

MEETING OPENED

There being a quorum, the County Mayor called the meeting of the Orange County Board of County Commissioners to order at 9 a.m. in Commission Chambers on the First Floor, Orange County Administration Center, on Tuesday, May 17, 2005. The following were present:

- County Mayor Richard T. Crotty
- Commissioners Teresa Jacobs, Bob Sindler, Mildred Fernandez, Linda Stewart, and Homer Hartage
- County Comptroller as Clerk Martha Haynie
- County Administrator Ajit Lalchandani
- County Attorney Tom Drage
- Deputy Clerk Rosilyn Stapleton

Commissioner Bill Segal joined the meeting where indicated.

The Board paused for the invocation by the Reverend Frederick D. Terry, Washington Shores Presbyterian Church. The County Mayor presented a certificate of appreciation to Pastor Terry.

PRESENTATIONS

Presentation of Colors by the United States Marine Corps Color Guard followed by the Pledge of Allegiance to the flag.

Commissioner Segal joined the meeting.

Presentation of proclamation designating Saturday, May 21, 2005, as "Armed Forces Day" to Dr. Neil Euliano, for the Orange County Veterans Advisory Council. County Mayor Crotty acknowledged the contribution of individuals from Central Florida serving in the Armed Forces.

Recognition of Public Works Department Director Bill Baxter who has been named among the "Top Ten Public Works Leaders of the Year" by the American Public Works Association (APWA). Bob Freudenthal, president-elect of the APWA; County Administrator Lalchandani; and the Board members commended Mr. Baxter on his award and his leadership of the Orange County Public Works Department.

Presentation of proclamation designating the week of May 15 through May 21, 2005, as "Public Works Week" to Orange County Public Works Project Manager Brian Sanders. County Comptroller Haynie recognized the efforts of the Orange County Public Works Department during the 2004 hurricane season.

Presentation of proclamation designating the week of May 24 through May 27, 2005, as "National Head Start Week" to Health and Family Services Department Deputy Director Ella Gilmore. Sarah Greene, CEO of the National Head Start Association, addressed the Board and contributed to the presentation.

COUNTY CONSENT AGENDA

Upon a motion by Commissioner Fernandez, seconded by Commissioner Stewart, and carried with all members present and voting AYE by voice vote; the Board deferred Growth Management Department Item 1 for a separate vote (see page 53 for subsequent approval) and further, approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. Approval of the minutes of the April 19, 2005, meeting of the Board of County Commissioners (Comptroller Clerk of the Board of County Commissioners).
2. Authorize the disbursement of warrants, vouchers, and wire transfers, having been certified that same had not been drawn on overexpended accounts, for following period:
 - May 6, 2005, to May 12, 2005; total of \$43,847,962.78(Finance and Accounting Department).

County Administrator

1. Approval of payment of intergovernmental claims of April 7, April 14, April 21, and April 28, 2005, totaling \$1,686,653.83 (Risk Management Division).
2. Appointment of Phillip Bonus to the City of Maitland Community Redevelopment Agency (CRA) Advisory Board with a term expiring June 30, 2008.

Administrative Services Department

1. Approval of Warranty Deed and Access and Utility Easement and authorization to record instruments for The Vineyards, District 1 (Real Estate Management Division).

Growth Management Department

1. Approval of a Pay-As-You-Go Agreement between Orange County and Steak 'n Shake Operations, Inc., for Steak 'n Shake Restaurant Collegiate Village Planned Development on University Boulevard, District 5 (Fiscal and Administrative Services Section).

(As stated in the above motion, this item was deferred for a separate vote; see page 53 for subsequent approval.)

Health and Family Services Department

1. Approval of the application to license the Callahan Head Start Center between the State of Florida Department of Children and Families and Orange County. This application is only executed by Orange County (Head Start Division).

