# AGENDA

**Orange County Government • Board of County Commissioners • 201 South Rosalind Avenue**
**County Commission Chambers • 1st Floor • County Administration Center**
**www.OrangeCountyFL.net**

## TUESDAY, MARCH 21 , 2017

## MEETING STARTS AT 9:00 a.m.

- **Invocation – District 6**
- **Pledge of Allegiance**
- **Presentation of a proclamation designating 2017 as Coalition for the Homeless 30th Anniversary Year**
- **Public Comment***

## I. CONSENT AGENDA

### A. COUNTY COMPTROLLER

1. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. **(Finance/Accounting) Page 14**
2. Disposition of Tangible Personal Property as follows: **(Property Accounting) Page 14-15**
   a. Trade in assets for allowance toward the purchase of new equipment.
   b. Scrap assets.

### B. COUNTY SHERIFF

1. Approval and execution of 1) Florida Department of Law Enforcement Justice Assistance Grant - County-wide subgrant in the total amount of $27,000 for the period of June 1, 2016 through March 31, 2017; 2) Certification Regarding Lobbying; Debarment, Suspension, and other Responsibility Matters; and Drug-Free Workplace Requirements; and 3) Certification Form Compliance with the Equal Employment Opportunity Plan (EEOP) requirements. No matching funds are required. **Page 16-58**

**CONTINUED**

*Pursuant to Section 209 of the Orange County Charter, as amended on Nov. 4, 2008, the Board of County Commissioners must set aside at least 15 minutes at the beginning of each regular meeting for citizens to speak to the Board on any matter of public interest under the Board's authority and jurisdiction, regardless of whether the public issue is on the Board's agenda, but excluding matters that are not appropriate for public discussion, such as pending procurement or land use issues.

## I. CONSENT AGENDA (Continued)

### C. COUNTY ADMINISTRATOR

1. Confirmation of the appointment of Alan Hirschkorn as the District 3 representative on the Orange County Citizen Corps Council with a term expiring December 31, 2018. **(Agenda Development Office) Page 59**
2. Appointment of Commissioner Mark A. Maciel to the Community Action Board in the municipal elected official category with a term expiring December 31, 2018. **(Agenda Development Office) Page 60**
3. Approval for the Orange County Sheriff's Office to spend $1,000 from the FY 2017 Law Enforcement Trust Fund to provide an eligible contribution to Mothers Against Drunk Driving (MADD), Central Florida Chapter. **(Office of Management and Budget) Page 61-64**

### D. ADMINISTRATIVE SERVICES DEPARTMENT

1. Approval to award Invitation for Bids Y17-196-MV, Street Sweeping Services – Roads and Drainage Division, to the low responsive and responsible bidder, USA Services of Florida, Inc. The estimated contract award amount for the base year is $1,076,740. ([Public Works Department Roads and Drainage Division] **Procurement Division) Page 65-67**
2. Approval to award Invitation for Bids Y17-619-PD, Traxon Technologies Lighting System, to the low responsive and responsible bidder, Rexel, Inc. The total contract award amount is $512,881.10. ([Convention Center Facilities Operations Division] **Procurement Division) Page 68-70**
3. Approval to award Invitation for Bids Y17-722-PH, South Water Reclamation Facility Sodium Hypochlorite Storage and Repump Facility Improvements, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is $2,764,940. ([Utilities Department Engineering Division] **Procurement Division) Page 71-74**
4. Approval to award Invitation for Bids Y17-725-MM, Orange County Facilities Management Division Special Services Building 1944 HVAC, Electrical and Interior Upgrades, to the low responsive and responsible bidder, Onopa Services, LLC. The total contract award amount is $571,703. ([Administrative Services Department Capital Projects Division] **Procurement Division) Page 75-78**
5. Approval to award Invitation for Bids Y17-730-MM, Orange County Convention Center North South Building Lighting Enhancements, to the sole responsive and responsible bidder, Comelco, Inc. The total contract award amount is $975,000. ([Convention Center Fiscal Operations Division] **Procurement Division) Page 79-83**

**CONTINUED**

# I. CONSENT AGENDA (Continued)

## D. ADMINISTRATIVE SERVICES DEPARTMENT (Continued)

6. Approval of Amendment No. 1, Contract Y14-1036-ZM, Refrigeration Equipment Preventative Maintenance and Repairs with TWC Services, Inc. in the amount of $67,114.40 for a revised contract amount of $1,243,685. ([Utilities Department Fiscal and Operational Support Division] **Procurement Division) Page 84**
7. Approval of Amendment No. 2, Contract Y16-1049A-DG, Shuttle Bus Service with Driver – Orange County Convention Center, with Transtar Transportation Group, Inc. in the amount of $82,500 for a revised total contract amount of $329,600. ([Convention Center Fiscal and Operational Support Division] **Procurement Division) Page 85-86**
8. Ratification of Purchase Order M83485, Emergency Replacement of Chiller Motor and 10 year Overhaul at the Intake Booking and Release Building at Orange County Corrections, with Trane US Inc., in the total amount of $115,623. ([Administrative Services Department Facilities Management Division] **Procurement Division) Page 87-88**
9. Selection of Atkins North America, Inc. to provide, Design Services for Corrections Work Release Center HVAC System and Domestic Water System Replacements, Request for Proposals Y17-805-CC. ([Administrative Services Department Capital Projects Division] **Procurement Division) Page 89-92**
10. Approval to Purchase the Renewals of All Lines of Commercial Coverage (as outlined below) for the County's Commercial Insurance Program under, Contract Y15-192, Insurance Broker and Consultant Services, for premiums not-to-exceed $4,890,800.

| **Commercial Insurance Program** | **Amount** |
|---|---|
| Commercial Property Program<br>Includes Stand-alone Terrorism, Boiler & Machinery and Vehicle and Mobile Equipment Policies | $ 4,000,000 |
| Excess Public Entity Liability | $ 510,000 |
| Cyber Liability & Extortion | $ 112,000 |
| Commercial Crime & Public Officials Bonds | $ 15,000 |
| Vendor Liability Programs** | $ 5,000 |
| Neighborhood Services Grants- Liability*** | $ 13,000 |
| Corporate Counsel | $ 18,000 |
| Corrections AD&D and Med Pay Policies | $ 12,800 |
| Broker's Fee | $ 205,000 |

([Office of Accountability Risk Management and Professional Standards Division] **Procurement Division) Page 93-94**

**CONTINUED**

## I. CONSENT AGENDA (Continued)

### D. ADMINISTRATIVE SERVICES DEPARTMENT (Continued)

11. Approval and execution of Resolution and authorization to record instrument for Crosby Island Marsh. District 4. **(Real Estate Management Division) Page 95-96**
12. Approval and execution of Resolution and County Deed from Orange County to the Town of Oakland and authorization to record instrument for Parcel 20-22-27-0000-00-038. District 1. **(Real Estate Management Division) Page 97-98**
13. Approval and execution of Resolution and Subordination of County Drainage Easement Interests between the State of Florida Department of Transportation and Orange County and authorization to record instruments for FDOT – S.R. 400 (I-4) from North of Kennedy Blvd. to Seminole County Line (F.P. No. 242484 6). District 5. **(Real Estate Management Division) Page 99-100**
14. Approval and execution of Utility Easement between The School Board of Orange County, Florida and Orange County and authorization to record instrument for Riverside ES OCU File No. 81348. District 2. **(Real Estate Management Division) Page 101-102**
15. Approval of Purchase Agreement, Utility Easement and Temporary Construction Easement between Brett Thomas and Orange County, Subordination of Encumbrance to Property Rights to Orange County from Quicken Loans Inc. and authorization to disburse funds to pay purchase price and recording fees and record instruments for Pump Station No. 3260 (Wekiva Meadows). District 2. **(Real Estate Management Division) Page 103-104**
16. Approval of Warranty Deed and Non-Exclusive Drainage Easement from Core Real Estate Limited LLC to Orange County and authorization to perform all actions necessary and incidental to closing for Core Academy PD/UNP/LUP. District 1. **(Real Estate Management Division) Page 105-106**
17. Approval of Warranty Deed from Lake Sawyer South Community Association, Inc. to Orange County and authorization to disburse funds to pay all recording fees and record instrument for North of Albert's PD/Westside Village Home District PSP/DP. District 1. **(Real Estate Management Division) Page 107-108**

**CONTINUED**

## I. CONSENT AGENDA (Continued)

### E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. **(Code Enforcement Division) Page 109-111**

| | | | | |
|---|---|---|---|---|
| LC 17-0321 | LC 17-0317 | LC 17-0142 | LC 17-0359 | LC 17-0108 |
| LC 16-1073 | LC 17-0322 | LC 17-0288 | LC 17-0370 | LC 17-0109 |
| LC 17-0072 | LC 17-0323 | LC 17-0292 | LC 17-0371 | LC 17-0158 |
| LC 17-0191 | LC 17-0331 | LC 17-0328 | LC 16-1106 | LC 17-0161 |
| LC 17-0243 | LC 17-0342 | LC 17-0002 | LC 16-1133 | LC 17-0164 |
| LC 17-0268 | LC 16-1016 | LC 17-0249 | LC 17-0033 | LC 17-0165 |
| LC 17-0298 | LC 16-1228 | LC 17-0332 | LC 17-0062 | LC 17-0187 |
| LC 17-0300 | LC 17-0136 | LC 17-0336 | LC 17-0100 | LC 17-0212 |

2. Acceptance of Recommendation of the Environmental Protection Commission to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with a condition that the applicant pay $754 to the Conservation Trust Fund for the Barbosa Dock Construction Permit BD-16-11-112. District 1. **(Environmental Protection Division) Page 112-120**
3. Approval and execution of Project Administration Agreement between Orange County, Florida and Heart of Florida United Way, Inc. Regarding the Emergency Solutions Grant Program FY 2015-2016 to allow for utilization of $34,500 of unspent funding from FY 2015-2016. All Districts. **(Housing and Community Development Division) Page 121**
4. Approval and execution of Agreement between Orange County, Florida and Harbor House of Central Florida, Inc. Regarding the Community Development Block Grant Program FY 2016-2017 in the amount of $80,000. All Districts. **(Housing and Community Development Division) Page 122**
5. Approval and execution of First Amendment to Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement Core Academy PD/UNP/LUP R.O.W. Dedication for CR 545 (Avalon Road) Widening by and between Avalon Real Estate Limited LLC and Orange County to extend the timeframe for the conveyance of right-of-way. District 1. **(Roadway Agreement Committee) Page 123-138**
6. Approval and execution of Proportionate Share Agreement for CR 535 Lakeside Village Properties, LLC Reams Road: From Center Drive to Taborfield Avenue by and between CR 535 Lakeside Village Properties, LLC and Orange County for a proportionate share payment in the amount of $95,427. District 1. **(Roadway Agreement Committee) Page 139-150**

**CONTINUED**

## I. CONSENT AGENDA (Continued)

### F. FAMILY SERVICES DEPARTMENT

1. Acceptance of University of Florida's appointment of Ms. JanaFaye Griffin as Orange County Extension Agent I, Family and Consumer Sciences. All Districts. **(Cooperative Extension Division Employment Agreement) Page 151-158**
2. Receipt and filing of Head Start Policy Council Program Information and Updates January 2017 and February 2017; and Head Start Policy Council Meeting Minutes December 15, 2016 and January 19, 2017, respectively, for the official county record. **(Head Start Division) Page 159-258**
3. Approval of a one-time $7,000 landscaping grant to the Corporal Larry E. Smedley National Vietnam War Museum. District 5. **(Neighborhood Preservation and Revitalization Division) Page 259-262**

### G. HEALTH SERVICES DEPARTMENT

1. Approval and execution of the Paratransit Services License for ProTransportation Inc. to provide wheelchair/stretcher service. The term of this license is from April 1, 2017 through April 1, 2019. There is no cost to the County. **(EMS Office of the Medical Director) Page 263-268**
2. Approval and execution of the renewal Certificate of Public Convenience and Necessity for City of Apopka Fire Department to provide Advanced Life Support Transport Service. The term of this certificate is from April 30, 2017 through April 30, 2019. There is no cost to the County. **(EMS Office of the Medical Director) Page 269-271**

### H. PUBLIC WORKS DEPARTMENT

1. Approval to construct speed humps on S. Central Avenue. District 2. **(Traffic Engineering Division) Page 272-274**
2. Approval to construct speed humps on Fricke Avenue. District 5. **(Traffic Engineering Division) Page 275-277**
3. Approval of Traffic Control Devices and "No Parking" sign installations in President's Park (aka President's Point). District 5. **(Traffic Engineering Division) Page 278-285**

CONTINUED

## II. INFORMATIONAL ITEMS**

### A. COUNTY COMPTROLLER

1. Receipt of the following items to file for the record: **(Clerk's Office) Page 286**
   a. Minutes of the January 18, 2017, Meeting in the Sunshine. County Mayor Teresa Jacobs and Commissioners Betsy VanderLey, Bryan Nelson, Pete Clarke, Jennifer Thompson, and Victoria Siplin along with area business leaders and local elected officials attended the 2017 Orange County Economic Summit discussing topics that included an economic forecast, presentations regarding the local economy, and a Workforce Development Panel.
   b. Florida Public Service Commission Order Suspending Florida Power and Light's Petition for Approval of a New Optional Pilot LED Streetlight Tariff. In re: Petition for approval of a new optional pilot LED streetlight tariff, by Florida Power and Light Company.
   c. Orange County Convention Center, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.
   d. Orange County Solid Waste System, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.
   e. Orange County Water Utilities System, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.

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

**CONTINUED**

## TUESDAY, MARCH 21, 2017

# III. DISCUSSION AGENDA

## A. COUNTY ADMINISTRATOR

1. Appointment of one Board member to the 2016 Value Adjustment Board and appointment of two Board members and one citizen member to the 2017 Value Adjustment Board and the designation of two alternate Board members and one alternate citizen member. **Page 287-288**

## B. ADMINISTRATIVE SERVICES DEPARTMENT

1. Selection of one firm and an alternate to provide Health Insurance Premium & Cost Sharing Assistance Program for Persons with HIV Spectrum Disease – Ryan White Part A, Request for Proposals Y17-164-DG, from the following two firms, listed alphabetically:
   - Benalytics Consulting Group, LLC
   - Heart of Florida United Way

   ([Health Services Department Fiscal and Operation Support Division] **Procurement Division) Page 289-291**

## C. CORRECTIONS DEPARTMENT

1. Jail to Community Reentry Program Update. **Page 292**

## D. HEALTH SERVICES DEPARTMENT

1. House Bill 871 Update. **Page 293**

**CONTINUED**

## TUESDAY, MARCH 21, 2017

# IV. WORK SESSION AGENDA

## A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. Land Development Process – Zoning and Zoning Changes. All Districts. **Page 294**

**RECESS**

## V. RECOMMENDATIONS

March 2, 2017 Board of Zoning Adjustment Recommendations

CONTINUED

## TUESDAY, MARCH 21, 2017

# VI. PUBLIC HEARINGS

## Public hearings scheduled for 2:00 p.m.

### A. Municipal Service Benefit Unit

1. Lakeside Neighborhood and Thornhill, A Replat Areas, amend for streetlighting; District 1

2. Lakeview Pointe at Horizon West Area, amend for streetlighting and for retention pond(s) maintenance; District 1

3. Mabel Bridge Area, amend for streetlighting and for retention pond(s) maintenance; District 1

4. Orangewood/Westwood Area, amend for streetlighting; District 1

5. Royal Vista, establish streetlighting and for retention pond(s) maintenance; District 5

6. Tildenville Area, amend for streetlighting; District 1

### B. Petition to Vacate

7. Applicant: Sheila Cichra on behalf of Richard Fender, Petition to Vacate # 17-01-001, vacate a portion of a drainage easement; District 3

### C. Shoreline Alteration/Dredge and Fill

8.✓ Applicant: Evan Landis, Lake Jennie Jewel, permit; District 3

9.✓ Applicant: George Douglas Ross and Sunset Lakes of Windermere Homeowner's Association, Inc., permit; District 1

**√ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.**

**Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp.**

## CONTINUED

## VI. PUBLIC HEARINGS (Continued)

## Public hearings scheduled for 2:00 p.m. (Continued)

### D. Development Plan

10.✓ Applicant: Larry Poliner, Landsmart Consultants, LLC, Lakeside Village Center South Planned Development (PD)/Lakeside Village Center South Preliminary Subdivision Plan (PSP)/Sweetwater Car Wash Development Plan (DP) - Case # DP-16-06-217; District 1

### E. Preliminary Subdivision Plan

11.✓ Applicant: Marc Stehli, Poulos & Bennett, LLC, Hickory Nut Estates Planned Development/Hickory Nut Estates Preliminary Subdivision Plan, Case # PSP-16-06-222; District 1

12.✓ Applicant: Tina Lee, Ashton Residential Orlando, LLC, Sweetwater Golf & Country Club Planned Development (PD)/The Reserve Preliminary Subdivision Plan/Development Plan – Case # PSP-15-11-339; District 2

### F. Rezoning

13.✓ Applicant: Larry Poliner, RCE Consultants, LLC, Rainbow Ridge PD, Case # LUP-15-12-388; District 2

### G. Board of Zoning Adjustment Board-Called

14.✓ Applicant: Our Lady of Fatima Catholic Church, Case # SE-17-01-179, January 5, 2017; District 2

**√ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.**

**Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp.**

## CONTINUED

## VI. PUBLIC HEARINGS (Continued)

## Public hearings scheduled for 2:00 p.m. (Continued)

### H. Substantial Change

15.✓ Applicant: Robert Grassman, Bowman Consulting, South Park Planned Development (PD) – Sand Lake Corners Preliminary Subdivision Plan (PSP)/Development Plan (DP), Case # CDR-16-07-238, amend plan; District 6

16.✓ Applicant: Ryan Von Weller, Hawthorne Park Developer, LLC, Silver Pines Planned Development/Land Use Plan (PD/LUP) – Case # CDR-17-01-005; District 6

### I. Planning and Zoning Commission Board-Called

17.✓ Applicant: Kelly Miller Levine, Conventional Rezoning Case # RZ-16-07-019, July 21, 2016; District 3 (Continued from December 13, 2016 and February 7, 2017)

√ The notated public hearing is quasi-judicial in nature. As such, any verbal or written communication with a member of the Board of County Commissioners prior to today's quasi-judicial hearing should be disclosed on the record or made a part of the record during the public hearing by or on behalf of the party who communicated with the Board member to allow any interested party an opportunity to inquire about or respond to such communication. Failure to disclose any such communication may place the party who ultimately prevails at the quasi-judicial hearing at risk of having the Board's decision overturned in a court of law due to prejudice against the party who was not privy to the ex parte communication.

Information regarding meetings held at the County Administration Building between any member of the Board and an outside party may be obtained at http://www.orangecountyfl.net/visitors/reports/MeetingsReportPage.asp.

* * *

Any person wishing to appeal any decision made by the Board of County Commissioners at this meeting will need a record of the proceedings. For that purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two (2) business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-5517.

Para mayor información en español, por favor llame al (407) 836-3111.

NOTE: Reports from the County Mayor, the County Commissioners, the County Administrator, and the County Attorney may be presented at unscheduled times throughout the day, depending on the length of time required for advertised public hearings.

Copies of Specific Project Expenditure Reports and Relationship Disclosure Forms are not included with agenda items unless there is a listed expenditure or disclosure. Copies of these completed reports and forms may be obtained by contacting the relevant Department/Division Office.

**OFFICE OF THE COMPTROLLER**

**ORANGE COUNTY FLORIDA**

**Phil Diamond, CPA**
**County Comptroller**
201 South Rosalind Avenue
Post Office Box 38
Orlando, Florida 32802
Telephone: 407-836-5690
Fax: 407-836-5599
Website www.occompt.com

## COUNTY COMMISSION AGENDA
## Tuesday, March 21, 2017

## COUNTY COMPTROLLER

### Items Requiring Consent Approval

1. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Signature authorization and accompanying detail of most recently disbursed County funds are available in the Clerk's Office and on the Comptroller's web site.

2. Disposition of Tangible Personal Property

   Approval is requested of the following:
   a. Trade in assets for allowance toward the purchase of new equipment.
   b. Scrap assets.

Attachment to "Request For Action" Number P17-004

| Department/Office last using equipment | Asset Number | Asset Description | Purchase Date | Original Cost | Depreciated Value | Disposition Requested | Justification |
|---|---|---|---|---|---|---|---|
| Utilities, Field Services | 001903 | TANKER TRUCK,INTERNATIONAL | 5/31/1994 | 73,379.97 | 0.00 | Trade-in asset for a $5,500 allowance towards the purchase of new equipment | Assets have exceeded their life expectancy. It is not economically feasible to repair or refurbish the assets. |
| | 001989 | TANKER TRUCK,FORD | 11/26/1996 | 79,220.00 | 0.00 | Trade-in asset for a $6,500 allowance towards the purchase of new equipment | |
| | 008002 | LOADER,BOBCAT | 10/21/1999 | 20,821.00 | 0.00 | Trade-in asset for a $7,500 allowance towards the purchase of new equipment | |
| | 008591 | TRACKER HOE,KOMATSU | 10/1/1995 | 215,831.00 | 0.00 | Trade-in asset for a $15,000 allowance towards the purchase of new equipment | |
| | 008601 | BACKHOE,JOHN DEERE | 10/1/1995 | 121,041.19 | 0.00 | Trade-in asset for a $14,000 allowance towards the purchase of new equipment | |
| | 008602 | LOADER,JOHN DEERE | 10/1/1995 | 100,322.53 | 0.00 | Trade-in asset for a $25,000 allowance towards the purchase of new equipment | |
| | 008772 | BACKHOE,CASE | 10/12/2000 | 61,947.00 | 0.00 | Trade-in asset for a $18,000 allowance towards the purchase of new equipment | |
| | 012019 | SEWER CLEANING TRUCK,INTERNATIONAL | 8/31/2004 | 229,615.00 | 0.00 | Trade-in asset for a $36,000 allowance towards the purchase of new equipment | |
| | 028268 | ROLLER,WACKER | 10/7/2005 | 25,895.00 | 0.00 | Trade-in asset for a $2,300 allowance towards the purchase of new equipment | |
| | 080038 | BACKHOE,JOHN DEERE | 6/5/2003 | 94,582.30 | 0.00 | Trade-in asset for a $20,000 allowance towards the purchase of new equipment | |
| Public Works, Road & Drainage | 509763 | HANDHELD RADIO,MOTOROLA | 11/21/2012 | 1,159.20 | 322.81 | Scrap Asset | Asset is damaged beyond repair. |
| Public Works, Stormwater Management | 887466 | BUCKET (CLAMSHELL) ATTACHMENT,LITTLE GIANT | 10/1/1981 | 5,106.71 | 0.00 | | Asset was deteriorated beyond repair and disposed of prior to obtaining Board approval. |
| Florida Department of Health | 735070 | DEFIBRILLATOR,POWERHEART | 6/1/2007 | 1,450.00 | 0.00 | Scrap Asset | Assets are outdated and can no longer be used as a life-saving device. |
| | 735071 | DEFIBRILLATOR,POWERHEART | 6/1/2007 | 1,450.00 | 0.00 | | |
| | 735072 | DEFIBRILLATOR,POWERHEART | 6/1/2007 | 1,450.00 | 0.00 | | |
| Fire Rescue | 915314 | MODULAR OFFICE BUILDING,FLEETWOOD | 8/28/1989 | 43,350.00 | 0.00 | Scrap Asset | Asset is structurally unsafe, and Orange County Capital Projects Division is overseeing the installation of a new trailer. The contractor awarded the project will dispose of the asset. |
| ISS, Radio Services | 921487 | GENERATOR,KOHLER | 1/7/1992 | 21,193.00 | 0.00 | Scrap Asset | Asset is obsolete and has reached its end of life. No usable parts of the generator can be used as spares within the Fleet Management Division due to the asset's age. Onsite contractor will dispose of asset. |

*Interoffice*

**MEMO**

**ORANGE COUNTY SHERIFF'S OFFICE**

***Visit our website*: www.ocso.com**

March 14, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Tammy Miller, Grants Manager
Orange County Sheriff's Office

SUBJECT: FFY14 Edward Byrne Memorial Justice Assistance Grant (Pulse Nightclub)
CONSENT AGENDA ITEM March 21, 2017

The Florida Department of Law Enforcement, acting as the pass-thru agency for the Justice Assistance Grants County-wide, has approved the Orange County Board of County Commissioners funding in the amount of $27,000 that requires no matching funds. The grant period is June 1, 2016 through March 31, 2017. Funding will provide reimbursement to the Sheriff's Office for equipment repair and/or replacement that were damaged during the Pulse Nightclub tragedy.

**JAG Residual Funds/Orange County/Orlando Pulse,** funds will be used to replace and/or repair equipment damaged during the Pulse Nightclub tragedy. ($27,000)

**ACTION REQUESTED:** Approval and execution of 1) Florida Department of Law Enforcement Justice Assistance Grant - County-wide subgrant in the total amount of $27,000 for the period of June 1, 2016 through March 31, 2017; 2) Certification Regarding Lobbying; Debarment, Suspension, and other Responsibility Matters; and Drug-Free Workplace Requirements; and 3) Certification Form Compliance with the Equal Employment Opportunity Plan (EEOP) requirements. No matching funds are required.

T.M.

Enclosures

c: Jerry L. Demings, Sheriff, OCSO
Rey Rivero, Undersheriff, OCSO
Andy DiLoreto, Comptroller, OCSO
Cheryl Gillespie, Supervisor, Agenda Development, OC
Patria Morales, Grants Coordinator, OC

Tammy Miller, Grants Manager, OCSO
Ajit Lalchandani, County Administrator, OC
Hilde Vazguez-Matos, Senior Grants Analyst, OC Comptroller

# Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

## Section 1: Administration

### Subgrant Recipient

**Organization Name:** Orange County Board of Commissioners
**County:** Orange

### Chief Official

**Name:** Teresa Jacobs
**Title:** Mayor
**Address:** 201 South Rosalind Avenue
5th Floor
**City:** Orlando
**State:** FL **Zip:** 32801
**Phone:** 407-836-7370 **Ext:**
**Fax:** 407-836-7360
**Email:** teresa.jacobs@ocfl.net

### Chief Financial Officer

**Name:** Phil Diamond
**Title:** County Comptroller
**Address:** 201 South Rosalind Avenue
**City:** Orlando
**State:** FL **Zip:** 32801-3527
**Phone:** 407-836-5715 **Ext:**
**Fax:** 407-836-5599
**Email:** phil.diamond@occompt.com

# Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

## Section #1 Administration

### Implementing Agency

**Organization Name:** Orange County Sheriff's Office
**County:** Orange

### Chief Official

**Name:** Jerry Demings
**Title:** Sheriff
**Address:** Post Office Box 1440
**City:** Orlando
**State:** FL **Zip:** 32802-1440
**Phone:** 407-254-7000 **Ext:**
**Fax:**
**Email:** Jerry.Demings@ocfl.net

# Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

## Section 2: Project Overview

### General Project Information

**Project Title:** JAG RESIDUAL FUNDS/ORANGE COUNTY/ORLANDO PULSE
**Subgrant Recipient:** Orange County Board of Commissioners
**Implementing Agency:** Orange County Sheriff's Office
**Project Start Date:** 6/1/2016 **End Date:** 3/31/2017

### Problem Identification

On June 12, 2016, Orange County, Florida and the City of Orlando experienced a terrorist attack at the Pulse Nightclub. Forty-nine people were killed in the attack and 53 injured, making it the deadliest mass killing in the Country's history. As a result, the Orange County Sheriff's Office (OCSO) personnel worked numerous hours and overtime to respond to the incident: including time spent on scene, at hospitals, securing the scene and area and initial investigations. During the response and recovery of the Orlando Pulse incident, equipment was damaged and/or needed to be replaced, repaired, or decontaminated.

### Project Summary (Scope of Work)

Funds from this JAG grant will be used to repair, replace, or decontaminate equipment costs incurred by the Orange County Sheriff's Office starting with activation to recovery of the Orlando Pulse Mass Shooting event.

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

## Section 2: Project Overview

Section Questions:

Question: Does the Subgrantee receive a single grant in the amount of $500,000 or more from the U.S. Department of Justice?

Answer: Yes

Question: Does the Implementing Agency receive a single grant in the amount of $500,000 or more from the U.S. Department of Justice?

Answer: Yes

Question: Part 1: In your business or organization's preceding completed fiscal year, did your business or organization (the subgrantee) receive (1) 80 percent or more of your annual gross revenues in U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and (2) $25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements? If yes, answer "yes" or "no" to Part 2, below.

Answer: No

Question: Part 2: Does the public have access to information about the compensation of the executives in your business or organization (the subgrantee) through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986? If answer to Part 1, above, was "no," answer N/A.

Answer: N/A

Question: Do the Subrecipient and Implementing agencies understand that this is a cost-reimbursement agreement for satisfactory performance of eligible activities? Requests for reimbursement may be submitted quarterly or monthly as designated in the Financial Section of the agreement. Requests for reimbursement will be processed in conjunction with receipt and review of programmatic performance reports to determine successful completion of minimum performance for deliverables as specified in the agreement.

Answer: Yes

# Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

## Section 3: Performance

### General Performance Info:

**Performance Reporting Frequency:** Quarterly

**Federal Purpose Area:** 001 - Law Enforcement Programs

**State Purpose Area:** A - Accomplishments: Includes any accomplishments during the reporting period.

### Activity Description

**Activity:** Law Enforcement
**Target Group:** Law Enforcement
**Geographic Area:** Urban
**Location Type:** Sheriff Office

### Objectives and Measures

**Objective:** A1 - Report on program accomplishments

Measure: Part 1
Please briefly describe what your program's accomplishments will be. Please include any benefits or changes to be observed as a result of JAG-funded activities, such as program completion, or changes in attitudes, skills, knowledge, or conditions. [500-character limit]
Goal: The response and recovery were accomplished at the Orlando Pulse incident.

**Objective:** A2 - Report on usage of crimesolutions.gov Website

Measure: Part 1
Will you be using the crimesolutions.gov website?
Goal: No

**Objective:** A3 - Report on subgrants from grantees other than FDLE

Measure: Part 2
If yes, enter grantee organization or agency name.
Goal: No

Measure: Part 1
Are you a subrecipient of a JAG award from another JAG grantee (other than FDLE)? An agency can be a primary recipient of a JAG award from BJA and a subrecipient of a JAG award from another JAG award primary recipient. Do not consider awards that you receive directly from USDOJ.
Goal: No

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

## Section 3: Performance

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

## Section 3: Performance

Section Questions:

Question: If "other" was selected for the geographic area, please describe.

Answer: N/A

Question: If "other" was selected for location type, please describe.

Answer: N/A

# Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

## Section 4: Financial

### General Financial Info:

**Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.**

**Financial Reporting Frequency for this Subgrant:** Quarterly

**Is the subgrantee a state agency?:** No

**FLAIR / Vendor Number:** 596000773

### Budget:

| Budget Category | Federal | Match | Total |
|---|---|---|---|
| Salaries and Benefits | $0.00 | $0.00 | $0.00 |
| Contractual Services | $0.00 | $0.00 | $0.00 |
| Expenses | $27,000.00 | $0.00 | $27,000.00 |
| Operating Capital Outlay | $0.00 | $0.00 | $0.00 |
| Indirect Costs | $0.00 | $0.00 | $0.00 |
| **-- Totals --** | **$27,000.00** | **$0.00** | **$27,000.00** |
| **Percentage** | **100.0** | **0.0** | **100.0** |

### Project Generated Income:

**Will the project earn project generated income (PGI) ?** No

# Application for Funding Assistance

Florida Department of Law Enforcement
Justice Assistance Grant - County-wide

## Section 4: Financial (cont.)

**Budget Narrative:**

Funds from this JAG grant will be used to repair, replace, or decontaminate equipment costs incurred by the Orange County Sheriff's Office starting with activation to recovery of the Orlando Pulse Mass Shooting event.

Replaced Boots to Responders 10 x $130(average)=$1,300
Decontamination $2,125
Repair to EOD Robot $19,599
Counseling & CISM services $3,910
Technical Equipment $100

Total $27,034

# Application for Funding Assistance

Florida Department of Law Enforcement

Justice Assistance Grant - County-wide

## Section 4: Financial

Section Questions:

Question: If salaries and benefits are included in the budget as actual costs for staff in the implementing agency, is there a net personnel increase, or a continued net personnel increase from the previous Byrne program?

Answer: N/A

Question: If benefits are to be included, are they reflected in the budget narrative?

Answer: N/A

Question: Indicate the Operating Capital Outlay threshold established by the subgrantee or implementing agency, if it is the sheriff's office.

Answer: N/A

Question: If indirect cost is included in the budget, indicate the basis for the plan (e.g. percent of salaries and benefits), and provide documentation of the appropriate approval of this plan.

Answer: N/A

Question: If the budget includes services based on unit costs, provide a definition and cost for each service as part of the budget narrative for contractual services. Include the basis for the unit costs and how recently the basis was established or updated.

Answer: N/A

**Florida Department of Law Enforcement**
**Office of Criminal Justice Grants**
Post Office Box 1489 Tallahassee, Florida 32302-1489 (850) 617-1250 criminaljustice@fdle.state.fl.us

## Edward Byrne Memorial Justice Assistance Grant (JAG) Program

# STANDARD CONDITIONS

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Conditions of agreement requiring compliance by units of local government (subgrant recipients), implementing agencies, and state agencies upon signed acceptance of the subgrant award appear in this section. Upon approval of this subgrant, the approved application and the following terms of conditions will become binding. Failure to comply with provisions of this agreement will result in required corrective action up to and including project costs being disallowed and termination of the project, as specified in item 19 of this section.

1. **All Subgrant Recipients must comply with the financial and administrative requirements set forth in the current edition of the U.S. Department of Justice, Office of Justice Programs (OJP) Financial Guide (Financial Guide) (www.ojp.usdoj.gov/financialguide/index.htm) and the Edward Byrne Memorial Justice Assistance Grant (JAG) program guidance (www.bja.gov/ProgramDetails.aspx?Program_ID=59 ) as well as Federal statutes, regulations, policies, guidelines and requirements and Florida laws and regulations including but not limited to:**

   - **Florida Administrative Code, Chapter 11D-9, "Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program": www.flrules.org/**
   - **Office of Management and Budget (OMB) Circulars: www.whitehouse.gov/omb/circulars**
     - **A-21 (2 CFR 220), "Cost Principles for Educational Institutions"**
     - **A-87 (2 CFR 225), "Cost Principles for State, Local and Indian Tribal Governments"**
     - **A-102, "Grants and Cooperative Agreements with State and Local Governments"**
     - **A-110 (2 CFR 215), "Uniform Administrative Requirements for Grants and Cooperative Agreements"**
     - **A-122 (2 CFR 230), "Cost Principles for Non-Profit Organizations"**
     - **A-133, "Audits of States, Local Governments, and Non-Profit Organizations"**
   - **Code of Federal Regulations: www.gpo.gov/fdsys/**
     - **2 CFR 175.15(b), "Award Term for Trafficking in Persons"**
     - **28 CFR 38, "Equal Treatment for Faith-Based Organizations"**
     - **28 CFR 66, "U.S. Department of Justice Common Rule for State And Local Governments" (Common Rule)**
     - **28 CFR 83, "Government-Wide Requirements for Drug-Free Workplace (Grants)"**
     - **28 CFR 18, 22, 23, 30, 35, 42, 61, and 63**
   - **Public Law 109-162, Title XI—Department of Justice Reauthorization, Subtitle B—Improving the Department of Justice's Grant Programs, Chapter 1—Assisting Law Enforcement and Criminal Justice Agencies, Sec. 1111. Merger of Byrne Grant Program and Local Law Enforcement Block Grant Program: www.bja.gov/ProgramDetails.aspx?Program_ID=59.**
   - **United States Code: www.gpo.gov/fdsys/**
     - **42 U.S.C. 3711 et seq., "Omnibus Crime Control and Safe Streets Act of 1968"**
   - **State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:http://dlis.dos.state.fl.us/barm/genschedules/GS2-2008-Rev2010.pdf**
   - **State of Florida Statutes 215.971 (Agreements funded with federal or state assistance) and 215.985 (Transparency in government spending)**

2. **Requirements for Contractors of Subgrant Recipients**

   The subgrant recipient assures the compliance of all contractors with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3711 et seq. at www.gpo.gov/fdsys/); the provisions of the current edition of the Office of Justice Programs Financial Guide (www.ojp.usdoj.gov/financialguide/index.htm); and all other applicable federal and state laws, orders, circulars, or regulations.

**3. Allowable Costs**

a. Allowance for costs incurred under the subgrant shall be determined according to the general principles and standards for selected cost items set forth in the Office of Justice Programs Financial Guide, U.S. Department of Justice Common Rule for State And Local Governments and federal OMB Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments," or OMB Circular A-21, "Cost Principles for Educational Institutions."

b. All procedures employed in the use of federal funds for any procurement shall be according to U.S. Department of Justice Common Rule for State and Local Governments, or OMB Circular A-110, or OMB Circular A-102, and Florida law to be eligible for reimbursement.

**4. Reports**

a. Project Performance Reports

(1) Reporting Time Frames: The subgrant recipient shall submit Quarterly Project Performance Reports to the Florida Department of Law Enforcement, hereafter known as the Department, within fifteen (15) days after the end of the reporting period. In addition, if the subgrant award period is extended beyond the "original" project period, additional Quarterly Project Performance Reports shall be submitted.

Failure to submit Quarterly Performance Reports that are complete, accurate, and timely may result in sanctions, as specified in item 19, Performance of Agreement Provisions.

(2) Report Contents: Performance Reports must include a response to all objectives included in your subgrant. A detailed response is required in the narrative portion for yes/no performance objectives. The narrative must also reflect on accomplishments for the quarter and identify problems with project implementation and address actions being taken to resolve the problems. Additional information may be required if necessary to comply with federal reporting requirements.

(3) Submission: Performance Reports may be submitted by the Project Director, Application Manager, or Performance Contacts.

b. Financial Reports

(1) Project Expenditure Reports

(a) The subgrant recipient shall have a choice of submitting either a Monthly or a Quarterly Project Expenditure Report to the Department. Project Expenditure Reports are due thirty (30) days after the end of the reporting period. In addition, if the subgrant award period is extended, additional Project Expenditure Reports shall be submitted.

(b) All project expenditures for reimbursement of subgrant recipient costs shall be submitted on the Project Expenditure Report Forms prescribed and provided by the Office of Criminal Justice Grants (OCJG) through the SIMON (Subgrant Information Management ON-line)

(c) All Project Expenditure Reports shall be submitted in sufficient detail for proper pre-audit and post-audit.

(d) Before the "final" Project Expenditure Report will be processed, the subgrant recipient must submit to the Department all outstanding project reports and must have satisfied all special conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.

(e) Reports are to be submitted even when no reimbursement is being requested.

(f) The report must be electronically signed by the subgrant recipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

(2) Financial Closeout Audit

(a) The Financial Closeout Audit shall be submitted to the Department within forty-five (45) days of the subgrant expiration date.

(b) The Financial Closeout Audit must be electronically signed by the subgrant recipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

(3) Project Generated Income (PGI)

(a) If applicable, the subgrant recipient shall submit Quarterly PGI Earnings and Expenditures Reports to the Department within thirty (30) days after the end of the reporting period covering subgrant project generated income and expenditures during the previous quarter. If any PGI remains unspent after the subgrant ends, the subgrant recipient must continue submitting quarterly PGI reports until all funds are expended. (See Item 11, Program Income.)

(b) PGI Earnings and Expenditures reports must be electronically signed by the subgrant recipient or implementing agency's chief financial officer or the chief financial officer's designee.

c. Other Reports

The subgrant recipient shall report to the Uniform Crime Report and other reports as may be reasonably required by the Department.

**5. Fiscal Control and Fund Accounting Procedures**

a. All expenditures and cost accounting of funds shall conform to the Office of Justice Programs Financial Guide, the Common Rule, and OMB Circulars A-21, A-87, and A-110, or A-102 as applicable, in their entirety.

b. The subgrant recipient is required to establish and maintain adequate accounting systems and financial records and to accurately account for funds awarded to them. As a subgrant recipient, you must have a financial management system in place that is able to record and report on the receipt, obligation, and expenditure of grant funds. An adequate accounting system for a subgrant recipient must be able to accommodate a fund and account structure to separately track receipts, expenditures, assets, and liabilities for awards, programs, and subgrant recipients.

c. All funds spent on this project shall be disbursed according to provisions of the project budget as approved by the Department.

d. All funds not spent in accordance with this agreement shall be subject to repayment by the subgrant recipient.

**6. Payment Contingent on Appropriation and Available Funds**

The State of Florida's performance and obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature. Furthermore, the obligation of the State of Florida to reimburse subgrant recipients for incurred costs is subject to available federal funds.

**7. Obligation of Subgrant Recipient Funds**

Subgrant funds shall not under any circumstances be obligated prior to the effective date, or subsequent to the termination date, of the subgrant award period. Only project costs incurred on or after the effective date, and on or prior to the termination date of the subgrant recipient's

project are eligible for reimbursement. All payments must be completed within thirty (30) days of the end of the subgrant period.

**8. Advance Funding**

Advance funding may be provided to a subgrant recipient upon a written request to the Department. The request must be electronically signed by the subgrant recipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

**9. Trust Funds**

a. The unit of local government must establish a trust fund in which to deposit JAG funds. The trust fund may or may not be an interest bearing account.

b. The account may earn interest, but any earned interest must be used for program purposes and expended before the federal grant period end date. Any unexpended interest remaining at the end of the federal grant period must be submitted to the Office of Criminal Justice Grants for transmittal to the Bureau of Justice Assistance.

**10. Travel and Training**

The cost of all travel shall be reimbursed according to the subgrant recipient's written travel policy. If the subgrant recipient does not have a written travel policy, cost of all travel will be reimbursed according to State of Florida Travel Guidelines § 112.061, Fla. Stat. Any foreign travel must obtain prior written approval.

**11. Program Income (also known as Project Generated Income)**

a. All income generated as a direct result of a subgrant project shall be deemed program income.

b. Any project that will potentially earn PGI must submit an Earnings and Expenditures Report to report how much PGI was earned during each quarter. A report must be submitted each quarter even if no PGI was earned or expended. PGI Earnings and Expenditures reports must be electronically signed by the subgrant recipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

c. PGI expenditures require prior written approval from the Office of Criminal Justice Grants. Program income must be used for the purposes of and under the conditions applicable to the award. If the cost is allowable under the federal grant program, then the cost would be allowable using program income. PGI budget requests must be signed by the subgrant recipient or implementing agency's Chief Financial Officer or the Chief Financial Officer designee.

d. Program income should be used as earned and expended as soon as possible. Any unexpended PGI remaining at the end of the federal grant period must be submitted to OCJG for transmittal to the Bureau of Justice Assistance.

