing of the minutes of the Lake Killarney Advisory Board meeting of June 21, 2001, for the official County records, District 5 (Environmental Protection Division).

4. Receipt and filing of the minutes of the Lake Jessamine Water Advisory Board meeting of May 17, 2001, for the official County records, District 1 (Environmental Protection Division).
5. Receipt of filing of the minutes of the Windermere Water and Navigation Control District Advisory Board meeting of June 18, 2001, for the official County records, District 1 (Environmental Protection Division).
6. Approval of a Multi-family Affordable Housing Developer's Agreement between Orange County and the National Church Residences of Orlando, Florida, Inc., providing for discounts of impact fees, water capital charges, and wastewater capital charges, District 2 (Housing and Community Development Division).

**(As stated in the above motion, this item was deferred for discussion; see page 501 for subsequent approval.)**

7. Approval of an interlocal agreement between Orange County and the City of Winter Park for the Northwest Winter Park Safe Neighborhood Program which provides for funding by Orange County in the amount of \$5,000 for development and administration of a safe neighborhood plan, District 5 (Planning Division).

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

#### **Health and Family Services Department**

1. Approval of the application to license the Oak Ridge YMCA Head Start Center between the State of Florida Department of Children and Families and Orange County (Head Start Division).
2. Approval for the Youth and Family Services Division to accept funds from the U.S. Department of Health and Human Services. The estimated grant award is \$300,000 and provides supplemental funding for the operation of the Runaway Youth Program at the Youth Shelter. The term of the grant is from September 1, 2001, through August 31, 2004. Approval to accept authorization for the County Chairman or his designee to execute the renewals for fiscal years 2002-2003 and 2003-2004. The maximum amount of funding for each year of the three-year grant is \$100,000 (Youth and Family Services Division).

3. Approval of the agreement between Osceola County and Orange County in the amount of \$42,500 to provide financial support for the Osceola County Community Action Program. There is no cost to the County (Health and Family Services Department).

### **Public Works Department**

1. Approval of agreement between Orange County and the Glenmuir Homeowners Association, Inc., for traffic control on private roads in Glenmuir Unit 1, District 1 (Public Works Department).
2. Approval of the state-funded grant agreement between Orange County and the State of Florida Department of Community Affairs to upgrade Orange County's existing rain gauge network, all districts (Stormwater Management Division).
3. Approval to install "Yield" signs in the First Addition Lake Mann Shores Subdivision, District 6 (Traffic Engineering Division).
4. Approval to reduce the posted speed limit on Narcoossee Road between S.R. 417 and Tyson Road from 55 miles per hour to 45 miles per hour, District 4 (Traffic Engineering Division).

### **Utilities Department**

1. Approval of the following resolutions:
  - Resolution 2001-SW-01 repealing the automatic water system rate increase for fiscal year 2002, all districts.
  - Resolution 2001-SW-02 repealing the wastewater system rate increase for fiscal year 2002, all districts.
  - Resolution 2001-SW-03 repealing the automatic revenue and maintenance fee increase for fiscal year 2002, all districts.

(Fiscal and Administrative Support Division)

**COUNTY CONSENT AGENDA ITEMS DEFERRED FOR DISCUSSION****Administrative Support Department**

1. Approval of a sole source contract with Parsons, Brinkerhoff, Quade, and Douglas, Inc., for engineering services to review and assess the St. Johns River Water Management District East Central Florida groundwater flow model and minimum flows and levels program in the contract amount of \$300,000 ([Utilities Engineering Division] Purchasing and Contracts Division).

**Discussion**

Commissioner Sindler stated he deferred this item to direct Orange County's legislative lobbyist to address jurisdictional lines and cost sharing during the next legislative session. He said the County needs to determine its water supply which is a difficult and expensive process.

**Action**

**Upon a motion by Commissioner Sindler, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the sole source contract with Parsons, Brinkerhoff, Quade, and Douglas, Inc., for engineering services to review and assess the St. Johns River Water Management District East Central Florida groundwater flow model and minimum flows and levels program in the contract amount of \$300,000.**

3. Approval and execution by County Chairman of Resolution for Extreme Sports Park site (north side of Silver Star Road north of the intersection with Apopka-Vineland Road), District 2 (Real Estate Management Division).