Public Works Department

1. Approval of the Agreement between Orange County and Harbor Lakes at Meadow Woods Homeowners' Association for Traffic Law Enforcement on Private Roads in the gated community of Harbor Lakes at Meadow Woods, District 4 (Public Works Department).
2. Approval of the Agreement between Orange County and Eastwood Community Association, Inc., for Traffic Law Enforcement on Private Roads in the gated community of Preserves at Eastwood, District 4 (Public Works Department).
3. Approval to issue Change Order No. 7-PW to Contract No. Y2-770, Apopka-Vineland Road Section 2 Roadway Reconstruction, Drainage and Utility Improvements to The Middlesex Corporation, in the amount of \$25,043.76, District 1 (Highway Construction Division).

4. Approval of the Local Agency Program Agreement between Orange County and the Florida Department of Transportation for relief due to damage as a result of hurricanes Charley, Frances, and Jeanne. The Florida Department of Transportation will administer funds on behalf of the Federal Highway Administration (FHWA) and will reimburse Orange County for direct expenses incurred on the FHWA Roadway System for permanent repairs. The total maximum reimbursement eligible under this agreement is \$19,504,430, all districts (Roads and Drainage Division).

INFORMATIONAL ITEMS*

County Comptroller

1. Receipt of the following file for the record documents:
 - a. Orange Soil and Water Conservation District 2004 Annual Financial Report and Fiscal Year 2004 Financial Statement.
 - b. Florida Public Service Commission notice of hearing re: joint petition for arbitration of certain issues arising in negotiation of Interconnection Agreement with BellSouth Telecommunications, Inc., by: Newsouth Communications Corp.; Nuvox Communications, Inc.; KMC Telecom V, Inc.; KMC Telecom III, LLC; and subsidiaries Xspedius Management Company Switched Services, LLC; and Xspedius Management Company of Jacksonville, LLC.

(Comptroller Clerk of the Board of County Commissioners)

*With respect to informational items, Board action is neither required nor necessary, and Board approval (or disapproval) is not to be implied.

COUNTY CONSENT AGENDA ITEM DEFERRED

Growth Management Department

1. Approval of a Pay-As-You-Go Agreement between Orange County and Steak 'n Shake Operations, Inc., for Steak 'n Shake Restaurant Collegiate Village Planned Development on University Boulevard, District 5 (Fiscal and Administrative Services Section).

Commissioner Jacobs requested this item be deferred for a separate vote.

Upon a motion by Commissioner Fernandez, seconded by Commissioner Sindler, and carried with County Mayor Crotty and Commissioners Sindler, Fernandez, Stewart, Segal, and Hartage voting AYE by voice vote; Commissioner Jacobs voting NO by voice vote; the Board approved the Pay-As-You-Go Agreement between Orange County and Steak 'n Shake Operations, Inc., for Steak 'n Shake Restaurant Collegiate Village Planned Development on University Boulevard.

PRESENTATION

Arts and Cultural Affairs Office Administrator Terry Olson introduced Steve Lotz, a former professor of the University at Central Florida. Mr. Lotz addressed the Board regarding his art, currently on display in the chambers.

COMMISSIONER'S REPORT DISCUSSION AGENDA

1. Discussion regarding the Orange County Sheriff's Budget Request.

County Mayor Crotty announced that Sheriff Kevin Beary has a schedule conflict and has requested that the Board submit its questions to him in writing.

Commissioner Jacobs requested this item for discussion in preparation for the upcoming budget worksessions and presented items of concern. Board discussion ensued. County Attorney Drage, County Comptroller Haynie, and County Administrator Lalchandani contributed to the discussion. No action was taken.

The County Comptroller offered to assist OMB staff on a survey regarding staffing levels and the ratio of administrators to sheriff deputies.

The County Mayor requested the Board members to forward any questions pertaining to the Sheriff's budget request to his office for delivery to the Sheriff.

GROWTH MANAGEMENT DEPARTMENT DISCUSSION AGENDA

1. Approval of the selection of 4 representatives to the School Impact Fee Advisory Group, one representing the Home Builders Association of Mid-Florida (HBA), all districts.