**12. Approval of Consultant Contracts**

The Department shall review and approve in writing all consultant contracts prior to employment of a consultant when the consultant's rate exceeds $650 (excluding travel and subsistence costs) per eight-hour day, or $81.25 per hour. A detailed justification must be submitted to and approved by FDLE prior to obligation or expenditures of such funds. Approval shall be based upon the contract's compliance with requirements found in the Financial Guide, the Common Rule, and in applicable state statutes. The Department's approval of the subgrant recipient agreement does not constitute approval of consultant contracts. If consultants are hired through a competitive bidding process (not sole source), the $650 threshold does not apply.

**13. Property Accountability**

a. The subgrant recipient agrees to use all non-expendable property for criminal justice purposes during its useful life or dispose of it pursuant to § 274, Fla. Stat.

b. The subgrant recipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the Office of Justice Programs Financial Guide, U.S. Department of Justice Common Rule for State and Local Governments or the federal OMB Circular A-110 or A-102, as applicable. This obligation continues as long as the subgrant recipient retains the property, notwithstanding expiration of this agreement.

**14. Ownership of Data and Creative Material**

Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the Office of Justice Programs Financial Guide (as amended), and the U.S. Department of Justice Common Rule for State and Local Governments, or the federal OMB Circular A-110 or A-102, as applicable.

**15. Copyright**

The awarding agency reserves a royalty-free non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for federal government purposes:

a. The copyright in any work developed under an award or subaward, and

b. Any rights of copyright to which a subgrant recipient or subrecipient purchases ownership with support funded under this grant agreement.

**16. Patents**

If any program produces patentable items, patent rights, processes, or inventions, in the course of work sponsored by the federal award or subaward funds, such facts must be promptly and fully reported to the awarding agency.

a. Unless there is a prior agreement between the subgrant recipient and the Department on disposition of such items, the Department may determine whether protection on the invention or discovery will be sought.

b. The Department will also determine how rights in the invention or discovery (including rights under any patents issued) will be allocated and administered in order to protect the public interest consistent with "Government Patent Policy" ("President's Memorandum for Heads of Executive Departments and Agencies," dated August 23, 1971, and statement of Government patent policy, as printed in 36 Federal Register 16839).

c. Government regulations have been issued in Title 37 CFR Part 401 by the U.S. Department of Commerce.

**17. Publication or Printing of Reports**

The subgrant recipient shall submit for review and approval one copy of any curricula, training materials, or any other written materials that will be published, including web-based materials and web site content, through funds from this grant at least thirty (30) days prior to the targeted dissemination date. The subgrantee understands and agrees that any training materials developed or delivered with grant funding must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees available at
www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm

All materials publicizing or resulting from award activities shall contain the following statements:

"This project was supported by Award No._____ awarded by the Bureau of Justice Assistance, Office of Justice Programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the authors and do not necessarily reflect the views of the Department of Justice".

**18. Audit**

a. Subgrant recipients that expend $500,000 or more in a year in federal awards shall have a single or program-specific audit conducted for that year. The audit shall be performed in accordance with the federal OMB Circular A-133 and other applicable federal law. The contract for this agreement shall be identified in the Schedule of Federal Financial Assistance in the subject audit. The contract shall be identified as federal funds passed through the Florida Department of Law Enforcement and include the contract number, CFDA number, award amount, contract period, funds received and disbursed. When applicable, the subgrant recipient shall submit an annual financial audit that meets the requirements of § 11.45, Fla. Stat. ; "Definitions; duties; authorities; reports; rules."; § 215.97, Fla. Stat., "Florida Single Audit Act"; and Rules of the Auditor General, Chapter 10.550, "Local Governmental Entity Audits" and Chapter 10.650, "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."

b. A complete audit report that covers any portion of the effective dates of this agreement must be submitted within 30 days after its completion, but no later than nine (9) months after the audit period. In order to be complete, the submitted report shall include any management letters issued separately and management's written response to all findings, both audit report and management letter findings. Incomplete audit reports will not be accepted by the Department.

c. The subgrant recipient shall have all audits completed by an Independent Public Accountant (IPA). The IPA shall be either a Certified Public Accountant or a Licensed Public Accountant.

d. The subgrant recipient shall take appropriate corrective action within six (6) months of the issue date of the audit report in instances of noncompliance with federal laws and regulations.

e. The subgrant recipient shall ensure that audit working papers are made available to the Department, or its designee, upon request for a period of three (3) years from the date the audit report is issued, unless extended in writing by the Department.

f. Subgrant recipients that expend less than $500,000 in federal awards during a fiscal year are exempt from the audit requirements of OMB Circular A-133 for that fiscal year. In this case, written notification, which can be in the form of the "Certification of Audit Exemption" form, shall be provided to the Department by the Chief Financial Officer, or designee, that the subgrant recipient is exempt. This notice shall be provided to the Department no later than March 1 following the end of the fiscal year.

g. If this agreement is closed out without an audit, the Department reserves the right to recover any disallowed costs identified in an audit completed after such closeout.

h. A scanned copy of the completed audit reports or a link to the electronic audit report should be sent via email to criminaljustice@fdle.state.fl.us or mailed to the following address:

Florida Department of Law Enforcement
Office of Criminal Justice Grants
Post Office Box 1489
Tallahassee, Florida 32302-1489

**19. Performance of Agreement Provisions**

In the event of default, non-compliance or violation of any provision of this agreement by the subgrant recipient, the subgrant recipient's consultants and suppliers, or both, the Department shall impose sanctions it deems appropriate including withholding payments and cancellation, termination, or suspension of the agreement in whole or in part. In such event, the Department shall notify the subgrant recipient of its decision thirty (30) days in advance of the effective date of such sanction. The subgrant recipient shall be paid only for those services satisfactorily performed prior to the effective date of such sanction.

**20. Commencement of Project**

a. If a project is not operational within 60 days of the original start date of the award period, the subgrant recipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and the expected start date.

b. If a project is not operational within 90 days of the original start date of the award period, the subgrant recipient must submit a second statement to the Department explaining the implementation delay.

c. Upon receipt of the ninety (90) day letter, the Department shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and re-obligate subgrant funds to other Department approved projects. The Department, where warranted by extenuating circumstances, may extend the starting date of the project past the ninety (90) day period, but only by formal written adjustment to this agreement.

**21. Excusable Delays**

a. Except with respect to defaults of consultants, the subgrant recipient shall not be in default by reason of any failure in performance of this agreement according to its terms (including any failure by the subgrant recipient to make progress in the execution of work hereunder which endangers such performance) if such failure arises out of causes beyond the control and without the fault or negligence of the subgrant recipient. Such causes include, but are not limited to, acts of God or of the public enemy, acts of the government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, but in every case, the failure to perform shall be beyond the control and without the fault or negligence of the subgrant recipient.

b. If failure to perform is caused by failure of a consultant to perform or make progress, and if such failure arises out of causes beyond the control of subgrant recipient and consultant, and without fault or negligence of either of them, the subgrant recipient shall not be deemed in default, unless:

(1) Supplies or services to be furnished by the consultant were obtainable from other sources,

(2) The Department ordered the subgrant recipient in writing to procure such supplies or services from other sources, and

(3) The subgrant recipient failed to reasonably comply with such order.

c. Upon request of the subgrant recipient, the Department shall ascertain the facts and the extent of such failure, and if the Department determines that any failure to perform was occasioned by one or more said causes, the delivery schedule shall be revised accordingly.

**22. Grant Adjustments**

a. Subgrant recipients must submit a grant adjustment through SIMON for major substantive changes such as changes in project activities or scope of the project, target populations, service providers, implementation schedules, project director, and designs or research plans set forth in the approved agreement and for any budget changes that affect a cost category that was not included in the original budget, Adjustments are also required when there will be a transfer of 10% or more of the total budget between budget categories, or there is an indirect cost rate category change.

b. Subgrant recipients may transfer up to 10% of the total budget between current, approved budget categories without prior approval as long as the funds are transferred to an existing line item.

c. Under no circumstances can transfers of funds increase the total budgeted award.

d. Requests for changes to the subgrant agreement must be electronically signed by the subgrant recipient or implementing agency's chief official or the chief official's designee.

**23. Disputes and Appeals**

a. The Department shall make its decision in writing when responding to any disputes, disagreements, or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The subgrant recipient shall proceed diligently with the performance of this agreement according to the Department's decision.

b. If the subgrant recipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The subgrant recipient's right to appeal the Department's decision is contained in § 120, Fla. Stat., and in procedures set forth in Rule 28-106.104, Florida Administrative Code. Failure to appeal within this time frame constitutes a waiver of proceedings under § 120, Fla. Stat.

**24. Conferences and Inspection of Work**

Conferences may be held at the request of any party to this agreement. At any time, a representative of the Department, of the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right of visiting the project site to monitor, inspect and assess work performed under this agreement.

**25. Access to Records**

a. The Florida Department of Law Enforcement, the Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the subgrant recipient, implementing agency and contractors for the purpose of audit and examination according to the Financial Guide and the Common Rule.

b. The Department reserves the right to unilaterally terminate this agreement if the subgrant recipient, implementing agency, or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of § 119, Fla. Stat., unless specifically exempted and/or made confidential by operation of § 119, Fla. Stat., and made or received by the subgrant recipient or its contractor in conjunction with this agreement.

c. The subgrant recipient will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

**26. Retention of Records**

The subgrant recipient shall maintain all records and documents for a minimum of five (5) years from the date of the final financial statement and be available for audit and public disclosure upon request of duly authorized persons. The subgrant recipient shall comply with State of Florida General Records Schedule GS1-SL for State and Local Government Agencies: http://dlis.dos.state.fl.us/barm/genschedules/GS2-2008-Rev2010.pdf

**27. Personnel Changes**

Upon implementation of the project, in the event there is a change in Chief Officials for the Subgrant recipient or Implementing Agency or any contact information to include mailing address, phone number, email or title change, project staff must notify the SIMON help desk to update the organizational information in SIMON. If the project director changes, a grant adjustment must be entered in SIMON to reflect the change.

**28. Background Check**

Whenever a background screening for employment or a background security check is required by law for employment, unless otherwise provided by law, the provisions of § 435, Fla. Stat. shall apply.

a. All positions in programs providing care to children, the developmentally disabled, or vulnerable adults for 15 hours or more per week; all permanent and temporary employee positions of the central abuse hotline; and all persons working under contract who have access to abuse records are deemed to be persons and positions of special trust or responsibility and require employment screening pursuant to § 435, Fla. Stat., using the level 2 standards set forth in that chapter.

b. All employees in positions designated by law as positions of trust or responsibility shall be required to undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting for all purposes and checks in this subsection, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies.

   (1) Any person who is required to undergo such a security background investigation and who refuses to cooperate in such investigation or refuses to submit fingerprints shall be disqualified for employment in such position or, if employed, shall be dismissed.

   (2) Such background investigations shall be conducted at the expense of the employing agency or employee. When fingerprinting is required, the fingerprints of the employee or applicant for employment shall be taken by the employing agency or by an authorized law enforcement officer and submitted to the Department of Law Enforcement for processing and forwarding, when requested by the employing agency, to the United States Department of Justice for processing. The employing agency shall reimburse the Department of Law Enforcement for any costs incurred by it in the processing of the fingerprints.

**29. Drug Court Projects**

A Drug Court Project must comply with § 397.334, Fla. Stat., "Treatment-Based Drug Court Programs."

**30. Overtime for Law Enforcement Personnel**

Prior to obligating funds from this award to support overtime by law enforcement officers, the U.S. Department of Justice encourages consultation with all allied components of the criminal justice system in the affected jurisdiction. The purpose of this consultation is to anticipate and plan for systemic impacts such as increased court dockets and the need for detention space.

**31. Criminal Intelligence System**

a. The subgrant recipient agrees that any information technology system funded or supported by the Office of Justice Programs funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if the Office of Justice Programs determines this regulation to be applicable. Should the Office of Justice Programs determine 28 C.F.R. Part 23 to be applicable, the Office of Justice Programs may, at its discretion, perform audits of the system, as per 28 C.F.R. 23.20(g). Should any violation of 28 C.F.R. Part 23 occur, the subgrant recipient may be fined as per 42 U.S.C. 3789g(c)-(d). The subgrant recipient may not satisfy such a fine with federal funds.

b. The subgrantee understands and agrees that no awarded funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. In doing so the subgrantee agrees the these restrictions will not limit the use of awarded funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecutions, or adjudication activities.

**32. Confidential Funds**

A signed certification that the project director or the head of the Implementing Agency has read, understands, and agrees to abide by all of the conditions for confidential funds as set forth in the effective edition of the Office of Justice Programs Financial Guide is required from all projects that are involved with confidential funds. The signed certification must be submitted at the time of grant application.

**33. Civil Rights Compliance**

a. Federal laws prohibit recipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, disability, or age in funded programs or activities. All subgrant recipients, implementing agencies, and contractors must comply with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); and Department of Justice Non-Discrimination Regulations 28 CFR Part 42; see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

b. FDLE does not discriminate on the basis of race, color, religion, national origin, sex, disability, or age in the delivery of services or benefits or in employment. The subgrant recipient must notify program participants and beneficiaries that it does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services or benefits or in employment practices.

c. Subgrant recipients are responsible for ensuring that contractors, vendors, and agencies to whom they pass-through funds are in compliance with all Civil Rights requirements and that the contractors, vendors, and agencies are aware that they may file a discrimination complaint with the subgrant recipient, with FDLE, or with the Office for Civil Rights and how to do so.

d. Equal Employment Opportunity Plans

(1) A subgrant recipient or implementing agency must develop an EEO Plan if it has 50 or more employees and it has received any single award of $25,000 or more from the Department of Justice. The plan must be prepared using the on-line short form at www.ojp.usdoj.gov/about/ocr/eeop_comply.htm, must be retained by the subgrant recipient or implementing agency, and must be available for review or audit. The organization must also submit an EEO Certification to FDLE.

(2) If the subgrant recipient or implementing agency is required to prepare an EEO Plan and has received any single award of $500,000 or more from the Department of Justice, it must submit its plan to the Department of Justice for approval. A copy of the Department of Justice approval letter must be submitted to FDLE. The approval letter expires two years from the date of the letter.

(3) A subgrant recipient or implementing agency is exempt from the EEO Plan requirement if it is has fewer than 50 employees or if it does not receive any single award of $25,000 or more from the Department of Justice or if it is a nonprofit organization, a medical or educational institution, or an Indian Tribe. If an organization is exempt from the EEO Plan requirement, it must submit an EEO Certification to FDLE.

(4) The subgrant recipient and implementing agency acknowledge that failure to comply with EEO Requirements within 60 days of the project start date may result in suspension or termination of funding, until such time as it is in compliance.

e. In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to FDLE and to the Office for Civil Rights, Office of Justice Programs.

f. In accordance with federal civil rights laws, the subgrant recipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.

g. Subgrant recipients must include comprehensive Civil Rights/Nondiscrimination Provisions in all contracts funded by the subgrant recipient.

h. If the subgrant recipient or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the subgrant recipient, with FDLE or with the Office for Civil Rights. Discrimination complaints may be submitted to FDLE at Office of the Inspector General, Post Office Box 1489, Tallahassee, Florida 32302-1489 or online at info@fdle.state.fl.us, Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, Northwest, Washington, D.C. 20531, or by phone at (202) 307-0690.

i. The subgrant recipient must have procedures in place for responding to discrimination complaints that employees and clients, customers, and program participants file directly with the subgrant recipient.

j. The subgrant recipient must have written policies or procedures in place for notifying program beneficiaries how to file complaints alleging discrimination by the subgrantee/implementing agency with FDLE or the OCR.

k. Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.

l. Americans with Disabilities Act
Subgrant recipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination by public and private entities on the basis of disability and requires certain accommodations be made with regard to employment (Title I), state and local government services and transportation (Title II), public accommodations (Title III), and telecommunications (Title IV).

m. Rehabilitation Act of 1973 (28 C.F.R. Part 42, Subpart G)
If the subgrant recipient has 50 or more employees and receives DOJ funding of $25,000 or more, the subgrant recipient must take the following actions:

(1) Adopt grievance procedures that incorporate due process standards and provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Section 504 of the Rehabilitation Act of 1973, found at 28 C.F.R. Part 42, Subpart G, which prohibit discrimination on the basis of a disability in employment practices and the delivery of services.

(2) Designate a person to coordinate compliance with the prohibitions against disability discrimination contained in 28 C.F.R. Part 42, Subpart G.

(3) Notify participants, beneficiaries, employees, applicants, and others that the subgrantee/implementing agency does not discriminate on the basis of disability.

n. Limited English Proficiency (LEP)
In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. For more information on the civil rights responsibilities that recipients have in

providing language services to LEP individuals, please see the website at www.lep.gov. FDLE strongly encourages subgrant recipients to have a written LEP Language Access Plan.

o. Title IX of the Education Amendments of 1972 (28 C.F.R. Part 54)
If the subgrant recipient operates an education program or activity, the subgrant recipient must take the following actions:

(1) Adopt grievance procedures that provide for the prompt and equitable resolution of complaints alleging a violation of the DOJ regulations implementing Title IX of the Education Amendments of 1972, found at 28 C.F.R. Part 54, which prohibit discrimination on the basis of sex.

(2) Designate a person to coordinate compliance with the prohibitions against sex discrimination contained in 28 C.F.R. Part 54.

(3) Notify applicants for admission and employment, employees, students, parents, and others that the subgrantee/implementing agency does not discriminate on the basis of sex in its educational programs or activities.

p. Equal Treatment for Faith Based Organizations
The subgrant recipient agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. The subgrantee also understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from the award, or the parent or legal guardian of such students. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See www.ojp.gov/about/ocr/equal_fbo.htm.

**34. Immigration and Nationality Act**

No public funds will intentionally be awarded to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324a(e), Section 274A(e) of the Immigration and Nationality Act ("INA"). The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the INA. Such violation by the subgrant recipient of the employment provisions contained in Section 274A(e) of the INA shall be grounds for unilateral cancellation of this contract by the Department.

**35. National Environmental Policy Act (NEPA)**

a. The subgrant recipient agrees to assist FDLE in complying with the NEPA, the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of subgrant funds by the subgrant recipient. This applies to the following new activities whether or not they are being specifically funded with these subgrant funds. That is, it applies as long as the activity is being conducted by the subgrant recipient or any third party and the activity needs to be undertaken in order to use these subgrant funds, Accordingly, the subgrantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact FDLE OCJG.

(1) New construction

(2) Minor renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year flood plain; a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;

(3) A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size; and

(4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments.

(5) Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

b. The subgrant recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by the Bureau of Justice Assistance. The subgrant recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed by the Department of Justice at www.bja.gov/Funding/nepa.html, for programs relating to methamphetamine laboratory operations.

c. For any of a subgrant recipient's existing programs or activities that will be funded by these subgrants, the subgrant recipient, upon specific request from the Department and the U.S. Department of Justice, agrees to cooperate with the Department of Justice in any preparation by Department of Justice of a national or program environmental assessment of that funded program or activity.

**36. Mitigation of Health, Safety and Environmental risks dealing with Clandestine Methamphetamine Laboratories**

If an award is made to support methamphetamine laboratory operations the subgrant recipient must comply with this condition, which provides for individual site environmental assessment/impact statements as required under the National Environmental Policy Act.

a. General Requirement: The subgrant recipient agrees to comply with federal, state, and local environmental, health and safety laws and regulations applicable to the investigation and closure of clandestine methamphetamine laboratories and the removal and disposal of the chemicals, equipment, and wastes used in or resulting from the operation of these laboratories. The subgrant recipient also agrees to complete a Methamphetamine Mitigation Plan (MMP) that includes the nine protective measures or components required by BJA and submit the plan to FDLE's Office of Criminal Justice Grants.

b. Specific Requirements: The subgrant recipient understands and agrees that any program or initiative involving the identification, seizure, or closure of clandestine methamphetamine laboratories can result in adverse health, safety and environmental impacts to (1) the law enforcement and other governmental personnel involved; (2) any residents, occupants, users, and neighbors of the site of a seized clandestine laboratory; (3) the seized laboratory site's immediate and surrounding environment of the site(s) where any remaining chemicals, equipment, and waste from a seized laboratory's operations are placed or come to rest. Therefore, the subgrant recipient further agrees that in order to avoid or mitigate the possible adverse health, safety and environmental impacts from any of clandestine methamphetamine operations funded under this award, it will (1) include the nine, below listed protective measures or components; (2) provide for their adequate funding to include funding, as necessary, beyond that provided by this award; and (3) implement these protective measures directly throughout the life of the subgrant. In so doing, the subgrant

recipient understands that it may implement these protective measures directly through the use of its own resources and staff or may secure the qualified services of other agencies, contractor or other qualified third party.

(1) Provide medical screening of personnel assigned or to be assigned by the subgrant recipient to the seizure or closure if of clandestine methamphetamine laboratories;

(2) Provide Occupational Safety and Health Administration (OSHA) required initial and refresher training for law enforcement officials and other personnel assigned by the subgrant recipient to either the seizure or closure of clandestine methamphetamine laboratories;

(3) As determined by their specific duties, equip personnel assigned to the project with OSHA required protective wear and other required safety equipment;

(4) Assign properly trained personnel to prepare a comprehensive contamination report on each closed laboratory;

(5) Employ qualified disposal contractors to remove all chemicals and associated glassware, equipment, and contaminated materials and wastes from the site(s) of each seized clandestine laboratory;

(6) Dispose of the chemicals, equipment, and contaminated materials and wastes removed from the sites of seized laboratories at properly licensed disposal facilities or, when allowable, properly licensed recycling facilities;

(7) Monitor the transport, disposal, and recycling components of subparagraphs 5 and 6 immediately above in order to ensure proper compliance;

(8) Have in place and implement an inter-agency agreement or other form of commitment with a responsible State environmental agency that provides for that agency's (i) timely evaluation of the environmental conditions at and around the site of a closed clandestine laboratory and (ii) coordination with the responsible party, property owner, or others to ensure that any residual contamination is remediated, if necessary, and in accordance with existing federal and state requirements; and

(9) Have in place and implement a written agreement with the responsible state or local service agencies to properly respond to any minor, as defined by state law, at the site. This agreement must ensure immediate response by qualified personnel who can (i) respond to the potential health needs of any minor at the site; (ii) take that minor into protective custody unless the minor is criminally involved in the meth lab activities or is subject to arrest for other criminal violations; (iii) ensure immediate medical testing for methamphetamine toxicity; and (iv) arrange for any follow-up medical tests, examinations, or health care made necessary as a result of methamphetamine toxicity

**37. Non-Procurement, Debarment and Suspension**

The subgrant recipient agrees to comply with Executive Order 12549, Debarment and Suspension and 2 CFR 180, "OMB Guidelines To Agencies On Governmentwide Debarment And Suspension (Nonprocurement)" These procedures require the subgrant recipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the Department. If the subgrant is $100,000 or more, the subgrant recipient and implementing agency certify that they and their principals:

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

b. Have not within a three-year period preceding this application been convicted of or had a civil

judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

d. Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

**38. Federal Restrictions on Lobbying**

a. Each subgrant recipient agrees to comply with 28 CFR Part 69, "New Restrictions on Lobbying" and shall file the most current edition of the Certification And Disclosure Form, if applicable, with each submission that initiates consideration of such subgrant recipient for award of federal contract, grant, or cooperative agreement of $100,000 or more.

b. This certification is a material representation of fact upon which reliance was placed when this agreement was made. Submission of this certification is a prerequisite to entering into this agreement subject to conditions and penalties imposed by 31 USC 1352. Any person who fails to file the required certification is subject to a civil penalty of not less than $10,000 and not more than $100,000 for each failure to file.

c. As required by 31 USC 1352, and implemented at 28 CFR 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR 69, the applicant certifies that:

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subgrant recipients shall certify and disclose accordingly.

**39. State Restrictions on Lobbying**

In addition to the provisions contained in Item 38, above, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this contract.

**40. Additional Restrictions on Lobbying**

The subgrant recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Office of Justice Programs.

**41. "Pay – to – Stay"**

Funds from this award may not be used to operate a "pay-to-stay" program in any local jail. Furthermore, no funds may be given to local jails that operate "pay-to-stay" programs. "Local jail," as referenced in this condition, means an adult facility or detention center owned and/or operated by city, county, or municipality. It does not include juvenile detention centers. "Pay-to-stay" programs as referenced in this condition, means a program by which extraordinary services, amenities and/or accommodations, not otherwise available to the general inmate population, may be provided, based upon as offender's apparent ability to pay, such that disparate conditions of confinement are created for the same or similar offenders within a jurisdiction.

**42. The Coastal Barrier Resources Act**

The subgrant recipient will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new federal funds within the units of the Coastal Barrier Resources System.

**43. Enhancement of Security**

If funds are used for enhancing security, the subgrant recipient agrees to:

a. Have an adequate process to assess the impact of any enhancement of a school security measure that is undertaken on the incidence of crime in the geographic area where the enhancement is undertaken.

b. Conduct such an assessment with respect to each such enhancement; and, submit to the Department the aforementioned assessment in its Final Program Report.

**44. Environmental Protection Agency's (EPA) list of Violating Facilities**

The subgrant recipient assures that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the Program Purpose are not listed on the EPA's list of Violating Facilities and that it will notify the Department of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

**45. Flood Disaster Protection Act**

The subgrant recipient will comply with Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, requiring that the purchase of flood insurance in communities where such insurance is available as a condition of the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards.

**46. National Historic Preservation Act**

It will assist the Department (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

**47. Human Research Subjects**

Subgrant recipient agrees to comply with the requirements of 28 C.F.R. part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

**48. Global Standards Package**

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all

constituent elements, where applicable, as described at: www.it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

**49. Reporting, Data Collection and Evaluation**

The subgrant recipient agrees to comply with all reporting, data collection and evaluation requirements, as prescribed by the Bureau of Justice Assistance in the program guidance for the Justice Assistance Grant (JAG). Compliance with these requirements will be monitored by FDLE.

**50. Privacy Certification**

The subgrant recipient agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Subgrant recipient further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.

**51. State Information Technology Point of Contact**

The subgrant recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditures period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the subgrant recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to
www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046

**52. Interstate Connectivity**

To avoid duplicating existing networks or IT systems in any initiatives funded by the Bureau of Justice Assistance for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the subgrant recipient can demonstrate to the satisfaction of the Bureau of Justice Assistance that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

**53. Supplanting**

The subgrant recipient agrees that funds received under this award will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.

**54. Conflict of Interest**

The subgrant recipient and implementing agency will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

**55. Uniform Relocation Assistance and Real Property Acquisitions Act**

The subgrant recipient will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs.

**56. Limitations on Government Employees Financed by Federal Assistance**

The subgrant recipient will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

**57. Additional Required Certifications**

**Employees Working Solely on a Single Federal Award**

For any position that works 100% of its time on a single federal award, the employee must certify that 100% of his or her time was spent working on that federal award. This requirement applies to both full time and part time positions regardless of the percentage of the position's salary that is charged to the grant. The certification must be signed by both the employee and the employee's direct supervisor having firsthand knowledge of the work performed by the employee. The forms must be submitted semi-annually and may not be signed prior to the end of the reporting period. Certifications must be provided to cover the entire grant period.

**Sole Source**

If the project requires a purchase of services or equipment from a sole source, the subgrant recipient must complete the Sole Source Justification for Services and Equipment Form. This form must be submitted upon application if applicable and pre-approval must be obtained. If the cost is below $100,000, the form must be kept on file for review at monitoring. If the subgrantee is a state agency and the cost is at least $150,000, then the agency must submit a copy of the approval from the Department of Management Services (F.S. 287.057(5)).

**ADP Justification**

The subgrant recipient must complete an Automated Data Processing (ADP) equipment and Software and Criminal Justice Information and Communication Systems Request for Approval form if the purchase of any ADP equipment is to be made. This form must be submitted upon application if applicable and pre-approval must be obtained.

**Confidential Funds Certificate**

For all projects involved with confidential funds the subgrant recipient must submit a confidential funds certificate. This certificate certifies the Project Director has read, understands, and agrees to abide by the provision in Chapter 8 of the Office of Justice Programs Financial Guide. This form must be submitted upon application if applicable.

Sole Source, ADP Justification, Privacy Certification forms, and Confidential Funds certifications, must be signed by the subgrant recipient or implementing agency chief official or an individual with formal, written signature authority for the chief official.

**58. Timesheets**

Timesheets must be kept for all project staff whose hours will be charged to the project. The timesheets must be signed by the supervisor and clearly indicate hours spent on project activities.

**59. Additional Documentation of Personnel for Department of Financial Services**

In accordance with Section 215.971, Florida Statutes, the Florida Department of Financial Services may require documentation validation that personnel services were performed on project-related activities in accordance with the contract agreement.

**60. Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct**

The subgrant recipient must promptly refer to the Florida Department of Law Enforcement, Office of Criminal Justice Grants any credible evidence that a principal, employee, agent, contractor, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds.

**61. Task Force Training Requirement**

The subgrant recipient agrees that within 120 days of award, each member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well

as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When FDLE award funds to support a task force, the subgrant recipient must compile and maintain a task force personnel roster along with course completion certificates. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).

**62. Funds to Association of Community Organizations for Reform Now (ACORN) Unallowable**

Subgrant recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

**63. High Risk Subgrant Recipients**

The subgrant recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the U.S. Department of Justice determines that the subgrant recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

**64. Text Messaging While Driving**

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), and §316.305, F.S., the subgrant recipient is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this subgrant and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

**65. System for Award Management (SAM)**

The subgrant recipient must maintain current information in SAM until it submits the final financial report required under this award or receives the final payment, whichever is later. This requires that the subgrant recipient review and update the information at least annually after the initial registration, and more frequently if required by changes in its information or another award term.

**66. Maximum Allowable Salary**

No portion of these federal grant funds shall be used towards any part of the annual cash compensation of any employee of the subgrant recipient whose total annual cash compensation exceeds 110% of the maximum salary payable to a member of the Federal government's Senior Executive Service at an agency with a Certified SES Performance Appraisal System for that year. (The salary table for SES employees is available at http://www.opm.gov/oca/payrates/index.asp. A subgrant recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.). This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

**67. DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database**

If JAG program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ FY 2012 DNA Backlog Reduction Program, available at https://www.ncjrs.gov/pdffiles1/nij/sl001062.pdf

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS (the National DNA Database operated by the FBI).

**68. Interoperable Communications Guidance**

Subgrant recipients that are using funds to support emergency communications activities must comply with the current SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at www.safecomprogram.gov/library/lists/library/DispForm.aspx?ID=334.

Subgrant recipients Grantees interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The subgrant recipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC). If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the recipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Subgrant recipients must provide a listing of all communications equipment purchased with grant award funding (plus the quantity purchased of each item) to FDLE once items are procured during any periodic programmatic progress reports.

**69. Ballistic-Resistant and Stab Resistant Body Armor**

Subgrant recipients that wish to purchase armor with JAG funds **must certify** that law enforcement agencies receiving vests have a written "mandatory wear" policy in effect. This policy must be in place for at least all uniformed officers before funding can be used by the agency for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. FAQs related to the mandatory wear policy and certifications can be found at www.bja.gov/Funding/JAGFAQ.pdf.

JAG funds may be used to purchase armor for an agency, but may not be used as the 50% match for purposes of the Bulletproof Vest Partnership (BVP) program.

Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and are listed on the NIJ Compliant Body Armor Model List (http://nij.gov). In addition, body armor purchased must be American-made. The latest NIJ standard information can be found at: www.nij.gov/topics/technology/body-armor/safety-initiative.htm.

**70. BJA or FDLE Sponsored Events**

The subgrant recipient agrees to participate in BJA- or FDLE-sponsored training events, technical assistance events, or conference held by FDLE or BJA or their designees, upon FDLE's or BJA's request.

**71. Expenses Related to Conferences, Meetings, Trainings, and Other Events**

The subgrant recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at
http://ojp.gov/financialguide/PostawardRequirements/chapter15page1.htm

**72. Environmental Requirements and Energy**

For subgrants in excess of $100,000, the subgrant recipient must comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C.

1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15).

The subgrant recipient must comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871), if any.

**73. Other Federal Funds**

The subgrantee agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those awards have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, the subgrantee will promptly notify, in writing the grant manager for this award, and, if so requested by OCJG seek a budget modification or change of project scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

**74. Monitoring**

The recipient agrees to comply with FDLE's grant monitoring guidelines, protocols, and procedures, and to cooperate with FDLE on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and /or site visits. The recipient agrees to provide FDLE all documentation necessary to complete monitoring of the award. Further, the recipient agrees to abide by reasonable deadlines set by FDLE for providing requested documents. Failure to cooperate with FDLE grant monitoring activities may result in sanctions affecting the recipient's award, including, but not limited to: withholding and/or other restrictions on the recipient's access to funds referral to the Office of the Inspector General for audit review, designation of the recipient as a FDLE High Risk grantee, or termination of an award(s).

**75. Unmanned Aerial Vehicles**

The recipient agrees that awarded funds may not be expended on unmanned aircraft, unmanned aircraft systems, or aerial vehicles (US, UAS, or UAV) unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order. Additionally, any funding approved for this purpose would be subject to additional reporting, which would be stipulated by FDLE post award.

## Section 6: Signatures

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duty authorized officers on the date, month and year set out below.

**Corrections on this page, including Strikeovers, whiteout, etc. are not acceptable.**

**State of Florida**
**Department of Law Enforcement**
**Office of Criminal Justice Grants**

Signature: _____

Typed Name and Title: Petrina T. Herring, Bureau Chief

Date: _____

**Subgrant Recipient**
**Authorizing Official of Governmental Unit**
**(i.e., Commission Chairman, Mayor, or Designated Representative)**

Typed Name of Subgrant Recipient: Orange County Board of County Commissioners

Signature: _____

Typed Name and Title: Ajit Lalchandani, County Administrator

Date: _____

**Implementing Agency**
**Official Administrator or Designated Representative**

Typed Name of Implementing Agency: Orange County Sheriff's Office

Signature: Jerry L. Demings

Typed Name and Title: Jerry L. Demings, Sheriff of Orange County, Fl

Date: 3/15/17

**CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITIY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

**Florida Department of Law Enforcement**
**Edward Byrne Memorial Justice Assistance Grant Program**

## Form Provided by the U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, OFFICE OF THE COMPTROLLER

## CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)". The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

**(a)** No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;

**(b)** If any funds other than federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities", in accordance with its instructions;

**(c)** The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 -

**A.** The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any federal department or agency;

**(b)** Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

**(c)** Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

**(d)** Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

**B.** Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620-

**A.** The applicant certifies that it will or will continue to provide a drug-free workplace by:

**(a)** Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

**(b)** Establishing an on-going drug-free awareness program to inform employees about-

**(1)** The dangers of drug abuse in the workplace;

**(2)** The grantee's policy of maintaining a drug-free workplace;

**(3)** Any available drug counseling, rehabilitation, and employee assistance programs; and

**(4)** The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

## CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITIY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

**Florida Department of Law Enforcement**
**Edward Byrne Memorial Justice Assistance Grant Program**

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after the conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

**B.** The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check here ___ If there are workplaces on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check here ___ If the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE**
**(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620-

**A.** As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

**B.** If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address: Orange County Board of Commissioners
201 S. Rosalind Ave., Orlando, FL 32802

2. Project Name: Residual Funds/Orange County/Orlando Pulse

3. Typed Name and Title of Authorized Representative: Ajit Lalchandani, County Administrator

4. Signature: _____ 5. Date: _____

**CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITIY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

**Florida Department of Law Enforcement**
**Edward Byrne Memorial Justice Assistance Grant Program**

## Form Provided by the U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, OFFICE OF THE COMPTROLLER

## CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug-Free Workplace (Grants)". The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

### 1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

**(a)** No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;

**(b)** If any funds other than federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or an employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities", in accordance with its instructions;

**(c)** The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

### 2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 -

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any federal department or agency;

**(b)** Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

**(c)** Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

**(d)** Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### 3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

**(a)** Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

**(b)** Establishing an on-going drug-free awareness program to inform employees about-

**(1)** The dangers of drug abuse in the workplace;

**(2)** The grantee's policy of maintaining a drug-free workplace;

**(3)** Any available drug counseling, rehabilitation, and employee assistance programs; and

**(4)** The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

## CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITIY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

### Florida Department of Law Enforcement
### Edward Byrne Memorial Justice Assistance Grant Program

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after the conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistant with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check here ___ If there are workplaces on file that are not identified here.

Section 67.630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check here ___ If the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE**
**(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address: Orange County Sheriff's Office
   2500 W. Colonial Drive
   Orlando, FL 32804

2. Project Name: Residual Funds/Orange County/Orlando Pulse

3. Typed Name and Title of Authorized Representative: Jerry L. Demings, Sheriff

4. Signature: Jerry L. Demings 5. Date: 3/15/17

## Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

*Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over $500,000, in addition, please complete Section D.*

| | |
|---|---|
| **Recipient's Name:** Orange County Board of County Commissioners | |
| Address: 201 S. Rasalind Avenue, Orlando, GL 32802 | |
| Is agency a; ☐ Direct or ☒ Sub recipient of OJP, OVW or COPS funding? | Law Enforcement Agency? ☐ Yes ☒ No |
| DUNS Number: 064797251 | Vendor Number (only if direct recipient) |
| Name and Title of Contact Person: Ms. Tammy Miller | |
| Telephone Number: 407-254-7269 | E-Mail Address: Tammy.Miller2@ocfl.net |

### Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

*Please check all the following boxes that apply.*

☐ Less than fifty employees. ☐ Indian Tribe ☐ Medical Institution.
☐ Nonprofit Organization ☐ Educational Institution ☐ Receiving a single award(s) less than $25,000.

I, _____ [*responsible official*], certify that _____ [*recipient*] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R § 42.302. I further certify that _____ [*recipient*] will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

*If recipient sub-grants a single award over $500,000, in addition, please complete Section D*

*Print or Type Name and Title* *Signature* *Date*

### Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

*If a recipient agency has fifty or more employees and is receiving a single award or, subaward, of $25,000 or more, but less than $500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):*

I, Ajit Lalchandani [*responsible official*], certify that Orange County [*recipient*], which has fifty or more employees and is receiving a single award or subaward for $25,000 or more, but less than $500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

Orange County Board of County Commissioners [*organization*],
201 S. Rosalind Ave., Orlando, FL 32802 [*address*].

Ajit Lalchandani, County Administrator

*Print or Type Name and Title* *Signature* *Date*

### Section C—Declaration Stating that an EEOP Short Form Has Been Submitted to the Office for Civil Rights for Review

*If a recipient agency has fifty or more employees and is receiving a single award, or subaward, of $500,000 or more, then the recipient agency must send an EEOP Short Form to the OCR for review.*

I, _____ [*responsible official*], certify that _____ [*recipient*], which has fifty or more employees and is receiving a single award of $500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [*date*] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

*If recipient sub-grants a single award over $500,000, in addition, please complete Section D*

*Print or Type Name and Title* *Signature* *Date*



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CERTIFICATION FORM

## Compliance with the Equal Employment Opportunity Plan (EEOP) Requirements

*Please read carefully the Instructions (see below) and then complete Section A or Section B or Section C, not all three. If recipient completes Section A or C and sub-grants a single award over $500,000, in addition, please complete Section D.*

| | |
|---|---|
| Recipient's Name: Orange County Sheriff's Office | |
| Address: 2500 W. Colonial Drive, Orlando, FL 32804 | |
| Is agency a; ☐ Direct or ☐ Sub recipient of OJP, OVW or COPS funding? | Law Enforcement Agency☒ Yes ☐ No |
| DUNS Number: 79955451 | Vendor Number (only if direct recipient) |
| Name and Title of Contact Person: Ms. Tammy Miller | |
| Telephone Number:407-254-7269 | E-Mail Address: Tammy.Miller2@ocfl.net |

### Section A—Declaration Claiming Complete Exemption from the EEOP Requirement

*Please check all the following boxes that apply.*

☐ Less than fifty employees. ☐ Indian Tribe ☐ Medical Institution.
☐ Nonprofit Organization ☐ Educational Institution ☐ Receiving a single award(s) less than $25,000.

I, _____ [*responsible official*], certify that _____ [*recipient*] is not required to prepare an EEOP for the reason(s) checked above, pursuant to 28 C.F.R § 42.302. I further certify that _____ [*recipient*] will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

*If recipient sub-grants a single award over $500,000, in addition, please complete Section D*

_____
*Print or Type Name and Title* *Signature* *Date*

### Section B—Declaration Claiming Exemption from the EEOP Submission Requirement and Certifying That an EEOP Is on File for Review

*If a recipient agency has fifty or more employees and is receiving a single award or, subaward, of $25,000 or more, but less than $500,000, then the recipient agency does not have to submit an EEOP to the OCR for review as long as it certifies the following (42 C.F.R. § 42.305):*

I, Jerry L. Demings [*responsible official*], certify that Orange County Sheriff's Office [*recipient*], which has fifty or more employees and is receiving a single award or subaward for $25,000 or more, but less than $500,000, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E. I further certify that within the last twenty-four months, the proper authority has formulated and signed into effect the EEOP and, as required by applicable federal law, it is available for review by the public, employees, the appropriate state planning agency, and the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice. The EEOP is on file at the following office:

Orange County Sheriff's Office
[*organization*],
2500 W. Colonial Drive, Orlando, FL 32804
[*address*].

Jerry L. Demings, Sheriff of Orange County, FL Jerry L. Demings 3/15/17
*Print or Type Name and Title* *Signature* *Date*

### Section C—Declaration Stating that an EEOP Short Form Has Been Submitted to the Office for Civil Rights for Review

*If a recipient agency has fifty or more employees and is receiving a single award, or subaward, of $500,000 or more, then the recipient agency must send an EEOP Short Form to the OCR for review.*

I, _____ [*responsible official*], certify that _____ [*recipient*], which has fifty or more employees and is receiving a single award of $500,000 or more, has formulated an EEOP in accordance with 28 CFR pt. 42, subpt. E, and sent it for review on _____ [*date*] to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

*If recipient sub-grants a single award over $500,000, in addition, please complete Section D*

_____
*Print or Type Name and Title* *Signature* *Date*



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## Section D—Declaration Stating that Recipient Subawards a Single Award Over $500,000

*If a recipient agency, subawards a single award of $500,000 or more then the granting agency should provide a list; including, name, address and DUNS # of each such sub-recipient.*

| Sub-Recipient Agency Name/Address | Sub-Recipient DUNS Number |
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*If additional space in necessary, please duplicate this page.*

OMB Control No. 1121-0340 Expiration Date: 12/31/2015



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ORANGE COUNTY GOVERNMENT
FLORIDA

AGENDA DEVELO
201 South Rosalind Avenue
407-836-5426 • Fax: 407-836

la 32802-1393

March 6, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Cheryl J. Gillespie, Supervisor
Agenda Development Office

SUBJECT: Appointment to the Orange County Citizen Corps Council
**CONSENT AGENDA ITEM MARCH 21, 2017**

The Orange County Citizen Corps Council is composed of nine members, one appointed by each County Commissioner and three appointed by the County Mayor. All appointments must be confirmed by the Board of County Commissioners.