**Discussion**

Commissioner Sindler stated he deferred this item for information regarding the fire station exit onto an unfinished portion of Apopka-Vineland Road.

Staff reviewed the construction schedule and stated that the County has right-of-way to allow the fire trucks to exit until the road is ready.

**Action**

Upon a motion by Commissioner Sindler, seconded by Commissioner Hoenstine, and carried with all members present and voting AYE by voice vote, the Board approved Resolution 2001-M-31 for Extreme Sports Park site (north side of Silver Star Road north of the intersection with Apopka-Vineland Road).

**Growth Management and Environmental Resources Department**

6. Approval of a Multi-family Affordable Housing Developer's Agreement between Orange County and the National Church Residences of Orlando, Florida, Inc., providing for discounts of impact fees, water capital charges, and wastewater capital charges, District 2 (Housing and Community Development Division).

## Discussion

Commissioner Sindler stated he deferred this item to note that this area is zoned for multi-family housing and is seniors' project.

**Action**

Upon a motion by Commissioner Sindler, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved a Multi-family Affordable Housing Developer's Agreement between Orange County and the National Church Residences of Orlando, Florida, Inc., providing for discounts of impact fees, water capital charges, and wastewater capital charges.

**ADMINISTRATIVE SUPPORT DEPARTMENT DISCUSSION AGENDA**

1. Selection of one firm and one alternate to provide pharmacy services for the Corrections Department, RFP-Y1-127-SI.

Staff presented an overview of the services available at the Orange County Medical Clinic, prescription medication/drug costs, dispensing medications, and estimated expenditures.

Rebecca Postum, consultant pharmacist for Orange County Corrections and pharmacy director for the Orange County Medical Clinic, addressed the Board and explained the potential of outsourcing the pharmacy services at the jail. She presented a cost comparison of the responding firms.

#### Discussion

Commissioner Sindler, present at the May 23, 2001, Procurement Review Committee meeting, reviewed the committee's recommendation from the following firms listed alphabetically:

- Diamond Drugs, Inc., dba Diamond Pharmacy Services
- Y & S Pharmacy Services

#### Action

**Upon a motion by Commissioner Sindler, seconded by Commissioner Johnson, and carried with all members present and voting AYE by voice vote, the Board approved the short list ranked as follows:**

- #1 Diamond Drugs, Inc., dba Diamond Pharmacy Services – Bid Option 3**
- #2 Y & S Pharmacy Services**

**and further, authorized staff to enter into contract negotiations for pharmaceutical services to the jail population, RFP-Y1-127-SI.**

#### **PUBLIC WORKS DEPARTMENT DISCUSSION AGENDA**

1. Presentation by Paul Dumars, South Florida Water Management District (SFWMD), regarding fiscal year 2002 budget

Hartley Thornton, SFWMD governing board member, addressed the Board and highlighted the governing body of the SFWMD. Mr. Thornton introduced Henry Dean, the recently-appointed executive director of SFWMD.

Mr. Dean addressed the Board and overviewed the district's fiscal year 2002 budget. He noted that his efforts will be directed to balancing the incoming Central Florida's funds with the expenditures on the area. Mr. Dean stated it is his desire to keep the relationship between the County and the District strong.

Aaron Bassinger, budget director, SFWMD and Paul Whelan, director of Kissimmee Basin Division, addressed the Board and respectively presented highlights of the budget issues and projects within the county.

#### Discussion

The Board discussed other water sources and untapped water sources off the coast, the ad valorem tax revenue, the five districts involved, the status of the aquifer, and the needed conservation efforts.

#### Action

**The Board did not take any action.**

### **COUNTY ADMINISTRATOR DISCUSSION AGENDA**

1. Approval of the renewal of the United Healthcare (UHC) medical plan for calendar year 2002 (Human Resources Division).