Staff presented a report and requested approval of this item; Board discussion ensued.

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with County Mayor Crotty and Commissioners Sindler, Fernandez, Stewart, and Segal voting AYE by voice vote; Commissioners Jacobs and Hartage voting NO by voice vote; the Board approved the selection of 4 representatives to the School Impact Fee Advisory Group as follows:

Home Builders Association of Mid-Florida Representative

Bill Silliman

Orange County Representatives

Randi Fitzgerald

Mickey Grindstaff

Dotti Wynn

A motion by Commissioner Hartage, seconded by Commissioner Jacobs, with Commissioners Jacobs and Hartage voting AYE by voice vote; County Mayor Crotty and Commissioners Sindler, Fernandez, Stewart, and Segal voting NO by voice vote; to amend the main motion to substitute Sharonda Britton for Randi Fitzgerald failed.

Commissioner Jacobs left the meeting.

PUBLIC WORKS DEPARTMENT DISCUSSION AGENDA

1. Streetlighting on arterial roadways. This is an informational item only. No action is requested.

Staff presented a report on this item. Board discussion ensued. No action was taken.

COUNTY ADMINISTRATOR DISCUSSION AGENDA

1. Legislative Update.

The County Mayor stated this item is deferred until later in the day (see below).

The County Mayor 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 Mayor Richard T. Crotty
- Commissioners Teresa Jacobs, Bob Sindler, Mildred Fernandez, Linda Stewart, and Homer Hartage
- County Comptroller as Clerk Martha Haynie
- County Administrator Ajit Lalchandani
- County Attorney Tom Drage
- Deputy County Attorney Joel Prinsell
- Deputy Clerk Rosilyn Stapleton

Commissioner Bill Segal joined the meeting where indicated.

COUNTY ADMINISTRATOR DISCUSSION AGENDA ITEM DEFERRED

1. Legislative Update.

Staff presented a report on this item. Board discussion ensued. County Comptroller Haynie contributed to the discussion. No action was taken.

Commissioner Segal joined the meeting.

Commissioner Stewart left the meeting.

MAY 5, 2005, BOARD OF ZONING ADJUSTMENT RECOMMENDATIONS

Upon a motion by Commissioner Hartage, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote, Commissioner Stewart was absent; the Board accepted the recommendations of the Orange County Board of Zoning Adjustment under date of May 5, 2005.

Commissioner Stewart rejoined the meeting.

NOTE: THE FOLLOWING 5 PUBLIC HEARINGS WERE CONSIDERED TOGETHER. SEE PAGE 57 FOR APPEARANCES AND PAGE 58 FOR ACTION TAKEN.

MSBU PUBLIC HEARING-WETHERBEE LAKES PHASES 1, 2, 3, AND 4; AMEND 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 amending an MSBU for retention pond(s) maintenance and streetlighting for Wetherbee Lakes Phases 1, 2, 3, and 4; District 4; Sections 13 and 18, Township 24, Ranges 29 and 30; Orange County, Florida (the legal property description is on file).

Staff reported that this request from the developer has an annual cost of \$44 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

and

MSBU PUBLIC HEARING-SUMMERPORT PHASES 1, 2, 3, 4, AND 5; AMEND FOR CERTAIN RETENTION POND(S) MAINTENANCE AND STREETLIGHTING; DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider amending an MSBU for retention pond(s) maintenance and streetlighting for Summerport Phases 1, 2, 3, 4, and 5; District 1; Sections 10, 11, 14, and 15; Township 23, Range 27; Orange County, Florida (the legal property description is on file).

Staff reported that this request from the developer has an annual cost of \$96 per lot for streetlighting and an annual cost of \$75 per lot for maintenance of retention pond(s).

and

MSBU PUBLIC HEARING-SIGNATURE LAKES PARCEL 1A, ESTABLISH FOR RETENTION POND(S) MAINTENANCE AND STREETLIGHTING, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider establishing an MSBU for retention pond(s) maintenance and streetlighting for Signature Lakes Parcel 1A; District 1; Sections 22, 23, and 27; Township 23, Range 27; Orange County, Florida (the legal property description is on file).