The terms of appointment for the current members of the Orange County Citizen Corps Council expired on December 31, 2016. Board confirmation of the following appointment is requested.

1) Confirmation of the appointment of Alan Hirschkorn to succeed Sean Bailey as the District 3 representative as requested by Commissioner Clarke.

The term of the appointment will expire December 31, 2018. A copy of Mr. Hirschkorn's advisory board application for appointment is available upon request. Please let me know if you require further information.

**ACTION REQUESTED:** **Confirmation of the appointment of Alan Hirschkorn as the District 3 representative on the Orange County Citizen Corps Council with a term expiring December 31, 2018.**

ORANGE COUNTY GOVERNMENT
FLORIDA

AGENDA DEVELOPM
201 South Rosalind Avenue • Re
407-836-5426 • Fax: 407-836-289

2802-1393

March 9, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Cheryl J. Gillespie, Supervisor
Agenda Development Office

SUBJECT: Appointment to Community Action Board
**CONSENT AGENDA ITEM MARCH 21, 2017**

The Community Action Board (CAB) is responsible for development, review, supervision, evaluation, and making recommendations for final approval of all fiscal and program policies, plans, priorities, proposals, budgets, and any other activities to be conducted by Orange County Community Action. The CAB consists of three sectors: public sector, private sector, and low income community sector.

The Board of County Commissioner appoints the eight members of the public sector, which is composed of up to three County Commissioners, up to three elected officials from three different municipalities located in Orange County, up to two members representing the state of Florida or United States Congress, and one member of the Orange County School Board.

There is one vacancy on the CAB in the municipal elected official category due to the resignation of former Winter Garden Commissioner Robert Olszewski. The City of Winter Garden has nominated Commissioner Mark A. Maciel to complete the unexpired term.

**ACTION REQUESTED:** **Appointment of Commissioner Mark A. Maciel to the Community Action Board in the municipal elected official category with a term expiring December 31, 2018.**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memora

I. CONSENT AGENDA
COUNTY ADMINISTRATOR
3

AGENDA ITEM

February 27, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

K.N.P.

FROM: Kurt N. Petersen, Manager, Office of Management and Budget

SUBJECT: Consent Agenda Item for March 21, 2017
FY 2017 Law Enforcement Trust Fund Expenditure
Orange County Sheriff's Office Request

The Orange County Sheriff's Office is requesting $1,000 from the FY 2017 Law Enforcement Trust Fund for the following purpose:

**Contribution:**

**Mothers Against Drunk Driving (MADD), Central Florida Chapter. – $1,000.** This organization educates residents living in the Central Florida area about the consequences of driving drunk, educates our youth on the dangers and consequences of underage drinking and offers comfort and support to drunk driving victims. They also provide death notification sensitivity training to law enforcement officers, coroners, and funeral home directors on how to deliver the news of drunk driving fatalities to family members.

**ACTION REQUESTED:** **Approval for the Orange County Sheriff's Office to spend $1,000 from the FY 2017 Law Enforcement Trust Fund to provide an eligible contribution to Mothers Against Drunk Driving (MADD), Central Florida Chapter.**

**PLEASE NOTE:** The Board voted to establish spending limits of 20% for this fund for contributions. At this point in the fiscal year, contributions represent 40% of the total expenditures; however, the restriction applies to total expenditures for the year, at year-end. The Sheriff's Office has stated that they monitor their expenditures, and that they will not exceed the 20% total for contributions.

KP/vh

Attachments

c: Eric Gassman, Deputy County Administrator
Andy DiLoreto, Comptroller, Orange County Sheriff's Office



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Sheriff Jerry L. Demings
ORANGE COUNTY SHERIFF'S OFFICE
TELEPHONE: 407.254.7000 • P.O. BOX 1440, ORLANDO, FLORIDA 32802-1440 • WWW.OCSO.COM

February 8, 2017

TO: Board of County Commissioners

FROM: Sheriff Jerry L. Demings

SUBJECT: Law Enforcement Trust Fund (LETF) Expenditures

The Sheriff plans to make purchases from the Law Enforcement Trust Fund for the following items and amounts.

| Account No. | Item | Amount |
|---|---|---|
| | Mothers Against Drunk Driving<br>Central Florida Chapter | $1,000.00 |

These expenditures are for the purpose(s) indicated below and will not be used to meet normal operating needs:

_____1) to defray the cost of protracted or complex investigations

_____2) to provide additional equipment or expertise

_____3) to provide matching funds to obtain federal grants

__X__4) for school resource officer, crime prevention, safe neighborhood, or drug abuse education and prevention programs

_____5) to provide for other law enforcement purposes

---

Based on the foregoing representations, in my opinion this purchase(s) falls within the statutory guidelines authorizing expenditures from Law Enforcement Trust Fund monies and do not represent recurring cost for the Agency for subsequent fiscal years. The above item **has** _X_ / **has not** __ been previously approved for receiving LETF monies. This request does not supplement any other Sheriff's Office expenditure funds.

Assistant General Counsel, Sheriff of Orange County — Date 2/16/17

APPROVED:

BY: _____ — _____
For the Board of County Commissioners — Date

*The First Law Enforcement Agency in Orange County to Receive Both International and State Accreditation*



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*Sheriff Jerry L. Demings*

# ORANGE COUNTY SHERIFF'S OFFICE

## INTEROFFICE MEMORANDUM

February 08, 2017

TO: Mr. Andy DiLoreto

FROM: Sheriff Jerry L. Demings

SUBJECT: Trust Fund Request – MADD, Central Florida Chapter

Please develop a trust fund request of $1,000.00 for Mothers Against Drunk Driving, Central Florida Chapter.

This organization educates residents living in the Central Florida area about the consequences of driving drunk, educates our youth on the dangers and consequences of underage drinking and offers comfort and support to drunk driving victims. They also provide death notification sensitivity training to law enforcement officers, coroners and funeral home directors on how to deliver the news of drunk driving fatalities to family members.

Please forward the check to my office once this request has been completed.

Thank you for your assistance in this matter.

J.L.D.

/taw

Attachment



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**ORANGE COUNTY SHERIFF'S OFFICE**
**Law Enforcement Trust Fund Request Summary**
**FY17**

**February 22, 2017**

**Submissions Approved to Date**

| Contributions | Sheriff Programs/ Equipment | Total |
|---|---|---|
| $32,000.00 | $49,000.00 | $81,000.00 |
| 39.5% | 60.5% | 100.0% |

**Submission for Approval** **Consent Agenda - March 21, 2017**

| Contributions | Sheriff Programs/ Equipment | Total |
|---|---|---|
| $1,000.00 | $0.00 | $1,000.00 |

**YTD Submissions for Approval**

| Contributions | Sheriff Programs/ Equipment | Total |
|---|---|---|
| $33,000.00 | $49,000.00 | $82,000.00 |
| 40% | 60% | 100.0% |

NOTE: This submission includes requests for:
Mothers Against Drunk Driving (MADD) - $1,000



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ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memoran

February 27, 2017

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: Becky Teixeira, Contract Administrator, Roads & Drainage Division
407-836-7736

SUBJECT: Award of Invitation for Bids Y17-196-MV, Street Sweeping Services – Roads and Drainage Division

ACTION REQUESTED:

Approval to award Invitation for Bids Y17-196-MV, Street Sweeping Services – Roads and Drainage Division, to the low responsive and responsible bidder, USA Services of Florida, Inc., for the base year in the estimated contract award amount of $1,076,740. Further request authority for the Procurement Division to exercise two option years.

PROCUREMENT:

To provide street sweeping services throughout unincorporated Orange County for an estimated 29,100 curb miles. A curb mile is considered one mile of one side of the street being swept.

FUNDING

Funding is available in account 1069 068 2430 3197.

APPROVALS:

The Roads and Drainage and Business Development Divisions concur with this recommendation.

REMARKS:

Two bids were received in response to Invitation for Bids Y17-196-MV and were evaluated for responsiveness, responsibility and price. The estimated total bid amount for USA Services of Florida, Inc. was 21.2% lower than the County's engineering estimate. Additionally, bid prices are consistent with our existing contracts for the services. USA Services of Florida, Inc. has held the contract for this service for the past three years and has performed in a satisfactory manner. Therefore, recommendation for award is made to USA Services of Florida, Inc.



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Below is the Tabulation:

| | |
|---|---|
| USA SERVICES OF FLORIDA, INC. | |
| Base Year | $1,076,740 |
| Option Year 1 | $1,089,300 |
| Option Year 2 | $1,101,860 |
| Total Bid | $3,267,900 |

| | |
|---|---|
| STAR CLEANING USA, INC. | |
| Base Year | $1,309,915 |
| Option Year 1 | $1,323,511 |
| Option Year 2 | $1,337,107 |
| Total Bid | $3,970,533 |

ORANGE COUNTY GOVERNMENT

Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

February 3, 2017

TO: Melisa Vergara, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

**PROJECT:** **IFB #Y17-196-MV, Street Sweeping Services Road and Drainage**

The Business Development Division evaluated the **2 bids** submitted for this project and found that **none** of the bidders are Orange County Certified Minority Women Business Enterprises. Hence, the bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 can not be applied.

c: Sheena Ferguson, Manager, Business Development Division

Sheena Ferguson



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ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorar

February 24, 2017

To: Mayor Teresa Jacobs
and the Board of County Commissioners

From: Carrie Woodell, Manager, Procurement Division

Contact: Terry Devitt, Assistant Director, Orange County Convention Center
407-685-9867

Subject: Award of Invitation for Bids Y17-619-PD, Traxon Technologies Lighting System

ACTION REQUESTED:

Approval to award Invitation for Bids Y17-619-PD, Traxon Technologies Lighting System, to the low responsive and responsible bidder, Rexel, Inc. in the total contract award amount of $512,881.10.

PROCUREMENT:

This project consists of the purchase of a lighting system to illuminate the existing Convention Center North and South Concourse exterior facades. The lighting addition will be comprised of color changing lighting fixtures and associated control systems required to illuminate each of the main columns along the upper levels of both facades and each of the five arched skylights at four locations on the roof: two on the north and two on the South. The lighting system will be installed under a separate contract.

The lighting system will enhance the Convention Center's clients and guest experiences with the ambiance lighting, creating a landmark of the Convention Center's North and South Building. The lighting system will provide different color schemes in support of Convention Center events, community awareness events and recognized holidays.

FUNDING:

Funding is available in account numbers 4430 035 0965 6210 and 4430 035 0965 4123.

APPROVALS:

The Convention Center and Business Development Divisions concur with this recommendation.

REMARKS:

Four bids were received in response to this Invitation for Bids. The bids were evaluated for price, responsiveness and responsibility. Award is recommended to the low responsive and responsible bidder Rexel, Inc.

Bid Tabulation:

| | |
|---|---|
| Rexel, Inc. | $512,881.10 |
| General Supply & Services, Inc. (Gexpro) | $517,278.00 |
| Consolidated Electrical Distributors, Inc. | $517,743.72 |
| Graybar Electrical Co., Inc. | $638,607.00 |

ORANGE COUNTY GOVERNMENT

Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

February 13, 2017

TO: Perry Davis, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

**PROJECT: IFB #Y17-619-PD, Traxon Technologies Lighting System**

The Business Development Division evaluated the **4 bids** submitted for this project and found that **none of the bidders are** Orange County Certified Minority Women Business Enterprises. Hence, the bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 cannot be applied.

c: Sheena Ferguson, Manager, Business Development Division

Sheena Ferguson



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ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorandum

February 28, 2017

To: Mayor Teresa Jacobs
and the Board of County Commissioners

From: Carrie Woodell, Manager, Procurement Division

Contact: Andres Salcedo P.E., Assistant Director, Utilities Department
407-254-9719

Subject: Award of Invitation for Bids Y17-722-PH, South Water Reclamation Facility Sodium Hypochlorite Storage and Repump Facility Improvements

ACTION REQUESTED:

Approval to award Invitation for Bids Y17-722-PH, South Water Reclamation Facility Sodium Hypochlorite Storage and Repump Facility Improvements, to the low responsive and responsible bidder, Prime Construction Group, Inc., in the total contract award amount of $2,764,940.

PROCUREMENT:

The project includes new sodium hypochlorite storage and feed systems to replace existing chlorine gas systems. The work consists of a north and south feed system at the plant. The north system includes three new 15,600-gallon single wall vertical fiberglass reinforced plastic storage tanks and the south system includes two new 9,900-gallon single wall vertical fiberglass reinforced plastic storage tanks. Both systems include a roofed structure, concrete containment area, piping, metering pump skids, programmable logic controls (PLC) and electrical. The project is located in District 6.

FUNDING:

Funding is available in account number 4420-038-1555-6310.

APPROVALS:

The Utilities Engineering Division and the Business Development Division concur with this recommendation.

REMARKS:

Five bids were received. Prime Construction Group, Inc. has a satisfactory performance record on similar projects. Therefore award is recommended to Prime Construction Group, Inc.

Award of Invitation for Bid , Y17-722 PH South Water Reclamation Facility Sodium Hypochlorite Storage and Repump Facility Improvements

| BIDDERS: | BID AMOUNT |
|---|---|
| Prime Construction Group, Inc. | $2,764,940 |
| TLC Diversified, Inc. | $3,069,000 |
| Florida Design Contractors, Inc. | $3,087,000 |
| Wharton-Smith, Inc | $3,107,000 |
| PWC Joint Venture, LLC | $3,190,800 |



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ORANGE COUNTY GOVERNMENT

Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

January 20, 2017

TO: Patty Hobbs, Senior Contract Administrator
Procurement Division

FROM: Dexter Watts, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y17-722-PH / South Water Reclamation Facility Sodium Hypochlorite Storage and Feed Systems Improvements**

The Business Development Division evaluated the 3 lowest bids of the 5 bids submitted for this project and found that the apparent low bidder Prime Construction Group, Inc. did not achieve good faith effort documentation and reported 11.30% MWBE participation in their bid. Please note the following certified MWBE participation:

| | | |
|---|---|---|
| Mbe-hm | EM Paving | $13,579.50 |
| Mbe-hm | Central Florida Construction Walls, Inc. | $292,574.00 |
| Wbe-wf | Rebah Fabrication, Inc. | $5,727.00 |
| Wbe-wf | Kathy's Video | $500.00 |
| **Total MWBE Participation** | | **$312,380.50 (11.30%)** |

The second low bid submitted by TLC Diversified, Inc. did not achieve good faith effort documentation and reported 9.55% MWBE participation in their bid.

The third low bid submitted by Florida Design Contractors, Inc. did not achieve good faith effort documentation and reported 15.74% MWBE participation in their bid.

None of the bids were within the MWBE sliding scale range to be awarded this contract over the low bidder.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

Attached is a spreadsheet reconciling the bidders' compliance with the IFB's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.

c: [73]Sheena Ferguson, Manager, Business Development Division

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## BID COMPARISON

**IFB-Y17-722-PH / South Water Reclamation Facility Sodium Hypochlorite Storage and Feed Systems Improvements**

| Rank | Bidder | Bid Amount | M/WBE $'s in Bid | % M/WBE (Goal 25%) | GFE | $ Over Low Bid | % Difference From Low Bid (4%) | $ Over 2nd Low Bid | % Difference From 2nd Low Bid | EEO % M / W |
|---|---|---|---|---|---|---|---|---|---|---|
| Low Bid | Prime Construction Group, Inc. | $2,764,940 | $312,380.50 | 11.30% | no | | | | | 56/8 |
| 2nd Low | TLC Diversified, Inc. | $3,069,000 | $293,074.00 | 9.55% | no | $304,060 | 11.00% | | | 23/7 |
| 3rd Low | Florida Design Contractors, Inc. | $3,087,000 | $485,880.00 | 15.74% | no | $322,060 | 11.65% | $18,000 | 0.59% | 31/6 |
| 4th Low | Wharton-Smith, Inc. | $3,107,000 | $123,450.00 | 3.97% | yes | $342,060 | 12.37% | $38,000 | 1.24% | 31/13 |
| 5th Low | PWC Joint Venture, LLC | $3,190,800 | $434,400.00 | 13.61% | no | $425,860 | 15.40% | $121,800 | 3.97% | 0/0 |

ORANGE COUNTY GOVERNMENT FLORIDA

February 28, 2017

To: Mayor Teresa Jacobs
and the Board of County Commissioners

From: Carrie Woodell, Manager, Procurement Division

Contact: Sarah Flynn Kramer, Manager, Capital Projects Division
407-836-0048

Subject: Award of Invitation for Bids Y17-725-MM, Orange County Facilities Management Division Special Services Building 1944 HVAC, Electrical and Interior Upgrades

**ACTION REQUESTED:**

Approval to award Invitation for Bids Y17-725-MM, Orange County Facilities Management Division Special Services Building 1944 HVAC, Electrical and Interior Upgrades, to the low responsive and responsible bidder, Onopa Services, LLC, for the total contract award amount of $571,703.

**PROCUREMENT:**

The scope includes, but is not limited to the installation of one exterior ground mounted packaged Direct Expansion (DX) system to provide dedicated conditioned outside air and one new Variable Refrigerant Flow (VRF) DX system consisting of a single condensing unit and fifteen fan coil units to provide conditioned air to the building and demolition of supply and return air ductwork. The new HVAC units will be connected to the existing main building automation system. Electrical work will include the replacement of all existing panel boards, installation of two new panel boards and existing circuits reconnections, and the replacement of all lighting fixtures with new 2'x2' light-emitting diode (LED) lighting fixtures (excluding the locksmith and generator area). Interior renovations include restroom, break room, finish, millwork, and entry improvements. Exterior renovations include the addition of an exterior premanufactured canopy system. The project is located in District 6.

**FUNDING:**

Funding is available in account numbers 1023 043 0263 6210 and 1023 043 20449 6210.

**APPROVALS:**

The Capital Projects Division and Business Development Division concur with this recommendation.

**REMARKS:**

Four bids were received. General Mechanical Corporation was determined to be non-responsible based on previous unsatisfactory work performed for the County. The 13.56% difference between Onopa Services, LLC and the next low bidder, Axios Construction Services, LLC is attributed to the contractor's means and methods. Onopa Services, LLC achieved the MWBE goal with 55.06% participation. Onopa Services, LLC has a satisfactory record of performance on similar projects has been determined responsible. Therefore, award is recommended to Onopa Services, LLC.

| **Bids Received:** | **Bid Amount:** |
|---|---|
| Onopa Services, LLC | $571,703.00 |
| Axios Construction Services, LLC | $654,900.00 |
| CORE Engineering & Construction, Inc. | $684,053.64 |
| General Mechanical Corporation | Non-responsible |

ORANGE COUNTY GOVERNMENT

Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

March 6, 2017

TO: Marsha Mussori, Senior Contract Administrator
Procurement Division

FROM: Dexter Watts, Senior Contract Administrator
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

**PROJECT: Y17-725-MM / Orange County Facilities Management Division Special Services Building 1944 HVAC, Electrical & Interior Upgrades**

The Business Development Division evaluated the 3 bids submitted for this project and found that the apparent low bidder Orange County MWBE firm Onopa Services, LLC met the MWBE participation goal and reported 55.06% MWBE participation in their bid. Please note the following certified MWBE participation:

| | | |
|---|---|---|
| Mbe-hm | Onopa Services, LLC | $262,983 |
| Mbe-hm | APD Construction | $47,300 |
| Mbe-hm | AP Construction Contractor | $4,490 |
| **Total MWBE Participation** | | **$314,773.00 (55.06%)** |

The second low bid submitted by Orange County MWBE firm Axios Construction Services, LLC met the MWBE participation goal and reported 53.15% MWBE participation in their bid.

The third low bid submitted by CORE Engineering & Construction, Inc. met the MWBE participation goal and reported 38.93% MWBE participation in their bid.

None of the bids were within the MWBE sliding scale range to be awarded this contract over the low bidder.

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

Attached is a spreadsheet reconciling the bidders' compliance with the IFB's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.



c: Sheena Ferguson, Manager, Business Development Division

## BID COMPARISON

**IFB-YIY-725-MM / Orange County Facilities Management Division Special Services Building 1944 HVAC, Electrical & Interior Upgrades**

| Rank | Bidder | Bid Amount | M/WBE $'s in Bid | % M/WBE (Goal 25%) | GFE | $ Over Low Bid | % Difference From Low Bid (6%) | $ Over 2nd Low Bid | % Difference From 2nd Low Bid | EEO % M / W |
|---|---|---|---|---|---|---|---|---|---|---|
| Low Bid | Onopa Services, LLC [mbe-hm] | $571,703.00 | $314,773 | 55.06% | na | | | | | 20/16 |
| 2nd Low | Axios Construction Services, LLC [mbe-afam] | $654,900.00 | $347,974 | 53.13% | na | $83,197.00 | 14.55% | | | 62/0 |
| 3rd Low | CORE Engineering & Construction, Inc. | $684,053.64 | $266,311 | 38.93% | na | $112,350.64 | 19.65% | $29,153.64 | 4.45% | 9/27 |

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorandum

February 24, 2017

To: Mayor Teresa Jacobs
and the Board of County Commissioners

From: Carrie Woodell, Manager, Procurement Division

Contact: Terry Devitt, Assistant Director, Orange County Convention Center
407-685-9867

Subject: Award of Invitation for Bids Y17-730-MM, Orange County Convention Center North South Building Lighting Enhancements

**ACTION REQUESTED:**

Approval to award Invitation for Bids Y17-730-MM, Orange County Convention Center North South Building Lighting Enhancements, to the sole responsive and responsible bidder, Comelco, Inc, for the total contract award amount of $975,000.

**PROCUREMENT:**

The scope of work includes, but is not limited to, the installation of an exterior lighting enhancement system (lights and controls supplied by Owner) to the Orange County Convention Center North and South Concourse facades and arched skylights at four locations on the roof. The lighting system will elevate the Orange County Convention Center client and guest experience by offering ambiance lighting. The lighting system will provide different color schemes in support of Orange County Convention Center events, community awareness occasions and recognized holidays creating a distinct landmark on the Metro Orlando skyline. In addition, the arched skylights will be tinted to prevent distracting glare throughout the concourse and escalator/projection areas. The project is located in District 6.

**FUNDING:**

Funding is available in account number 4430 035 0965 6210.

**APPROVALS:**

The Convention Center and Business Development Division concur with this recommendation.

**REMARKS:**

A single bid was received from Comelco, Inc. To ensure an open and competitive bid process, the Invitation for Bids was posted on the Orange County website. Queries from staff to the other potential bidders who declined to compete on this project resulted in the following findings:

**Core Construction Services of Florida, LLC** Contractor performs this type of work and is currently mobilized at the site doing other roof related work, but stated when they contacted electrical firms that attended the pre-bid, they were told the electrical firms were bidding as prime contractors and would not provide them with a quote.

**Axios Construction Group, LLC** Contractor performs this type of work and is currently mobilized at the site, but stated this project was designed as an electrical project and they assumed electrical firms would bid as prime contractors and therefore a general contractor would not be competitive.

**J. Kokolakis** Contractor performs this type of work and is currently mobilized at the site, but stated this project was designed as an electrical project and they assumed electrical firms would bid as prime contractors and therefore a general contractor would not be competitive.

**Potential Electric, LLC** Contractor performs this type of work, but stated they were too busy doing other work.

**Electric Services, Inc** Contractor performs this type of work, but stated the MWBE goal was difficult for them to meet and they saw two other MWBE electrical firms at the pre-bid who self-perform work, therefore they did not believe they would be able to be competitive.

**Giles Electric Company** Contractor performs this type of work but stated their estimating department was too busy with previous commitments and they had concerns about whether they could meet the MWBE goal.

Comelco, Inc.'s bid was 12.66% below the estimate. Staff was able to negotiate with Comelco, Inc. since they were the sole bidder. During negotiations, they confirmed their understanding of the scope of work but also stated no significant reductions could be made to the bid price without deleting scope. Therefore, they agreed to reduce their bid from $975,744.87 to $975,000. Comelco, Inc.'s negotiated bid is 12.73% lower than the County's estimate. Comelco, Inc. is currently mobilized at the Convention Center at the North South Building, performing a large electrical project, which may have helped reduce mobilization and overhead fees on this bid and account for their bid being lower than the estimate. Based on technical review performed by staff and the design consultant the bid is considered reasonable. References provided were satisfactory for this type of work and Comelco, Inc. has been determined to be responsible.

This lighting system will enhance the Convention Center's client and guest experience by offering a landmark lighting feature. The lighting system will provide different color schemes in support of Orange County Convention Center events, client shows, community awareness occasions and recognized holidays creating a distinct landmark in the Convention District. In addition, the arched skylights will be tinted to prevent distracting glare and promote energy efficiency with cooling throughout the concourse.

Also, this tinting will enhance the client's purchased advertising and branding in the projection areas located at the four main entrances to the exhibit halls.

These facades and arched skylights, at four locations on the North and South building roofs, are unique architectural features at a very high height of greater than 110 feet, or approximately 10 stories high. This requires a contractor to possess unique experience working at this height and with this type of lighting system. In addition, a contractor's experience should include conducting this type of installation in an active, fully operational facility, to ensure there is no impact to scheduled events and the guest experience. Comelco, Inc has demonstrated this type of work experience through the project references during the bid process, as well as a previous history of successful projects at the Orange County Convention Center. Therefore, Capital Planning recommends moving forward with this award to Comelco, Inc.

| **Bids Received:** | **Bid Amount:** | **Negotiated Bid Amount:** |
|---|---|---|
| Comelco, Inc. | **$ 975,744.87** | **$975,000** |



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ORANGE COUNTY GOVERNMENT

Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

February 28, 2017

TO: Marsha Mussori, Senior Contract Administrator
Procurement Division

FROM: Dexter Watts, Senior Contract Administrator DW
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y17-730-MM / Orange County Convention Center North South Building Exterior Lighting Enhancements**

The Business Development Division evaluated the one bid submitted for this project and found that the apparent low bidder Orange County MWBE firm Comelco, Inc. met the MWBE participation goal and reported 62.71% MWBE participation in their bid. Please note the following certified MWBE participation:

| | | |
|---|---|---|
| Mbe-hm | Comelco, Inc. | $611,876 |
| **Total MWBE Participation** | | **$611,876.00 (62.71%)** |

Our evaluation of these bids was based on the participation listed on the subcontractor/supplier page. If the low bidder is not chosen, please let us know so that we may obtain Letters of Intent to confirm the participation.

Attached is a spreadsheet reconciling the bidders' compliance with the IFB's M/WBE requirements, including the percentage breakdown for all bidders and a comparison of the relative bids versus participation percentages.

c: Sheena Ferguson, Manager, Business Development Division

Sheena Ferguson



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## BID COMPARISON

| RFS-Y17-736-HM / Orange County Convention Center North South Building Exterior Lighting Enhancements | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Rank | Bidder | Bid Amount | M/WBE $'s in Bid | % M/WBE (Goal 25%) | GFE | $ Over Low Bid | % Difference From Low Bid (5%) | $ Over 2nd Low Bid | % Difference From 2nd Low Bid | EEO % M / W |
| Low Bid | Comelco, Inc. [mbe-hm] | $975,744.87 | $611,876 | 62.71% | na | | | | | |

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorand

February 27, 2017

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT Thomas Papsodero, Manager, Fiscal and Operational Support Division
407-254-9980

SUBJECT: Amendment No.1, Contract Y14-1036-ZM, Refrigeration Equipment Preventative Maintenance and Repairs

**ACTION REQUESTED**

Approval of Amendment No.1, Contract Y14-1036-ZM, Refrigeration Equipment Preventative Maintenance and Repairs with TWC Services, Inc., in the amount of $67,114.40, for a revised contract amount of $ 1,243,685.

**PROCUREMENT**

To provide for preventative maintenance and repair services for the Utilities Department's refrigeration equipment.

**FUNDING**

Funding is available in 4420-038-1301-3810.

**DISCUSSION**

Contract Y14-1036-ZM provides for refrigeration equipment preventative maintenance and repair services for the Convention Center. The contract was originally approved by the Board of County Commissioners in August 2014 in the amount of $1,176,570.60.

Amendment No. 1 will add 14 ice machines to the existing contract to allow for preventative maintenance and repair services for the Utilities Department.

Price reasonableness has been determined as pricing remains consistent with the existing contract.

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memora

I. CONSENT AGENDA
ADMINISTRATIVE SERVICES
DEPARTMENT
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February 28, 2017

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: Kris Shoemaker, Chief Financial Officer
Orange County Convention Center
407-685-9827

SUBJECT: Approval of Amendment No. 2, Contract Y16-1049A-DG
Shuttle Bus Service with Driver – Orange County Convention Center

ACTION REQUESTED:

Approval of Amendment No. 2, Contract Y16-1049A-DG, Shuttle Bus Service with Driver – Orange County Convention Center, with Transtar Transportation Group, Inc. in the amount of $82,500 for a revised total contract amount of $329,600.

PROCUREMENT:

To provide transportation services to and from various parking lots on Orange County Convention Center property as well as neighboring businesses, generally following a repeating circulating route for two pilot projects.

FUNDING:

Funding is available in account number 4430 035 0985 3197.

APPROVALS:

The Orange County Convention Center concurs with this recommendation.

REMARKS:

The Board of County Commissioners approved award of this contract on June 28, 2016 in the amount of $247,100 and the contract was awarded on July 1, 2016.



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The Convention Center intends to offer transportation services for two circulator pilot projects held in conjunction with shows and events held at the Convention Center during that time. One pilot project will be held from March 29, 2017 through April 9, 2017, and the second pilot will be held April 13, 2017 through April 16, 2017. The contractor shall provide complimentary transportation for show attendees, exhibitors and guests to and from various parking lots on Convention Center property, as well as neighboring businesses and hotels, generally following a repeating circulating route throughout the convention center district. Five to six mini-buses, operating approximately 12 hours per day, will be used during each pilot project.

A Request for Quotations was solicited from each of the three currently awarded contractors for Contract Y16-1049-DG, Shuttle Bus Service with Driver – Orange County Convention Center. These contracts include the same scope of services as needed for the pilot circulator projects, however due to the extended operational hours and the need for the mini-bus type vehicles, and not full-size transit buses, quotations were requested from each awarded contractor to ensure fairness and competition. The quotation from Escot Bus Lines was for an alternate and unacceptable bus configuration. Additionally, Pegasus provided a no-quote response due to a lack of available resources. The quoted rates offered by Transtar Transportation Group, Inc. are consistent with their current pricing for mini-bus services under Contract Y16-1049A. The requested contract increase is for an estimated 1,100 hours of bus service, at the unit price of $75 per hour, for a total amount of $82,500.

The following are the previous amendment to the contract:

Amendment No. 1 – First renewal period of July 1, 2017 through June 30, 2018.

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memoran

I. CONSENT AGENDA
ADMINISTRATIVE SERVICES
DEPARTMENT
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February 15, 2017

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: Charles Melton, Facilities Operation Chief, Facilities Management Division
Phone 407-836-0280

SUBJECT: Ratification of Purchase Order M83485–Emergency Replacement of Chiller Motor and 10 Year Overhaul.

ACTION REQUESTED:

Ratification of Purchase Order M83485, Emergency Replacement of Chiller Motor and 10 Year Overhaul at the Intake Booking and Release Building at Orange County Corrections, with Trane US Inc., in the total amount of $115,623.

PROCUREMENT:

Emergency replacement of Chiller Motor #1 located in the Intake Booking and Release building at Orange County Corrections is needed. This requires that the motor be replaced and a 10 year overhaul of the unit. The chiller will be shut down and tagged out. The chiller holds approximately 1100 lbs. of refrigerant, which will be removed and cleaned for reuse. All insulation will be removed from the chiller to allow access to dismantle the compressor. The compressor will be taken apart, and all wear surfaces will be inspected. All wear surfaces, guide vanes, seals, and impellers will be verified to be within manufacturer's specifications. The old motor will be removed and all electrical overload controls, contactors, and starters will be inspected. The new motor will be installed. The contractor will reassemble the compressor, install new seals and bearings, and verify spacing of guide vanes, impellers and gaskets. The contractor will clean oil lubrication system and regulators. They will inspect heating element and replace them. The new motor will be spin balanced when the compressor is reassembled. The compressor will be vacuumed to check for leaks. After leak inspection the compressor will be recharged with refrigerant. A factory start-up will be performed. It will be verified that the chiller is operating normally and within manufacturers specifications.

FUNDING

Funding is available in account 1023-043-2049-0280.



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APPROVALS:

The Facilities Management Division concurs with this recommendation.

REMARKS:

The current cooling capacity for The Female Detention Center and Booking and Release Center is limited due to chiller #1 being down. In addition to being detention facilities, these buildings house dental, medical staff and medical clinics. If the back-up chiller fails, then all cooling will seize. When the outdoor temperatures rise above 85 degrees for several days, both chillers are required to maintain the facility cooling. An Invitation for Bids was issued for these services which opened on January 24, 2017. Two of the bidders were deemed non-responsible, as the references provided did not demonstrate similar work experience. Two bidders were considered non-responsive; one did not complete the bid form correctly and the other vendor provided the incorrect bid form which had changed through an addendum.

Three quotes were obtained for the replacement of chiller motor and 10 year overhaul.

Quotes:

| Contractor | Price |
|---|---|
| Trane US Inc. | $115,623 |
| Mechanical Services | $129,550 |
| Air Mechanical Service Corp. | $134,200 |

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorandum

February 27, 2017

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: Sara Flynn-Kramer, Manager, Capital Projects Division
407-836-0048

SUBJECT: Selection of Consultant, RFP Y17-805-CC, Design Services for Corrections Work Release Center HVAC System and Domestic Water System Replacements

## RECOMMENDATION

Selection of Atkins North America, Inc. to provide Design Services for Corrections Work Release Center HVAC System and Domestic Water System Replacements, Request for Proposals Y17-805-CC. Further recommend the Board authorize negotiation and execution of the final contract by the Procurement Division provided that it does not exceed the budget of $200,000.

This item was evaluated by the Procurement Committee on January 18, 2017. Commissioner Victoria P. Siplin was assigned to the Procurement Committee.

## PURPOSE

To negotiate a contract for design services for Corrections Work Release Center HVAC system and domestic water systems replacement. The project is located in District 3.

## DISCUSSION

The project is for design services for Corrections Work Release Center HVAC system and domestic water systems replacement, which includes the three main campus buildings: office/classrooms, administration, and dormitories (male/female). The project will include the complete replacement of two existing utility systems in all three buildings, the replacement of the building automation system, and the domestic water system replacement to include piping and equipment.

The consultant will perform the following services:

1. Project Program Development
2. Schematic Design
3. Design Development
4. Construction Contract Documents
5. Technical Support Services
6. Contract Administration

One proposal was received in response to the solicitation. Queries from staff to those proposers who declined to compete on this project resulted in the following findings:

1. Matern Professional Engineering stated they did not pursue this project because they did not have the required similar project experience.
2. Hanson Professional Services, Inc. stated they did not have the similar projects required per the RFP to be able to submit a proper proposal.
3. SGM Engineering stated they could not meet the requirements of the RFP.
4. AED, Inc. did not respond.

The proposal submitted by Atkins North America, Inc. failed to receive a score for the proposed project manager because of the seven mandatory elements for Project Type A and the four mandatory elements for Project Type B. One mandatory element was missing in all five required similar projects submitted. Otherwise, the projects submitted would be similar in nature and demonstrate the expertise of the proposer. The fact that the proposed project manager scored a zero was not a requirement that would deem the proposal non-responsive. Therefore, based on the vendor's prior experience with Orange County, the Procurement Committee determined it was in the best interest of the County to move forward with the procurement.

During the solicitation period, proposers are encouraged to review the RFP requirements carefully and to submit questions within the allotted timeframe for clarifications or changes to the scope or to any of the requirements. This discussion includes questions or concerns about the similar project description or the timeframe for a similar project to be completed to qualify. For this proposal, a question was received and answered that related to a similar project requirement, and that request was considered and approved in the addendum.

This is a critical project, with parts of the current project dating back to 2008. As the plans for the work were finalized, the projects were put on hold due to an uncertainty about the long range plans for the building. An assessment determined that the building would continue to be utilized, and the current project was generated. This project combines HVAC work in addition to the chiller, controls, AHU's and water line replacements. These systems are over due for replacement and are a continuing maintenance issue for Facilities.

Consensus scores of the Procurement Committee are attached.



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| RFP#: Y17-805-CC | PROJECT | | PROJECT | | M/WBE | | LOCATION | | VOLUME | | SCOPE | | VETERANS | | DISPLACED WORKERS | | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| DESIGN SERVICES FOR CORRECTIONS WORK RELEASE CENTER HVAC SYSTEM AND DOMESTIC WATER SYSTEM REPLACEMENTS | PROJECT MANAGER | | TEAM | | | | | | | | | | | | | | |
| WEIGHT | 25 | | 15 | | 15 | | 10 | | 15 | | 20 | | 2 | | 1 | | |
| | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | |
| Atkins North America, Inc. | 0.0 | 0.0 | 5.0 | 75.0 | 3 | 45.0 | 5 | 50.0 | 4 | 60.0 | 5.0 | 100.0 | 0 | 0.0 | 0 | 0.0 | 330.0 |

ORANGE COUNTY GOVERNMENT

Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

January 18, 2017

TO: Corie Cummings, Senior Contract Administrator, Procurement Division

FROM: Angela Brown, Senior Contract Administrator, Business Development

SUBJ: Y17-805- CC / Design Services for Corrections Work Release Center HVAC System and Domestic Water System Replacements

APPROVED: Sheena Ferguson
Sheena Ferguson, BDD Manager

Listed below are respondents to the subject RFP with their sub-consultants and M/WBE participation score on a 1 – 5 scale (RFP GOALS: M/WBE-27% & EEO-24%):

| | Projected % | Sub-Consultant Role |
|---|---|---|
| 1. **ATKINS NORTH AMERICA, INC.** **Majority Prime** | | |
| **M/WBE Subconsultants:** | | |
| Proposer did not include the utilization of OC certified M/WBE firms on Form B nor Form M. | | |
| **Total M/WBE Participation:** | 0% | |
| **EEO Staff:** | 49% | |
| **Points:** | 3 | |
| **BONUS POINTS:** | | |
| No Welfare Recipient(s) Proposed | | |
| No Registered Service Disabled Veteran(s) Proposed | | |
| **Total Bonus Points:** | 0 | |



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ORANGE COUNTY GOVERNMENT
FLORIDA

Interoffice Memorandu

I. CONSENT AGENDA
ADMINISTRATIVE SERVICES
DEPARTMENT
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March 13, 2017

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT John Petrelli, Director, Risk Management and Professional Standards Division
407-836-9640

SUBJECT: Approval to Purchase the Renewals of All Lines of Commercial Insurance Coverage Contract Y15-192

**ACTION REQUESTED:**
Approval to Purchase the Renewals of All Lines of Commercial Coverage (as outlined below) for the County's Commercial Insurance Program under Contract Y15-192, Insurance Broker and Consultant Services, for premiums not-to-exceed **$4,890,800**.

**PROCUREMENT:**
To purchase renewal policies of all-lines of commercial insurance for the Board of County Commissioners, Clerk of the Circuit and County Courts, Property Appraiser, Tax Collector, Comptroller, Supervisor of Elections, and the Orange Blossom Trail Development Board (workers' compensation only).

| | |
|---|---|
| • Commercial Property Program<br>Includes Stand-alone Terrorism, Boiler & Machinery and Vehicle and Mobile Equipment Policies | $ 4,000,000 |
| • Excess Public Entity Liability | $ 510,000 |
| • Cyber Liability & Extortion | $ 112,000 |
| • Commercial Crime & Public Officials Bonds | $ 15,000 |
| • Vendor Liability Programs** | $ 5,000 |
| • Neighborhood Services Grants- Liability*** | $ 13,000 |
| • Corporate Counsel | $ 18,000 |
| • Corrections AD&D and Med Pay Policies | $ 12,800 |
| • Broker's Fee | $ 205,000 |

**FUNDING:**
*The premium for the Corrections AD&D polices is paid from the General Fund
** The premium for the Vendor policies is paid by the vendor and is collected annually from Parks and Recreation Division.
*** The premium for the Neighborhood Services grant is paid from the General Fund.

Arthur J. Gallagher will serve as agent with insurers as yet to be determined for policies with effective dates of April 1, 2017 through March 31, 2018. Funds are available in account 5510-025-0328-3350.



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**APPROVAL:**
The Risk Management Committee and the Risk Management Division concur with this recommendation.

**DISCUSSION:**
The Board selected Arthur J. Gallagher & Co. on June 30, 2015, to provide insurance broker and consultant services to the County for an initial 36-month contract with two optional one-year renewals. This particular request for Board approval will allow Risk Management and Arthur J. Gallagher & Co. to participate in ongoing negotiations with insurance carriers up to March 31, 2018, to achieve optimum coverage and pricing.

The Risk Management Committee has given their approval of the not-to-exceed amount of **$4,890,800** of premium (in accordance with the intergovernmental self-insurance agreement adopted by the Board on August 6, 1997).

The requested not-to-exceed amount represents a $9,500 decrease in the authority requested for the previous policy year.



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ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Mem

REAL ESTATE MANAGEMENT ITEM 1

**DATE:** February 28, 2017

**TO:** Mayor Teresa Jacobs
and the
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager
Real Estate Management Division

**FROM:** Elizabeth Price Jackson, Senior Title Examiner
Real Estate Management Division

**CONTACT PERSON:** **Ann Caswell, Manager**

**DIVISION:** **Real Estate Management**
**Phone: (407) 836-7082**

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF RESOLUTION AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Crosby Island Marsh

District 4

**PURPOSE:** To provide for ratification of an existing conservation easement to protect wetlands and uplands.

**ITEM:** Resolution

**APPROVALS:** Real Estate Management Division
County Attorney's Office
Environmental Protection Division

**REMARKS:** On May 4, 2004, the Bonnet Creek Resort Community Development District (CDD) recorded, at Official Records Book 7414, Page 4021, a Deed of Conservation Easement (the "Easement") for Crosby Island Marsh. The Easement was a requirement of Conservation Area Impact permit 97-240 and was recorded without approval and acceptance by the Board of County Commissioners in violation of Resolution No. 86-M-44. This action ratifies the interest of Orange County in the Easement and provides for formal acceptance of that interest in accordance with Resolution No. 86-M-44.