#### Staff Report

Staff reviewed the upcoming contract renewal with United Healthcare and the actions taken to address the proposed increase. Staff reviewed the options for consideration including a renewal option and plan co-pay changes. Staff presented budgetary impact and proposed steps to be taken for the upcoming open enrollment and future plans and noted that open enrollment must begin immediately and will take effect January 1, 2001.

#### Discussion

The Board discussed proposed options, increases to co-pay and pharmacy costs, possibility of self-insurance, needed wellness components; and funding.

#### 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 renewal of the United Healthcare (UHC) medical plan for calendar year 2002; Option 2, as follows:**

- **Maintain current HMO High and Low Co-pay and POS plan options.**

- Share costs with plan users (versus all participants).
- Increase employee contributions by just one percent.
- No changes to office visit and generic drug pharmacy co-pays.
- Increase some plan co-pays.
- Plan changes decrease cost of increase by \$1.6 million.

### **NONAGENDA – RECOGNITION**

The County Chairman recognized Orange County's Property Appraiser Bill Donegan and Supervisor of Elections Bill Cowles.

### **HEALTH AND FAMILY SERVICES DEPARTMENT DISCUSSION AGENDA**

1. Approval of the model for the Emergency Medical Services transport cost study. The cost to the County will be determined through the Request for Proposal, all districts (EMS).

#### Staff Report

Staff presented a report on the model for the Emergency Medical Services transport cost study to include ambulance service history, transport areas, costing methodology, and timeliness of a study. Staff noted that the Comptroller's Office has agreed to oversee the study and requested Board direction.

#### Discussion

The Board discussed the necessity and cost involved in a study given the number of studies conducted to date, the effect of Rural Metro's impending contract expiration in September 2002 on the timeliness of a study, and the Comptroller's overview.

The County Chairman directed staff to work with the stakeholders and report to the Board in four or five months if action is recommended.

#### **Action**

**The Board did not take any action.**

**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, and Clarence Hoenstine
- County Attorney Tom Wilkes
- Deputy Clerk Rosilyn Stapleton

Commissioners Mary I. Johnson, Ted Edwards, and Homer Hartage joined the meeting where indicated.

**AUGUST 16, 2001, PLANNING AND ZONING COMMISSION RECOMMENDATIONS****Action**

Upon a motion by Commissioner Hoenstine, seconded by Commissioner Jacobs, and carried with all present members voting AYE by voice vote; Commissioners Johnson, Edwards, and Hartage were absent; the Board accepted the recommendations of the Orange County Planning and Zoning Commission under date of August 16, 2001; with the exception of Case Z-00-091; subject to the usual right of appeal by any aggrieved party; and further, authorized scheduling a public hearing for Case Z-00-091 in the name of Charles W. Clayton on September 18, 2001.

For the record, appeals of the recommendations of the Orange County Planning and Zoning Commission under date of August 16, 2001, were filed in the Zoning Department and scheduled by the Comptroller Clerk's Office for public hearing, as follows:

- None filed.

**PETITION TO VACATE PUBLIC HEARING - APPLICANT: JEFF GARNER; NO. 00-13, PORTION OF UNOPENED, UNIMPROVED 50.0-FOOT RIGHT-OF-WAY; DISTRICT 2**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Jeff Garner, Petition to Vacate 00-13, to vacate a portion of an unopened, unimproved 50.0-foot right-of-way known as Carolina Avenue, on property located at 2312 Morrison Boulevard, south of North Orange Blossom Trail and east of

South Apopka Boulevard; District 2; Section 24, Township 21, 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 Sindler, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioners Johnson, Edwards, and Hartage were absent; the Board adopted a resolution granting Petition to Vacate 00-13 vacating a portion of an unopened, unimproved 50.0-foot right-of-way known as Carolina Avenue on the above-described property.**