Staff reported that this request from the developer has an annual cost of \$192 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

and

MSBU PUBLIC HEARING-WINDROSE AT SOUTHMEADOW UNIT 1, ESTABLISH 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 establishing an MSBU for retention pond(s) maintenance and streetlighting for Windrose at Southmeadow Unit 1; District 4; Sections 26 and 35, Township 24, Range 29; Orange County, Florida (the legal property description is on file).

Staff reported that this request from the developer has an annual cost of \$247 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

and

MSBU PUBLIC HEARING-VISTAMERE, ESTABLISH FOR RETENTION POND(S) MAINTENANCE AND STREETLIGHTING, DISTRICT 1

Notice was given that the Board of County Commissioners would hold a public hearing to consider establishing an MSBU for retention pond(s) maintenance and streetlighting for Vistamere; District 1; Section 15, Township 23, Range 29; Orange County, Florida (the legal property description is on file).

Staff reported that this request from the developer has an annual cost of \$175 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

No one appeared regarding the MSBU requests.

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

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

- Amending Wetherbee Lakes Phases 1, 2, 3, and 4 MSBU; annual cost of \$44 per lot for streetlighting and \$54 per lot for maintenance of retention pond(s).
- Amending Summerport Phases 1, 2, 3, 4, and 5 MSBU; annual cost of \$96 per lot for streetlighting and \$75 per lot for maintenance of retention pond(s).
- Establishing Signature Lakes Parcel 1A MSBU; annual cost of \$192 per lot for streetlighting and \$54 per lot for maintenance of retention pond(s).
- Establishing Windrose at Southmeadow Unit 1 MSBU; annual cost of \$247 per lot for streetlighting and \$54 per lot for maintenance of retention pond(s).
- Establishing Vistamere MSBU; annual cost of \$175 per lot for streetlighting and an annual cost of \$54 per lot for maintenance of retention pond(s).

ORDINANCE/COMPREHENSIVE POLICY PLAN (CPP) PUBLIC HEARING-AMENDING
ORANGE COUNTY CODE, ADOPTING 2005-1 CPP AMENDMENTS

Notice was given that the Board of County Commissioners would hold a public hearing to consider adoption of proposed 2005-1 Regular Cycle Amendments to the Orange County Comprehensive Policy Plan (CPP) as it has been amended, as authorized by Chapter 163, Florida Statutes, for the following matters:

1. Proposed amendments to the CPP Future Land Use Element Map, which would change the designation of lands within the areas identified on the Regular Cycle map on file, with individual amendment numbers identifying the geographical areas proposed for amendments.
2. Proposed amendment to CPP Future Land Use Element Map, which would establish the Lake Pickett and Corner Lake Rural Settlements and related proposed amendment to CPP Future Land Use Element Policy 2.1.1 to add the Lake Pickett, Corner Lake, and Lake Avalon Rural Settlements to the list of existing Rural Settlements.
3. Proposed amendment to CPP Future Land Element Policy 2.4.5 to allow increased residential densities to the portions of the Avalon Rural Settlement located adjacent to other local government jurisdictions or adjacent to higher densities in the Horizon West Town Center.

4. Proposed amendment to CPP Future Land Use Element Policy 1.2.1 clarifying the applicability of Joint Planning Area Agreements addressing Growth Centers.
5. Proposed amendment to revise the CPP Transportation Element Figure 1: 2020 Long Range Plan to include updates based on FY 2005/2006 Orange County Budget.