CDD is responsible for paying the recording fees.

**A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice M

REAL ESTATE MANAGEMENT ITEM 2

**DATE:** February 27, 2017

**TO:** Mayor Teresa Jacobs
and the
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager
Real Estate Management Division

**FROM:** Monica Hand, Senior Title Examiner
Real Estate Management Division

**CONTACT PERSON:** **Ann Caswell, Manager**

**DIVISION:** **Real Estate Management**
**Phone: (407) 836-7082**

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF RESOLUTION AND COUNTY DEED FROM ORANGE COUNTY TO THE TOWN OF OAKLAND AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Parcel 20-22-27-0000-00-038

District 1

**PURPOSE:** To transfer a parcel not needed by Orange County for county purposes to the Town of Oakland.

**ITEMS:** Resolution

County Deed
Revenue: None
Size: 2,250 square feet

**APPROVALS:** Real Estate Management Division
County Attorney's Office
Public Works Department

**REMARKS:** In 1977, Orange County acquired this parcel, located in the Town of Oakland on the south side of SR 438, for drainage purposes. The Town of Oakland has requested that the ownership of this parcel be transferred to them.

The Public Works Department has reviewed the request and determined that the parcel is not needed and recommends the transfer to the Town of Oakland, reserving unto Orange County a permanent drainage easement over, under, and through the entire parcel.

Section 125.38, Florida Statutes, provides that a county may, upon application by a municipality and upon a finding that county property is not needed for county purposes, convey such county property to such municipality at private sale, for a nominal price or otherwise.

Town of Oakland to pay the recording fees and record instrument.

**A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Me

REAL ESTATE MANAGEMENT ITEM 3

**DATE:** February 27, 2017

**TO:** Mayor Teresa Jacobs
and the
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager
Real Estate Management Division

**FROM:** Virginia G. Williams, Senior Title Examiner
Real Estate Management Division

**CONTACT PERSON:** **Ann Caswell, Manager**

**DIVISION:** **Real Estate Management**
**Phone: (407) 836-7082**

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF RESOLUTION AND SUBORDINATION OF COUNTY DRAINAGE EASEMENT INTERESTS BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENTS

**PROJECT:** FDOT – S. R. 400 (I-4) from North of Kennedy Blvd. to Seminole County Line (F.P. No. 242484 6)

District 5

**PURPOSE:** To provide for access, construction, operation, and maintenance of road widening improvements required by the Florida Department of Transportation.

**ITEMS:** Resolution

Subordination of County Drainage Easement Interests (Parcel No. 592.2)
Revenue: None
Size: 562 square feet

**APPROVALS:** Real Estate Management Division
Public Works Department

**REMARKS:** This action enables the Florida Department of Transportation to utilize property encumbered by a County drainage easement.

Florida Department of Transportation to pay recording fees and record instruments.

**A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

Interoffice Men

REAL ESTATE MANAGEMENT ITEM 4

**DATE:** February 10, 2017

**TO:** Mayor Teresa Jacobs
and the
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager
Real Estate Management Division

**FROM:** Theresa A. Avery, Senior Title Examiner
Real Estate Management Division

**CONTACT PERSON:** **Ann Caswell, Manager**

**DIVISION:** **Real Estate Management**
**Phone: (407) 836-7082**

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF UTILITY EASEMENT BETWEEN THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Riverside ES
OCU File No. 81348

District 2

**PURPOSE:** To provide for access, construction, operation, and maintenance of utility facilities as a requirement of development.

**ITEM:** Utility Easement
Cost: Donation
Total size: 390 square feet

**APPROVALS:** Real Estate Management Division
Utilities Department

**REMARKS:** The County is executing the Utility Easement to show acceptance of the terms and conditions.

Grantor to pay recording fees.

**A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Mer

REAL ESTATE MANAGEMENT ITEM 5

**DATE:** March 3, 2017

**TO:** Mayor Teresa Jacobs
and the
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager MMK for AC
Real Estate Management Division

**FROM:** Roger A. Wright, Acquisition Agent MMK for RW
Real Estate Management Division

**CONTACT PERSON:** **Ann Caswell, Manager**

**DIVISION:** **Real Estate Management**
**Phone: (407) 836-7082**

**ACTION REQUESTED:** APPROVAL OF PURCHASE AGREEMENT, UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT BETWEEN BRETT THOMAS AND ORANGE COUNTY, SUBORDINATION OF ENCUMBRANCE TO PROPERTY RIGHTS TO ORANGE COUNTY FROM QUICKEN LOANS INC. AND AUTHORIZATION TO DISBURSE FUNDS TO PAY PURCHASE PRICE AND RECORDING FEES AND RECORD INSTRUMENTS

**PROJECT:** Pump Station No. 3260 (Wekiva Meadows)

District 2

**PURPOSE:** To provide for access, construction, operation and maintenance of utility facilities.

**ITEMS:** Purchase Agreement (Parcel 701,801)

Utility Easement (Instrument 801.1)
Cost: $800.00
Size: 31 square feet

Temporary Construction Easement (Instrument 701.1)
Cost: $300.00
Size: 269 square feet
Term: 3 years

Subordination of Encumbrance to Property Rights to Orange County (Instrument 801.2)

**BUDGET:** Account No.: 4420-038-1503-85-6110

**FUNDS:** $1,100 Payable to Brett Thomas
(purchase price)

$106.50 Payable to Orange County Comptroller
(recording fees)

**APPROVALS:** Real Estate Management Division
Utilities Department

**REMARKS:** The easements are being acquired for the rehabilitation of Pump Station 3260 (Wekiva Meadows).

Grantor to pay documentary stamp tax.

**A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice M

REAL ESTATE MANAGEMENT ITEM 6

**DATE:** March 3, 2017

**TO:** Mayor Teresa Jacobs
and the
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager
Real Estate Management Division

**FROM:** Virginia G. Williams, Senior Title Examiner
Real Estate Management Division

**CONTACT PERSON:** **Ann Caswell, Manager**

**DIVISION:** **Real Estate Management**
**Phone: 836-7082**

**ACTION REQUESTED:** APPROVAL OF WARRANTY DEED AND NON-EXCLUSIVE DRAINAGE EASEMENT FROM CORE REAL ESTATE LIMITED LLC TO ORANGE COUNTY AND AUTHORIZATION TO PERFORM ALL ACTIONS NECESSARY AND INCIDENTAL TO CLOSING

**PROJECT:** Core Academy PD/UNP/LUP

District 1

**PURPOSE:** To provide for access, construction, operation, and maintenance of road widening improvements as a requirement of adequate public facilities agreement.

**ITEMS:** Warranty Deed
Cost: $36,450 (Impact Fee Credits)
Size: 1.62 acres

Non-Exclusive Drainage Easement
Cost: $28,980 (Impact Fee Credits)
Size: 1.61 acres



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**APPROVALS:** Real Estate Management Division
County Attorney's Office
Public Works Department
Risk Management Division
Transportation Planning Division

**REMARKS:** On March 15, 2016, the Board of County Commissioners approved the acceptance of a deed and easement pursuant to the "Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement Core Academy PD/UNP/LUP" (Agreement). However, due to a dispute of the members of the Grantor the closing of the conveyances did not occur.

The previous deed and easement are being voided and replaced by approval of this new Warranty Deed and Non-Exclusive Drainage Easement (replacement documents) which will allow the closing to move forward pursuant to the terms of the Agreement. This action is contingent upon the approval of the First Amendment to the Agreement appearing on the consent agenda under Community, Environmental & Development Services Department.

Grantor to pay all closing costs and prorated taxes.

**A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice M

REAL ESTATE MANAGEMENT ITEM 7

**DATE:** March 3, 2017

**TO:** Mayor Teresa Jacobs
and the
Board of County Commissioners

**THROUGH:** Ann Caswell, Manager
Real Estate Management Division PBS for AC

**FROM:** Jeffrey L. Sponenburg, Senior Title Examiner
Real Estate Management Division PBS for JLS

**CONTACT PERSON:** **Ann Caswell, Manager**

**DIVISION/ SECTION:** **Real Estate Management**
**Phone: (407)836-7082**

**ACTION REQUESTED:** APPROVAL OF WARRANTY DEED FROM LAKE SAWYER SOUTH COMMUNITY ASSOCIATION, INC. TO ORANGE COUNTY AND AUTHORIZATION TO DISBURSE FUNDS TO PAY ALL RECORDING FEES AND RECORD INSTRUMENT

**PROJECT:** North of Albert's PD/Westside Village Home District PSP/DP

District 1

**PURPOSE:** To provide for access, construction, operation, and maintenance of road improvements as a requirement of development.

**ITEM:** Warranty Deed
Cost: Donation
Size: 707.02 square feet

**BUDGET:** Account No.: 1002-072-2705-6110

**FUNDS:** $27.70 Payable to Orange County Comptroller
(all recording fees)

**APPROVALS:** Real Estate Management Division
Public Works Department

**REMARKS:** This conveyance will extend Salomon Cove Drive to the western boundary of the North of Albert's PD/Westside Village Home District PSP/DP.

**A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation is in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memorandum**

AGENDA ITEM

February 17, 2017

TO: Mayor Teresa Jacobs
– AND–
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON:** **Bradley Campbell, Assistant Manager**
**Code Enforcement Division**
**(407) 836-4220**

**SUBJECT:** March 21, 2017 – Consent Items
Resolutions for Special Assessment Lien(s) Lot Cleaning (40)

Pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning, the County is authorized to have property cleaned through an independent contractor when not done voluntarily by the property owner, after sufficient notice. Further, the regulation allows the Board of County Commissioners by Resolution to place Special Assessment Liens on such properties to recoup the cost of cleaning. The following properties have been cleaned at the expense of the County with associated costs as indicated.

| Case No. | Dist.# | Property Owner | Amount* |
|---|---|---|---|
| LC 17-0321 | 1 | BHAWANIE INDRA | $ 487.12 |
| LC 16-1073 | 2 | CHAMBERS ELAINE C | $ 239.73 |
| LC 17-0072 | 2 | PORTER LULA MAE | $ 425.42 |
| LC 17-0191 | 2 | SHAH FAMILY LLC | $ 219.57 |
| LC 17-0243 | 2 | ROBINSON DAISY ESTATE | $ 2,592.12 |
| LC 17-0268 | 2 | LAKE LINDA J ESTATE | $ 460.49 |
| LC 17-0298 | 2 | PALOMBI M L TR | $ 435.81 |
| LC 17-0300 | 2 | WILLIAMS RICHARD KEITH; WILLIAMS CATHY L | $ 443.37 |
| LC 17-0317 | 2 | CHAMBERS ELAINE C | $ 238.68 |
| LC 17-0322 | 2 | PERSAUD DHARMENDRA | $ 608.12 |
| LC 17-0323 | 2 | TAX LIEN STRATEGIES LP | $ 639.97 |
| LC 17-0331 | 2 | MALTESE ANTHONY | $ 365.10 |
| LC 17-0342 | 2 | FYLSTRA ROBERT | $ 348.62 |

| Case No. | Dist.# | Property Owner | Amount* |
|---|---|---|---|
| LC 16-1016 | 3 | DANG DANNY | $ 435.10 |
| LC 16-1228 | 3 | SUPERB REMODEL INC | $ 345.77 |
| LC 17-0136 | 3 | JB CONSTRUCTION SERVICES CORP | $ 191.17 |
| LC 17-0142 | 3 | DEUTSCHE BANK NATIONAL TRUST COMPANY TRUSTEE | $ 477.50 |
| LC 17-0288 | 3 | BARTLETT RUTH M | $ 219.63 |
| LC 17-0292 | 3 | PAPP BARRY | $ 306.28 |
| LC 17-0328 | 3 | MALDONADO DEBRA; NEFF KARL S ESTATE | $ 84.12 |
| LC 17-0002 | 4 | PSO AND ZARO INVEST LLC | $ 174.21 |
| LC 17-0249 | 4 | ZIMMERMAN KENNETH M | $ 224.39 |
| LC 17-0332 | 5 | MCLEAN RANDAL | $ 350.51 |
| LC 17-0336 | 5 | TARPON IV LLC | $ 469.44 |
| LC 17-0359 | 5 | JIM BARTLETT CONSTRUCTION INC | $ 250.89 |
| LC 17-0370 | 5 | FLATD LLC | $ 122.57 |
| LC 17-0371 | 5 | FAIRES PATRICIA E; FAIRES MARJORIE R | $ 1,538.03 |
| LC 16-1106 | 6 | YIBKAW FEREWOIN; LEMA NEBIYU | $ 1,319.71 |
| LC 16-1133 | 6 | S A PROPERTY HOLDING INVESTMENTS LLC | $ 5,444.18 |
| LC 17-0033 | 6 | TD AND G DEVELOPMENT AND MANAGEMENT GROUP LLC | $ 125.13 |
| LC 17-0062 | 6 | CONFIDENTIAL BUYERS 210 N KIRKMAN RD LAND TRUST; HUNSINGER BUDDY | $ 329.96 |
| LC 17-0100 | 6 | SINGH DAVID; SINGH FALIZA SALIM | $ 393.32 |
| LC 17-0108 | 6 | WAVERIDERS P L | $ 358.90 |
| LC 17-0109 | 6 | ESTRADA JUAN; ESTRADA AURORA | $ 384.61 |
| LC 17-0158 | 6 | BIEMILLER JOHN R | $ 1,452.10 |
| LC 17-0161 | 6 | MENDING HEARTS CHARITIES INC | $ 390.57 |
| LC 17-0164 | 6 | INVESTMENT GROUP R AND A | $ 383.77 |
| LC 17-0165 | 6 | NELL2 INC | $ 1,364.94 |
| LC 17-0187 | 6 | NAGESAR ROSITA | $ 347.40 |
| LC 17-0212 | 6 | WARREN LINDA A; WARREN EDGAR | $ 383.77 |

Copies of the Resolutions for the Special Assessment Liens are on file and available for review in the Code Enforcement Division.

* Administrative costs to process and collect on these cases have been added.

**ACTION REQUESTED:** **Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts**

JVW/BC:th

ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Mem**

# AGENDA ITEM

February 24, 2017

TO: Mayor Teresa Jacobs
–AND–
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON:** **Lori Cunniff, CEP, CHMM, Deputy Director**
**Community, Environmental and Development**
**Services Department**
**(407) 836-1405**

SUBJECT: March 21, 2017 – Consent Item
Environmental Protection Commission Recommendation for a Waiver Request to Terminal Platform Size for Boat Dock Permit BD-16-11-112 for Luiz Roberto Peroba Barbosa

The project site is located at 12138 Montalcino Circle on Lake Burden. The Parcel ID No. is 25-23-27-1213-00-100 in Orange County Commission District 1.

On November 22, 2016, the Environmental Protection Division (EPD) received an Application to Construct a Dock for the subject property. Subsequently on December 6, 2017, EPD received an Application for Waiver to Section 15-342(b) for a larger than allowed terminal platform size.

During the February 22, 2017 public hearing, the Environmental Protection Commission voted to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with a condition that the applicant pay $754 to the Conservation Trust Fund (CTF) for the Barbosa Dock Construction Permit BD-16-11-112.

**ACTION REQUESTED:** **Acceptance of Recommendation of the Environmental Protection Commission to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with a condition that the applicant pay $754 to the Conservation Trust Fund for the Barbosa Dock Construction Permit BD-16-11-112. District 1**

JVW/LC: mg
Attachments
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ENVIRONMENTAL PROTECTION DIVISION
Lori Cunniff, CEP, CHMM, Deputy Director
Community, Environmental and Development Services Department
3165 McCrory Place, Suite 200
Orlando, FL 32803-3727
407-836-1400 • Fax 407-836-1499
www.ocfl.net

ENVIRONMENTAL PROTECTION COMMISSION

David Ward
*Chairman*

Jonathan Huels
*Vice Chairman*

Sally Atwell

Alex Preisser

Mark Corbett

Mark Ausley

Flonnari Blackburn

**ORANGE COUNTY**
**ENVIRONMENTAL PROTECTION COMMISSION**

**February 22, 2017**

PROJECT NAME: Luis Roberto Peroba Barbosa

PERMIT APPLICATION NUMBER: BD-16-11-112

LOCATION/ADDRESS: 12138 Montalcino Circle, Windermere

**RECOMMENDATION:**

**PURSUANT TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-350(B), APPROVE THE REQUEST FOR WAIVER TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-342(B) WITH THE CONDITION THAT THE APPLICANT PAY $754.00 TO THE CONSERVATION TRUST FUND, FOR THE LUIZ ROBERTO PEROBA BARBOSA DOCK CONSTRUCTION PERMIT BD-16-11-112.**

☑ EPC AGREES WITH THE ACTION REQUESTED, AS PRESENTED

☐ EPC DISAGREES WITH THE ACTION REQUESTED, AS PRESENTED AND HAS MADE THE FOLLOWING RECOMMENDATION:

_____
_____
_____
_____
_____
_____

Signature of EPC Chairman: David R Ward

DATE EPC RECOMMENDATION RENDERED: 2/22/17



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ORANGE COUNTY GOVERNMENT FLORIDA

# Interoffice Memorandum

February 9, 2017

TO: Environmental Protection Commission

FROM: Lori Cunniff, CEP, CHMM, Deputy Director
Community, Environmental and Development Services Department

SUBJECT: Luiz Roberto/Peroba Barbosa Boat Dock Request for Waiver for Terminal Platform Size

**Reason For Public Hearing**

The applicant, Luiz Roberto Peroba Barbosa, is requesting a waiver to Section 15-342(b) terminal platform size for a Boat Dock Permit, BD-16-11-112.

**Location of Property/Legal Description**

The project site is located at 12138 Montalcino Circle, Windermere on Lake Burden. The Parcel ID is 25-23-27-1213-00-100. The subject property is located in Orange County Commission District 1.

**Public Notifications**

The applicant and agent were notified of the hearing on February 9, 2017.

**Staff Findings**

On November 22, 2016 an Application to Construct a Dock was received by the Environmental Protection Division (EPD) for the subject property. Subsequently, on December 6, 2017, EPD received an Application for Waiver to Section 15-342(b) for a larger than allowed terminal platform size. Pursuant to Orange County Code, Chapter 15, Article IX, EPD staff has evaluated the proposed application and required documents.

Notifications of the request for waiver were sent to all shoreline property owners within 300 feet of the shoreline to the subject property on January 5, 2017. EPD has not received any objections to the proposed waiver.

**Terminal Platform Waiver Request**

Section 15-342 (b) states that the maximum square footage of the terminal platform shall not exceed the square footage of ten times the linear shoreline frontage for the first 75 feet of shoreline and five times the linear shoreline frontage for each foot in excess of 75 feet, not to exceed a maximum of 1,000 square feet.



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The applicant has approximately 75 feet of shoreline on Lake Burden, which by code will allow up to 750 square feet of terminal platform. The applicant has requested approval of a terminal platform of 840 square feet.

Pursuant to Section 15-350(a)(2), "the applicant shall describe (1) how this waiver would not negatively impact the environment; and (2) the effect of the proposed waiver on abutting shoreline owners."

To address 15-350(a)(2)(1) The applicant has stated that "*Home owners are planning on re-planting aquatic plants along the shore. Also the area where construction will take place doesn't currently have much growth occurring. As well as contributing to the UMAM.*"

To address Section 15-350(a)(2)(2), the applicant has stated "*This waiver will have very little effect on any abutting owners.*"

The increased shading impacts to the natural resources by the proposed dock was evaluated by staff using the Uniform Mitigation Assessment Method (UMAM) and the applicant has agreed to offset the environmental impact associated with the larger terminal platform size with a payment of $754.00 to the Conservation Trust Fund (CTF).

Included as attachments with this staff report are location map, waiver request, site plans, and photos.

**Enforcement Action**

There currently is no enforcement action for this property.

**Staff Recommendation**

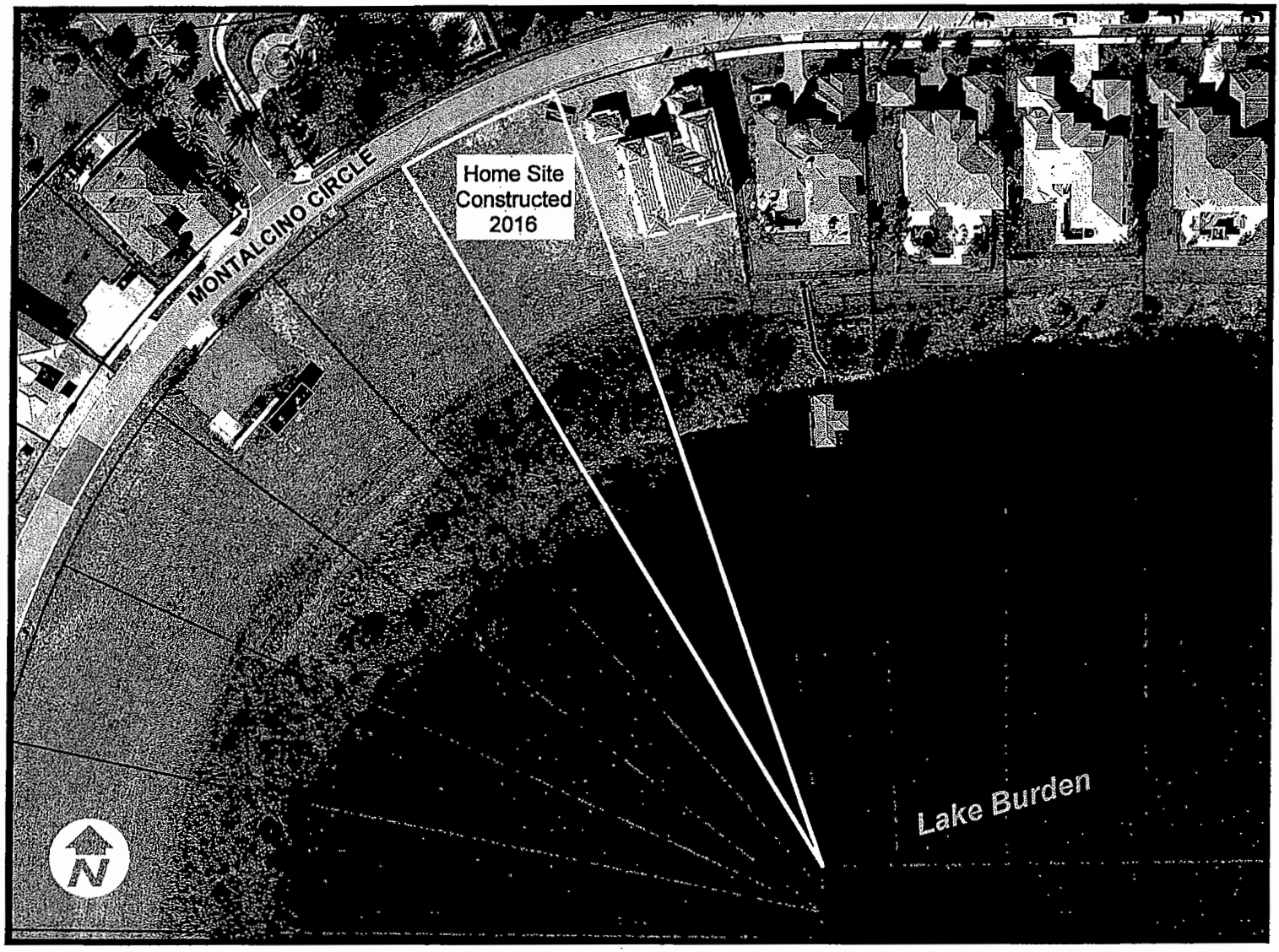
The recommendation of the Environmental Protection Officer (EPO) is to approve the request for waiver to Section 15-342(b) for the additional terminal platform size with the condition that the applicant pay $754.00 to the CTF as mitigation for the adverse impacts to the environment associated with the larger than allowed terminal platform size.

**ACTION REQUESTED** — **PURSUANT TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-350(B), APPROVE THE REQUEST FOR WAIVER TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-342(b) (TERMINAL PLATFORM SIZE), WITH THE CONDITION THAT THE APPLICANT PAY $754.00 TO THE CONSERVATION TRUST FUND FOR THE BARBOSA BOAT DOCK PERMIT #BD-16-11-112.**

CRS/NT/ERJ/LC: gdjr/mg

Attachments

# Boat Dock Application for Waiver



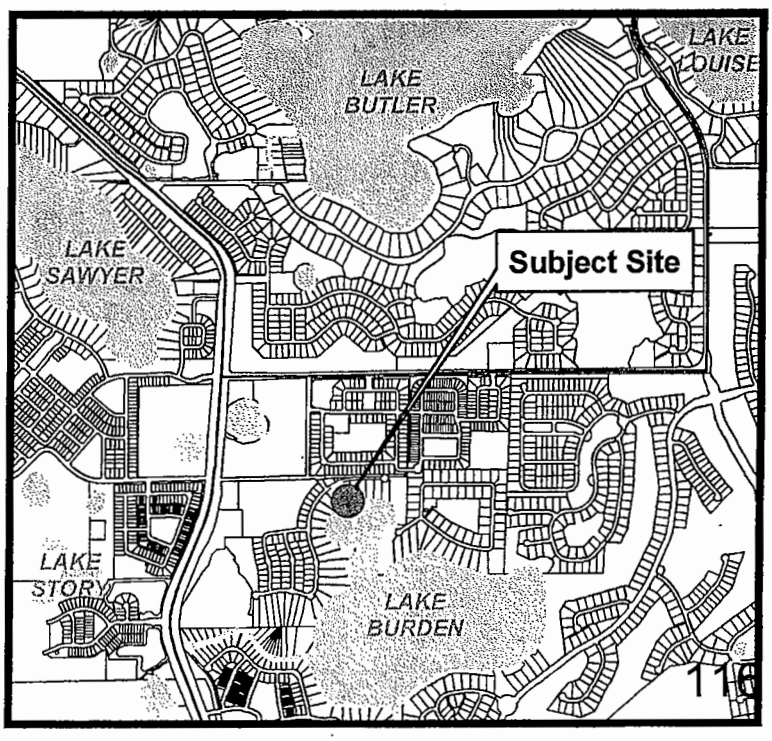

**Boat Dock Waiver Application**
**Terminal Platform Size**

**District # 1**

**Applicant:** Luis Roberto Perona Barbosa
**Parcel ID:** 25-23-27-1213-00-100

**Project Site**

**Property Location**





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ORANGE COUNTY GOVERNMENT FLORIDA

# APPLICATION TO CONSTRUCT A BOAT DOCK
# APPLICATION FOR WAIVER

(Pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350(a)(2))

**Mail or Deliver To:** Orange County Environmental Protection Division
3165 McCrory Place, Suite 200
Orlando, Florida 32803
(407) 836-1400, Fax (407) 836-1499

I Cameron June on behalf of Luciana Massis P. Barbosa (if applicable) pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350(a)(2) am requesting a waiver to section (choose and circle from the following: 15-342(b), 15-343(b), 15-344(a) and 15-345(a)) of the Orange County Dock Construction Ordinance.

1. Describe how this waiver would not negatively impact the environment:

Home owners are planning on re planting aquatic plants along the shore. Also the area where construction will take place doesn't currently have much growth occurring. As well as contributing to the (UMAM).

2. Describe the effect of the proposed waiver on abutting shoreline owners:

This waiver will have very little effect on any abutting owners.

The environmental protection officer and the board may require of the applicant information necessary to carry out the purposes of this article.

By signing and submitting this application form, I am applying for a waiver to the Section indicated of the Orange County Dock Construction Ordinance identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application, and represent that such information is true, complete, and accurate. I understand this is an application and not a permit, and that work conducted prior to approval is a violation. I understand that this application and any permit issued pursuant thereto, does not relieve me of any obligation for obtaining any other required federal, state, or local permits prior to commencement of construction. I understand that knowingly making any false statements or representations in this application is a violation of Sections 15-341 & 15-342, Orange County Code.

Name of Applicant: Luciana Massis P. Barbosa

Signature of Applicant/Agent: Cameron June Date: 12-2-16

Corporate Title (if applicable):

Rev 10-01-2015



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- ☐ The NHWL as established by the county and field verified by a professional surveyor.
- ☐ The location of any [illegible] within [illegible] feet from any portion of the dock.
- ☐ A description of vegetation types [illegible] within [illegible] feet from any portion of the dock.
- ☐ The location of any [illegible], mooring pilings and mooring space.
- ☐ A [illegible] impacts to the [illegible] (if applicable).
- ☐ A description of [illegible] during construction and/or repair of the dock.
- ☐ Depict and label the projected property lines.
- ☐ AGENT AUTHORIZATION FORM

---

**PERSON AUTHORIZING ACCESS TO THE PROPERTY MUST COMPLETE THE FOLLOWING:**

I either own the property described in this application or I have legal authority to allow access to the property, and I consent to any site visit on the property by agents or personnel from Orange County, Florida necessary for the review and inspection of the proposed project specified in this application. I authorize these agents or personnel to enter the property as many times as may be necessary to make such review and inspection. Further, I agree to provide entry to the project site for such agents or personnel to monitor permitted work if a permit is granted.

Cameron June ____________ [signature] ____________ 12-2-16

Typed/Printed Name ____________ Signature ____________ Date

______________________________

Corporate Title (if applicable)

---

By signing and submitting this application form, I am applying for the permit identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application, and represent that such information is true, complete, and accurate. I understand this is an application and not a permit, and that work conducted prior to approval is a violation. I understand that this application and any permit issued pursuant thereto, does not relieve me of any obligation for obtaining any other required federal, state, water management district or local permit prior to commencement of construction. I understand that Orange County will make no representations as to the proposed dock's impact on navigability or safety. For this reason, I understand that it may be advisable for me to consult with an expert in navigability and safety issues. I agree, or I agree on behalf of my corporation, to operate and maintain the permitted system unless the permitting agency authorizes transfer of the permit to a responsible operation entity. I understand that knowingly making any false statement or representation in this application is a violation of Sections 15-341 & 15-342, Orange County Code.

Typed/Printed Name of Applicant: Luciana Massis P Barbosa

Signature of Applicant/Agent: [signature] Date: 12-2-16

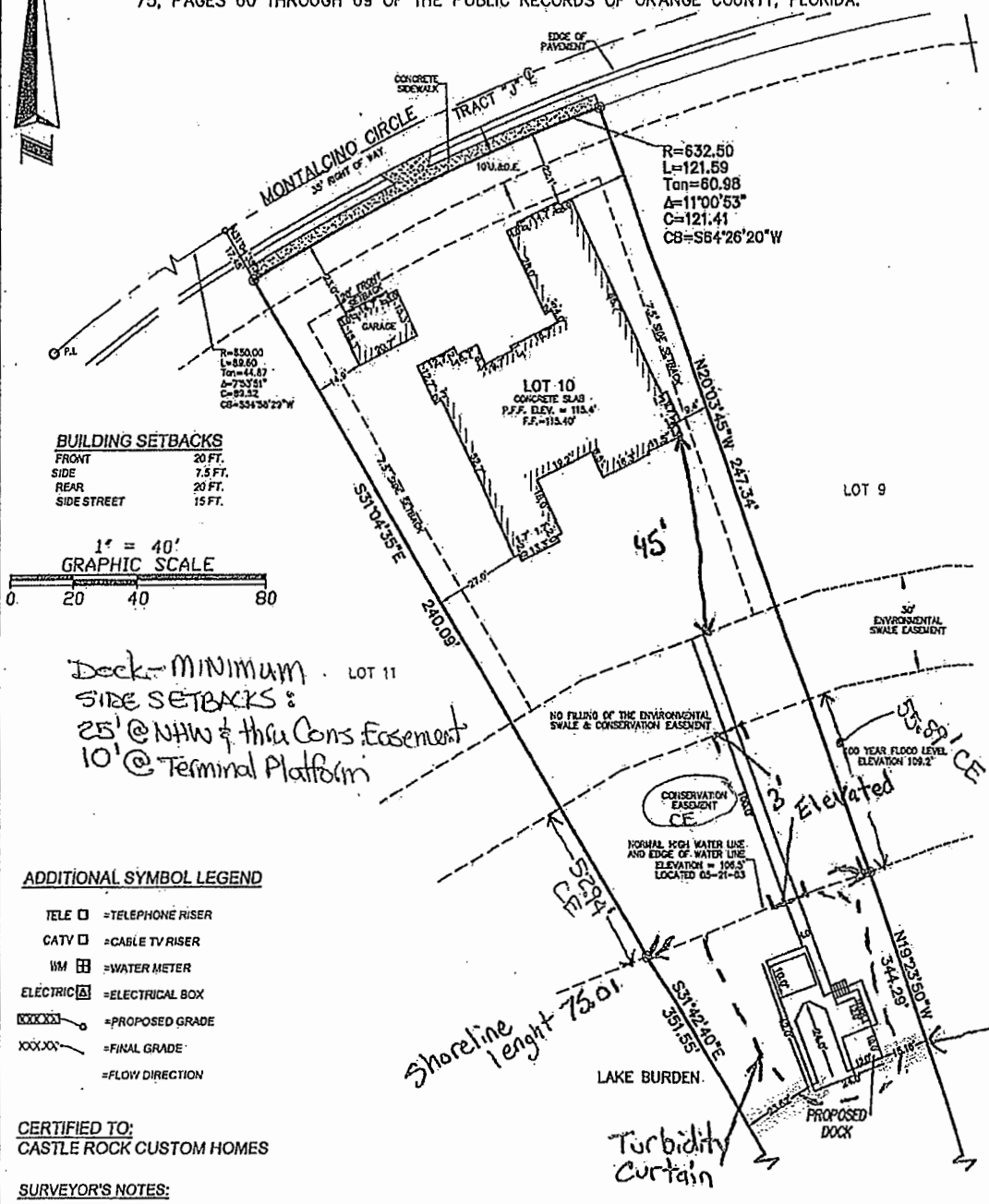
______________________________

Corporate Title (if applicable)

# PLOT PLAN

OF

LOT 10 CASA DEL LAGO – REPLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 75, PAGES 60 THROUGH 69 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.




**BUILDING SETBACKS**

| | |
|---|---|
| FRONT | 20 FT. |
| SIDE | 7.5 FT. |
| REAR | 20 FT. |
| SIDE STREET | 15 FT. |

1" = 40'
GRAPHIC SCALE
0 20 40 80

Dock- MINIMUM SIDE SETBACKS:
25' @ NHW & thru Cons Easement
10' @ Terminal Platform

**ADDITIONAL SYMBOL LEGEND**

| | |
|---|---|
| TELE □ | =TELEPHONE RISER |
| CATV □ | =CABLE TV RISER |
| WM ⊞ | =WATER METER |
| ELECTRIC △ | =ELECTRICAL BOX |
| XXXXX | =PROPOSED GRADE |
| XXXXX | =FINAL GRADE |
| | =FLOW DIRECTION |

**CERTIFIED TO:**
CASTLE ROCK CUSTOM HOMES

**SURVEYOR'S NOTES:**

1. Bearings shown hereon are based on the East line of LOT 10 as being N02°03'45"W. (assumed for angular designation only) (per plat)
2. There may be easements and restrictions of record and/or private agreements not furnished to this surveyor or shown on this boundary survey that may property rights and/or land use rights of the subject property.
3. There may be environmental issues and/or other matters regulated by various Departments of Federal, State or Local Governments affecting the subject property not shown on this survey.
4. This Survey was performed for the sole and exclusive benefit of the entities listed hereon and shall not be relied upon by any other entity or individual whomsoever.
5. This Survey is not valid without the signature and original raised seal of a Florida licensed surveyor and mapper.
6. Underground utilities, foundations and improvements were not located, unless shown hereon.
7. Subject property shown hereon is in Zone X, area of 0.2% annual chance floodplain, according to Flood Insurance Rate Map panel number 12095C0415F, map date September 25, 2009.
8. Elevations shown hereon are based on Orange County Benchmark Number L1295-040, elevation being 126.67' (NAVD88).


ALLEN & COMPANY
16 E. Plant Street
Winter Garden, Florida 34787 • ( 407 ) 654-5355


| LEGEND | | |
|---|---|---|
| A/C = AIR CONDITIONER | P.I. = POINT OF INTERSECTION | ◎ = SET 1/2" IRON ROD & CAP, #LB 6723 |
| R/W = RIGHT OF WAY | P.T. = POINT OF TANGENCY | ○ = RECOVERED IRON ROD & CAP |
| CONC = CONCRETE | P.C. = POINT OF CURVATURE | ■ = SET CONCRETE MONUMENT, #LB 6723 |
| ℄ = CENTERLINE | P.C.C = POINT OF COMPOUND CURVATURE | ⊡ = RECOVERED CONCRETE MONUMENT |
| (M) = MEASURED | P.R.C.= POINT OF REVERSE CURVATURE | U.E. = UTILITY EASEMENT |
| REC = RECOVERED | PCP = PERMANENT CONTROL POINT | P.A.D.E.= PRIVATE ACCESS & DRAINAGE EASEMENT |
| Δ = CENTRAL ANGLE | PRM = PERMANENT RECORDED MONUMENT | LB = LICENSED BUSINESS |
| R=RADIUS/L=ARC LENGTH | P.F.F.= PROPOSE FINISH FLOOR ELEV | LS = LICENSED SURVEYOR |
| | F.F.E.= FINISH FLOOR ELEVATION | PSM = PROFESSIONAL SURVEYOR & MAPPER |

| | | | |
|---|---|---|---|
| JOB NO. 20150113 | | CALCULATED BY: JLR | FOR THE LICENSED BUSINESS #6723 BY: |
| DATE: 7-16-15 | | DRAWN BY: ML | |
| SCALE: 1" = 40 FEET | | CHECKED BY: DM | |
| FIELD BY: N/A | | REVISED: ML-PTF RAISE PER CUDIT 1-18-16<br>ML-COUNTY COMMENTS 2-3-16 | James L. Rickman, P.S.M. #5633 |

Drawing name: N:\Data\20150113\PLOT PLAN-FORM BOARD-FINAL\LOT 10 DOCK.dwg PLOT PLAN


RECEIVED MAY 26 2016 3:32 PM





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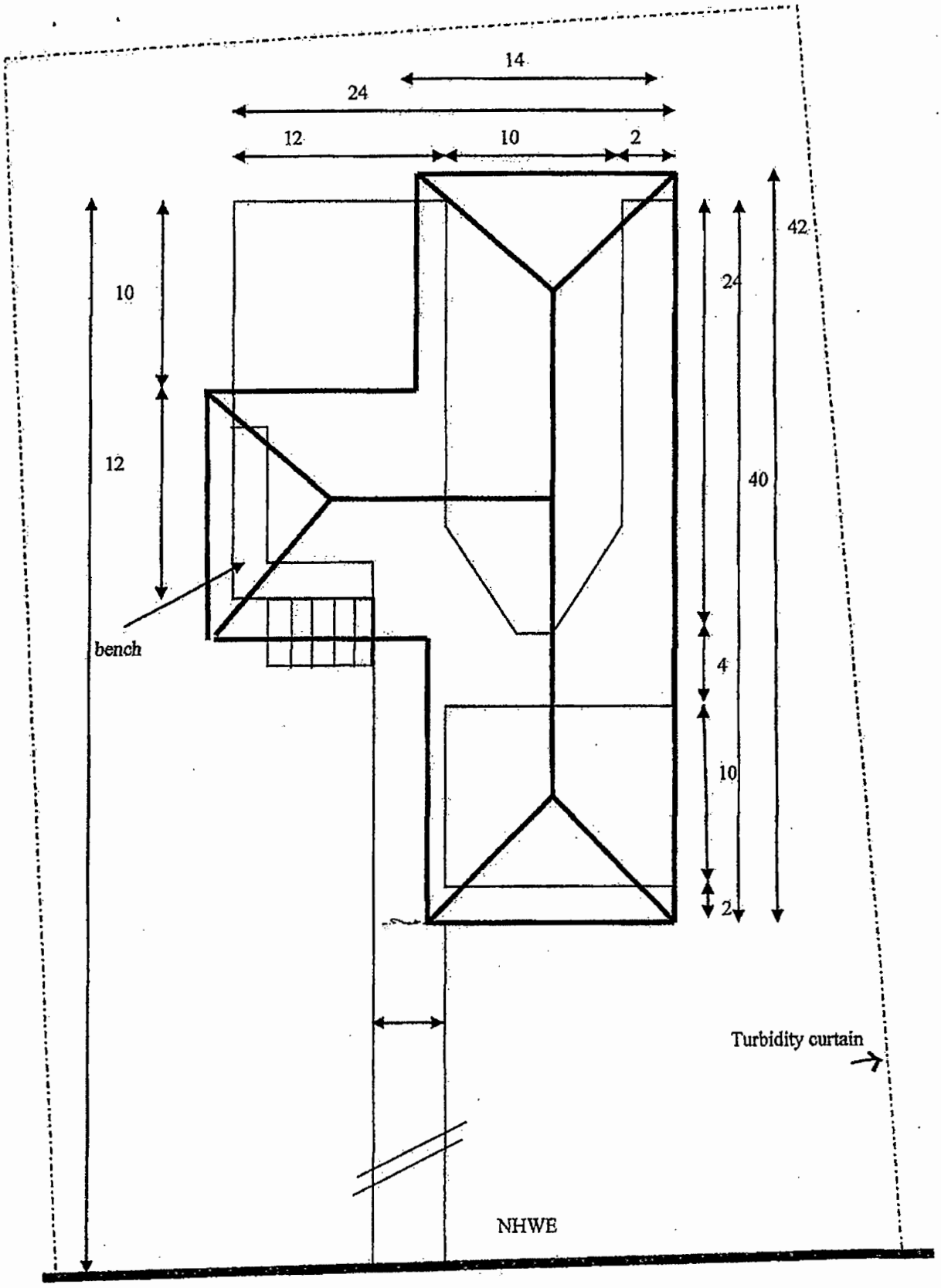


OCEPD NOV22016PM3:572



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ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Mem**

AGENDA ITEM

February 28, 2017

TO: Mayor Teresa Jacobs
–AND–
Board of County Commissioners

FROM: Jon V. Weiss, P.E. Director
Community, Environmental and Development
Services Department

**CONTACT PERSON: Mitchell Glasser, Manager**
**Housing and Community Development Division**
**407-836-5190**

SUBJECT: March 21, 2017 – Consent Item
Heart of Florida United Way, Inc.