**Commissioners Johnson and Hartage joined the meeting.**

**BOAT DOCK PUBLIC HEARING - APPLICANT: DAVE STOREY, PERMIT, LAKE DOWN, DISTRICT 1**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Dave Storey for a variance to the ten-foot (10') side setback for the construction of a boat dock, pursuant to Orange County Code, Chapter 15, Article IX, on property adjacent to Lake Down, located at 3202 Downs Cove Road; District 1; Section 9, Township 23, Range 28; 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 Jacobs, seconded by Commissioner Hoenstine, and carried with all present members voting AYE by voice vote; Commissioner Edwards was absent; the Board approved a request by Dave Storey for a variance to the ten-foot (10') side setback for the construction of a boat dock on Lake Down, subject to the following conditions:**

- 1. Minimum height of the deck must be one foot (1') above the Normal High Water Elevation (NHWE) of 99.50 feet above mean sea level for Lake Down. Maximum height of the boathouse shall be 13 feet above the NHWE.**
- 2. 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.**
- 3. The removal of cypress trees is prohibited.**
- 4. Construction shall be in accordance with stamped, approved drawings.**
- 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. This 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 Florida Department of Environmental Protection, if applicable, will be obtained prior to this permit becoming valid.**

**PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - MOSS PARK PLANNED DEVELOPMENT - WYCLIFFE BIBLE TRANSLATORS OFFICE CAMPUS PSP, DISTRICT 4**

Notice was given that the Board of County Commissioners would hold a public hearing to consider the Moss Park Planned Development - Wycliffe Bible Translators Office Campus 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 Moss Park Road, south of Weewahootee Road; District 4; Sections 9, 10, and 15, Township 24, Range 31; 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**

The following person addressed the Board regarding the plan:

- Tom Cloud, Esquire; Gray Harris & Robinson, P.A.; 301 East Pine Street, Orlando, Florida; for the developer.

**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 present members voting AYE by voice vote; Commissioner Edwards was absent; the Board approved the Moss Park Planned Development-Wycliffe Bible Translators Office Campus Preliminary Subdivision Plan on the above-described property, subject to the following conditions:**

1. **Development shall conform to the Moss Park Planned Development-Wycliffe Bible Translators Office Campus Preliminary Subdivision Plan, dated**

"Received June 14, 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 that the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners (BCC), or by action of the BCC.

Preliminary Subdivision Plan approval automatically expires on August 28, 2002, in accordance with the Orange County Subdivision Regulations as amended.

2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved master drainage and utility plan for this planned development.

**SUBSTANTIAL CHANGE PUBLIC HEARING - APPLICANT: GLATTING JACKSON, INC.; LAKE REAMS NEIGHBORHOOD CENTER PLANNED DEVELOPMENT/LAND USE PLAN (PD/LUP); AMEND LUP; DEVELOPER'S AGREEMENT; DISTRICT 1**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a substantial change request by Glattling Jackson, Inc.; Lake Reams Neighborhood Center Planned Development (PD); to amend the Land Use Plan (LUP) to remove 27.5 acres of Estate Home District from the Lake Reams Neighborhood PD and establish the new Lake Reams Neighborhood Center PD composed of an elementary school site, park site, and 20,000 square feet of neighborhood commercial uses; pursuant to Orange County Code, Section 38-1207; on property generally located east of Reams Road, one-half of a mile south of S.R. 535; District 1; Section 1, Township 24, Range 27; and Section 6, Township 24, Range 28; Orange County, Florida (the legal property description is on file).

**Staff Report**

Staff 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 and approval of the developer's agreement.

#### Appearances

The following persons addressed the Board regarding the request:

- Jodi Rutland; Glatting Jackson Kercher Anglin Lopez Rinehart, Inc.; 33 East Pine Street, Orlando, Florida; for the applicant.
- Max Sebetti, 128 East Colonial Drive, Orlando, Florida.