(The following reference materials are on file: Amendment Booklet and maps; parcels of property that are subject to possible land use changes identified by the general location descriptions, acres, and tax parcel identification numbers; currently adopted land uses and requested land use changes; and a copy of the Objections, Recommendations, and Comments [ORC] Report.)

and

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE POLICY PLAN, COMMONLY KNOWN AS THE "2000-2020 COMPREHENSIVE POLICY PLAN," AS AMENDED; AMENDING THE FUTURE LAND USE ELEMENT MAP; AMENDING FUTURE LAND USE ELEMENT MAP TO ESTABLISH THE LAKE PICKETT AND CORNER LAKE RURAL SETTLEMENTS; REVISING FUTURE LAND USE ELEMENT POLICY 2.1.1 ADDING THE LAKE PICKETT, CORNER LAKE, AND LAKE AVALON RURAL SETTLEMENTS TO THE LIST OF EXISTING COUNTY RURAL SETTLEMENTS; AMENDING FUTURE LAND USE ELEMENT POLICY 2.4.5 TO ALLOW INCREASED DENSITIES IN THE LAKE AVALON RURAL SETTLEMENT WHEN ADJACENT TO OTHER LOCAL GOVERNMENT JURISDICTIONS OR ADJACENT TO HIGHER DENSITIES IN THE HORIZON WEST TOWN CENTER; REVISING FUTURE LAND USE ELEMENT POLICY 1.2.1 CLARIFYING THE APPLICABILITY OF THE JOINT PLANNING AREA AGREEMENTS ADDRESSING GROWTH CENTERS; REVISING TRANSPORTATION ELEMENT FIGURE 1; 2020 LONG RANGE PLAN TO INCLUDE UPDATES BASED ON THE FY 2005/2006 ORANGE COUNTY BUDGET; AND PROVIDING EFFECTIVE DATES.

and

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE POLICY PLAN, COMMONLY KNOWN AS THE "2000-2020 COMPREHENSIVE POLICY PLAN," AS AMENDED; AMENDING THE FUTURE LAND USE ELEMENT MAP BY ADOPTING SMALL SCALE AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE.

Staff informed the Board that this meeting is to consider the final adoption of the 2005 regular and small scale cycle Comprehensive Policy Plan (CPP) Amendments. Staff noted that the Department of Community Affairs (DCA) has reviewed the proposed amendments and issued its ORC Report. Staff stated that the Local Planning Agency conducted its review of the amendments at a public hearing on April 21, 2005.

PRIVATELY INITIATED FUTURE LAND USE MAP (FLUM) AMENDMENT ADOPTION PUBLIC HEARINGS-DISTRICT 1

Amendment 2005-1-A-1-1, Roy Lee Mallard/Jonathon McKnight (Carter Street) (page 15 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that the Local Planning Agency recommended adoption.

The following persons addressed the Board:

- Jonathon McKnight, the applicant
- Richard Holliday, area resident

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

Upon a motion by Commissioner Jacobs, seconded by Commissioner Fernandez, and carried with County Mayor Crotty and Commissioners Jacobs, Fernandez, Stewart, and Segal voting AYE by voice vote; Commissioners Hartage and Sindler voting NO by voice vote; the Board denied adoption of Amendment 2005-1-A-1-1, Roy Lee Mallard/Jonathon McKnight (Carter Street) (page 15 of the Amendment Booklet).

Amendment 2005-1-A-1-2, Edward Speno (Winter Garden Vineland Road) (page 25 of the Amendment Booklet)

Staff noted that this amendment was withdrawn.

SMALL SCALE CYCLE AMENDMENT-DISTRICT 1

Amendment 2005-1-S-1-1, Uthai Noomnarm (North Van Buren Avenue) (page 85 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following persons addressed the Board:

- Uthai Noomnam, the applicant
- Charles Bibber, area resident

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

Upon a motion by Commissioner Jacobs, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board adopted Amendment 2005-1-S-1-1, Uthai Noomnam (North Van Buren Avenue) (page 85 of the Amendment Booklet); with a future land use designation of PD Office.

Amendment 2005-1-S-1-3, June Engineering Consultants/Certi Fine Fruit Company (Windermere Road) (page 93 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The County Mayor noted the applicant present and in concurrence with the recommendation.