On December 15, 2015, the Board of County Commissioners (BCC) approved an agreement between Orange County, Florida and Heart of Florida United Way, Inc., in the amount of $179,009 to facilitate provision of homelessness prevention and rapid re-housing services to qualified individuals and families. During the course of FY 2015-2016, Heart of Florida United Way, Inc., utilized the majority of the funds awarded under the Emergency Solutions Grant (ESG) Program; however, the amount of $34,500 was left unspent by the agreement expiration date of September 30, 2016. The ESG program provides two years to expend the awarded funds.

The attached agreement reallocates the funds left unspent and allows Heart of Florida United Way, Inc., to carry out the homelessness prevention activities using the FY 2015-2016 funds. This new agreement has been reviewed by the County Attorney's Office as to form. The term of the new agreement will be for the fiscal year beginning October 1, 2016 through September 30, 2017.

**A file labeled "BCC Agenda Backup" and all supporting documentation are in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

**ACTION REQUESTED: Approval and execution of Project Administration Agreement between Orange County, Florida and Heart of Florida United Way, Inc. Regarding the Emergency Solutions Grant Program FY 2015-2016 to allow for utilization of $34,500 of unspent funding from FY 2015-2016. All Districts**

JVW:MG
Attachment

ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memo**

AGENDA ITEM

February 28, 2017

TO: Mayor Teresa Jacobs
–AND–
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON: Mitchell Glasser, Manager**
**Housing and Community Development Division**
**407-836-5190**

SUBJECT: March 21, 2017– Consent Item
Harbor House of Central Florida, Inc.

On August 2, 2016, the Board of County Commissioners (BCC) approved Orange County's 2016-2017 Action Plan for housing and community development projects and activities. The Action Plan was subsequently forwarded to the United States Department of Housing and Urban Development (HUD) for approval. The Action Plan utilizes some of the Community Development Block Grant (CDBG) to support capital improvements including demolition of dilapidated residential buildings previously used to shelter victims of domestic violence, with a total funding amount of $80,000.

To comply with HUD regulations and efficiently implement the projects and activities, a project administration agreement with Harbor House of Central Florida, Inc., a non-profit agency providing shelter and services to victims of domestic violence, is being submitted for approval. The agreement has been reviewed by the County Attorney's Office as to form. The term of this agreement will be for the fiscal year beginning October 1, 2016 through September 30, 2017.

**A file labeled "BCC Agenda Backup" and all supporting documentation are in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.**

**ACTION REQUESTED: Approval and execution of Agreement between Orange County, Florida and Harbor House of Central Florida, Inc. Regarding the Community Development Block Grant Program FY 2016-2017 in the amount of $80,000. All Districts**

JVW:MG
Attachment

**Interoffice Memorandum**

AGENDA ITEM

February 27, 2017

TO: Mayor Teresa Jacobs
–AND–
Board of County Commissioners

FROM: James E. Harrison, Esq., P.E., Chairman
Roadway Agreement Committee
Assistant County Administrator's Office
407.836.5610

SUBJECT: March 21, 2017 – Consent Item
First Amendment to Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement Core Academy PD/UNP/LUP

The Roadway Agreement Committee has reviewed a First Amendment to Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement ("First Amendment") by and between Avalon Real Estate Limited LLC and Orange County. The Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement ("Agreement") was approved by the Board of County Commissioners on December 1, 2015 and recorded at OR Book/Page 11022/6904. The First Amendment adjusts the timeframe provided for the conveyance of right-of-way to within 120 days of the Execution Date of the First Amendment.

The Roadway Network Agreement Committee approved the First Amendment to Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement on March 1, 2017. The Specific Project Expenditure Report and Relationship Disclosure Forms are attached and on file with the Transportation Planning Division.

**ACTION REQUESTED:** **Approval and execution of First Amendment to Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement Core Academy PD/UNP/LUP R.O.W. Dedication for CR 545 (Avalon Road) Widening by and between Avalon Real Estate Limited LLC and Orange County to extend the timeframe for the conveyance of right-of-way. District 1**

JEH|HEGB:rep
Attachments

Prepared by and after recording return to:
Juli Simas James, Esquire
Shutts & Bowen LLP
300 S. Orange Avenue, Suite 1000
Orlando, Florida 32801

Parcel I.D. Number: 32-23-27-0000-00-007

**FIRST AMENDMENT TO**
**RIGHT-OF-WAY (R.O.W.) CONVEYANCE AND**
**ADEQUATE PUBLIC FACILITIES AGREEMENT**

**CORE ACADEMY PD/UNP/LUP**

**R.O.W DEDICATION FOR CR 545 (AVALON ROAD) WIDENING**

**THIS FIRST AMENDMENT TO RIGHT-OF-WAY (R.O.W.) CONVEYANCE AND ADEQUATE PUBLIC FACILITIES AGREEMENT** (the "First Amendment'), effective as of the latest date of execution ("Effective Date"), is made and entered into by and between **AVALON REAL ESTATE LIMITED LLC**, a Delaware limited liability company, **f/k/a CORE REAL ESTATE LIMITED LLC**, a Delaware limited liability company, whose address is 11661 San Vicente Boulevard, Suite 220, Los Angeles, California 90049 ("Owner"), and **ORANGE COUNTY**, a charter county and political subdivision of the state of Florida ("County"), whose mailing address is c/o Orange County Administrator, Post Office Box 1393, Orlando, Florida 32802-1393.

**WITNESSETH:**

WHEREAS, Owner is the owner of fee simple title to certain real property, as shown in the project location map identified as **Exhibit "A"**, and as more particularly described on

**"Exhibit B"** (legal description and sketch of description), both of which are attached hereto and incorporated herein by this reference (the "PD Property"); and

WHEREAS, Owner and County entered into that certain Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement approved by the Orange County Board of County Commissioners ("BCC") on December 1, 2015 and recorded in Official Records Book 11022, Page 6904, in the Public Records of Orange County, Florida (the "Agreement"), which requires conveyance of those certain lands described on **Exhibit "C"** attached hereto and incorporate herein by this reference (the "Conveyed Lands") under the terms and conditions described therein; and

WHEREAS, County and Owner desire to amend certain terms and provisions of the Agreement as set forth below; and

WHEREAS, in all other respects, the original terms of the Agreement shall remain unchanged and in full force and effect.

NOW, THEREFORE, for and in consideration of the above premises, the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner and County (the "Parties") agree as follows:

***Section 1. Recitals.*** The above recitals are true and correct and are incorporated herein by this reference.

***Section 2. Procedure for Conveyance of Adequate Public Facilities Conveyances to County by Owner.*** Sections 5(a) and 5(b) of the Agreement are hereby amended to require that conveyance by deed or easement of the Conveyed Lands occur within one hundred twenty (120)

days from the Effective Date of this First Amendment, allowing for one extension of up to an additional 120 days to convey, in accordance with the Agreement, which may be granted by the Manager of the Real Estate Management Division, or a designee.

***Section 3.*** ***Notice.*** Any notice delivered with respect to this First Amendment or the Agreement shall be in writing and shall be deemed to be delivered (whether or not actually received) (i) when hand delivered to the person(s) hereinafter designated, or (ii) upon deposit of such notice in the United States mail, postage prepaid, certified mail, return-receipt requested, addressed to the person at the address set forth opposite the party's name below, or to such other address or to such other person as the party shall have specified by written notice to the other party delivered in accordance herewith.

| | |
|---|---|
| Owner: | Avalon Real Estate Limited LLC<br>11661 San Vicente Boulevard, Suite 220<br>Los Angeles, California 90049<br>Attn: Roberty Mautner – EIMSI |
| With copies to: | Shutts & Bowen LLP<br>300 S. Orange Avenue, Suite 1000<br>Orlando, Florida 32801<br>Attn: Juli Simas James, Esquire |
| As to County: | Orange County Administrator<br>P.O. Box 1393<br>201 S. Rosalind Ave<br>Orlando, FL 32802-1393 |
| With a copy to: | Orange County Community, Environmental,<br>and Development Services Department<br>Manager, Transportation Planning Division<br>Orange County Public Works Complex<br>4200 S. John Young Parkway<br>Orlando, Florida 32839-9205 |

***Section 4.*** ***Covenants Running with the Land.*** This First Amendment shall run with the Property and shall be binding upon and shall inure to the benefit and burden of the parties and of the heirs, legal representatives, successors, and assigns of Owner and any person, firm, corporation, or other entity that may become the successor in interest to the Property. Notwithstanding the foregoing, however, the authority under Section 3 of the Agreement to instruct County to make deductions from Owner's road impact fee account shall remain with Owner unless expressly assigned in writing to another by Owner.

***Section 5.*** ***Recordation of First Amendment.*** An executed original of this First Amendment shall be recorded, at Owner's expense, in the Public Records of Orange County, Florida within thirty (30) days of the Effective Date.

***Section 6.*** ***Applicable Law.*** This First Amendment and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida.

***Section 7.*** ***Time is of the Essence.*** Time is hereby declared of the essence to the lawful performance of the duties and obligations contained in this First Amendment and in the Agreement.

***Section 8.*** ***Further Documentation.*** The parties agree that at any time following a request therefor by the other party, each shall execute and deliver to the other party such further documents and instruments reasonably necessary to confirm and/or effectuate the obligations of either party hereunder and the consummation of the transactions contemplated hereby.

***Section 9.*** ***Limitation of Remedies.*** County and Owner expressly agree that the consideration, in part, for each of them entering into this First Amendment is the willingness of

the other to limit the remedies for all actions arising out of or in connection with this First Amendment.

(a) *Limitations on County's remedies.* Upon any failure by Owner to perform its obligations under this First Amendment, County shall be limited strictly to only the following remedies:

(i) action for specific performance or injunction; or

(ii) the right to set off, against the amounts of impact fees to be credited in favor of Owner under the Agreement, (a) any amounts due to County from Owner under the Agreement but remaining unpaid and (b) the cost to County of performing any action or actions required to be done under the Agreement by Owner, but which Owner has failed or refused to do when required; or

(iii) the withholding of development permits and other approvals or permits in connection with the Project and/or the Property; or

(iv) any combination of the foregoing.

In addition to the foregoing, nothing in this First Amendment prohibits or estops County from exercising its power of eminent domain with respect to the Conveyed Lands or any other portion of the Property as County may lawfully elect.

(b) *Limitations on Owner's remedies.* Upon any failure by County to perform its obligations under this First Amendment, Owner shall be limited strictly to only the following remedies:

(i) action for specific performance; or

(ii) action for injunction; or

(iii) action for declaratory judgment regarding the rights and obligations of Owner; or

(iv) any combination of the foregoing.

Both parties expressly waive their respective rights to sue for damages of any type for breach of, or default under, this First Amendment by the other. Both parties expressly agree that each party shall bear the cost of its own attorney fees for any action arising out of or in connection with this Amendment. Venue for any actions initiated under or in connection with this First Amendment shall be in the Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida.

***Section 10. Amendments.*** No amendment, modification, or other change to this First Amendment or the Agreement shall be binding upon the parties unless in writing and executed by all parties hereto.

***Section 11. Counterparts.*** This First Amendment may be executed in up to two (2) counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument.

[SIGNATURES APPEAR ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the Parties have caused this Amendment to be duly executed by their respective duly authorized representatives on the dates set forth below.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By:_____

Teresa Jacobs,
Orange County Mayor

Date:_____

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk

Printed name: _____

**AVALON REAL ESTATE LIMITED LLC**, a Delaware limited liability company, f/k/a CORE REAL ESTATE LIMITED LLC, a Delaware limited liability company

By: European Investment Management Services, Inc., a Delaware corporation, its Manager

By: _____
Print Name: Robert S. Mautner
Title: Vice President
Date: February 14, 2017

WITNESSES:

_____

Print Name: Landon Jensen

_____

Print Name: DIEGO RUIZ

STATE OF ARIZONA §
§ ACKNOWLEDGEMENT
COUNTY OF MARICOPA §

The foregoing instrument was acknowledged before me on this 14 day of February, 2017, by Robert S. Mautner as Vice President of European Investment Management Services, Inc., a Delaware corporation, the Manager of **AVALON REAL ESTATE LIMITED LLC**, a Delaware limited liability company, f/k/a Core Real Estate Limited LLC, a Delaware limited liability company, on behalf of the company. He is [ ] personally known to me or [X] has produced Arizona license as identification.

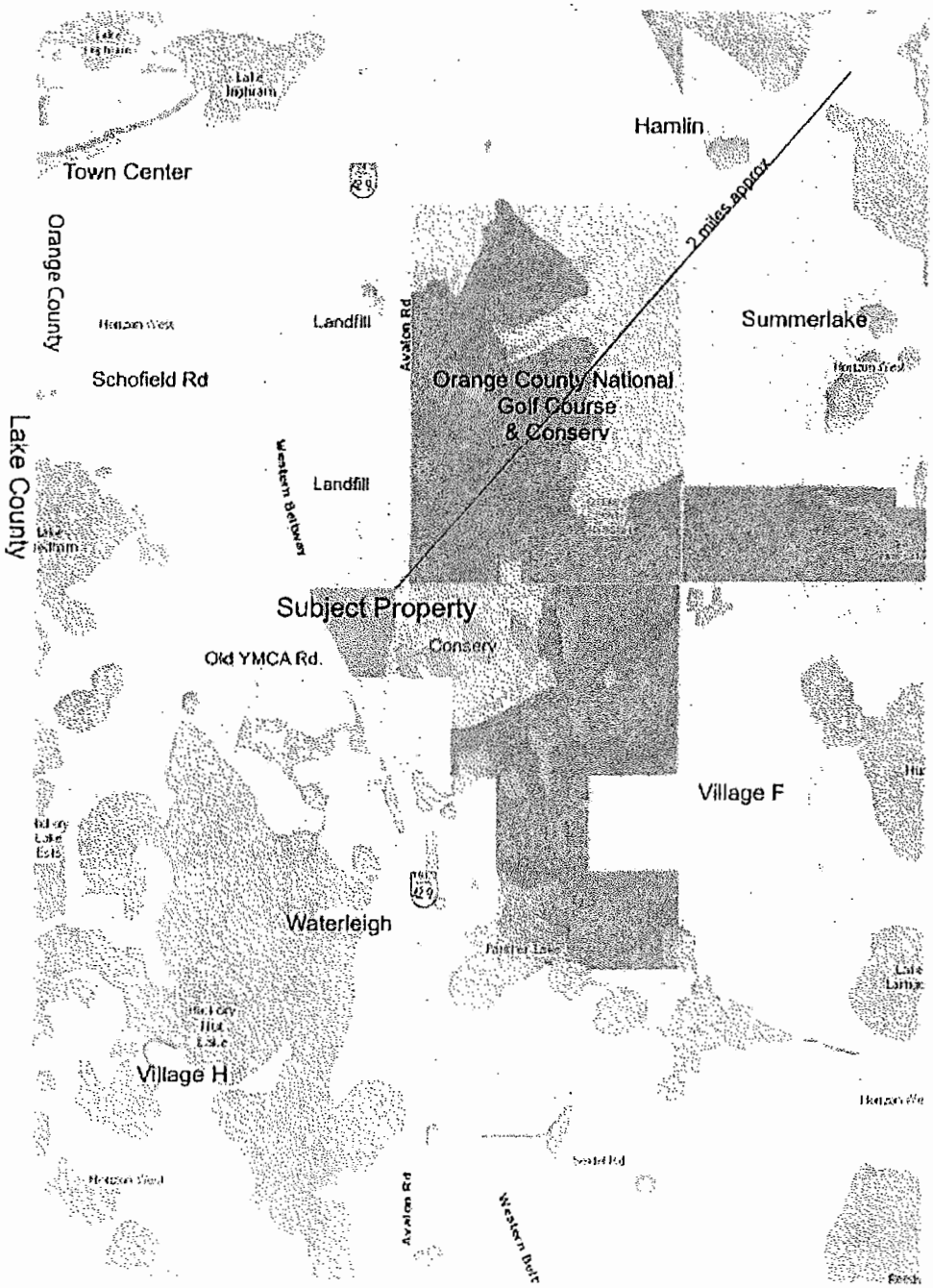
MONIQUE QUINONEZ
Commission # 341513
Notary Public - Arizona
Maricopa County
My Commission Expires
August 31, 2019

[SEAL]

_____
Notary Public, State of Arizona
Print Name: Monique Quinonez
Commission No.: 341513
My commission expires: 8/31/2019

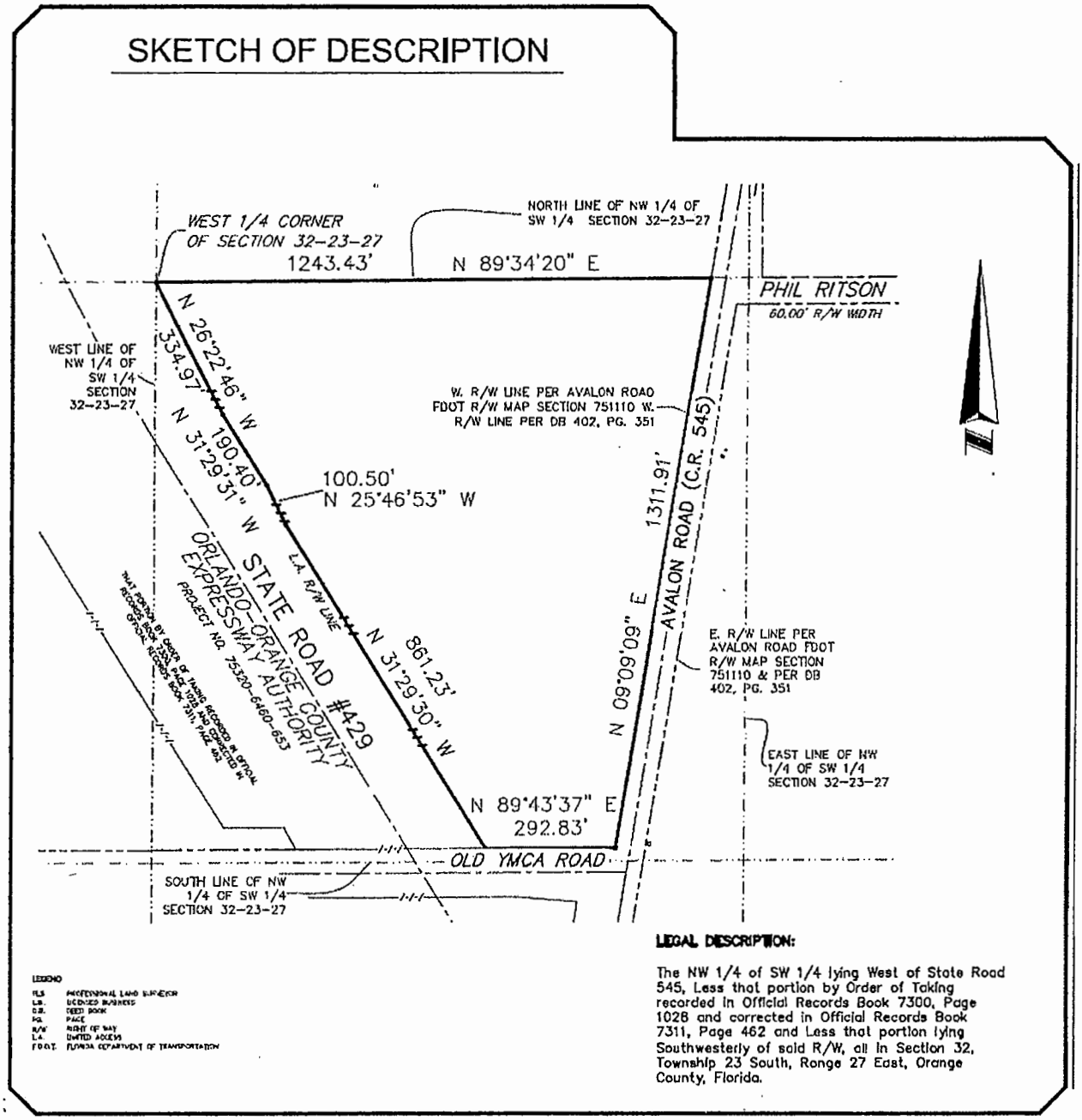
# Exhibit "A"

## Project Location Map



## Exhibit "B"

## Sketch and Legal of PD Property



# Exhibit "C"

## Sketch and Legal of Conveyed Lands

SCHEDULE "A"
AVALON ROAD (C.R. 545)
PARCEL No.: 1040

LEGAL DESCRIPTION

*DESCRIPTION (prepared by Donald W. McIntosh Associates, Inc.):*

*That part of Section 32, Township 23 South, Range 27 East, Orange County, Florida, described as follows:*

*Commence at the Northwest corner of the Southwest 1/4 of said Section 32; thence N89°34'21"E along the North line of the Southwest 1/4 of said Section 32, a distance of 1188.74 feet to the POINT OF BEGINNING; thence continue N89°34'21"E along said North line, a distance of 54.76 feet to the West right-of-way line of Avalon Road (County Road No. 545) per Orange County Bond Project No.7A and Florida Department of Transportation Right-of-Way Map of State Road 545 Section 75110; thence departing said North line run S09°09'08"W along said West right-of-way line, a distance of 1312.08 feet to the North right-of-way line of Old YMCA Road, a 60.00 foot wide right-of-way recorded in Deed Book 460, Page 241, and Deed Book 460, Page 243, of the Public Records of Orange County, Florida; thence run S89°43'52"W along said North right-of-way line, a distance of 54.74 feet; thence departing said North right-of-way line run N09°09'08"E, a distance of 1311.92 feet to the POINT OF BEGINNING.*

*Containing 1.626 acres more or less, and being subject to any rights-of-way, restrictions and easements of record.*

SURVEYORS NOTES:

1. This is not a Survey.
2. Bearings are based on the North Line of the South 1/2 of Section 32, Township 23 South, and Range 27 East, being N89°34'21"E, an assumed meridian.
3. This sketch does not reflect or determine ownership.
4. Legal Description shown hereon was prepared by Donald W. McIntosh Associates, Inc. based on information provided by client.
5. A Title Search Report prepared by Fidelity National Title Insurance Company, Agent File No. 0027233/154835, dated September 10, 2013 was reviewed by the surveyor. Exceptions dated therein (if any) which can be delineated or noted, are shown hereon.

LEGEND

| | |
|---|---|
| SEC 32-23-27 | SECTION 32, TOWNSHIP 23 SOUTH, RANGE 27 EAST |
| FDOT | FLORIDA DEPARTMENT OF TRANSPORTATION |
| DB | DEED BOOK |
| ORB | OFFICIAL RECORDS BOOK |
| SRPB | STATE ROAD PLAT BOOK |
| S.R. | STATE ROAD |
| PG(S) | PAGE(S) |
| PC | POINT OF CURVATURE |
| PCC | POINT OF COMPOUND CURVATURE |
| PRC | POINT OF REVERSE CURVATURE |
| PT | POINT OF TANGENCY |
| NT | NON-TANGENT |
| PB | PLAT BOOK |
| PSS | PAGES |
| R/W | RIGHT-OF-WAY |
| No. | NUMBER |
| N/A | NOT APPLICABLE |

| PREPARED FOR: | PROJECT NUMBER | DATE | BY | DESCRIPTION |
|---|---|---|---|---|
| D.R. Horton, Inc. | | | | |
| PARCEL 1040 | | | | REVISIONS |

DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. 1868

DONALD W. McINTOSH ASSOCIATES, INC.
CERTIFICATE OF AUTHORIZATION NO. 1868
Rocky L. [illegible] September 26, 2014
Florida Registered Surveyor and Mapper
Certificate No. 4205
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

| DRAWN BY: JP | | JOB NO. | SCALE | SHEET 1 |
|---|---|---|---|---|
| DATE: 9/24/14 | CHECKED BY: RLC | 12167.002 | N/A | OF 3 |

Printed: Mon 29-Sep-2014 - 05:30PM
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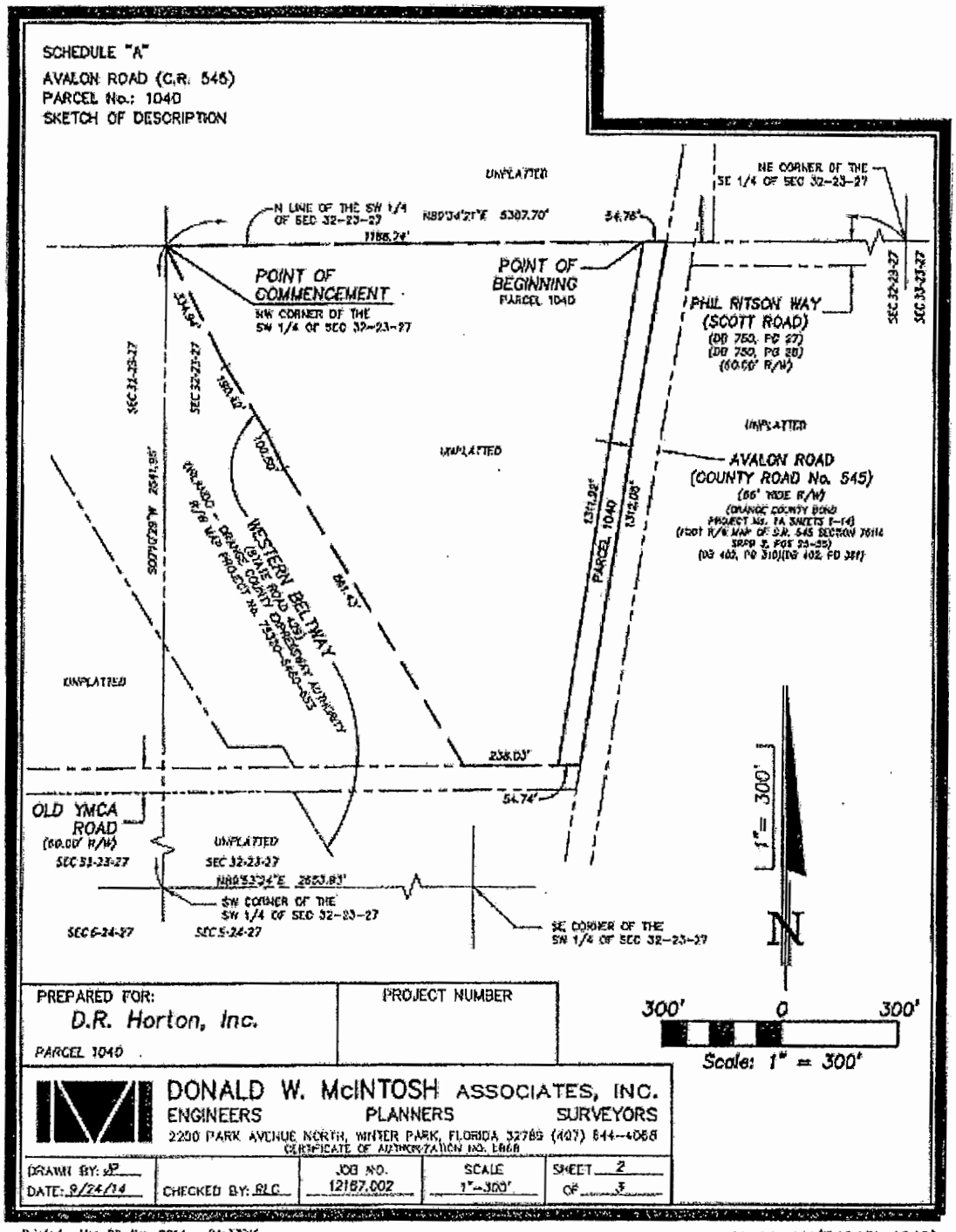
SL14053

CS# 14-211(PARCEL 1040)


SCHEDULE "A"
AVALON ROAD (C.R. 545)
PARCEL No.: 1040
SKETCH OF DESCRIPTION
UNPLATTED
N LINE OF THE SW 1/4 OF SEC 32-23-27
N89°04'21"E 5307.70'
54.76'
1786.24'
NE CORNER OF THE SE 1/4 OF SEC 32-23-27
POINT OF COMMENCEMENT
NW CORNER OF THE SW 1/4 OF SEC 32-23-27
POINT OF BEGINNING
PARCEL 1040
PHIL RITSON WAY (SCOTT ROAD)
(DB 750, PG 27)
(DB 750, PG 28)
(60.00' R/W)
SEC 32-23-27
SEC 33-23-27
SEC 31-23-27
S07°10'29"W 2641.95'
534.94'
1980.32'
100.00'
UNPLATTED
AVALON ROAD (COUNTY ROAD No. 545)
(86' WIDE R/W)
(ORANGE COUNTY BOND PROJECT NO. TA SHEETS 1-14)
(FDOT R/W MAP OF S.R. 545 SECTION 75110 SHEET 2, PGS 23-25)
(DB 402, PG 310)(DB 402, PG 381)
WESTERN BELTWAY (STATE ROAD 429)
(ORANGE COUNTY EXPRESSWAY AUTHORITY)
(300' R/W MAP PROJECT No. 75390-5460-552)
841.43'
PARCEL 1040
1312.08'
1311.95'
UNPLATTED
238.03'
54.74'
OLD YMCA ROAD
(60.00' R/W)
SEC 31-23-27
UNPLATTED
SEC 32-23-27
N89°53'34"E 2653.83'
SW CORNER OF THE SW 1/4 OF SEC 32-23-27
SE CORNER OF THE SW 1/4 OF SEC 32-23-27
SEC 6-24-27
SEC 5-24-27
1" = 300'
N
300' 0 300'
Scale: 1" = 300'
PREPARED FOR:
D.R. Horton, Inc.
PARCEL 1040
PROJECT NUMBER
DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. EB68
DRAWN BY: MP
DATE: 9/24/14
CHECKED BY: RLC
JOB NO. 12187.002
SCALE 1"=300'
SHEET 2 OF 3
Printed: Mon 29-Sep-2014 - 04:37PM
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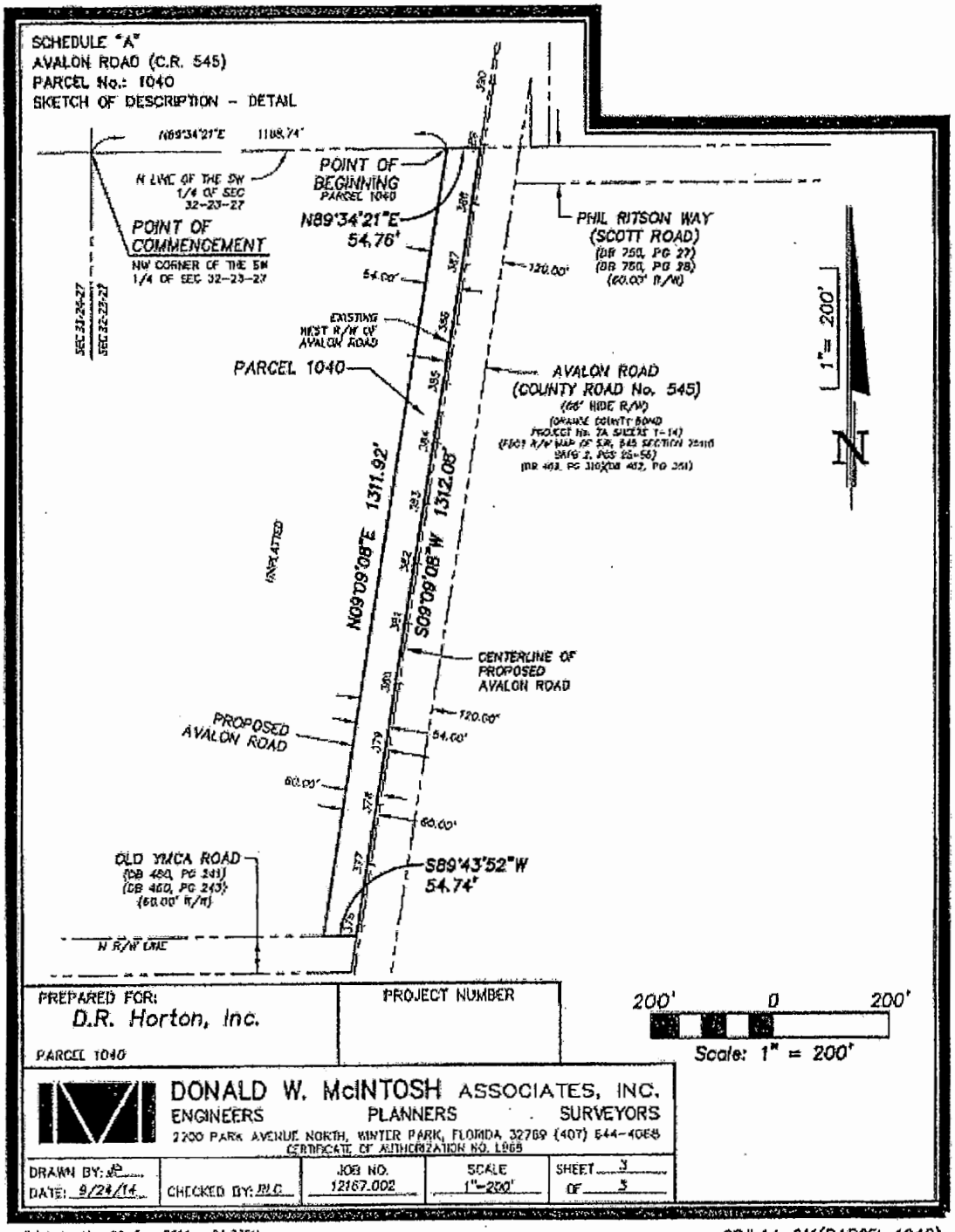
SCHEDULE "A"
AVALON ROAD (C.R. 545)
PARCEL No.: 1040
SKETCH OF DESCRIPTION - DETAIL
N89°34'21"E 1108.74'
N LINE OF THE SW 1/4 OF SEC 32-23-27
POINT OF BEGINNING
PARCEL 1040
N89°34'21"E 54.76'
POINT OF COMMENCEMENT
NW CORNER OF THE SW 1/4 OF SEC 32-23-27
PHIL RITSON WAY (SCOTT ROAD)
(DB 750, PG 27)
(DB 750, PG 28)
(60.00' R/W)
120.00'
54.00'
EXISTING WEST R/W OF AVALON ROAD
PARCEL 1040
AVALON ROAD (COUNTY ROAD No. 545)
(66' WIDE R/W)
1" = 200'
N
N09°09'08"E 1311.92'
S09°09'08"W 1312.08'
INPLATTED
CENTERLINE OF PROPOSED AVALON ROAD
PROPOSED AVALON ROAD
120.00'
54.00'
60.00'
60.00'
OLD YMCA ROAD
(DB 460, PG 241)
(DB 460, PG 243)
(60.00' R/W)
S89°43'52"W 54.74'
N R/W LINE
PREPARED FOR:
D.R. Horton, Inc.
PARCEL 1040
PROJECT NUMBER
200' 0 200'
Scale: 1" = 200'
DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068
CERTIFICATE OF AUTHORIZATION NO. L968
DRAWN BY: JP
DATE: 9/24/14
CHECKED BY: RLC
JOB NO. 12167.002
SCALE 1"=200'
SHEET 3 OF 3
Printed: Mon 29-Sep-2014 - 04:33PM
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CS# 14-211(PARCEL 1040)

# SKETCH OF DESCRIPTION

SHEET 1 OF 2

LEGAL DESCRIPTION ( Pond Tract ).

A parcel of land comprising a portion of Section 32, Township 23 South, Range 27 East, Orange County, Florida.

Being more particularly described as follows:

COMMENCE at the West 1/4 corner of aforesaid Section 32; thence run South 00°10'39" West along the West line of the Northwest 1/4 of the Southwest 1/4 of said Section 32 for a distance of 1320.94 feet to the Southwest corner of said Northwest 1/4 of the Southwest 1/4 of said Section 32; thence run North 89°43'31" East along the South line of said Northwest 1/4 of the Southwest 1/4 of Section 32 for a distance of 746.15 feet; thence departing said South line run North 00°16'29" West for a distance of 30.00 feet to a point on the Northerly right-of-way line of Old YMCA Road as recorded in Deed Book 460, Page 241 of the Public Records of Orange County, Florida, also being a point on the Easterly limited access right-of-way line of State Road 429 per Official Records Book 7300, Page 1028 as corrected by Official Records Book 7311, Page 462, all of the Public Records of Orange County, Florida; thence run North 31°29'30" West along said Easterly limited access right-of-way line for a distance of 254.63 feet; thence departing said Easterly limited access right-of-way line run North 89°43'31" East for a distance of 406.20 feet to a point on a line parallel with and 54.00 feet West of the Westerly right-of-way line of Avalon Road according to Florida Department of Transportation Right-of-Way Map Section 751110 and per Deed Book 402, Page 351 of aforesaid Public Records; thence run South 09°09'09" West for a distance of 220.74 feet to a point on aforesaid Northerly right-of-way line of Old YMCA Road; thence run South 89°43'31" West for a distance of 238.07 feet to the POINT OF BEGINNING.

Contains 1.61 acres more or less.

ALLEN & COMPANY
Professional Surveyors & Mappers
16 East Plant Street
Winter Garden, Florida 34787 • ( 407 ) 654 5355

SURVEYOR'S NOTES: SKT Rev 8/11/15

THIS IS NOT A SURVEY.

THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32-23-27 BEING AN ASSUMED BEARING OF S00°01'39"W FOR ANGULAR DESIGNATION ONLY.

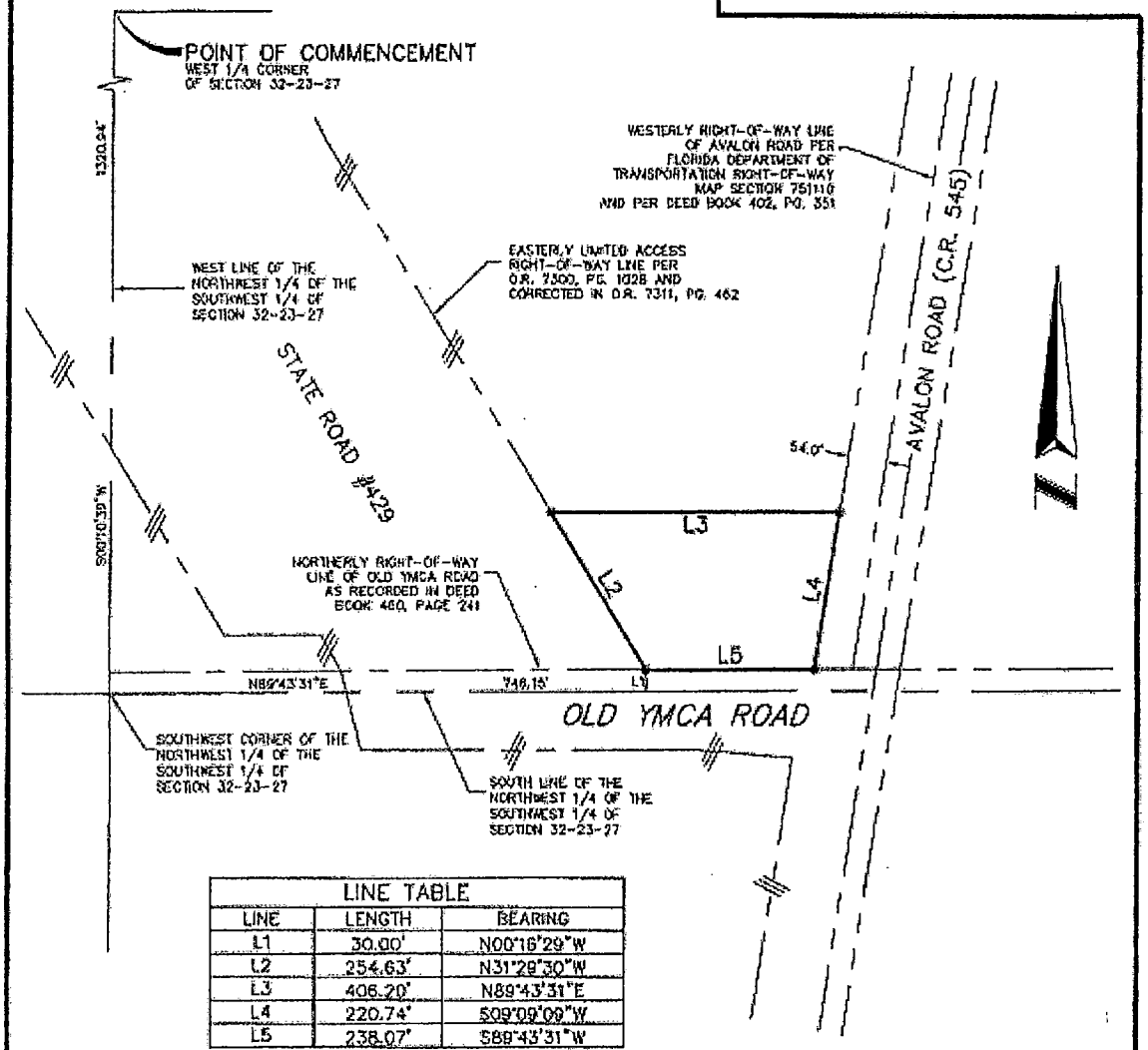
| | | | |
|---|---|---|---|
| JOB NO. | 20140240 | CALCULATED BY: | JLR |
| DATE: | 6-1-2015 | DRAWN BY: | PJR |
| SCALE: | 1" = 200 FEET | CHECKED BY: | BT |
| FIELD BY: | N/A | | |

FOR THE LICENSED BUSINESS # 6723 BY:

JAMES L. RICKMAN, P.S.M. # 5633

# SKETCH OF DESCRIPTION

SHEET 2 OF 2
POND TRACT




| LINE TABLE | | |
|---|---|---|
| LINE | LENGTH | BEARING |
| L1 | 30.00' | N00°16'29"W |
| L2 | 254.63' | N31°29'30"W |
| L3 | 406.20' | N89°43'31"E |
| L4 | 220.74' | S09°09'09"W |
| L5 | 238.07' | S89°43'31"W |

THIS IS NOT A SURVEY:

- ® DENOTES CHANGE IN DIRECTION
- R/W DENOTES RIGHT-OF-WAY
- ℄ DENOTES CENTERLINE
- P.C. DENOTES POINT OF CURVATURE
- P.T. DENOTES POINT OF TANGENCY
- P.R.C. DENOTES POINT OF REVERSE CURVATURE
- P.C.C. DENOTES POINT OF COMPOUND CURVATURE

J.R. Rev 8/11/15

ALLEN & COMPANY
Professional Surveyors & Mappers
16 East Plant Street
Winter Garden, Florida 34787 • (407) 654-5355

| | | | |
|---|---|---|---|
| JOB NO. | 20140240 | CALCULATED BY: | J.R. |
| DATE: | 6-1-2015 | DRAWN BY: | P.R. |
| SCALE: | 1" = 200 FEET | CHECKED BY: | G.T. |
| FIELD BY: | N/A | | |

ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memorandum**

AGENDA ITEM

February 27, 2017

TO: Mayor Teresa Jacobs
–AND–
Board of County Commissioners

FROM: James E. Harrison, Esq., P.E., Chairman
Roadway Agreement Committee

SUBJECT: March 21, 2017 – Consent Item
Proportionate Share Agreement CR 535 Lakeside Village Properties, LLC
Reams Road: From Center Drive to Taborfield Avenue

The Roadway Agreement Committee has reviewed a Proportionate Share Agreement for CR 535 Lakeside Village Properties, LLC Reams Road: From Center Drive to Taborfield Avenue ("Agreement") by and between Lakeside Village Properties, LLC and Orange County for a proportionate share payment in the amount of $95,427. Pursuant to Section 163.3180(5)(h), Florida Statutes, an applicant may mitigate capacity deficiencies by entering into a Proportionate Share Agreement and contributing a proportionate share payment. The Proportionate Share Payment is due within 30 days of the effective date of this Agreement. The Agreement follows the recommendations of the Roadway Agreement Committee providing for the mitigation of road impacts on Reams Road for nine deficient trips on the road segment from Dr. Phillips Boulevard to Turkey Lake Road in an amount of $10,603 per trip.