#### Discussion

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

**Commissioner Edwards joined the meeting.**

#### 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 request by Glatting Jackson, Inc.; Lake Reams Neighborhood Center Planned Development (PD); to amend the Land Use Plan (LUP) to remove 27.5 acres of Estate Home District from the Lake Reams Neighborhood PD and establish the new Lake Reams Neighborhood Center PD composed of an elementary school site, park site, and 20,000 square feet of neighborhood commercial uses; which constitutes a substantial change to the development on the above-described property; subject to the following conditions:**

- 1. Development shall conform to the Lake Reams Neighborhood Center PD, dated "Received August 8, 2001." 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 that the applicable laws, ordinances, and regulations are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners (BCC), or by action of the BCC.**

**PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -  
APPLICANT: IGLESIA DE DIOS PENTECOSTAL, MI; CASE Z-01-008, JULY 19, 2001;  
DISTRICT 3**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Iglesia de Dios Pentecostal, M.I., to rezone Farmland Rural (A-2) (1957) and Residential District (R-2) (1983) to Planned Development (PD), on property generally located east of Goldenrod Road, 200 feet south of Pershing Avenue; District 3, Section 10, Township 23, Range 30; Orange County, Florida (the legal property description is on file).

**Staff Report**

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 and recommended approval with a waiver of the lot width requirement.

**Appearances**

The following persons addressed the Board regarding the request:

- Estevan Soles, 108 Wymore Road, Winter Park, Florida, for the applicant.
- Melissa Letrent, 4015 New Hampton Court, Orlando, Florida.
- Edward Solares, 4023 New Hampton Court, Orlando, Florida.

**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 Sindler, and carried with all members present and voting AYE by voice vote, the Board approved the request by Iglesia de Dios Pentecostal, M.I., to rezone Farmland Rural (A-2) (1957) and Residential District (R-2) (1983) to Planned Development (PD), on the above described property; subject to the following conditions:**

- 1. Development shall conform to the "Iglesia de Dios Pentecostal, M.I. PD/LUP," dated "Received June 29, 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 Board of County Commissioners (BCC), or by action of the BCC.

2. Master stormwater management, water, and wastewater plans including preliminary calculations shall be approved prior to approval of construction plans.
3. Pole signs are prohibited. Ground signs are permitted per commercial code;

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

**PLANNING AND ZONING COMMISSION BOARD-CALLED PUBLIC HEARING -  
APPLICANT: Q & R MOTORS; CASE Z-01-070, JULY 19, 2001; DISTRICT 6**

Notice was given that the Board of County Commissioners would hold a public hearing to consider a request by Q & R Motors, to rezone Retail Commercial (C-1) (1970) to General Commercial (C-2), on property generally located west of North Pine Hills, north of West Amelia Street; District 6, Section 30, Township 22, Range 29; Orange County, Florida (the legal property description is on file).

**Staff Report**

Staff outlined the request and identified the location of the subject property; the surrounding zoning classifications and the future land use map designations and recommended approval with a waiver of the lot width requirement.

**Appearances**

The following person addressed the Board regarding the request:

- Raymond K. Robinson; 600 Pine Hills Road, 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 Hartage, seconded by Commissioner Jacobs, and carried with County Chairman Crotty and Commissioners Jacobs, Johnson, Hoenstine, Edwards, and Hartage voting AYE by voice vote; Commissioner Sindler voting NO by voice vote; the Board denied the request by Q & R Motors, to rezone Retail Commercial (C-1) (1970) to General Commercial (C-2), on the above described property; and further, waived the filing fee for the applicant to apply for a lot-width variance.**

**ORDINANCE PUBLIC HEARING - AMENDING ORANGE COUNTY CODE, CHAPTER 28, ARTICLE IV, PERTAINING TO PUBLIC NUISANCES - CONTINUED FROM AUGUST 14, 2001**

By consensus, the Board reopened the public hearing to consider a proposed ordinance providing for the inclusion of "dealing in stolen property" as constituting a public nuisance, continued from the August 14, 2001, Board meeting.

**Staff Report**

Staff stated that this public hearing was continued from the August 14, 2001, Board meeting to permit the Sheriff to attend. Staff reviewed the proposed ordinance and outlined its provisions.

**Appearances**

The following person addressed the Board regarding the proposed ordinance:

- Tamara Gappen, legal advisor for the Sheriff's Office.