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

Upon a motion by Commissioner Jacobs, seconded by Commissioner Sindler, and carried with all members present and voting AYE by voice vote, the Board adopted Amendment 2005-1-S-1-3, June Engineering Consultants/Certi Fine Fruit Company (Windermere Road) (page 93 of the Amendment Booklet).

STAFF INITIATED MAP AND TEXT AMENDMENTS-DISTRICT 1

Amendment 2005-1-B-FLUE-2, Revision to FLUE Policy 2.4.5-Lake Avalon RS Densities (page 77 of the Amendment Booklet)

Staff reviewed the policy amendment and noted that staff and the Local Planning Agency recommended adoption.

The following persons addressed the Board:

- Carol Johnson, area resident
- Crystal Seidle, area resident

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

Commissioner Jacobs requested to insert the following into proposed Amendment 2.4.5 in the 5th sentence after the words, "consistent with Policy 2.1.17,":

"with the restriction that adjacent political jurisdictions shall be limited only to municipalities located within Orange County," ...

Upon a motion by Commissioner Jacobs, seconded by Commissioner Stewart, and carried with County Mayor Crotty and Commissioners Jacobs, Fernandez, Stewart, Segal and Hartage voting AYE by voice vote; Commissioner Sindler voting NO by voice vote; the Board adopted Amendment 2005-1-B-FLUE-2, Revision to FLUE Policy 2.4.5-Lake Avalon RS Densities (page 77 of the Amendment Booklet); and further, including the following:

Insert, "with the restriction that adjacent political jurisdictions shall be limited only to municipalities located within Orange County," after the words, "consistent with Policy 2.1.17," ...

County Mayor Crotty and Commissioners Jacobs and Segal left the meeting.

Staff noted that the public hearings would resume in agenda order.

EXPEDITED PRIVATELY INITIATED FLUM AMENDMENT ADOPTION

Amendment 2005-1-A-4-1, Todd Hudson (Kirby Smith Road) (page 7 of the Amendment Booklet)

Staff announced the expedited agenda item:

The following person addressed the Board:

- Todd Hudson, the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioners Jacobs and Segal were absent; the Board adopted Amendment 2005-1-A-4-1, Todd Hudson (Kirby Smith Road) (page 7 of the Amendment Booklet).

PRIVATELY INITIATED FUTURE LAND USE MAP (FLUM) AMENDMENT ADOPTION PUBLIC HEARINGS

Amendment 2005-1-A-2-1, Dell Avery/Kendall Keith (Round Lake Road @ Church Street) (page 29 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following person addressed the Board:

- Neil Frazee, for the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Sindler, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; County Mayor Crotty, and Commissioners Jacobs and Segal were absent; the Board adopted Amendment 2005-1-A-2-1, Dell Avery/Kendall Keith (Round Lake Road @ Church Street) (page 29 of the Amendment Booklet).

Amendment 2005-1-A-2-2, Thomas Daly-Daly Design Group (page 33 of the Amendment Booklet)

Staff noted the amendment is postponed until the Adoption Phase of Amendment Cycle 2005-2.

Commissioner Segal rejoined the meeting.

Amendment 2005-1-A-4-2, Dwight Saathoff/Robert Zlatkiss (Sunflower Trail-USA Exp.) (page 37 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following persons addressed the Board:

- Dwight Saathoff, the applicant
- Debbie Denton, area resident

The Vice-mayor closed the public hearing and opened the matter for Board discussion. Staff added to the discussion.

Upon a motion by Commissioner Stewart, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-A-4-2, Dwight Saathoff/Robert Zlatkiss (Sunflower Trail-USA Exp.) (page 37 of the Amendment Booklet); and further, noted a depicted layout of the request submitted by the applicant for the record is for planning purposes only.

Amendment 2005-1-A-4-3, Dell Avery (Narcoossee Road @ Tyson Road) (page 53 of the Amendment Booklet)

The Vice-mayor noted this amendment was withdrawn.