The Roadway Agreement Committee approved the Proportionate Share Agreement on February 1, 2017. The Specific Project Expenditure Report and Relationship Disclosure Forms are on file with the Transportation Planning Division.

If you have any questions, please feel free to contact me at 407-836-5610.

**ACTION REQUESTED: Approval and execution of Proportionate Share Agreement for CR 535 Lakeside Village Properties, LLC Reams Road: From Center Drive to Taborfield Avenue by and between CR 535 Lakeside Village Properties, LLC and Orange County for a proportionate share payment in the amount of $95,427. District 1**

JEH/HEGB:rep
Attachment

This instrument prepared by
and after recording return to:
Venkat Vattikuti
Professional Associates, Inc
10320 N 56th St, Ste 220
Tampa, FL 33617

Parcel ID Number(s): 36-23-27-5450-02-000

----------[SPACE ABOVE THIS LINE FOR RECORDING DATA]----------

**PROPORTIONATE SHARE AGREEMENT FOR**
**CR 535 Lakeside Village Properties, LLC**
**Reams Road: From Center Drive to Taborfield Avenue**

This Proportionate Share Agreement (the "Agreement") effective as of the latest date of execution (the "**Effective Date**") is made and entered into by and between CR 535 Lakeside Village Properties, LLC, a Florida Limited Liability Company ("**Owner**"), whose mailing address is 18312 Bankston Place, Tampa, FL 33647, and ORANGE COUNTY, a charter county and political subdivision of the State of Florida ("**County**"), whose mailing address is P.O. Box 1393, Orlando, FL 32802-1393.

WHEREAS, Owner is the owner of fee simple title to certain real property, as more particularly described on Exhibit "A," attached hereto and incorporated herein by this reference (the "**Property**"); and

WHEREAS, the Property is located in County Commission District 1, and the proceeds of the PS Payment, as defined herein, will be allocated to Reams Road widening; and

WHEREAS, Owner intends to develop the Property as Lot 2 Windermere – Lakeside Village South Retail, a 9,014 square foot retail building (the "**Project**"); and

WHEREAS, Owner received a letter from County dated December 8, 2016 stating that Owner's Capacity Encumbrance Letter ("**CEL**") application #2016081 for the Project was denied; and

WHEREAS, the Project will generate Nine (9) deficient PM Peak Hour trips (the "**Excess Trips**") for the deficient roadway segment on Reams Road from Center Drive to Taborfield Avenue (the "**Deficient Segment**"), and Zero (0) PM Peak Hour trips were available on the Deficient Segment on the date the CEL was denied as further described in Exhibit "B" hereto; and



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WHEREAS, the Excess Trips will cause the Deficient Segment to operate below adopted Level of Service standards and, therefore, pursuant to Section 163.3180(5)(h), Florida Statutes, as amended, the Owner shall provide the County with proportionate share mitigation for the Excess Trips; and

WHEREAS, Owner and County have agreed that the proportionate share payment necessary to mitigate the impact of the Excess Trips on the Deficient Segment through the current anticipated Project buildout is Ninety-five Thousand Four Hundred Twenty-seven and 00/100 Dollars ($95,427.00) (the "**PS Payment**"); and

WHEREAS, County and Owner desire to set forth certain terms, conditions, and agreements between them as to the development of the Property into the Project.

NOW, THEREFORE, in consideration of the premises contained herein and other good and valuable consideration exchanged by and between Owner and County, the receipt and sufficiency of which are hereby acknowledged, the parties hereto stipulate and agree as follows:

***Section 1.*** ***Recitals.*** The above recitals are true and correct and are incorporated herein by this reference.

***Section 2.*** ***Issuance of Capacity Encumbrance Letter.***

*(a) Calculation of PS Payment*: The amount of the PS Payment for the Deficient Segment described in Exhibit "B," attached hereto and incorporated herein by reference, totals Ninety-five Thousand Four Hundred Twenty-seven and 00/100 Dollars ($95,427.00). This PS Payment was calculated in accordance with the methodology outlined in Section 163.3180, Florida Statutes. Owner and County agree that the Excess Trips constitute the Project's impact on the aforementioned Deficient Segment based upon (i) Owner's Traffic Study titled "Lakeside Village Center South PD – Lot 2" prepared by Professional Associates, Inc. on November 15, 2016 for CR 535 Lakeside Village Properties, LLC (the "Traffic Study"), and incorporated herein by this reference, and (ii) upon calculations described in Exhibit "B." The Traffic Study was accepted by the Orange County Transportation Planning Division on December 8, 2016, and is on file and available for inspection with that Division (CMS #2016081). Owner and County further acknowledge and agree that the PS Payment as set forth above shall be the final and binding calculation of the amount the Owner is required to pay through the buildout of the Project as proportionate share mitigation for impacts of the Project upon roadways impacted by the Project within Orange County's jurisdiction, notwithstanding any subsequent variance in the actual cost of improvement to the Deficient Segment or actual traffic impacts created by the Project; provided, however, that if Owner subsequently increases the number of units and/or square footage, as applicable, of the Project, the Project may then be subject to an additional concurrency evaluation and proportionate share agreement as set forth in Section 2(d) below. Owner and County further acknowledge and agree that the calculation of and agreement regarding the amount of the PS Payment constitute material inducements for the parties to enter into this Agreement.

*(b) Timing of PS Payment.* Within thirty (30) days following the Effective Date, Owner shall deliver a check to County in the amount of Ninety-five Thousand Four Hundred Twenty-seven and 00/100 Dollars ($95,427.00) as the PS Payment. The check shall be made payable to "Orange County Board of County Commissioners" and shall be delivered to the Fiscal and Operational Support Division of the Community, Environmental, and Development Services Department. Within twenty-one (21) days following its receipt of the PS Payment, County shall issue a CEL sufficient to encumber traffic capacity for the Project, irrespective of any actual traffic deficiency on the Deficient Segment. Within the time frame provided in the CEL, the Owner must reserve the encumbered trips by obtaining a Capacity Reservation Certificate as provided in Section 30-591 of the Orange County Code, as may be amended. An amount equal to the PS Payment shall be applied toward the amount of the initial reservation payment (and any subsequent reservation payment(s), if the initial reservation payment does not exceed the amount of the PS Payment) as further set forth in Section 3 below. In the event Owner has not paid the PS Payment within thirty (30) days of the Effective Date, this Agreement shall become null and void.

*(c) Project Development.* Recordation of a subdivision plat or approval of a commercial site plan for the Project shall not be permitted prior to the issuance of a Capacity Reservation Certificate as contemplated in subparagraph 2(b) above.

*(d) Increase in Project Trips.* Any change to the Project which increases the unit count and/or square footage, as applicable, may result in an increase in trips on the Deficient Segment or other segments within the transportation impact area, as defined by County. Owner understands and agrees that any such additional trips are neither vested nor otherwise permitted under this Agreement, and that Owner is precluded from asserting any such vesting. In addition, Owner understands and agrees that any such changes resulting in an increase in trips may cause this Agreement to become null and void, and/or may require application for and execution of an additional Proportionate Share Agreement, along with any other required documentation, for the number of increased trips.

*(e) Satisfaction of Transportation Improvement Requirements.* County hereby acknowledges and agrees that, based upon Owner's commitment to pay the PS Payment as required herein and absent any change in the Project increasing the number of trips as set forth in subparagraph 2(d) above, Owner shall be deemed to have satisfied all requirements for the mitigation of the traffic impacts of the Project on all roads affected by the Project within County's jurisdiction through buildout of the Project. Owner shall be entitled to fully and completely develop the Project, without regard to whether the improvements to the Deficient Segment are actually constructed. Provided, however, Owner shall be required to obtain a Capacity Reservation Certificate prior to the expiration of Owner's Capacity Encumbrance Letter and shall be required to maintain the validity of the Capacity Reservation Certificate in accordance with its terms. Nothing herein shall be construed to exempt Owner from meeting the requirements of all other applicable laws, regulations, or Orange County Code provisions or from making the

required payment of transportation impact fees applicable to the Project, subject to credits as set forth in Section 3 below.

***Section 3.*** ***Transportation Impact Fee Credits.*** County and Owner agree that Owner shall be entitled to receive transportation impact fee credits on a dollar for dollar basis in an amount up to but not exceeding the PS Payment in accordance with Section 163.3180, Florida Statutes, and as more particularly described in Exhibit "B" attached hereto. County further agrees that such credits may be applied on a dollar for dollar basis against capacity reservation fees at such time as capacity reservation fees may be required to be paid by Owner in connection with the issuance of a Capacity Reservation Certificate as contemplated in Section 2 above. In no event shall Owner receive credits in excess of the PS Payment and in the event the PS Payment exceeds either the applicable transportation impact fees or capacity reservation fees, as the case may be, Owner shall not be entitled to a refund for the amount of the PS Payment in excess of such transportation impact fees or capacity reservation fees.

***Section 4.*** ***No Refund.*** The PS Payment (including any reservation fees paid with the PS Payment) is non-refundable.

***Section 5.*** ***Notice.*** With the exception of the timing of the PS Payment as set forth in Section 2(b) hereof, the parties acknowledge and agree that no party shall be considered in default for failure to perform under this Agreement until such party has received written notice specifying the nature of such default or failure to perform and said party fails to cure said default or fails to perform within thirty (30) days of receipt of written notice. Any notice delivered with respect to this Agreement shall be in writing and be deemed to be delivered (whether or not actually received) (i) when hand delivered to the person(s) hereinafter designated, or (ii) upon deposit of such notice in the United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the person at the address set forth opposite the party's name below, or to such other address or other person as the party shall have specified by written notice to the other party delivered in accordance herewith:

As to Owner: CR 535 Lakeside Village Properties, LLC
18312 Bankston Place
Tampa, FL 33647

With copy to: Venkat Vattikuti, P.E., PTOE
Professional Associates, Inc.
10320 N 56th St, Ste 220
Tampa, FL 33617

As to County: Orange County Administrator
P. O. Box 1393
Orlando, Florida 32802-1393

With copy to: Orange County Community, Environmental, and Development Services Department
Manager, Fiscal and Operational Support Division
201 South Rosalind Avenue, 2nd Floor
Orlando, Florida 32801

Orange County Community, Environmental, and Development Services Department
Manager, Transportation Planning Division
4200 South John Young Parkway
Orlando, Florida 32839

Orange County Community, Environmental, and Development Services Department
Manager, Planning Division
201 South Rosalind Avenue, 2nd Floor
Orlando, FL 32801

***Section 6. Covenants Running with the Property.*** This Agreement shall be binding and shall inure to the benefit and burden of the heirs, legal representatives, successors, and assigns of the parties, and shall be a covenant running with the Property and be binding upon the successors and assigns of the Owner and upon any person, firm, corporation, or entity who may become the successor in interest to the Property.

***Section 7. Recordation of Agreement.*** The parties hereto agree that this Agreement shall be recorded in the Public Records of Orange County, Florida, at Owner's expense, within ten (10) business days after the Effective Date.

***Section 8. Applicable Law.*** This Agreement and the provisions contained herein shall be construed, controlled, and interpreted according to the laws of the State of Florida and in accordance with the Orange County Code.

***Section 9. Specific Performance.*** County and Owner shall each have the right to enforce the terms and conditions of this Agreement only by an action for specific performance. Venue for any action(s) initiated under or in connection with this Agreement shall lie in the Circuit Court of the Ninth Judicial Circuit in and for Orange County, Florida.

***Section 10. Attorney Fees.*** In the event either party hereto brings an action or proceeding including any counterclaim, cross-claim, or third party claim, against the other party arising out of this Agreement, each party in such action or proceeding, including appeals therefrom, shall be responsible for its own attorney and legal fees.

***Section 11. Construction of Agreement; Severability.*** Captions of the Sections and Subsections of this Agreement are for convenience and reference only; any words contained therein shall in no way be held to explain, modify, amplify, or aid in the interpretation, construction, or meaning of the provisions of this Agreement. If any provision of this

Agreement, the deletion of which would not adversely affect the receipt of any material benefits by any party hereunder or substantially increase the burden of any party hereunder, shall be held to be invalid or unenforceable to any extent by a court of competent jurisdiction, the same shall not affect in any respect whatsoever the validity or enforceability of the remainder of this Agreement.

***Section 12. Amendments.*** No amendment, modification, or other change(s) to this Agreement shall be binding upon the parties unless in writing executed by all of the parties.

***Section 13. Counterparts.*** This Agreement may be executed in up to three (3) counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed by their respective duly authorized representatives on the dates set forth below.

[Signatures appear on following pages]

**"COUNTY"**

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By:_____
Teresa Jacobs
Orange County Mayor

Date:_____

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By:_____
Deputy Clerk

Print Name: _____

**"Lot 2 Windermere – Lakeside Village South Retail"**

**WITNESSES:**

Susan Olsen

Print Name: Susan Olsen

K.V. Ravipati

Print Name: VENKATA RAVIPATI

**"OWNER"**

CR 535 Lakeside Village Properties, LLC, a Florida Limited Liability Company

By: A. Ravikiron

Print Name: Ravikiron Ainpudi

Title: Managing Member

Date: 02/20/2017

**STATE OF FLORIDA**
**COUNTY OF ORANGE**

SWORN to and subscribed freely and voluntarily for the purposes therein expressed before me by Ravikiron Ainpudi, of Lakeside Village Properties, a owner, who is known by me to be the person described herein and who executed the foregoing, this 20th day of February, 2017. (He)/she is personally known to me or has produced Florida driver license (type of identification) as identification and (did)/did not (circle one) take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 20th day of February, 2017.

Michelle Quiroz
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG036231
Expires 1/28/2021

NOTARY PUBLIC

Print Name: Michelle Quiroz

My Commission Expires: 01/28/2021

**"Lot 2 Windermere – Lakeside Village South Retail"**

**WITNESSES:**

A. Ravikiron

Print Name: RAVIKIRON AINBUDI

Susan Olsen

Print Name: Susan Olsen

**"OWNER"**

CR 535 Lakeside Village Properties, LLC, a Florida Limited Liability Company

By: K.V. Ravipati

Print Name: Venkata Ravipati

Title: Managing Member

Date: 02/20/2017

**STATE OF FLORIDA**
**COUNTY OF ORANGE**

SWORN to and subscribed freely and voluntarily for the purposes therein expressed before me by Venkata Ravipati, of Lakeside Village properties, a owner, who is known by me to be the person described herein and who executed the foregoing, this 20th day of February, 2017. He/she is personally known to me or has produced Florida driver license (type of identification) as identification and did/did not (circle one) take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 20th day of February, 2017.

Michelle Quiroz
NOTARY PUBLIC
STATE OF FLORIDA
Comm# GG036231
Expires 1/28/2021

NOTARY PUBLIC

Print Name: Michelle Quiroz

My Commission Expires: 01/28/2021

**Exhibit "A"**

**Lot 2 Windermere – Lakeside Village South Retail"**

Parcel ID: 36-23-27-5450-02-000

Legal Description: Lot 2, Lakeside Village Center, according to the plat thereof, as recorded in Plat Book 75, Pages 99 and 100, Public Records of Orange County, Florida.

**EXHIBIT "B"**

**"Lot 2 Windermere – Lakeside Village South Retail"**

## Log of Project Contributions
Reams Road (Center Dr. to Taborfield Ave)

### Roadway Improvement Project Information

| Planned Improvement Roadway(s) | Limits of Improvement (From - To) | | Segment Length | Adopted LOS | Existing Generalized Capacity | Type of Improvement | Improved Generalized Capacity | Capacity Increase | Total Project Cost | Cost / Trip |
|---|---|---|---|---|---|---|---|---|---|---|
| Reams Road | Center Drive | Taborfield Ave | 1.20 | E | 880 | Widen from 2 to 4 lanes | 2,000 | 1,120 | $11,875,200 | $10,603 |

### County Share of Improvement

| Planned Improvement Roadway(s) | Limits of Improvement (From - To) | | Segment Length | Adopted LOS | Existing Generalized Capacity | Backlogged Trips | Improved Generalized Capacity | Capacity Increase | County (Backlog) Responsibility |
|---|---|---|---|---|---|---|---|---|---|
| Reams Road | Center Drive | Taborfield Ave | 1.20 | E | 880 | 716 | 2,000 | 1,120 | $7,591,646 |

### Developer Share of Improvement

| Planned Improvement Roadway(s) | Limits of Improvement (From - To) | | Segment Length | Adopted LOS | Existing Generalized Capacity | Improved Generalized Capacity | Capacity Increase | Backlogged Trips | Capacity Increase for New Development | Remaining Project Cost | Cost / Trip |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Reams Road | Center Drive | Taborfield Ave | 1.20 | E | 880 | 2,000 | 1,120 | 716 | 404 | $4,283,564 | $10,603 |

Updated: 1/23/17

### Log of Project Contributions

| | Date | Project | Project Trips | Prop Share |
|---|---|---|---|---|
| Existing | March-17-2016 | Existing plus Committed | | $7,104,010 |
| | | | | |
| | | Fitness | 4 | $42,412 |
| | | Taco Bell | 9 | $95,427 |
| | | Mini Storage | 6 | $63,618 |
| | | Seven eleven | 6 | $63,618 |
| | | Mattamy Homes | 21 | $222,663 |
| | | | | $0 |
| | | | | $0 |
| | | Backlogged Totals: | 716 | $7,591,748 |
| Proposed | | Retail Center | 9 | $95,427 |
| | | | | $0 |
| | | | | $0 |
| | | | | $0 |
| | | | | $0 |
| | | | | $0 |
| | | Totals: | 725 | $7,687,175 |

ORANGE COUNTY GOVERNMENT FLORIDA

**INTEROFFICE MEMORAN**
**Family Services Department**

February 28, 2017

To: Mayor Teresa Jacobs
and
Board of County Commissioners

Thru: Lonnie C. Bell, Jr., Director DC for LCB
Family Services Department

From: Richard Tyson, Manager
Cooperative Extension Division

SUBJECT: March 21, 2017 Consent Agenda Item
Cooperative Extension Division Employment Agreement

Cooperative Extension in Orange County is administered through, and supported by, the University of Florida in collaboration with Orange County Government. Pursuant to Florida Statutes Section 1004.37(3), recommendations for Extension positions are to be presented for acceptance by the Board of County Commissioners.

The University has conducted a search and recommends JanaFaye Griffin as the new Orange County Extension Agent I, Family and Consumer Sciences. Ms. Griffin will be filling an existing and budgeted vacant position. The funding for this is split between the County (40%) and the University of Florida (60%) in accordance with the existing agreement between the County and the University for this program.

Ms. Griffin will be responsible for providing leadership for the development, implementation and evaluation of Family and Consumer Sciences programs in Orange County in collaboration with a team of County Faculty, UF Specialists and local citizen advisors. Ms. Griffin will also work closely with other community organizations and government entities to provide more sustainable health and wellness practices to the citizens of Orange County which will reduce long term health care costs.

Ms. Griffin has a Bachelor of Science degree in Kinesiology and Exercise Science from Florida State University and has been a nutrition educator since 2004. A copy of the job description and Ms. Griffin's resume, along with the position letter from the University of Florida are attached. Ms. Griffin's anticipated start date is March 27, 2017.

**ACTION REQUESTED:** **Acceptance of University of Florida's appointment of Ms. JanaFaye Griffin as Orange County Extension Agent I, Family and Consumer Sciences. All Districts.**

cc: Randy Singh, Assistant County Administrator
Yolanda Brown, Fiscal Manager



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UF | IFAS Extension
UNIVERSITY of FLORIDA

Position # 0001-4183
Requisition # 500469

**Family and Consumer Sciences Extension Agent I or II**
**University of Florida/IFAS Extension, Orange County**
**Orlando, FL (Central Extension District)**

Closing date: December 4, 2016

**Position summary**

University of Florida/IFAS Extension and Orange County seek to fill a 12-month, permanent status-accruing Family and Consumer Sciences Extension Agent position with specialties in health, nutrition and wellness, with a focus on using exercise science concepts to lower short and long term health risks. The agent will 1) provide leadership for planning, implementing, evaluating, and reporting on a comprehensive education program in the areas of health, nutrition and wellness; 2) work with UF/IFAS state extension specialists to implement the ServSafe Food Managers and Handlers training and certification and to implement and help coordinate the Family Nutrition Program grant in the county; 3) conduct programs educating target populations and organizations on the positive health effects of proper nutritional choices and physical activity.

The agent will be expected to have the ability to work with the latest program delivery methods including social media and other innovations such as the use of fitness trackers as part of evaluation. The candidate will network with other agencies and groups on cooperative educational programs and will form an advisory committee to assess clientele needs and program direction. The candidate will work closely with Central Extension District colleagues, the County Extension Director, and the District Extension Director, and will assume other duties as assigned by the Directors to meet the responsibilities of the total county extension effort. The agent will create an annual plan of work and report of accomplishment and will submit all required faculty reports. It is expected that the candidate will have excellent organizational skills, good record-keeping techniques and will be able to respond to clients in a timely and efficient manner. The agent will be expected to attain promotion and permanent status per state extension faculty guidelines.

Additional qualities of the successful candidate include:

- A working knowledge of social media and marketing, Facebook, video conferencing, and other similar educational techniques.
- Ability to work with other extension agents as part of a team.
- Ability to write articles and fact sheets; develop multi-media presentations; create posters and exhibits.
- Ability to acquire program enhancement grants, develop collaborations with healthcare providers, and seek extramural funding.



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- Ability to develop or assist with 4-H Youth Development activities.
- Participation in professional organizations appropriate for this position.

**Qualifications**

A bachelor's degree in Sport and Exercise Science or a related field is required. If hired with a bachelor's degree only, at least 50% progress towards obtaining a master's degree is expected within 6 years of employment. Experience in teaching, writing, and developing educational programs is preferred. Demonstrated abilities in organizational skills and written and oral communication are necessary. The agent must be personable and have an astute ability to build strong collaborations with internal and external partners. The candidate must be willing to work irregular hours and weekends. Occasional overnight travel is required. Must be able to obtain a Florida driver's license and be willing to travel using personal transportation. Within 6 months of hire, the agent must obtain the American College of Sports Medicine Certified Personal Trainer (CPT) certification and the ServSafe Food Managers and Handlers certification.

**Special requirements**

The successful candidate must pass background and drug free workplace tests required by Orange County. The policies established by Orange County government in administering leave shall apply to extension faculty.

**Application Instructions**

Apply through the online UF application system at http://explore.jobs.ufl.edu/cw/en-us/job/500469 , and attach your Resume or CV, as well as a cover letter that describes how your experience and qualifications have prepared you for this position.

**TO COMPLETE YOUR APPLICATION, PLEASE SUBMIT THE FOLLOWING:**

You must submit unofficial copies of all transcripts and/or coursework of your academic degrees. You may attach these as an "other" document, or you may submit to our office as directed below. An unofficial copy is acceptable for the application process, but before you can be hired, IFAS Human Resources must have the official transcript for your highest degree on file.

Also, all applicants must have at least three reference rating forms on file. Reference forms must be less than one year old. If you have not already done so, please contact your professional/academic references and ask that they complete a reference rating form on your behalf. The form is located at http://personnel.ifas.ufl.edu/ref_form.pdf .

Please also complete and submit the Previous Employment Form (located at http://personnel.ifas.ufl.edu/prev_employment.pdf ).

With the exception of official transcripts, all items submitted by mail must be postmarked no later than the next business day after the position closing date. All documents submitted by fax

or email must be received no later than the next business day. If your official transcripts will arrive after the closing date, you must also submit unofficial transcripts by the deadline.

Requested reference forms and transcripts should be submitted to:

Ms. Dana LeCuyer
UF IFAS Human Resources
Faculty Recruitment and Hiring
P O Box 110281
Gainesville, FL 32611-0281
dlecuyer@ufl.edu
Fax: (352) 392-3226

Final candidate will be required to provide official transcript to the hiring department upon hire. A transcript will not be considered "official" if a designation of "Issued to Student" is visible. Degrees earned from an education institution outside of the United States are required to be evaluated by a professional credentialing service provider approved by National Association of Credential Evaluation Services (NACES), which can be found at http://www.naces.org/ .

*The University of Florida is an Equal Opportunity Institution dedicated to building a broadly diverse and inclusive faculty and staff. The selection process will be conducted in accord with the provisions of Florida's 'Government in the Sunshine' and Public Records Laws. Persons with disabilities have the right to request and receive reasonable accommodation.*


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# JanaFaye L. Griffin

2139 Golden Oak Lane, Valrico FL 33594
PHONE (813) 943-5776 · E-MAIL janagriffin33@hotmail.com

## OBJECTIVE

Seeking employment and leadership opportunities which involve teaching individuals about health and wellness utilizing nutrition counseling and the promotion of physical activity.

## EDUCATION

**2000-2003** **Florida State University**
Bachelor of Science/Kinesiology and Exercise Science

**1997-2000** **Santa Fe Community College**
Associate of Arts/ General Education Requirements

## WORK EXPERIENCE

**2004-present** **Hernando Department of Health**
Nutrition Educator

- Educates and counsels clients eligible for the women, infant, and children's program (WIC) about nutrition and exercise on an individual basis, taking into consideration medical and nutritional needs, laboratory results, cultural and personal preferences, finances, and clients goals. Interprets laboratory results and anthropometric data. Determines adequacy of diet as compared to state identified standards for that population.

**2012-present**
Clerical Supervisor

- Responsible for hiring and developing subordinates by doing quarterly audits and yearly performance evaluation reviews. Gathers information and analyzes different points of data to assist with daily operations of the WIC program.

**2000-2003** **Florida State University**
Transcript Assistant

- Assisted Transcript Coordinator with processing and mailing of student transcripts. Responsible for meeting the needs of University clientele in regards to academic records and transcripts.



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## VOLUNTEER EXPERIENCE

**Summer 2001 Tallahassee Orthopedic Sports and Physical Therapy Clinic**

- Observed the Physical Therapist with patients and assisted with therapeutic modalities.

**Fall 2002 Thagard Student Health Center**

- Assisted and Observed Physical Therapist with exercises and modalities with the patients.

## COMMUNITY ACTIVITIES

**Summer 2003-2004 Bethlehem Community Center**

- Assisted Registered Dietitian with nutrition concerns and taught aerobics three nights a week.

**Spring of 2012-2014 Bethlehem Community Center**

- Co-Director of 5K Race for Enrichment

## REFERECES

- References available upon request.



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UF | UNIVERSITY of FLORIDA

UF/IFAS Extension
Central District

1052 McCarty Hall D
PO Box 110220
Gainesville, FL 32611-0220
352-392-1781
352-392-5259 Fax
tmomol@ufl.edu

February 7, 2017

Ms. JanaFaye L. Griffin
2139 Golden Oak Lane
Valrico, FL 33594

Dear Ms. JanaFaye,

I am pleased to offer you the positions of Orange County Extension Agent I, Family and Consumer Science, position #0001-4183, beginning Monday, March 27, 2017. The salary will be $47,696.00 with a 40%/60% split in funding source between Orange County, $19,078.40/40% and the University of Florida, $28,617.60/60%. Please note your employment is contingent upon your passing the county's prescreening process and approval of the Orange County Board of County Commissioners. This offer is also contingent on a successful pre-employment screening, which includes a review of criminal records, reference checks, and verification of education by the University of Florida.

As an Extension Agent I, Family and Consumer Sciences, you will work under the direction of Dr. Richard Tyson, Orange County Extension Director, (CED) and Dr. Tim Momol, the Central District Extension Director (DED). As with all County Extension Faculty your plan of work, report of accomplishments, and annual performance reviews will be under the supervision of the Central District Extension Director.

Your appointment is subject to the constitution and laws of the State of Florida and the rules and regulations of the Board of Trustees of the University of Florida.

Special conditions of your employment:

1. If you propose to engage in any outside activity or have a potential conflict of interest, you shall notify your supervisor in writing (using the proper University of Florida forms) prior to engaging in these activities. Such notification must be done annually (effective July 1 for future academic years) for as long as you continue to engage in such activity or have such conflict of interest.
2. There is also considerable travel with evening and weekend meetings, which may or may not be by personal vehicle.

We are impressed with your skills and believe you will find your new position to be challenging, interesting, and rewarding.

Please sign below and return the signed copy to me via email (scan) or fax (352)392-5259 as soon as you can.

Sincerely,

Tim Momol, Ph.D.
Professor and
Central District Extension Director

TM/nw

cc; Melanie Edmondson
Richard Tyson

I, JanaFaye L. Griffin, do accept the position as described above and agree to the salary and all conditions set forth in this letter.

Signature 2/8/17
Date



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**Interoffice Memorandum**

ORANGE COUNTY GOVERNMENT FLORIDA

AGENDA ITEM

March 9, 2017

TO: Mayor Teresa Jacobs
and
Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director DC for LCB
Family Services Department

FROM: Sonya L. Hill, Manager
Head Start Division
**Contact: Khadija Pirzadeh, (407) 836-8912**
**Sonya Hill, (407) 836-7409**

SUBJECT: Filing of Head Start Policy Council Program Information and Updates for the Official County Record
**CONSENT AGENDA ITEM March 21, 2017**

The Head Start Division requests filing of the program information and updates and meeting minutes for the official county record:

| | |
|---|---|
| Head Start Policy Council Program Information and Updates | January 2017 |
| Head Start Policy Council Meeting Minutes | December 15, 2016 |
| Head Start Policy Council Program Information and Updates | February 2017 |
| Head Start Policy Council Meeting Minutes | January 19, 2017 |

**ACTION REQUESTED:** **Receipt and filing of Head Start Policy Council Program Information and Updates January 2017 and February 2017; and Head Start Policy Council Meeting Minutes December 15, 2016 and January 19, 2017, respectively, for the official county record.**

SH/kp

C: Randy Singh, Assistant County Administrator
Wanzo Galloway, Assistant County Attorney, County Attorney's Office
John Petrelli, Director, Risk Management and Professional Standards
Yolanda Brown, Manager, Fiscal Division, Family Services Department
Jamille Clemens, Grants Supervisor, Finance Division
Patria Morales, Grant Coordinator, Office of Management and Budget

Orange County Government

# HEAD START

# POLICY COUNCIL

# PROGRAM

# INFORMATION & UPDATES

Lonnie C. Bell, Jr.
Director, Family Services

Sonya L. Hill
Head Start Division Manager

## JANUARY 2017



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Orange County
Family Services Department
Head Start Division

# POLICY COUNCIL MONTHLY MEETING

Who: **Policy Council Members**

Date: **THURSDAY- JANUARY 19, 2017**

Time: **6:30 PM**

Location: **GOV DINING HALL**
**1718 E. Michigan Street**
**Orlando, FL 32806**

## Child Care Provided

*Sandra Moore:*
*407-836-8913 (8am-5pm)*
*Email Sandra.moore2@ocfl.net*

**SEE YOU THERE!!!!!**



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# AGENDA

Orange County Government ● Head Start Policy Council ● GOV Dining Hall
1718 E. Michigan Street ● Orlando, Florida 32806

January 19, 2017
MEETING STARTS AT 6:30 p.m.

1. *Call to Order – Chairperson*
2. *Roll Call – Secretary*
3. *Adoption of Agenda*
4. *Speakers*
5. *Secretary Report*
   a. *Review of December 15, 2016 Minutes*
6. Human Resources Report
7. Budget Report
8. Status of Board of County Commissioners Vote- Helen Hill
9. Head Start Division Manager's Report – Sonya Hill, Head Start Division Manager
10. Commissioner/Commissioner's Liaison Report- Commissioner Victoria Siplin
11. Service Area Reports
12. Old Business
    a. Committees
    b. Getting Ahead Update
13. New Business
    a. Incredible Years
    b. QA Overview
    c. Parent Activity
14. Public Comment
15. Adjourn

# Head Start Budget Summary December 2016

## *Head Start Budget Summary*

Below is a statement of financial activity (or a expense sheet). This summarizes all the financial spending over a period of time. In the example below, we are looking at spending on a monthly basis. This report gives the council an understanding of Orange County Head Start's financial health. The accompanying reports are the details in which the summary is created.

| Unit Name | Current Budget 2016-2017 | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | J | AUG | SEPT | Encumbered | TOTAL Budget YTD | BALANCE | TOTAL YTD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 7522 - Education | $10,451,803.00 | $636,791.45 | $804,713.88 | $990,210.97 | | | | | | | | | | $248,749.49 | $2,431,716.30 | $7,761,575.21 | 25.74% |
| 7525 - Training | $122,891.00 | $0.00 | $709.95 | $3,551.41 | | | | | | | | | | $0.00 | $4,261.36 | $118,629.64 | 3.47% |
| 7526 - Disabilities | $623,106.00 | $21,817.73 | $4,373.05 | $35,708.38 | | | | | | | | | | $106,548.00 | $61,899.16 | $454,658.84 | 27.03% |
| 7527 - Medical/LPN | $288,637.00 | $5,937.11 | $13,487.21 | $12,373.16 | | | | | | | | | | $15,440.49 | $31,807.48 | $241,389.03 | 16.37% |
| 7521 - Department | $288,537.00 | $60,024.00 | $91,311.75 | $132,041.32 | | | | | | | | | | $6,880.71 | $283,433.04 | $1,075,868.25 | 21.25% |
| 7528 - Family Svc Work | $10,388,962.00 | $51,554.09 | $110,823.76 | $108,289.62 | | | | | | | | | | $0.00 | $270,667.73 | $1,118,394.27 | 19.49% |
| 7524 - USDA Services | $1,590,860.00 | $14,306.69 | $117,234.49 | $105,937.62 | | | | | | | | | | $900,785.17 | $184,771.77 | $232,488.06 | 72% |
| 7523 - USDA Admin | $176,600.00 | $8,186.00 | $11,006.89 | $11,108.33 | | | | | | | | | | $0.00 | $30,301.34 | $146,298.66 | 17% |

*Summary*

The month of January is the beginning of 2017 -2018 Fiscal Year Budgeting. The managers and selected staff will collaborate and see what the needs of the program is based on 1) Previous Fiscal Years, 2) Needs for the program 3) Annual Assessment Results and 4) Strategies to move the program forward. Head Start also has to determine what match we are projecting. The Federal Government requires Head Start to match 20% of total funding. This is where our volunteer hours, in-kind donations, free-services, county salaries and buildings, and other funding comes into place.

### Budget Cycle

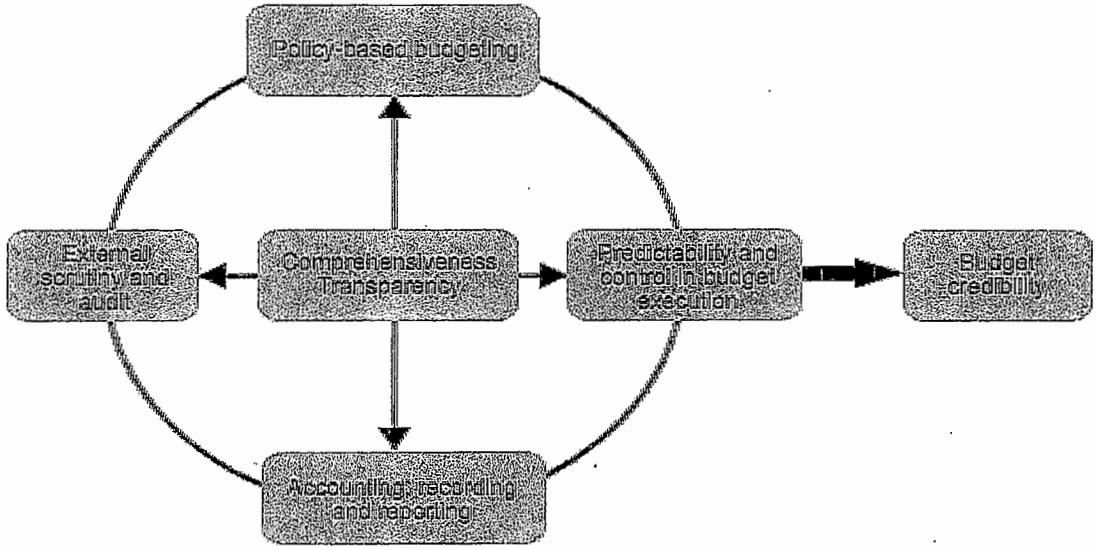
Comprehensive Transpareny – Head Start's annual budget will be transparent to all stakeholders involved as well as our community. This gives Head Start credibility, shows internal contols, accuracy, and openess. Transparency is the centerpiece of our budget cycle.

Policy –Based Budgeting - This is Head Start's method for budgeting in which all expenses are justified for the new period. Policy, from the Federal, State and Local Governments give us the guidelines in which we follow to spend funds.

External Scrtiny and Audit – External scrutiny is examiniation and audits both at the Federal Level and within Orange County to determine if we are spending money in the manner in which we planned to use it.

Predictability and control in budget execution – Head Start wans to show efficency in its spending. Managing a budget through the fiscal year allows the accounting side to predict and control issues that may arise.

Accounting, Recording and Reporting – Accounting is the process of identifying, measuring, and communicating economic information to permit users to make informed judgments and decisions. Recording involves tracking trends, expenditures and reveunes for overall program success. Reporting determines the ability for Head Start to show the financial results and conditions for program as a whole.




**Final Outcome : BUDGET CREDIBILITY**

Head Start wants to share with our stakeholders and our community that the Head Start Program works. Essentially, the money invested into the program is in turn changing lives within our community. Financial responsibility and transparecy shows the public that we are a credible resource for early education and programs aligned.