**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 adopted Ordinance 2001-17 amending Orange County Code, Chapter 28, Article IV, pertaining to public nuisances.**

**PRELIMINARY SUBDIVISION PLAN PUBLIC HEARING - STILLWATER CROSSINGS/  
CENTER BRIDGE IN BRIDGEWATER PLANNED DEVELOPMENT-CENTER BRIDGE CB-25  
AND CB-26 PSP, DISTRICT 1 - CONTINUED FROM AUGUST 14, 2001**

By consensus, the Board reopened the public hearing to consider the Stillwater Crossings/Center Bridge in Bridgewater Planned Development-Center Bridge Preliminary Subdivision Plan continued from the August 14, 2001, Board meeting.

**Staff Report**

Staff explained that the public hearing was continued to allow time to resolve issues of concern.

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

**Appearances**

The following person addressed the Board regarding the plan:

- Kevin Walsh; Miller, Sellen, Conner, and Walsh, Inc.; 214 East Lucerne Circle, Orlando, Florida; for the developer.

**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 Stillwater Crossings/Center Bridge in Bridgewater Planned Development (PD) - Center Bridge Preliminary Subdivision Plan (PSP) on the above-described property, subject to the following conditions:**

- 1. Development shall conform to the Stillwater Crossings/Center Bridge in Bridgewater PD - Center Bridge Subdivision Plan, dated "Received June 19, 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 that [the applicable laws, ordinances, and regulations] are expressly waived or modified by these conditions, or by action approved by the Orange County Board of County Commissioners (BCC), or by action of the BCC.

Preliminary Subdivision Plan approval automatically expires on August 28, 2002, in accordance with the Orange County Subdivision Regulations as amended.

2. Prior to construction plan approval, certification with supporting calculations shall be submitted which states that this project is consistent with the approved master stormwater and utility plan for the PD.
3. At the time of approval of a plat for a single-family residential unit project, the developer shall have prepared and submitted for review a document containing Covenants, Conditions, and Restrictions (CC&Rs) for the property being platted. The CC&Rs, which shall be recorded simultaneous with the recording of the plat, shall include a provision incorporating, verbatim, the following requirements:
  - a. The same front façade for single-family residential units may not be repeated more than five (5) times within one block length for both sides of any street, and shall be separated by at least two units with different facades.
  - b. House front facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. The front façade of the main body of the house shall not exceed forty feet in length, except for wings or "L"s which are setback from the façade. In no case shall more than 50 percent of the front façade of a house consist of an unobstructed block wall or garage door.
  - c. At least 50 percent of all single-family residential units shall have a front porch. A front porch shall be a minimum of seven feet in depth and cover a minimum of one-third of the front façade.
  - d. Flat roofs shall be prohibited.

- e. **Unless otherwise prohibited by the CC&Rs, fencing in the front yard shall be located within three feet (3') of the sidewalk to define the separation of public and private spaces. Such fences shall be no higher than three feet (3') six inches (6") and limited to decorative wrought iron or wood picket style.**

**The provision of the CC&Rs incorporating the above-referenced requirements shall not be amended, removed, or superceded without the prior approval of the Board of County Commissioners, which approval may be withheld in the Board's sole discretion, and the CC&Rs shall contain a statement to that effect.**

**Furthermore, the CC&Rs shall provide that the homeowners' association and any person owning property in the development have the right to enforce these requirements in the event they are violated.**

**Finally, the CC&Rs shall also state that Orange County shall have the right, but not the duty, to enforce these requirements in the same manner as it enforces other Orange County ordinances and regulations.**

- 4. **This approval of the PSP does not approve the boat ramp. Any proposed boat ramp shall comply with the Orange County Boat Ramp Ordinance.**
- 5. **The project is proposed to be gated and shall comply with Article VIII, Chapter 34, of the Orange County Code for gated communities, as well as any amendments to that Article that may be enacted on or before June 30, 2002, regarding the enforcement of the requirements contained therein.**

**MEETING ADJOURNED**

There being no further business, the County Chairman adjourned the meeting at 3:45 p.m.

ATTEST:

Martha O. Haynie  
County Comptroller as Clerk

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County Chairman

\_\_\_\_\_  
Deputy Clerk

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Minutes Coordinator

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