Amendment 2005-1-A-4-4, Marion Skilling (Boggy Creek Road) (page 57 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following person addressed the Board:

- Marion Skilling, the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-A-4-4, Marion Skilling (Boggy Creek Road) (page 57 of the Amendment Booklet).

EXPEDITED STAFF INITIATED AMENDMENTS

Staff explained the hearing format, requested approval of the items listed under the expedited agenda unless a public hearing is requested, and announced the expedited agenda items:

- Amendment 2005-1-B-FLUE-1, New Rural Settlements/Revision to FLUE Policy 2.1.1 (page 67 of the Amendment Booklet)
- Amendment 2005-1-B-TRAN-1, Revisions to Transportation Element Figure 1 (Maps) (page 73 of the Amendment Booklet)

No one appeared regarding the requests.

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Fernandez, seconded by Commissioner Segal, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendments 2005-1-B-FLUE-1, New Rural Settlements/Revision to FLUE Policy 2.1.1 (page 67 of the Amendment Booklet) and 2005-1-B-TRAN-1, Revisions to Transportation Element Figure 1 (page 73 of the Amendment Booklet).

STAFF INITIATED MAP AND TEXT AMENDMENTS

Amendment 2005-1-B-FLUE-3, Revision to FLUE Policy 1.2.1-Applicability of Joint Planning Agency (JPA) Agreements (page 81 of the Amendment Booklet)

Staff reviewed the policy amendments and noted that staff and the Local Planning Agency recommended adoption.

No one appeared regarding the request.

The Vice-mayor closed the public hearing and opened the matter for Board discussion. Staff added to the discussion.

Upon a motion by Commissioner Segal, seconded by Commissioner Fernandez, and carried with Commissioners Fernandez, Stewart, Segal, and Hartage voting AYE by voice vote; Commissioner Sindler voting NO by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-B-FLUE-3,

Revision to FLUE Policy 1.2.1-Applicability of Joint Planning Agency (JPA) Agreements (page 81 of the Amendment Booklet).

SMALL SCALE CYCLE AMENDMENTS

Amendment 2005-1-S-2-1, Manuel Cordero (Forest City Road) (page 101 of the Amendment Booklet)

The Vice-mayor announced that Amendment 2005-1-S-2-1, was postponed to a future amendment cycle.

Amendment 2005-1-S-2-2, Phillip Taylor/Harbin-Jasiulewicz-Johnson-Pratt (Clarcona Ocoee Road) (page 105 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following person addressed the Board:

- Phillip Taylor, the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Sindler, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-S-2-2, Phillip Taylor/Harbin-Jasiulewicz-Johnson-Pratt (Clarcona Ocoee Road) (page 105 of the Amendment Booklet).

Amendment 2005-1-S-2-3, Edward Williams/Forest City-Weston Investments (Forest City Road) (page 111 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended not to adopt.

The following person addressed the Board:

- Edward Williams, the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Sindler, seconded by Commissioner Segal, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted the Amendment 2005-1-S-2-3, Edward Williams/Forest City-Weston Investments (Forest City Road) (page 111 of the Amendment Booklet), with a future land use designation of PD Commercial.

Amendment 2005-1-S-3-1, Kathy Calhoun (Sue Ann Street) (page 119 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following person addressed the Board:

- Kathy Calhoun, the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Fernandez, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-S-3-1, Kathy Calhoun (Sue Ann Street) (page 119 of the Amendment Booklet).

Amendment 2005-1-S-3-2, Kenneth Leeming/Jehad Fadel (Pershing Avenue) (page 127 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended not to adopt.

No one appeared regarding the request.

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Fernandez, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board denied adoption of Amendment 2005-1-S-

3-2, Kenneth Leeming/Jehad Fadel (Pershing Avenue) (page 127 of the Amendment Booklet).

Amendment 2005-1-S-4-1, Wefky Mansour (Lancaster Road) (page 135 of the Amendment Booklet)

The Vice-mayor announced this amendment was withdrawn.