# 7521 Budget Planner

| | |
|---|---|
| 7521 BUDGET (Headstart Admin) | $1,321,904.00 |
| ACTUAL SPENT | $306,151.97 |
| DIFFERENCE (over/under budget) | $1,015,752.03 |

## 1000 - 1999

| | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $824,794.00 | $204,087.40 | $620,706.60 |
| 1130 - Other Salaries and Wages | $0.00 | $1,783.41 | -$1,783.41 |
| 1140 - Overtime | $7,000.00 | $1,067.68 | $5,932.32 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $831,794.00 | $206,938.49 | $624,855.51 |

Angel - Sandra / Evette PC

## 2000-2999

| | | | |
|---|---|---|---|
| 2110 - Fica Taxes | $63,093.00 | $15,218.06 | $47,874.94 |
| 2120 - Retirement Contribution | $62,025.00 | $15,893.05 | $46,131.95 |
| 2130 - Life & Health Insurance | $173,400.00 | $32,004.51 | $141,395.49 |
| 2131 - HAS Contribution | $1,800.00 | $6,000.00 | -$4,200.00 |
| 2200 - Payments to OPEB Trust | $7,892.00 | $0.00 | $7,892.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $308,210.00 | $69,115.62 | $239,094.38 |

## 3000 - 3999

| | | | |
|---|---|---|---|
| 3125 - Indirect Costs | $106,329.00 | $0.00 | $106,329.00 |
| 3410 - Local Travel | $1,000.00 | $570.19 | $429.81 |
| 3510 - Postage/& Messenger Services | $2,000.00 | $0.00 | $2,000.00 |
| 3530 - Toll Charges | $150.00 | $35.26 | $114.74 |
| 3610 - Rental of Equipment | $5,600.00 | $2,846.76 | $2,753.24 |
| 3720 - Communications | $3,000.00 | $797.09 | $2,202.91 |
| 3820 - Maintenance of Equipment | $2,567.00 | $5,878.50 | -$3,311.50 |
| 3910 - Graphic Reprod. Services | $8,800.00 | $0.00 | $8,800.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $129,446.00 | $10,127.80 | $119,318.20 |

Need to find out what

Revenue to date $30.17

## 4000 - 4999

| | | | |
|---|---|---|---|
| 4010 - Dues and Memberships | $9,395.00 | $6,594.00 | $2,801.00 |
| 4110 - Office Supplies | $13,000.00 | $335.31 | $12,664.69 |
| 4115 - Miscellaneous Operaitng Supplies | $3,000.00 | $0.00 | $3,000.00 |
| 4120 - Software < 1000 | $1,500.00 | $0.00 | $1,500.00 |
| 4121 - Computer Equipment < $1000 | $1,020.00 | $0.00 | $1,020.00 |
| 4123 - Equipment < $1000 | $5,000.00 | $310.75 | $4,689.25 |
| 4412 Promotional Expenses | $5,000.00 | $0.00 | $5,000.00 |
| 4418 - Educational Assist. Program | $1,000.00 | $1,250.00 | -$250.00 |
| 4422 - Scholarships Awards - Benefits | $559.00 | $0.00 | $559.00 |
| 4482 - Self Insur. Property/casualty | $11,480.00 | $11,480.00 | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $50,954.00 | $19,970.06 | $30,983.94 |

## 5000 - 5999

| | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

## 6000 - 6999

| | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

# 7522 Budget Planner

| | |
|---|---|
| 7522 BUDGET (Headstart Services) | $10,004,548.00 |
| ACTUAL SPENT | $3,155,142.84 |
| DIFFERENCE (over/under budget) | $6,849,405.16 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $5,560,633.00 | $1,659,862.77 | $3,900,770.23 |
| 1130 - Other Salaries & Wages | $75,900.00 | $26,845.47 | $49,054.53 |
| 1140 - Overtime | $10,000.00 | $2,261.91 | $7,738.09 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $5,646,533.00 | $1,688,970.15 | $3,957,562.85 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $499,559.00 | $123,772.33 | $375,786.67 |
| 2120 - Retirement Contribution | $503,600.00 | $126,265.26 | $377,334.74 |
| 2130 - Life and Insurance | $1,703,400.00 | $417,647.38 | $1,285,752.62 |
| 2131 - HAS Contribution | $29,500.00 | $104,750.00 | -$75,250.00 |
| 2200 - Payments to OPEB Trust | $105,672.00 | $0.00 | $105,672.00 |
| | | | $0.00 |
| Total | $2,841,731.00 | $772,434.97 | $2,069,296.03 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3167 - Payments to Other Government | $8,000.00 | $760.00 | $7,240.00 |
| 3170 - Janitorial Service and Supply | $20,000.00 | $2,948.89 | $17,051.11 |
| 3192 - Software Licensing/Support Fee | $43,890.00 | $18,822.43 | $25,067.57 |
| 3195 - Contract Services Medica | $23,500.00 | $0.00 | $23,500.00 |
| 3197 - Contract Svcs Not Oth Specified | $16,500.00 | $19,610.00 | -$3,110.00 |
| 3350 - Other Insurance & Bonds | $11,000.00 | $12,499.00 | -$1,499.00 |
| 3410 - Local Travel | $10,000.00 | $2,025.81 | $7,974.19 |
| 3530 - Toll Charges | $500.00 | $182.51 | $317.49 |
| OCPS 3610 - Rental of Equipment | $11,000.00 | $41,908.37 | -$30,908.37 |
| $86,321 3620 - Leases- Bldgs and Structures | $150,172.00 | $110,402.11 | $39,769.89 |
| Pull Contract 3710 - Utilities | $40,000.00 | $11,757.40 | $28,242.60 |
| 3720 - Communications | $45,000.00 | $11,425.53 | $33,574.47 |
| 3810 - Maint of Bldg Imp & Grounds | $100,000.00 | $13,717.47 | $86,282.53 |
| 3820 - Maintenance of Equipment | $35,000.00 | $19,535.52 | $15,464.48 |
| 3823 - Computer Maintenance | $4,500.00 | $0.00 | $4,500.00 |
| 3910 - Graphic Reproduction Services | $10,000.00 | $0.00 | $10,000.00 |
| 3825 - Internal Fleet Management Charges | $43,000.00 | $198.00 | $42,802.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $572,062.00 | $265,793.04 | $306,268.96 |

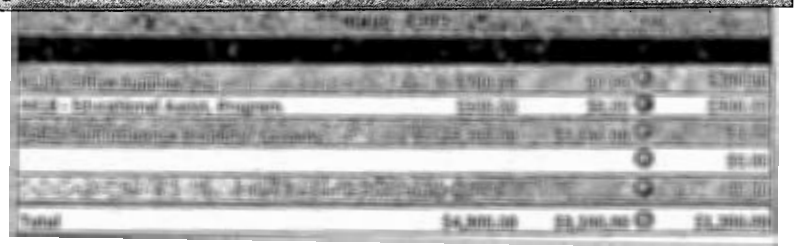
| 4000 - 4999 | | | |
|---|---|---|---|
| 4020 - Books, CDs, Videos & Subscriptions | $20,000.00 | $1,151.85 | $18,848.15 |
| 4110 - Office Supplies | $25,000.00 | $142.41 | $24,857.59 |
| 4115 - Miscellaneous Operating Supplies | $75,000.00 | $237.13 | $74,762.87 |
| 4116 - Event Meal Reimbursements | $3,000.00 | $139.72 | $2,860.28 |
| 4120 - Software < $1000 | $12,609.00 | $0.00 | $12,609.00 |
| 4121 - Computer Equipment < $1000 | $54,580.00 | $0.00 | $54,580.00 |
| 4123 - Equipment < $1000 | $25,000.00 | $647.92 | $24,352.08 |
| 4135 - Food & Dietary | $282,788.00 | $142,865.65 | $139,922.35 |
| 4143 - Medical & Surgical | $0.00 | $0.00 | $0.00 |
| 4175 - Clothing & Wearing Apparel | $100.00 | $0.00 | $100.00 |
| 4195 - Misc Supplies or Expenses | $10,000.00 | $0.00 | $10,000.00 |
| 4412 - Promotional Expenses | $16,625.00 | $0.00 | $16,625.00 |
| 4418 - Educational Assist. Program | $10,000.00 | $3,100.00 | $6,900.00 |
| 4440 - Improvements to Non-County Assets | $5,784.00 | $0.00 | $5,784.00 |
| 4450 - Parent Activity Fund | $9,216.00 | $0.00 | $9,216.00 |
| 4452 - Field Trips - Head Start | $15,360.00 | $0.00 | $15,360.00 |
| 4482 - Self/Insur. Prop/Casualty | $279,660.00 | $279,660.00 | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $844,722.00 | $427,944.68 | $416,777.32 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| 6310 - Struct and Fac Other than Bldg | $25,250.00 | $0.00 | $25,250.00 |
| 6410 - Equipment | $49,750.00 | $0.00 | $49,750.00 |
| 6438 - Computer Equipment | $4,500.00 | $0.00 | $4,500.00 |
| 6420 - Rolling Stock | $25,000.00 | $0.00 | $25,000.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $104,500.00 | $0.00 | $104,500.00 |

# 7523 Budget Planner

| | |
|---|---|
| 7523 BUDGET (USDA Admin) | $176,600.00 |
| ACTUAL SPENT | $37,935.93 |
| DIFFERENCE (over/under budget) | $138,664.07 |



| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $114,615.00 | $27,727.44 | $86,887.56 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $114,615.00 | $27,727.44 | $86,887.56 |

| 2000 - 2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $8,767.00 | $2,049.93 | $6,717.07 |
| 2120 - Retirement Contribution | $8,619.00 | $2,085.16 | $6,533.84 |
| 2130 - Life and Insurance | $30,600.00 | $2,871.98 | $27,728.02 |
| 2131 - HAS. Contribution | $300.00 | $0.00 | $300.00 |
| 2200 - Payments to OPEB Trust | $1,326.00 | | $1,326.00 |
| | | | $0.00 |
| Total | $49,612.00 | $7,007.07 | $42,604.93 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3125 - Indirect Costs | $6,543.00 | $0.00 | $6,543.00 |
| 3410 - Local Travel | $1,000.00 | $101.42 | $898.58 |
| 3530 - Toll Charges | $30.00 | $0.00 | $30.00 |
| 3820 - Maintenance of Equipment | $500.00 | $0.00 | $500.00 |
| | | | $0.00 |
| Total | $8,073.00 | $101.42 | $7,971.58 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

# 7524 Budget Planner

| | |
|---|---|
| 7524 BUDGET (USDA SERVICES) | $1,590,860.00 |
| ACTUAL SPENT | $1,155,300.14 |
| DIFFERENCE (over/under budget) | $435,559.86 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $161,794.00 | $40,880.06 | $120,913.94 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $161,794.00 | $40,880.06 | $120,913.94 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $12,570.00 | $2,942.36 | $9,627.64 |
| 2120 - Retirement Contribution | $12,355.00 | $3,074.21 | $9,280.79 |
| 2130 - Life and Insurance | $81,600.00 | $15,462.58 | $66,137.42 |
| 2131 - HAS. Contribution | $1,000.00 | $3,500.00 | -$2,500.00 |
| 2200 - Payments to OPEB Trust | $3,536.00 | | $3,536.00 |
| | | | $0.00 |
| Total | $111,061.00 | $24,979.15 | $86,081.85 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3170 - Janitorial Svc & Supply | $1,000.00 | $0.00 | $1,000.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $1,000.00 | $0.00 | $1,000.00 |

Revenue to date $292,114.53

| 4000 - 4999 | | | |
|---|---|---|---|
| 4115 - Miscellaneous Operating Supplies | $5,436.00 | $91.92 | $5,344.08 |
| 4130 - Household & Kitchen Supplies | $2,005.00 | $0.00 | $2,005.00 |
| 4135 - Food & Dietary* | $1,305,000.00 | $1,084,785.01 | $220,214.99 |
| 4482 - Self Insurance Property/ Casualty | $4,564.00 | $4,564.00 | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $1,317,005.00 | $1,089,440.93 | $227,564.07 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

*4123- Shipping

# 7525 Budget Planner

| | |
|---|---|
| 7525 BUDGET (Training) | $288,537.00 |
| ACTUAL SPENT | $53,533.58 |
| DIFFERENCE (over/under budget) | $235,003.42 |

| 1000 - 1999 | | | |
|---|---|---|---|
| | | | $110,931.56 |
| | | | $1,000.00 |
| Total | $0.00 | $0.00 | $111,931.56 |

| 2000-2999 | | | |
|---|---|---|---|
| | $0.00 | $0.00 | #VALUE! |
| | | | #VALUE! |
| Total | $0.00 | $0.00 | #VALUE! |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3185 - Contractural Service - Training | $11,070.00 | $0.00 | $11,070.00 |
| 3420- Out of County Travel | $17,700.00 | $2,338.36 | $15,361.64 |
| 3610 - Rental of Equipment | $1,000.00 | $0.00 | $1,000.00 |
| 3620 - Leases -Bldgs & Stuructures | $2,000.00 | $0.00 | $2,000.00 |
| 3910 - Graphics Reprod Services | $1,000.00 | $0.00 | $1,000.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $32,770.00 | $2,338.36 | $30,431.64 |

| 4000 - 4999 | | | |
|---|---|---|---|
| 4020 - Books, CDs, Videos & Subscriptions | $1,000.00 | $0.00 | $2,000.00 |
| 4030 - Training and Educational Costs | $68,550.00 | $770.00 | $5,000.00 |
| 4040 - License and Certification fees | $1,000.00 | $0.00 | $2,000.00 |
| 4110- Office Supplies (Excluding printing) | $2,771.00 | $0.00 | $1,999.01 |
| 4115 - Miscellaneous Operating Supplies | $2,000.00 | $0.00 | $7,955.76 |
| 4116 - Event Meal Reimbursments | $4,500.00 | $0.00 | $500.00 |
| 4418- Educational Assist. Program | $10,300.00 | $1,250.00 | $500.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $90,121.00 | $2,020.00 | $19,954.77 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

# 7526 Budget Planner

| | |
|---|---|
| 7526 BUDGET (Disabilities) | $507,496.00 |
| ACTUAL SPENT | $185,916.99 |
| DIFFERENCE (over/under budget) | $321,579.01 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $202,556.00 | $50,792.74 | $151,763.26 |
| 1130 - Other Salaries & Wages | $30,000.00 | $0.00 | $30,000.00 |
| 1140 - Overtime (Lourdes-Ramos 10/22-Fergeny)) | $0.00 | $139.50 | -$139.50 |
| | | | $0.00 |
| Total | $232,556.00 | $50,932.24 | $181,623.76 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $15,494.00 | $3,592.61 | $11,901.39 |
| 2120 - Retirement Contribution | $15,232.00 | $3,830.17 | $11,401.83 |
| 2130 - Life and Insurance | $40,800.00 | $9,996.20 | $30,803.80 |
| 2131 - HAS. Contribution | $600.00 | $3,250.00 | -$2,650.00 |
| 2200 - Payments to OPEB Trust | $1,754.00 | $0.00 | $1,754.00 |
| | | | $0.00 |
| Total | $73,880.00 | $20,668.98 | $53,211.02 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3195 - Contract Services Medical | $57,000.00 | $108,750.00 | -$51,750.00 |
| 3275 - ** Medical Services | $120,000.00 | $0.00 | $120,000.00 |
| 3410 - Local Travel | $5,000.00 | $284.94 | $4,715.06 |
| 3530 | $50.00 | $5.45 | $44.55 |
| 3720 - Communications | $1,250.00 | $196.20 | $1,053.80 |
| | | | $0.00 |
| Total | $183,300.00 | $109,236.59 | $74,063.41 |

[redacted]

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

# 7527 Budget Planner

| | |
|---|---|
| 7527 BUDGET (Medical/Dental/LPN) | $288,537.00 |
| ACTUAL SPENT | $53,533.58 |
| DIFFERENCE (over/under budget) | $235,003.42 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $137,357.00 | $26,425.44 | $110,931.56 |
| 1140 - Overtime | $1,000.00 | $0.00 | $1,000.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $138,357.00 | $26,425.44 | $111,931.56 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $10,508.00 | $1,944.63 | $8,563.37 |
| 2120 - Retirement Contribution | $9,972.00 | $1,987.21 | $7,984.79 |
| 2130 - Life and Insurance | $40,800.00 | $4,627.26 | $36,172.74 |
| 2131 - HAS. Contribution | $400.00 | $1,250.00 | -$850.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $61,680.00 | $9,809.10 | $51,870.90 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3195 - Contract Services Medical | $17,500.00 | $10,000.00 | $7,500.00 |
| 3179 - Contract Service - Employmt. Agent | $10,000.00 | $4,950.00 | $5,050.00 |
| 3197 - Contract Svcs Nof Oth Specified | $30,000.00 | $0.00 | $30,000.00 |
| 3410 - Local Travel | $4,000.00 | $128.38 | $3,871.62 |
| 3720 - Communications | $5,000.00 | $167.29 | $4,832.71 |
| 3530 | $100.00 | $8.14 | $91.86 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $66,600.00 | $15,253.81 | $51,346.19 |

| 4000 - 4999 | | | |
|---|---|---|---|
| 4110 - Office Supplies | $2,000.00 | $0.00 | $2,000.00 |
| 4115 - Miscellaneous Operating Supplies | $5,000.00 | $0.00 | $5,000.00 |
| 4121 - Computer Equipment < $1000 | $2,000.00 | $0.00 | $2,000.00 |
| 4123 - Equipment < $1000 | $2,000.00 | $0.99 | $1,999.01 |
| 4143 - Medical & Surgical | $10,000.00 | $2,044.24 | $7,955.76 |
| 4418 - Educational Assist. Program | $500.00 | $0.00 | $500.00 |
| 4450 - Parent Activity Fund | $500.00 | $0.00 | $500.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $22,000.00 | $2,045.23 | $19,954.77 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

# 7528 Budget Planner

| | |
|---|---|
| 7528 BUDGET (Family Service Work) | $1,388,962.00 |
| ACTUAL SPENT | $326,619.24 |
| DIFFERENCE (over/under budget) | $1,062,342.76 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $933,988.00 | $232,602.70 | $701,385.30 |
| 1130 - Other Salaries & Wages | $10,000.00 | $0.00 | $10,000.00 |
| 1140 - Overtime | $5,000.00 | $1,015.25 | $3,984.75 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $948,988.00 | $233,617.95 | $715,370.05 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $71,450.00 | $16,870.10 | $54,579.90 |
| 2120 - Retirement Contribution | $67,808.00 | $17,135.26 | $50,672.74 |
| 2130 - Life and Insurance | $255,000.00 | $48,127.94 | $206,872.06 |
| 2131 - HAS. Contribution | $2,500.00 | $8,000.00 | -$5,500.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $396,758.00 | $90,133.30 | $306,624.70 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3410 - Local Travel | $5,000.00 | $324.95 | $4,675.05 |
| 3720 - Communications | $8,000.00 | $441.60 | $7,558.40 |
| 3550 | $100.00 | $5.47 | $94.53 |
| | | | $0.00 |
| Total | $13,100.00 | $772.02 | $12,327.98 |

| 4000 - 4999 | | | |
|---|---|---|---|
| 4020 - Books, CDs, Videos & Subscripions | $2,000.00 | $0.00 | $2,000.00 |
| 4110 - Office Supplies | $7,000.00 | $1,985.98 | $5,014.02 |
| 4115 - Miscellaneous Operating Supplies | $2,000.00 | $0.00 | $2,000.00 |
| 4121 - Computer Equipment < $1000 | $2,000.00 | $0.00 | $2,000.00 |
| 4123 - Equipment < $1000 | $2,000.00 | $109.99 | $1,890.01 |
| 4412 - Promotional Expenses | $5,000.00 | $0.00 | $5,000.00 |
| 4418 - Educational Assist. Program | $1,000.00 | $0.00 | $1,000.00 |
| 4450 - Parent Activity Fund | $9,216.00 | $0.00 | $9,216.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $30,216.00 | $2,095.97 | $28,120.03 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

01/03/2017 PAGE: 1
ORANGE COUNTY
Department 062
FY 2017 Monthly Expense Report
For the selected Department and Unit, by Object and Appropriation

Through 01/03/2017

FUND: 8299 DEPT: 062 UNIT: 7538

| | OBJECT | APPR | OBJECT NAME | CURRENT BUDGET | OCT | NOV | DEC | PRE-ENCUM AMOUNT | ENCUM AMOUNT | TOTAL YTD | BALANCE | % BUDGET USED YTD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 1120 | 7EA | REGULAR SALARIES and WAGES | 696,350.00 | .00 | .00 | 79,360.49 | .00 | .00 | 79,360.49 | 616,989.51 | 11.40 |
| | 2110 | 7EA | FICA TAXES | 53,673.00 | .00 | .00 | 5,782.96 | .00 | .00 | 5,782.96 | 47,890.04 | 10.77 |
| | 2120 | 7EA | RETIREMENT CONTRIBUTION | 52,295.00 | .00 | .00 | 6,038.87 | .00 | .00 | 6,038.87 | 46,256.13 | 11.55 |
| | 2130 | 7EA | LIFE and HEALTH INSURANCE | 172,857.00 | .00 | .00 | 19,330.20 | .00 | .00 | 19,330.20 | 153,526.80 | 11.18 |
| OBJECT CATEGORY 1 | | | | 975,175.00 | .00 | .00 | 110,512.52 | .00 | .00 | 110,512.52 | 864,662.48 | 11.33 |
| 2 | 3125 | 7EB | INDIRECT COSTS | 42,498.00 | .00 | .00 | .00 | .00 | .00 | .00 | 42,498.00 | .00 |
| | 3185 | 7EC | CONTRACT SVC-TRAINING | 1,500.00 | .00 | .00 | .00 | .00 | .00 | .00 | 1,500.00 | .00 |
| | 4020 | 7EC | BOOKS, COMPACT DISKS, VIDEOS, AND SUBSCRIPTIONS | 476.00 | .00 | .00 | .00 | .00 | .00 | .00 | 476.00 | .00 |
| | 4110 | 7EC | OFFICE SUPPLIES (NOT INCLUDING PRINTING) | 6,000.00 | .00 | .00 | .00 | .00 | .00 | .00 | 6,000.00 | .00 |
| | 4115 | 7EC | MISCELLANEOUS OPERATING SUPPLIES | 7,880.00 | .00 | .00 | .00 | .00 | .00 | .00 | 7,880.00 | .00 |
| | 4123 | 7EC | EQUIPMENT LESS THAN $1000 | 5,000.00 | .00 | .00 | .00 | .00 | .00 | .00 | 5,000.00 | .00 |
| | 4482 | 7EA | SELF INS-PROP CASUALTY | 162.00 | .00 | .00 | .00 | .00 | .00 | .00 | 162.00 | .00 |
| OBJECT CATEGORY 2 | | | | 63,516.00 | .00 | .00 | .00 | .00 | .00 | .00 | 63,516.00 | .00 |
| *TOTAL UNIT_CD 7538 | | | | 1,038,691.00 | .00 | .00 | 110,512.52 | .00 | .00 | 110,512.52 | 928,178.48 | 10.64 |
| TOTAL | | | | 1,038,691.00 | .00 | .00 | 110,512.52 | .00 | .00 | 110,512.52 | 928,178.48 | 10.64 |

# MONTHLY PURCHASING CARD PURCHASE REPORT

Cardholder (Print Name): SHAMIM SHEIKH

Statement for Month of: December-16

Cardholder Signature: Shamim

Cardholder Extension: 6 8040

| # | Date | Receipt or # | Invoice | Description of Purchase | Vendors Name | $$$ Amount of Purchase | Dispute (d)/ Credit (c) | Accounting Lines | Remarks |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 12/1/2016 | | 289235 | Food for special diet children | ApanaBazar | 33.96 | | 7407 062 7524 4135 | |
| 2 | 12/1/2016 | | 88289 | Kitchen Supply mop&bucket | Home depot | 31.94 | | 7407 062 7524 4130 | |
| 3 | 12/5/2016 | | 99529 | Food for special diet children | Walmart | 21.18 | | 7407 062 7524 4135 | |
| 4 | 12/6/2016 | | 32035 | Nutrition Activity Food | Publix | 93.81 | | 7007 062 7522 4135 | |
| 5 | 12/8/2016 | | 90968 | Nutrition Activity Food | Walmart | $72.20 | | 7007 062 7522 4135 | |
| 6 | 12/8/2016 | | 33134 | Nutrition Activity Food | Publix | 79.87 | | 7007 062 7522 4135 | |
| 7 | 12/8/2016 | | 68500 | Nutrition Activity Food | Publix | 22.45 | | 7007 062 7522 4135 | |
| 8 | 1/13/2016 | | 110831 | Nutrition Activity Food | Publix | 46.29 | | 7007 062 7522 4135 | |
| 9 | 12/16/2016 | | 26313 | Kitchen Supply mop&bucket | Home depot | 31.94 | | 7407 062 7524 4130 | |
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| | | | | | Total | 433.64 | | | |

# MONTHLY PURCHASING CARD PURCHASE REPORT

ardholder (Print Name): Daisy Flores

ardholder Signature: Daisy Flores

Statement for Month of: December-16

Cardholder Extension: 6 7407

| # | Date | Receipt or Invoice # | Description of Purchase | Vendors Name | $$$ Amount of Purchase | Dispute (d)/ Credit (c) | Accounting Lines | Remarks |
|---|---|---|---|---|---|---|---|---|
| 1 | 11/28/2016 | 82235508 | UTILITY CARTS FOR EAST ORANGE NEW CAFETERIA | ULINE | $521.76 | | 7007-062-7524-4130 | |
| 2 | 11/9/2016 | 611091127 | SPECIAL MILK FOR CHILDREN | SYSCO | $1,017.30 | | 7407-062-7524-4135 | |
| 3 | 11/15/2016 | 809232 | SERVICES FOR SPECIAL NEED PARENT | INTERPRETEK | $110.00 | | 7007-062-7522-3197 | |
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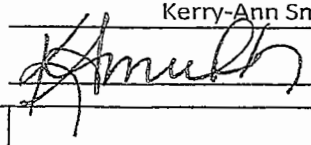
| | | | | Total | 1,649.06 | | | |

# MONTHLY PURCHASING CARD
# PURCHASE REPORT

ardholder (Print Name): Kerry-Ann Smith  Statement for Month of: December

ardholder Signature:   Cardholder Extension: 68905

| # | Date | Receipt or Invoice # | Description of Purchase | Vendors Name | $$$ Amount of Purchase | Dispute (d)/ Credit (c) | Accounting Lines | Remarks |
|---|---|---|---|---|---|---|---|---|
| 1 | 12/6/2016 | 18462 | Special diet food for child Lila Mitchell. | Publix | $ 35.37 | | 7407-062-7524-4135 | |
| 2 | 12/6/2016 | 18461 | Monthly Nutrition Activity | Publix | $ 163.63 | | 7007-062-7522-4135 | |
| 3 | 12/6/2016 | 75150 | Monthly Nutrition Activity | Publix | $ 212.08 | | 7007-062-7522-4135 | |
| 4 | 12/7/2016 | 73931 | Emergency food for children at Hal Marston | Publix | $ 22.45 | | 7407-062-7524-4135 | |
| 5 | 12/7/2016 | 73932 | Monthly Nutrition Activity | Publix | $ 32.47 | | 7007-062-7522-4135 | |
| 6 | 12/15/2016 | 466350762787005 | Wipes and Pull Ups for child at Hal Marston | Walmart | $ 33.45 | | 7007-062-7522-4115 | |
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| | | | | Total | $ 499.45 | | | |

# ORANGE COUNTY HEAD START DIVISION
## Monthly Purchasing Card Purchase Report

Cardholder (Print Name): Vidya D. Deonarine

Statement for the Month of: December

Cardholder Signature: Vidya D Deonarine

Extension: 9318

| Date | Receipt/ Invoice # | Purchase Description/ Justification | Vendor Name | Dollar Amount of Purchase | Dispute/ Credit | Accounting Line(s) To Be Charged | / |
|---|---|---|---|---|---|---|---|
| 12/02//16 | 059584 | Parking at Orlando International Airport from 11/30/2016-12/02/16 - Region IV Board Meeting in Atlanta Georgia | ABM parking Orlando ECONO | $ 51.00 | | 7007-062-7525-3420 | |
| 12/03/16 | RT538 | Hotel stay from 11/30/16-12/02/16 for Region IV Board Members Meeting | Sheraton Atlanta Hotel | $239.68 | | 7007-062-7525-3420 | |
| 12/03/16 | 6077470 | Taxi service used for return trip from Region IV Board Meeting to airport- Atlanta Georgia | Super Shuttle Atlanta | $22.00 | | 7007-062-7525-3420 | |
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# MONTHLY PURCHASING CARD PURCHASE REPORT

ardholder (Print Name): Angela Fore

ardholder Signature: Angela M. Fore

Statement for Month of: December, 2016

Cardholder Extension: 68901

| # | Date | Receipt or Invoice # | Description of Purchase | Vendors Name | $$$ Amount of Purchase | Dispute (d)/ Credit (c) | Accounting Lines | Remarks |
|---|---|---|---|---|---|---|---|---|
| 1 | 12/1/2016 | | Hotel accommodations for Shamella Knight in New Orleans, LA | Hilton New Orleans Riv | $ 152.32 | | 7007-062-7525-3420 | |
| 2 | 12/1/2016 | | Registration for 4 staff to attend the Bridges Out of Poverty Workshop | St. Lukes UMC | $ 60.00 | | 7007-062-7525-4030 | |
| 3 | 12/6/2016 | | Registration for Lola Banks to attend Excel Levesl 2 & 3 Trainings | UCF Continuing Educat | $ 398.00 | | 7007-062-7525-4030 | |
| 4 | 12/13/2016 | | Registration for Sandra Ruff to attend the Making Davis-Bacon Work for You Conference | LCP Tracker, Inc. | $ 395.00 | | 7007-062-7525-4030 | |
| 5 | 12/13/2016 | | Airline Reservation for Sandra Ruff to San Antonio, TX | Southwest.com | $ 325.70 | | 7007-062-7525-3420 | |
| 6 | 12/15/2016 | | Hotel accommodations for Colette Johnson Thomas in Ft. Lauderdale | Hilton Ft. Lauderdale Marina | $ 357.00 | | 7007-062-7525-3420 | |
| 7 | 12/15/2016 | | Hotel accommodations for Bernice Mendez-Robles in Ft. Lauderdale | Hilton Ft. Lauderdale Marina | $ 357.00 | | 7007-062-7525-3420 | |
| 8 | 12/15/2016 | | Hotel accommodations for Jamie Harrold in Ft. Lauderdale | Hilton Ft. Lauderdale Marina | $ 357.00 | | 7007-062-7525-3420 | |
| 9 | 12/15/2016 | | Hotel accommodations for Frank Percoco in Ft. Lauderdale | Hilton Ft. Lauderdale Marina | $ 218.00 | | 7007-062-7525-3420 | |
| 10 | | | | | | | | |
| | | | | Total | $ 2,620.02 | | | |

# ORANGE COUNTY HEAD START DIVISION
## Monthly Purchasing Card Purchase Report

Cardholder (Print Name): JULIO GRULLON  Statement for the Month of: NOVEMBER 2016

Cardholder Signature: Julio Grullon  Extension: 321-332-5605

| Date | Receipt/ Invoice # | Purchase Description/ Justification | Vendor Name | Dollar Amount of Purchase | Dispute/ Credit | Accounting Line(s) To Be Charged | / |
|---|---|---|---|---|---|---|---|
| 11/30/16 | | 150 grit Sand Paper for painter | The Home Depot | 19.97 | | 7007-062-7522-4110 | |
| | | Packing Tape, Pan Liners, and Drop Cloths for painter | The Home Depot | 59.87 | | 7007-062-7522-4115 | |
| | | | TOTAL | 79.84 ✓✓ | | | |
| 12/7/116 | | Toothbrush Holder for Dover Shores (2 needed only one available) | The Home Depot | 16.98 | | 7007-062-7522-4115 | |
| | | 17 casters with swivel and brakes (64 needed) | The Home Depot | 67.66 | | 7007-062-7522-3820 | |
| | | | TOTAL | 84.64 ✓✓ | | | |
| 12/7/16 | | Zip Ties to secure fence for Maint. Tech., and Cleaning Rags for painter | The Home Depot | 20.94 | | 7007-062-7522-3810 | |
| | | L brackets for Garden Beds Engelwood & Grand Ave., and 47 Casters for Cubbies at Pine Hills | The Home Depot | 188.61 | | 7007-062-7522-3820 | |
| | | 5 Garbage Cans to store in Warehouse | | 149.85 ✓ | | 7007-062-7522-4115 | |
| | | | TOTAL | 359.40 | | | |
| 12/7/16 | | Garbage Bags to relocate mulch from East Orange to Pine Hills | The Home Depot | 89.20 ✓✓ | | 7007-062-7522-4115 | |
| 12/12/16 | | Medium Moving Boxes and packing tape for Hal Marston | U-Haul at S. Orange Ave. | 195.45 ✓✓ | | 7007-062-7522-4115 | |
| 12/20/16 | | Keys needed made with copies | Al-Len Lock Co. Inc. | 94.80 ✓✓ | | 7007-062-7522-4115 | |
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# MONTHLY PURCHASING CARD
# PURCHASE REPORT

Cardholder (Print Name): June Johnson

Cardholder Signature: June Johnson fj 1/4/17

Statement for Month of: December '16

Division Head Start

Extension: 69524

| # | Date | Receipt or Invoice # | Description of Purchase | Vendors Name | $$$ Amount of Purchase | Dispute (d)/ Credit (c) | Accounting Lines | Remarks |
|---|---|---|---|---|---|---|---|---|
| 1 | 12/6/2016 | 7234057 | Cooler Rental | ReadyRefresh | 17.97 | | 7007 062 7522 3610 | Maxey Head Start |
| | | | Cups | | 17.56 | | 7007 062 7522 4115 | |
| | | | Water | | 12.52 | | 7007 062 7522 3710 | |
| | | | | | 48.05 | | | |
| 2 | 12/6/2016 | 8741944 | Water | ReadyRefresh | 25.04 | | 7007 062 7522 3710 | Denton Johnson H S |
| | | | Cooler Rental | | 11.98 | | 7007 062 7522 3610 | |
| | | | Cups | | 4.39 | | 7007 062 7522 4115 | |
| | | | | | 41.41 | | | |
| 3 | 12/6/2016 | 7234115 | Water | ReadyRefresh | 21.15 | | 7007 062 7522 3710 | SOYMCA |
| | | | Cooler Rental | | 17.97 | | 7007 062 7522 3610 | |
| | | | Cups | | 8.98 | | 7007 062 7522 4115 | |
| | | | | | 48.10 | | | |
| 4 | 12/6/2016 | 7234115 | Cups | ReadyRefresh | 109.75 | | 7007 062 7522 4115 | Washington Shrs Hope H S |
| | | | Water | | 56.34 | | 7007 062 7522 3710 | |
| | | | Cooler Rental | | 41.93 | | 7007 062 7522 3610 | |
| | | | | | 208.02 | | | |
| 5 | 12/6/2016 | 7234115 | Cups | ReadyRefresh | 10.87 | | 7007 062 7522 4115 | Warehouse |
| 6 | 12/6/2016 | 7234206 | Water | ReadyRefresh | 31.30 | | 7007 062 7522 3710 | Tangelo Park H S |
| | | | Cooler Rental | | 17.97 | | 7007 062 7522 3610 | |
| | | | Cups | | 8.78 | | 7007 062 7522 4115 | |
| | | | | | 58.05 | | | |
| | | | | Total | 414.50 | | | |

# MONTHLY PURCHASING CARD PURCHASE REPORT

Cardholder (Print Name): June Johnson

Statement for Month of: December '16

Cardholder Signature: June Johnson jcj 11/4/17

Division Head Start

Extension: 69524

| # | Date | Receipt or Invoice # | Description of Purchase | Vendors Name | $$$ Amount of Purchase | Dispute (d)/ Credit (c) | Accounting Lines | Remarks |
|---|---|---|---|---|---|---|---|---|
| 7 | 12/12/2016 | 887023796-001 | Copy Paper | Office Depot | 1,483.17 | | 7007 062 7522 4110 | Program |
| 8 | 12/12/2016 | | Multi-Fold towels * soap | Dade Paper | 1,499.75 | | 7007 062 7522 4115 | Program |
| 9 | 12/16/2016 | 87291071 | Reflective Traffic Cones | Uline | 349.05 | | 7007 062 7522 3810 | Program |
| 10 | 12/29/2016 | 891447210-001 | Various Office Supplies | Office Depot | 615.45 | | 7007 062 7522 4110 | Program |
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| | | | | Total Page 1 | 414.50 | | | |
| | | | | Total this page | 3,947.43 | | | |
| | | | | Grand Total | $4,361.93 | | | |

| *Monthly Report to Head Start Policy Council* | | |
|---|---|---|
| | | |
| **Nutrition: DECEMBER 2016** | | |
| **Number of meals reimbursed by USDA** | **BREAKFAST** | 16,052 |
| **Number of meals reimbursed by USDA** | **LUNCH** | 16,287 |
| **Number of meals reimbursed by USDA** | **SNACK** | 13,556 |
| **Number of meals reimbursed by USDA** | **TOTALS** | 45,895 |
| Number of meals disallowed for reimbursement TAFT | | 55 |
| Number of children evaluated for nutritional concerns | | 13 |
| Number of children receiving nutritional education and further care | | 37 |
| Number of monitoring visits to ensure compliance with USDA Regulations | | 8 |
| Number of monitoring visits requiring a corrective action plan | | 1 |
| Number of nutritional activities conducted: " Reindeer Grahams" | | 84 |
| | | |
| | | |
| | | |
| | | |



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# MEDICAL/DENTAL MONTHLY REPORT

## DECEMBER 2016

Thirty-seven (37) new health status evaluations were performed during the month of December 2016.

Seventy-one (71) immunization records were evaluated for compliance during the month of December 2016.

Thirty-seven (37) blood test results were reviewed during the month of December 2016.

Thirty-six (36) dental exams were reviewed during the month of December 2016. Out of these, eighteen (18) children were diagnosed as needing dental treatment.

Sixty-eight (68) parent contacts were initiated regarding health concerns in children during the month of December 2016.

Twenty-two (22) health action plans were developed and discussed with Head Start staff and parents during the month of December 2016.

Eight (8) Physician Medication Orders were received, evaluated, and reviewed with staff. Medication information and administration technique training was provided as needed.

Six (6) trainings were provided to staff.

Six (6) children completed Blood Pressure and Vision screenings.

Eight (8) children were evaluated for health concerns.

Fifteen (15) center visits were performed to address health issues, observations, and monitoring.



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# DISABILITIES/MENTAL HEALTH REPORT

## DECEMBER 2016

A total of one hundred seventy-eight (178) children have been enrolled in Head Start with a diagnosed disability from the Local Education Agency (OCPS) since school started last August 2016.

A total of sixty-five (65) children have been enrolled in Head Start with a diagnosed disability by contracted providers since school started last August 2016.

A total of fifty-two (52) children were evaluated by OCPS/Preschool Diagnostic Intervention Services for disability eligibility since school started last August 2016.

One hundred seventy-two (172) children were referred to OCHS contracted provider, Kinder Konsulting & Parents Too, Inc. since school started last August 2016.

Ninety-six (96) children were receiving mental health services for behavior issues since school started last August 2016. In addition, there were seventy-four (74) behavior plans developed for enrolled children.

One thousand seven hundred and four (1,704) hearing screenings were completed since school started last August 2016.

One thousand three hundred and two (1,302) new children completed the screenings for Speech/Language, Socio-emotional, and Developmental.

Two hundred sixty-nine (269) visits to centers were completed for the month of October 2016 to centers to: provide technical assistance to staff, conduct observations, conduct health screenings, and complete monitoring visits.



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Orange County Head Start

# Parent Family and Community Engagement 2016-2017

***Monthly Report: December 2016***

- One thousand five hundred thirty six (1536) children were enrolled in the Head Start Program for the month of December 2016.
- Two hundred sixteen (216) children are on the Waiting List 2016-2017.
- Five (5) Attendance home visits
- Three (3) families received Crisis/Emergency Assistance.
- Thirteen (13) parents received Educational Services.
- Four hundred twenty two (422) Health Services Follow ups were done by Community Service Worker.
- Fifty (50) families were referred for family services.
- Four hundred seventy three (473) were provided families services
- Twenty four (24) Parent Meetings were held this month. Five hundred forty six (546) parents attended parents meetings. Eighty nine (89) males attended.
- Eight (8) Fatherhood Activities was held this month. Sixty one (61) fathers attended fatherhood initiatives.
- Twenty two (22) Parents Trainings were held this month. Four hundred sixty nine (469) parents attended Parents Trainings.

