

JAN 23 1996

TJW BS

RESOLUTION NO. 96-M-08

MEMORIALIZING THE CONSENT OF ORANGE COUNTY TO  
CONSTRUCTION OF BUFFER WALLS WITHIN THE INDICATED  
RIGHT OF WAY OF HOFFNER ROAD WITHIN THE CORPORATE  
LIMITS OF THE CITY OF BELLE ISLE, SUBJECT TO CERTAIN  
CONDITIONS.

WHEREAS, the City of Belle Isle ("City") has inquired of Orange County as to  
whether the County would consent to the erection of private subdivision walls encroaching  
into the right-of-way of Hoffner Road within the corporate limits of the City of Belle Isle  
inasmuch as the right-of-way for Hoffner Road within the corporate limits of the City of Belle  
Isle is under the jurisdiction of both the County and City; and

WHEREAS, Hoffner Road is a functionally classified right-of-way and therefore  
under County jurisdiction for the sole purposes of edge to edge maintenance of road  
pavement and maintenance of drainage structures supporting such pavement; and

WHEREAS, the City of Belle Isle is considering consenting to the construction of  
said private subdivision buffer walls which would be located within the Hoffner Road right-  
of-way area within the corporate limits of the City of Belle Isle; and

WHEREAS, the City of Belle Isle has requested that the Board of County  
Commissioners of Orange County consent to such buffer wall construction to the extent such  
consent by the Board of County Commissioners is required; and

WHEREAS, Orange County has determined that it has no objection to the  
construction of said buffer walls so long as such construction is accomplished in a manner  
which does not affect the road surface of Hoffner Road or impair drainage within the Hoffner  
Road right-of-way area;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY  
COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

Section 1. Orange County does hereby consent to the construction of private  
subdivision buffer walls within the right-of-way area of Hoffner Road within the corporate  
limits of the City of Belle Isle so long as such construction is accomplished in a manner which  
will not impair either the pavement or pavement maintenance of the said Hoffner Road or

41 adversely affect drainage within the right-of-way of Hoffner Road.

43 Section 2. Severability of Provisions. If any provision of this resolution or the  
45 application thereof to any person or circumstance is held invalid, the invalidity shall not affect  
47 other provisions or applications of this resolution which can be given effect without the  
49 invalid provisions or application, and to this end, the provisions of this resolution are declared  
51 severable.

53 Section 3. Effective Date. This Resolution shall take effect upon adoption.

55 ADOPTED THIS 23<sup>rd</sup> DATE OF January, 1996



57 ORANGE COUNTY, FLORIDA

59 BY: James C. Bennett  
61 County Chairman

63 for  
65 DATE: JAN 23 1996

67 ATTEST: Martha O. Haynie, Comptroller  
69 As Clerk of the Board of County Commissioners

71 BY: [Signature]  
73 Deputy Clerk