Amendment 2005-1-S-4-2, Michael Grindstaff/Westminster Community Center (Westmoreland Drive) (page 143 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following person addressed the Board:

- Michael Grindsaff, the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Stewart, seconded by Commissioner Sindler, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-S-4-2, Michael Grindstaff/Westminster Community Center (Westmoreland Drive) (page 143 of the Amendment Booklet).

Amendment 2005-1-S-4-3, Carley Strickland/Allen-Norman-Harrell (Sunflower Trail) (page 151 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following persons addressed the Board:

- Carley Strickland, the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Stewart, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-S-4-3, Carley Strickland/Allen-Norman-Harrell (Sunflower Trail) (page 151 of the Amendment Booklet).

Amendment 2005-1-S-5-1, Tony Rahbany (University Boulevard) (page 159 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended not to adopt.

The following persons addressed the Board:

- Tony Rahbany, the applicant
- Chris Bauer, area resident,
- Michelle Ramirez, for the applicant
- Russell Hardy, area resident
- Joseph Sanders, area resident
- Cheryl Lichtenthal, area resident

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

A motion by Commissioner Segal, seconded by Commissioner Stewart, with Commissioners Stewart and Segal voting AYE by voice vote; Commissioners Fernandez, Sindler, and Hartage voting NO by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; to deny adoption of Amendment 2005-1-S-5-1, Tony Rahbany (University Boulevard) (page 159 of the Amendment Booklet), failed.

Upon a motion by Commissioner Sindler, seconded by Commissioner Fernandez, carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-S-5-1, Tony Rahbany (University Boulevard) (page 159 of the Amendment Booklet), with a future land use designation of PD Office.

Amendment 2005-1-S-5-2, Lillian Metz/Fernandez-Banos (Colonial Drive) (page 167 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency (LPA) recommended not to adopt. Staff

further stated that the LPA recommends adoption with the modification of changing 1.24 acres instead of the proposed 5 acres to Commercial.

The following persons addressed the Board:

- Lillian Metz, the applicant
- Fred Kurtz, for the applicant
- Manuel Fernandez, for the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion. Staff added to the discussion.

Upon a motion by Commissioner Segal, seconded by Commissioner Stewart, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted Amendment 2005-1-S-5-2, Lillian Metz/Fernandez-Banos (Colonial Drive) (page 167 of the Amendment Booklet), changing 1.24 acres to a future land use designation of PD Commercial.

Amendment 2005-1-S-5-3, Rebecca Furman/Cypress Lake Investment (Chuluota Road) (page 175 of the Amendment Booklet)

Staff reviewed the location, the request, and the recommended land uses; and further, noted that staff and the Local Planning Agency recommended adoption.

The following person addressed the Board:

- Anna Long, for the applicant

The Vice-mayor closed the public hearing and opened the matter for Board discussion.

Upon a motion by Commissioner Segal, seconded by Commissioner Fernandez, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board continued Amendment 2005-1-S-5-3, Rebecca Furman/Cypress Lake Investment (Chuluota Road) (page 175 of the Amendment Booklet), until the next amendment cycle.

COMPREHENSIVE POLICY PLAN ORDINANCES

Upon a motion by Commissioner Fernandez, seconded by Commissioner Stewart, and carried with all present members voting AYE by voice vote; County Mayor Crotty and Commissioner Jacobs were absent; the Board adopted the following ordinances:

- Ordinance 2005-5, amending Orange County Code, the 2000-2020 Comprehensive Policy Plan
- Ordinance 2005-6, amending Orange County Code, the 2000-2020 Comprehensive Policy Plan Small Scale Amendments

MEETING ADJOURNED

There being no further business, the County Mayor adjourned the meeting at 5:40 p.m.

ATTEST:

Martha O. Haynie
County Comptroller as Clerk

County Mayor

Deputy Clerk

Minutes Coordinator

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