**Trainings:**

- Nutrition
- Child Abuse
- Positive Parenting
- Abriendo Puertas- Open Doors
- Education-Choosing a Career
- Resources
- Winter Wonderland Activity
- School Readiness
- Finance
- Health Insurance-Market Exchange
- Budget



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# ORANGE COUNTY HEAD START 2016-2017

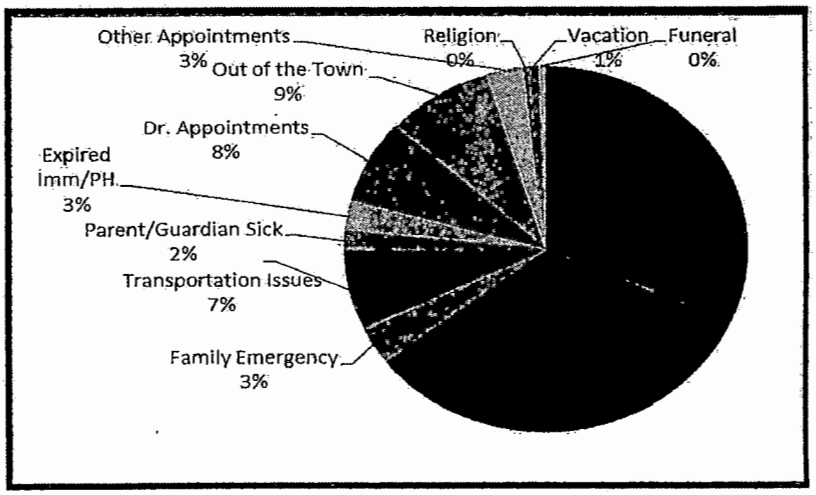
## PARENT, FAMILY AND COMMUNITY ENGAGEMENT

ERSEA REPORT MONTH: December YEAR: 2016

| Sites | Funded Enrollment | Monthly Enrollment | 10% IEP | Drops YTD | Waiting List | New Applications | Monthly Attendance |
|---|---|---|---|---|---|---|---|
| Aloma | 34 | 34 | 3 | 1 | 21 | 1 | 94% |
| Bithlo | 30 | 30 | 3 | 2 | 4 | 0 | 90% |
| Callahan | 45 | 45 | 2 | 2 | 5 | 0 | 92% |
| Denton Johnson | 35 | 35 | 4 | 5 | 13 | 0 | 89% |
| Dover Shores | 34 | 34 | 2 | 2 | 4 | 1 | 88% |
| East Orange | 160 | 160 | 24 | 15 | 6 | 1 | 89% |
| Engelwood | 60 | 60 | 11 | 7 | 11 | 0 | 90% |
| Evans | 13 | 13 | 0 | 0 | 3 | 0 | 84% |
| Grand Avenue | 34 | 34 | 4 | 2 | 7 | 0 | 90% |
| Hal P Marston | 120 | 120 | 5 | 19 | 9 | 2 | 92% |
| John Bridges | 120 | 120 | 15 | 9 | 24 | 1 | 92% |
| Lila Mitchell | 83 | 83 | 11 | 10 | 12 | 0 | 91% |
| Maxey | 60 | 60 | 8 | 10 | 3 | 0 | 91% |
| Orlando Tech | 14 | 14 | 1 | 2 | 0 | 1 | 97% |
| Pine Hills | 189 | 189 | 12 | 17 | 21 | 1 | 90% |
| SO YMCA | 60 | 60 | 6 | 4 | 5 | 0 | 88% |
| Southwood | 120 | 120 | 20 | 8 | 20 | 1 | 93% |
| Taft | 120 | 120 | 15 | 8 | 8 | 0 | 89% |
| Tangelo | 15 | 15 | 0 | 2 | 0 | 0 | 92% |
| Ventura | 17 | 17 | 3 | 3 | 11 | 1 | 92% |
| WS ELC | 68 | 68 | 11 | 4 | 15 | 1 | 92% |
| WS Hope | 105 | 105 | 7 | 4 | 15 | 0 | 94% |
| **OCHS Total** | 1536 | 1536 | 10% | 136 | 217 | 11 | 91% |

## REASONS OF ABSENCES

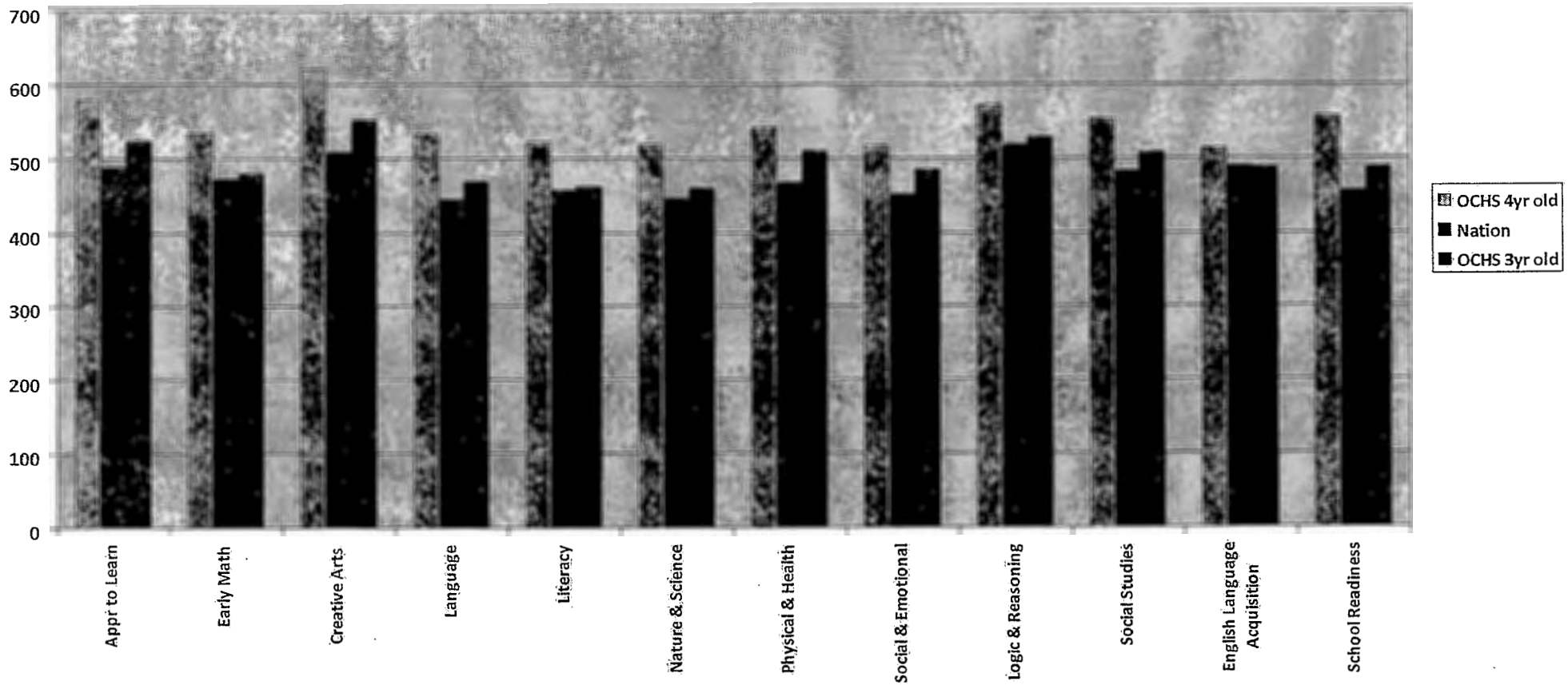
| | |
|---|---|
| Unexcused | 812 |
| Sick | 847 |
| Family Emergency | 82 |
| Transportation Issues | 156 |
| Parent/Guardian Sick | 48 |
| Expired Immunizations/PH | 111 |
| Dr. Appointments | 253 |
| Out of the Town | 151 |
| Other Appointments | 75 |
| Religion | 5 |
| Vacation | 5 |
| Funeral | 8 |
| **Total** | 2553 |



## RECRUITMENT EFFORTS PER SITE 2016-2017

| Site | # Recruitment Efforts | Summary |
|---|---|---|
| Aloma | | |
| Bithlo | 13 | Sociedad Venezolana of Orlando, Fifth Third Bank Event, River Ridge Apartments, Christmas Historical Park, Community Health Center Bithlo, Corner Lake Family Dental, Aspire Health Partners, Catholic Charities of Central Florida, Bithlo Community Neighborhood, Aspire, Avalon Park Community Center, Iglesia de Dios Bithlo, East Point Fellowship Church, Liheap, |
| Callahan | | City of Orlando, Department of Juvenile Justice, McDonalds |
| Denton Johnson | | |
| Dover Shores | | |
| East Orange | 5 | Timber lakes Apartments, Bonneville Elementary School, Castle Creek Elementary School, Camelot Elementary School, OTC Avalon Campus |
| Engelwood | | |
| Evans | | |
| Grand Avenue | | |
| Hal P Marston | | |
| John Bridges | 3 | Hope Community Center, Goodwill Job Connection Center, Retirees Friends of Orange County Community Action and Head Start |
| Lila Mitchell | 3 | Coconut Palms Apts., Middlebrooks Apartments, Island Club Apartment |
| Maxey | | |
| Orlando Tech | 3 | City of Orlando, Department of Juvenile Justice, McDonalds |
| Pine Hills | 5 | Kwik Stop, Sr. Richard Sang, Central Florida Medical, The park @ Highgate, Sky Pines, Top Class Restaurant |
| South Orlando YMCA | 2 | Pizza Hut, Stearns Hearing |
| Southwood | | |
| Taft | | |
| Tangelo | | |
| Ventura | | |
| Washington Shores ELC | | |
| Washington Shores Hope | | |

Orange County
Head Start
Education Service Area
Child Outcomes
8/15/16 -11/30/16
OCHS 3 and 4 Olds and National





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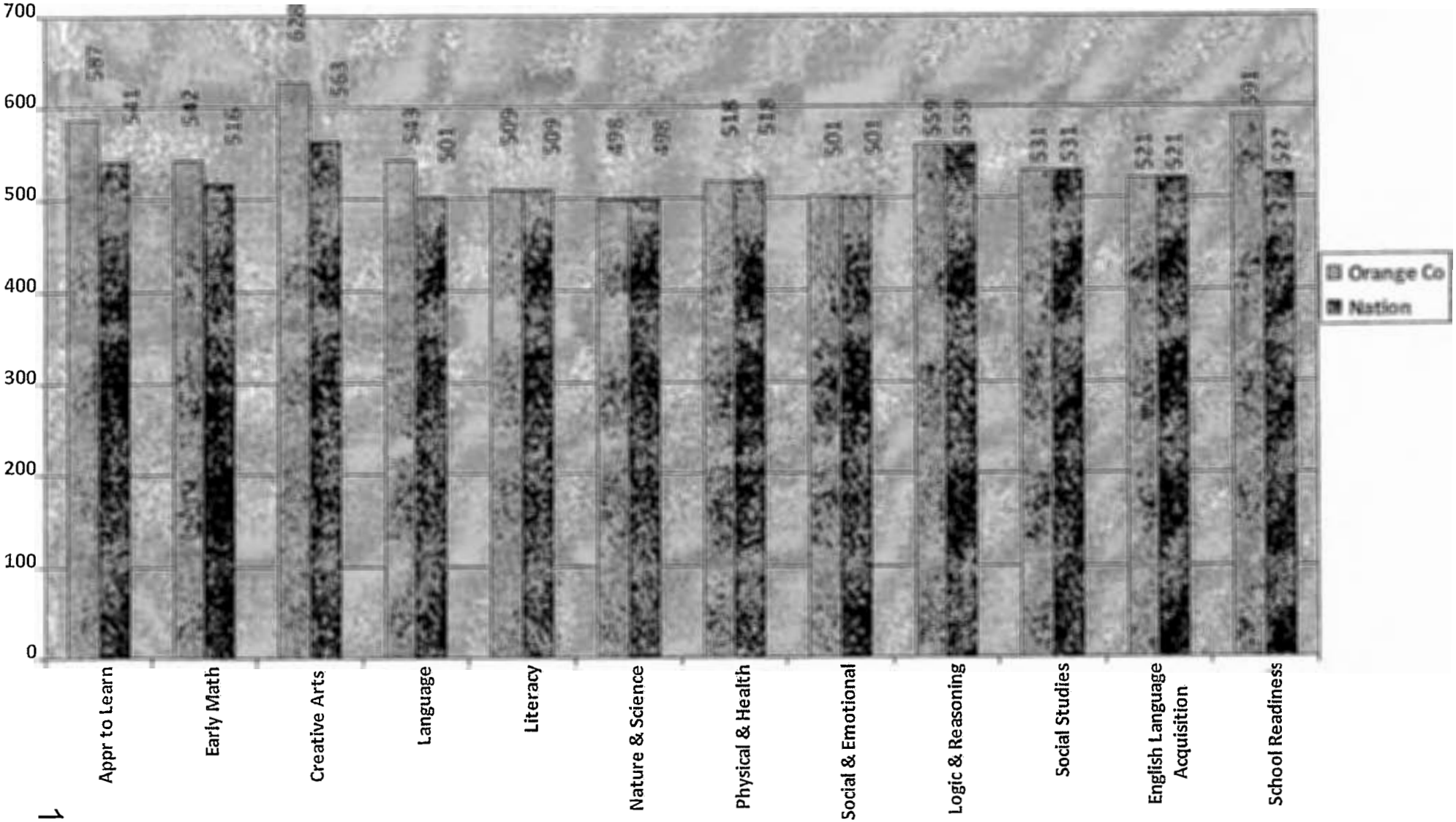
Orange CountyHead Start
Education Service Area
Child Outcomes
8/15/2016-12/31/2016
4 year olds



# Application of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards to For-Profit Head Start Grantees

eclkc.ohs.acf.hhs.gov

Subject: Application of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards to For-Profit Head Start Grantees

Instruction:

This Program Instruction notifies for-profit Head Start grantees of their obligation to comply with subparts A-E of the ***Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards***, commencing with fiscal years that begin on or after Jan. 1, 2017.

The *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards* at 45 CFR 75, commonly referred to as the Uniform Guidance, streamline grant management requirements. Pursuant to **45 CFR §75.101(c)** in the Uniform Guidance, Department of Health and Human Services' (HHS) awarding agencies may apply subparts A through E to federal agencies, for-profit entities, foreign public entities, or foreign organizations, except where the HHS awarding agency determines that to apply these subparts would be inconsistent with the international obligations of the United States or the statutes or regulations of a foreign government.

To maximize uniformity, the Office of Head Start will apply subparts A through E of the Uniform Guidance to for-profit grantees.

Subparts A through E are:

| **The following portions of the part:** | **Are applicable to the following types of Federal awards and fixed-price contracts and subcontracts (except as noted in paragraphs (d) and (e) below):** | **Are NOT applicable to the following types of Federal awards and fixed-price contracts and subcontracts:** |
|---|---|---|
| **This table must be read along with the other provisions in this section** | | |
| Subpart A—Acronyms and Definitions | —All | |
| Subpart B—General Provisions, except for §75.111, 75.112, and 75.113 | —All | |

| | | |
|---|---|---|
| Sections §75.111, 75.112, and 75.113 | —Grant agreements and cooperative agreements | —Agreements for loans, loan guarantees, interest subsidies and insurance.<br>—Procurement contracts awarded by Federal Agencies under the Federal Acquisition Regulations and subcontracts under these contracts. |
| Subparts C-D, except for §75.202, 75.303, 75.351-.353 | —Grant agreements and cooperative agreements | —Agreements for loans, loan guarantees, interest subsidies and insurance.<br>—Procurement contracts awarded under the Federal Acquisition Regulations and cost-reimbursement and subcontracts under these contracts. |
| §75.202 | —Grant Agreements and cooperative agreements<br>—Agreements for loans, loan guarantees, interest subsidies and insurance | —Procurement contracts awarded under the Federal Acquisition Regulations and cost-reimbursement and subcontracts under these contracts. |
| §75.303, 75.351-.353 | —All | |
| Subpart E—Cost Principles | —Grant agreements and cooperative agreements, except those providing food commodities<br>—All procurement contracts under the Federal Acquisition Regulations except those that are not negotiated | —Grant agreements and cooperative agreements providing food commodities.<br>—Fixed amount awards.<br>—Agreements for loans, loan guarantees, interest subsidies and insurance.<br>—Federal awards to hospitals (See **Appendix IX**). |

If you have questions about how these subparts apply to your program, please contact your Regional Office program specialist for assistance.

/ Ann Linehan /

Ann Linehan
Acting Director

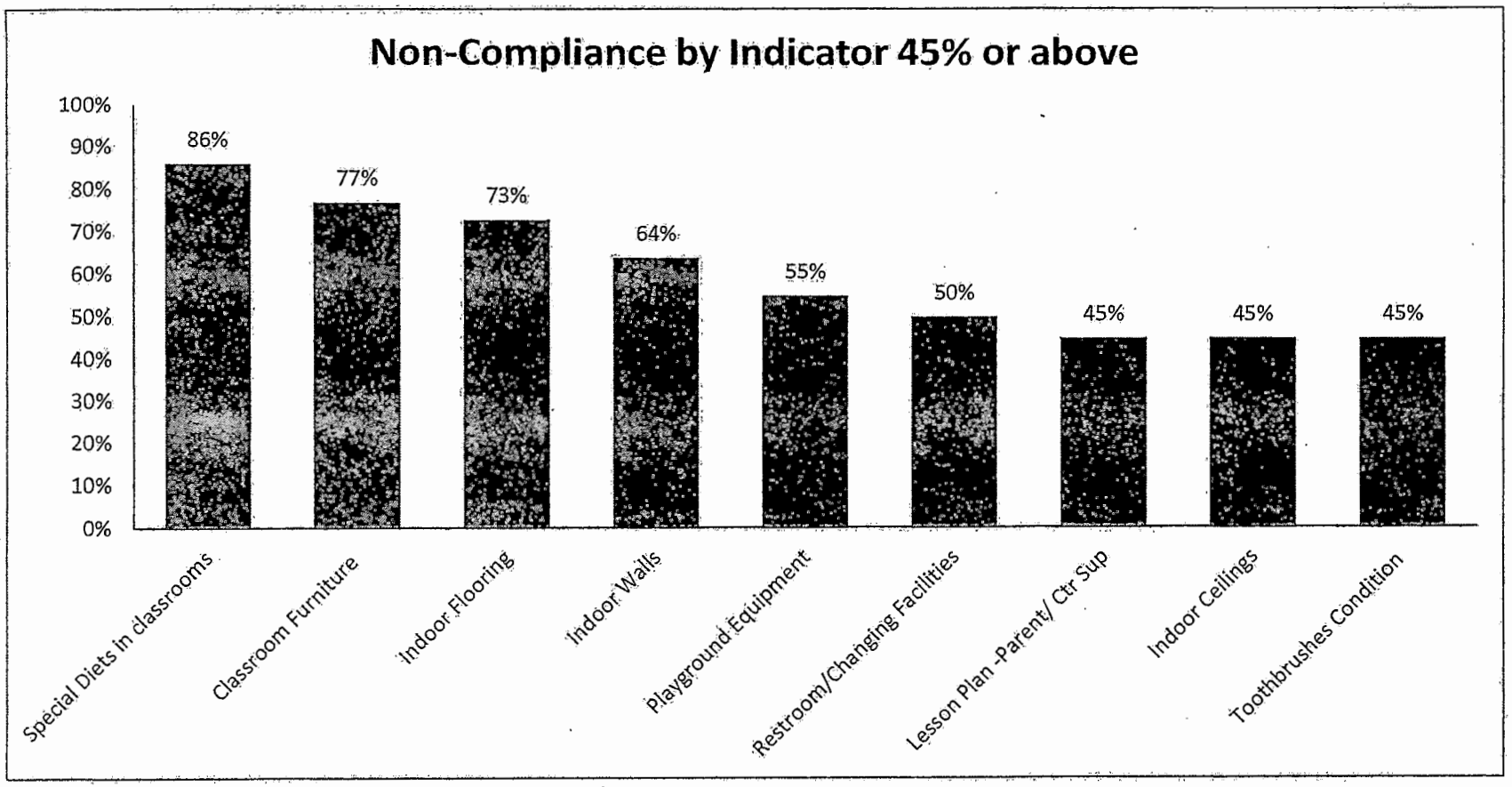
**Orange County Head Start has established program goals to be achieved within the next five years in support of children's school readiness and family overall well-being. Each year, annual objectives will be established to identify the steps the program will take to achieve each goal. The Progress Summary Report provides key insight into the program's performance in meeting yearly objectives. Below are the results of the program's progress for 2015-2016.**

| Long Term Goal | Annual Objective | Overall Progress | Priorities for Next Year |
|---|---|---|---|
| #1: Orange County Head Start will create an environment that is more inclusive of fathers/father figures. | Orange County Head Start will develop and implement a systematic approach in all components of the program that create opportunities for the engagement and empowerment of fathers/father figures. | While, steps toward creating a father friendly environment are underway, the program's attempt at a step by step process of implementation faced several challenges; some of which were due to delays in the procurement process. The program has enhanced opportunities for fathers figures to engage in the program through activities, trainings, and committees; however, without the completion of an organizational assessment, measuring the program's level of father friendliness prior to these opportunities presents a challenge to determine whether the strategies implemented are working to make the program more inclusive of father figures. | 1. Conducting a program wide Organizational Assessment of father friendliness.<br>2. Recruit community partners to serve on the fatherhood committee. |
| #2: To develop and implement a system that incorporates all service areas to increase the number of children that receive dental treatment. | Orange County Head Start will assess, renew, and strengthen efforts to: (a) increase collaborations with the local dental community (b) foster educating staff and families on the importance of oral health and (c) enhance the number of children that receive needed dental treatment. | Oral health has been effectively integrated across all service areas. All staff has been trained on oral health education and teaching staff are conducting oral health assessments during home visits. The program continues to work on enhancing oral health outcomes with the number of children who receive dental treatment and strategies to enhance the rate of compliance are currently still pending. A HSAC meeting was held in February 2016, however, information is not currently available on whether recruitment efforts to increase local dental health providers to serve on the committee were successful. | 1. Develop the methodology to collect, aggregate, and analyze oral health data.<br>2. Assess families' capacity to advocate for their children's dental health needs. |

| Long Term Goal | Annual Objective | Overall Progress | Priorities for Next Year |
|---|---|---|---|
| #5: Foster community collaborations that enhance and support early childhood development while actively engaging community leaders, community services, advocates, and families. | Orange County Head Start will assess, renew and strengthen the quantity and quality of Memoranda of Understanding (MOU) Agreements with local community organizations to plan and implement ongoing opportunities that: (a) foster parent engagement, (b) improve school readiness, and (c) enhance health prevention, intervention and services. | Community partners have been recruited to serve on committees such as the HSAC, School Readiness, and PFCE Advisory Committee along with the Policy Council. As a direct result, membership on the School Readiness Committee has increased. Memoranda of Understandings (MOUs) were assessed and partnerships with the Adult Literacy League and Community Coordinated Care for Children (4C) were strengthened to provide improved access to services. In particular, the MOU with 4C enhances the process for transitioning from Early Head Start to Head Start within the Orange County service area. New partnerships were also established this year through an MOU agreement with the Orange County Library System which provides storytelling opportunities for children and library cards and training at parent meetings for parents. In addition, an MOU agreement with Valencia College was initiated which will provide college courses for parents & staff. The program will assess program data and identify additional partnerships needed to better connect families with community resources. | 1. Review program data on parent needs to determine what additional partnerships are needed.<br>2. Market the program by sending out the Annual Report and/or presenting it to stakeholders. |
| #6: Improve the outcomes of children by strengthening the capacity of parents to become advocates in the lives of their children. | Orange County Head Start will assist in the acculturation process and success of new families moving to the county by: (a) implementing strategies to enhance parent's learning experiences, (b) enhancing their ability to be confident leaders for their families, and (c) improving school readiness for dual language learners. | The program has made enhancements to its classroom environment to ensure materials are available to ensure the environment is responsive to dual-language learners. A bilingual narration curriculum was purchased during the 2015-2016 school year for all classrooms to improve outcomes of children. Staff will receive training for implementation of the curriculum during the 2016-2017 program year. Family engagement activities have also been enhanced to increase the number of families who may benefit from the Abriendo Puertas/Opening Doors training program offered by Orange County Head Start. As a result, 35 Hispanic/Latino families graduated from the Abriendo Puertas/Opening doors program. However, assessment results and/or child/family outcomes were not readily available to determine if families and children benefited from the | 1. Track the outcomes of dual language learners to identify if implemented strategies have made an impact on school readiness.<br>2. Partner with agencies in the community serving the Hispanic/Latino population.<br>3. Translate forms into Spanish. |

You, for Later at 5 centers.

| Long Term Goal | Annual Objective | Overall Progress | Priorities for Next Year |
|---|---|---|---|
| #9: Funded enrollment opportunities will be aligned with those geographical areas having the highest concentration of Head Start eligible children and families in need. | Orange County Head Start will establish a recruitment plan that (a) fosters collaborations with key stakeholders (b) forecasts future site locations and (c) focuses on enhancing the program's ability to make decisions regarding program options. | Based on the Community Assessment, funded enrollment opportunities were made available to children & families in the areas of greatest need. The development of the program's recruitment plan enabled the program to ensure families in these areas were able to apply for Head Start services. | 1. Continue to utilize the recruitment plan to recruit families.<br>2. Continue to make adjustments to the selection criteria based on recommendations from the advisory committee.<br>3. Participate in community outreach monthly. |


Non-Compliance by Indicator 45% or above
100%
90%
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64%
55%
50%
45%
45%
45%
Special Diets in classrooms
Classroom Furniture
Indoor Flooring
Indoor Walls
Playground Equipment
Restroom/Changing Facilities
Lesson Plan -Parent/ Ctr Sup
Indoor Ceilings
Toothbrushes Condition



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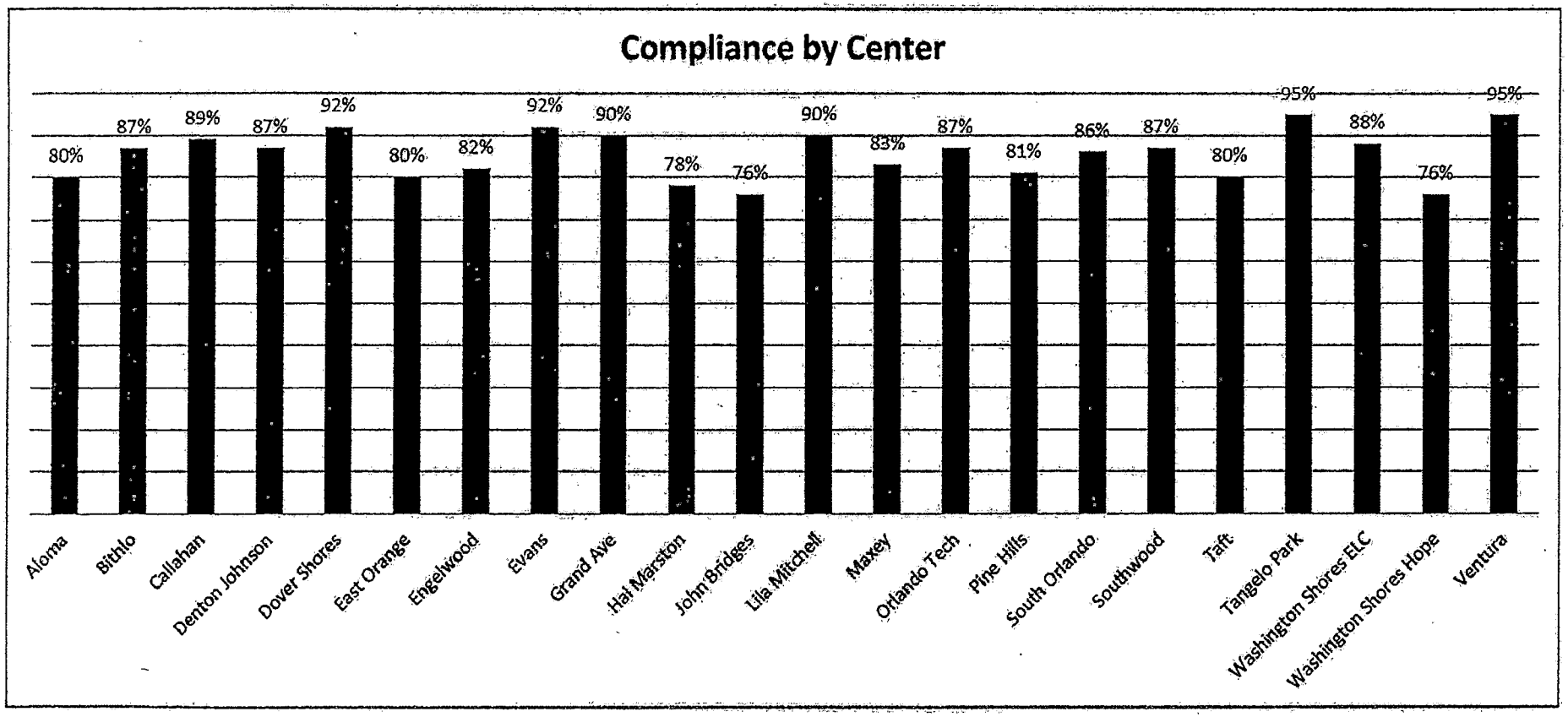
# Quality Assurance Monitoring Statistics

## "First Monitoring"

## School Year 2016-17



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## COMMUNITY ASSISTANCE PROGRAMS

| AT RISK YOUTH PROGRAMS | |
|---|---|
| Wrap Around Orange | 321-441-2370. |
| Orange County Youth Shelter | 407- 836-7626 |
| After School Zone - Main(ASZ) | 407-836-7610 |
| *Robinswood Middle School (ASZ)* | *407-296-5140* |
| *Westridge Middle School (ASZ)* | *407-354-2640* |
| **BABY ITEMS** | |
| Beta Center | 407-277-7342 |
| Center for Pregnancy | 407-514-4517 |
| Accept Pregnancy Center | 407--654-0820 |
| **CHILD CARE** | |
| Orlando Day Nursery | 407-422-5291 |
| 4C | 407-522-2252 |
| Child support (enforcement) | 800-622-5437 |
| Florid Kid Care | 888-540-5437 |
| **CONSUMER FRAUD** | |
| Orange County Consumer Fraud | 407-836-2490 |
| **CLOTHES** | |
| Christian Help | 407-834-4022 |
| O.U.R. Mission Men's Division | 407-423-3596 |
| Mustard Seed | 407-875-2052 |
| Salvation Army Orlando | 407-423-8581 |
| **CRISIS HOTLINE** | |
| United Way Crisis Hotline | 407-425-2624 |
| **DENTAL SERVICES** | |
| Dental Society Referral | 407-894-9798 |
| Medicaid Dental | 407-317-7851 |
| Valencia College Dental | 407-299-5000 |
| Hope Community Center | 407-880-4673 |
| Community Health Center | 407-905-8827 |
| **DISABILITY** | |
| Disability determination | 407-897-2970 |
| Social Security Office | 407-772-1213 |
| Independent Living Center | 407-623-1070 |
| **DRUG/ALCOHOL (Substance Abuse)** | |
| Addictions Receiving Facility | 407-245-0012 |
| Aspire Health Partners | 407-875-3700 |
| **DOMESTIC VIOLENCE** | |
| Harbor House | 407-886-2856 |
| Help Now | 407-847-8562 |
| Victim Services Center | 407-254-9415 |
| **EARLY CHILDHOOD EDUCATION** | |
| Early Head Start (pre-school) | 407-532-4352 |
| Early Learning Coalition | 407-522-2252 |
| Orange County Head Start (Main) | 407-836-6590 |
| *Hal Marston (Ext. 8484)* | *407-836-8455* |
| *Pine Hills (Ext. 9107)* | *407-254-9112* |
| *Grand Avenue (Ext. 3372308)* | *407 245-1750* |
| *Lila Mitchell* | *407-254-9494* |
| VPK (pre-school) | 407-532-4500 |

| ELDER/SENIOR SERVICES | |
|---|---|
| Elder Abuse | 800-962-2873 |
| Seniors First | 407-615-8987 |
| Senior Resource Alliance | 800-963-5337 |
| Orange County Office on Aging | 407-836-6563 |
| Eldercare Locator Services | 800-6771116 |
| Central Florida YMCA | 407-896-9220 |
| **EMERGENCY ASSISTANCE** | |
| Catholic Charities | 407-658-1818 |
| **EMPLOYMENT SERVICES** | |
| Family Self-Sufficiency Program | 407-836-9333 |
| *Community Action (Central)* | 407-836-9333 |
| *Hal Marston (Community Center)* | 407-836-8450 |
| *Holden Heights (Community Center)* | 407-317-7635 |
| Career Source Central Florida | 407-531-1222 |
| Urban League | 407-841-7654 |
| Christian Help | 407-834-4022 |
| Unemployment Compensation | 800-204-2418 |
| **FAMILY COUNSELING (Family Support Services)** | |
| Family Counseling | 407-254-9370 |
| Family Preservation & Stability | 407-836-9529 |
| Family Resource Program | 407-836-6534 |
| *Ivey Lane (Neighborhood Center)* | *407-254-9491* |
| *Pine Hills (Neighborhood Center)* | *407-294-3519* |
| *Tangelo (Neighborhood Center)* | *407-226-1714* |
| **FINANCIAL ASSISTANCE** | |
| Orange County Crisis Assistance | 407-836-6500 |
| Community Service Center | 407-482-0404 |
| Jewish Family Services | 407-644-7593 |
| Salvation Army – Orlando | 407-423-8581 |
| Urban League | 407-841-7654 |
| Catholic Charities | 407-245-0999 |
| **FOOD (Emergency Food Pantries)** | |
| Loaves and Fishes | 407-886-6005 |
| Jewish Family Services | 407-644-7593 |
| Calvary Outreach Center | 407-790-4968 |
| Brother's Keeper | 407-849-0735 |
| Christian Service Center | 407-425-2523 |
| The Olive Branch | 407-425-7303 |
| Delany Street Baptist | 407-422-0758 |
| Catholic Charities | 407-658-1818 |
| Iglesia Buatista El Camino | 407-679-4948 |
| Iglesia el Cavario | 407-351-4151 |
| St. John Vianney | 407-826-4868 |
| Mt. Sinai Missionary | 407-299-8820 |
| Sanctuary of Praise | 407-294-5487 |
| **FURNITURE** | |
| Mustard Seed | 407-875-2052 |

Revised 12/21/2016



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## COMMUNITY ASSISTANCE PROGRAMS

| **HELPLINES (Referral Assistance)** | |
|---|---|
| United Way (211) | 407-839-4357 |
| Orange County (311) | 407-836-3111 |
| **HEALTH CARE/MEDICAL SERVICES** | |
| Primary Care Access Network | 407-836-7191 |
| Pine Hills Family Health Center | 407-905-8827 |
| Apopka Family Health Center | 407-886-6201 |
| Orange Blossom Family Health | 407- 428-5751 |
| Health Department | 407-836-2600 |
| HIV | 407-836-2600 |
| Prescription Assistance | 407-905-8827 |
| Orange County Medical Clinic | 407-836-7100 |
| Children's medical services | 407-856-6519 |
| Healthcare for the Homeless | 407-428-5751 |
| **HOUSING & SHELTER** | |
| Homeless Services Network | 407-893-0133 |
| Shelter Plus Care | 407-836-6534 |
| Coalition for the Homeless | 407-426-1250 |
| Section 8 Housing | 407-895-3300 |
| Florida Housing Assistance | 888-447-2977 |
| **LEGAL SERVICES** | |
| Lawyer referral | 407-422-4551 |
| Legal aid society | 407-841-8310 |
| **MEDICAID & MEDICARE** | |
| Medicaid customer service | 407-254-1055 |
| Medicaid (area 7) | 407-317-7851 |
| Medicare (information) | 800-633-4227 |
| **MENTAL HEALTH** | |
| Aspire Health Partners | 407-875-3700 |
| Mobile Crisis Services (0-17) | 407-839-4357 |
| Wraparound Orange (16-21) | 407-836-7027 |
| Open Table (Young Adults) | 407-836-6547 |
| Juvenile Assessment Center | 407-836-8800 |
| **NEIGHBORHOODS** | |
| Preservation & Revitalization | 407-836-5606 |
| **PARENTING** | |
| B.E.T.A Center Inc. | 407-277-1942 |
| Bicycle helmet | 407-422-1416 |
| **PREGNANCY SERVICES** | |
| Healthy Start | 407-741-5240 |
| B.E.T.A. | 407-277-1942 |
| Shepherds Care | 407-277-1942 |
| Center for Women | 407-628-5433 |
| **SHELTER SERVICES** | |
| Coalition for the Homeless | 407-426-1256 |
| Rescue Mission Orlando | 407-321-8224 |
| Central Care Orlando | 407-299-6146 |
| Salvation Army | 407-423-8581 |
| **SOCIAL SERVICES** | |
| Department of Children &Families | 800-762-2237 |
| Family Resource Program | 407-836-6534 |
| Heart of Florida United Way | 407-835-0900 |
| Student financial aid | 407-433-3243 |
| Transitional housing | 352-360-6595 |
| Food stamps | 888-356-3281 |
| WIC Offices (central) | 407-858-1494 |
| US Immigration Service | 800-375-5283 |
| Catholic Charities Refugee Service | 888-658-2828 |
| **STUDENT FINANCIAL AID** | |
| Federal Student Aid | 800-433-3243 |
| **TRANSPORATION** | |
| Lynx bus & van | 407-841-2279 |
| **TUTORING/EDUCATION** | |
| Orange County Public Schools | 407-317-3340 |
| Adult Literacy League | 407-422-1540 |
| **UTILITIES** | |
| Low Income Energy Assistance | 407-836-7429 |
| Weatherization Assistance | 407-836-7422 |
| **VETERANS SERVICES** | |
| Orange County Veteran's Services | 407-836-8990 |

Revised 12/21/2016



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ORANGE COUNTY GOVERNMENT
HEAD START

# POLICY COUNCIL MEETING MINUTES (corrected)

1768 East Michigan Street
Orlando, FL 32806
December 15, 2016

Attended By:

| | | |
|---|---|---|
| Jeneka Lloyd | Past Parent | Chairperson |
| Cecilia Pierre | Aloma | Representative |
| Idalmis Echevarria | Bithlo | Secretary |
| Annakay McCrae | Callahan | Representative |
| America Cameron | Callahan | Alternate |
| Charmaine Jobson | East Orange | Vice-Chairperson |
| Natalia Garcia | Engelwood | Representative |
| Tameika Ward | Grand Avenue | Representative |
| Jessica Rosa | Grand Avenue | Alternate |
| Jacqueline Eugene | Hal P. Marston | Treasurer |
| Leah Ackerman | Orlando Tech | Alternate |
| Heather Chisholm-Wright | Pine Hills | Parliamentarian |
| Abigail Soriano | Southwood | Representative |
| Lauren Arce | Southwood | Alternate |
| Shearly Mirabal | Taft | Representative |
| Tania Garcia-Estrada | Ventura | Representative |
| Tonette Vance | WS / ELC | Representative |
| Victoria Siplin | Commissioner | BCC |
| Tina Wells | Aide | BCC |

Visitors:

| | |
|---|---|
| Kim Marlow | OCPS |
| AnnMarie Alvarado | CHS EHS |
| Dexter Nelson | Community Rep Nominee |
| Tene Polite | Southwood |

Staff:

| | | |
|---|---|---|
| Polly Bouler | Teacher Assistant | Hal Marston |
| Sandra Moore | Admin Assistant | Main Office |
| Pedro Berrios | Warehouse Tech | Warehouse |
| Danette Martin | Center Manager | WS/ELC |
| Milagros Font | Sr. Program Manager | Main Office |
| Shayla Brown | FSW | Pine Hills |
| Toinett Stenson | Center Manager | Callahan |
| Avis McWhite | Sr. Program Manager | Main Office |

Mercedes Grullon Center Manager John Bridges

Call to Order by: Jeneka Lloyd 6:42pm

Roll Call by: Idalmis Echevarria

Quorum Established: Jeneka Lloyd

Chairperson Jeneka Lloyd request motion to adopt agenda.
Motion: Cecilia Pierre, Aloma, Representative
Second: Shearly Mirabal, Taft, Representative
Status: The motion was carried with no objections

Speaker:
Kim Marlow OCPS Magnet Programs – There are currently 36 Magnet Programs in Orange County and there will be 38 by 2017-18 school year. November 1st Open Application thru February 15 (closes). Lottery/Randomized. Summer Wait list will open around May.

Chairperson Lloyd requested a motion to accept changes in minutes for November.
Motion: Heather Chisholm-Wright, Pines Hills, Representative/ Parliamentarian
Second: Charmaine Jobson, East Orange, Representative/Vice Chairperson
Status: The motion was carried with no objections

HR Report:

Avis McWhite, Sr. Program Manager is seeking approval to hire qualified applicants for the positions.

Chairperson Lloyd requested a motion to accept Avis McWhite recommendation for hire.

Motion: Shearly Mirabal, Taft, Representative
Second: Tonette Vance, Washington Shores ELC, Representative
Status: The motion was carried with no objections

Chairperson Lloyd requested a motion to approve the HR report and accept the recommendations for hire reported by Avis McWhite and to accept the recommendations for hire reported by Sonya Hill.

Motion: Jaqueline Eugene, Hal P. Marston, Treasurer
Second: Tonette Vance, WS/ELC, Representative
Status: The motion was carried with no objections

Status of Board of County Commissioners Vote Report: Helen Hill
Info/Updates: Sept. 2016, Policy Council Minutes Aug. 18, 2016
Info/Updates Oct. 2016, Policy Council Minutes Sept. 15, 2016

Head start Division Manager Report: Sonya Hill, Pg. 27

- 100% Compliance on Inventory
- Complete Phase 1 ADA Playgrounds @ Lila, Southwood, Taft, East Orange


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- OCHS was not selected for grant proposed at the last Policy Council meeting
- OCHS was featured in an article in the Orlando Sentinel

Commissioner Report:

Commissioner Victoria Siplin gave liaison report announced her Vice Mayor induction will be held on Tuesday, December 20, 2016 @ 2pm BCC Chambers.

Service Area Reports:

Milagros Font, reviewed meals report, medical dental reports, and disabilities reports announced opening bids for contract. Also mentioned ADA playgrounds.

Avis McWhite, reviewed child outcomes

Old Business:

A. Budget Training- Sandra Ruff

B. Attendance Recognition

C. Getting Ahead Update- Had Selection Hearing earlier today. Approved members will be announced shortly.

New Business:

a. Dexter Nelson was presented to the Policy Council to become a Community Representative

Chairperson Lloyd requested a motion to accept the Community Representative Dexter Nelson.

Motion: Jaqueline Eugene, Hal P. Marston,Treasurer
Second: Abagail Soriano, Southwood, Representative
Status: The motion was carried with no objections

b. Abriendo Puertas – Congratulations to 23 Graduates

c. Selection Criteria

Chairperson Lloyd requested a motion to accept the Eligibility Priority Selection Criteria for 2017-18.

Motion: Tonette Vance, WS ELC, Representative
Second: Cecilia Pierre, Aloma, Representative
Status: The motion was carried with no objections

d. Committee Meeting (tabled)

e. In-kind Solicitations- Must go through center manager

Public Comment:

Recognition: Dexter Nelson (Brief Statement by Mr. Nelson) of Mommy Moments.
Jeneka Lloyd- Brief commentary
Tonette Vance- Brief commentary

Chairperson Lloyd requested a motion to adjourn meeting
Motion: Dexter Nelson, Community Representative
Second: Tonette Vance, WS ELC, Representative

Adjourn: 8:24pm

Signature Jeneka Lloyd Date 2/17/17

**NEXT POLICY COUNCIL MEETING**
**JANUARY 19, 2017**
**GOV- Great Oaks Village Dining Hall**
**1768 E. MICHIGAN STREET**
**ORLANDO, FL 32806**
**6:30 pm**

Orange County Head Start

January 19, 2017

# Quality Assurance

INSIDE THIS ISSUE:


| | |
|---|---|
| Purpose | 1 |
| Monitoring & Evaluation Coordinator's Role | 1 |
| Ongoing Monitoring | 2 |
| Administrative Reports | 2 |
| Data Analysis | 2 |
| SOPs | 3 |


## The Purpose of Quality Assurance is to:

- Ensure the program is in full compliance with the Office of Head Start Performance Standards and other applicable rules & regulations
- Identify any health and safety concerns that may affect the quality of care provided to your children
- Provide information for management to make decisions about program impr and support continuc improvement

## Monitoring & Evaluation Coordinator's Role-

1. Ongoing Monitoring
   - Environmental Health & Safety Monitoring
   - Comprehensive File Monitoring
   - Internal Monitoring

   Suite Oversight
   - Facilities
2. Administrative Reports
   - Program Progress Monitoring
   - Self-Assessment
   - Annual Report
3. Data Analysis
   - PIR Monitoring
   - Training & Professional Development
   - ChildPlus Data Management

## Ongoing Monitoring Process

*Two unannounced monitoring reviews are conducted beginning the end of Sept.; One in the Fall and one in the Spring.*

Environmental Health and Safety Inspections take place at all 22 centers/84 classrooms. The QA Health & Safety Checklist is the monitoring instrument used to conduct the inspection.

During the monitoring of each center a comprehensive file review is completed. The number of files reviewed is based on 10% of the center's funded enrollment. The QA Comprehensive File Checklist is the monitoring instrument used to conduct the file review. Monitoring Results are shared with management and service area staff within 5 days after the monitoring is complete. Responsible staff have 20 days to complete a corrective action plan. A follow up site visit occurs to ensure corrective action plans have been implemented.

## Administrative Reports

Program progress monitoring occurs on a quarterly basis to measure the achievement of progress toward meeting yearly objectives and long term goals. Progress reports will be shared with staff, Policy Council, and the governing board to inform them of the program's progress.

Each year the program must conduct a Self-Assessment to identify progress on goals and objectives and determine if there are any areas of concern. Results of the Self-Assessment are shared in a report to staff, Policy Council, and the governing board and are used to develop a Program Improvement Plan.

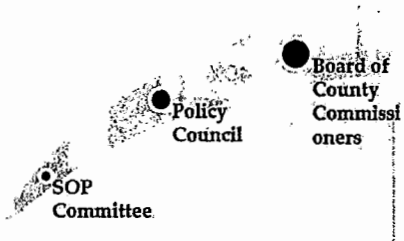
## Data Analysis

*Creating a culture that embraces data within our organization to ensure a successful transition from compliance to continuous quality improvement.*

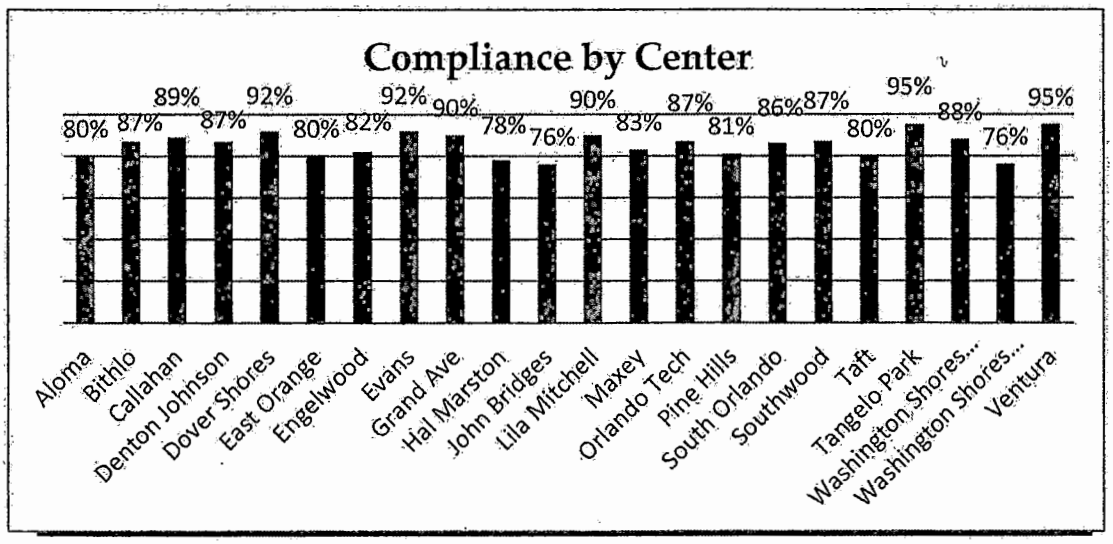
The Program Information Report (PIR) is monitored monthly using established performance benchmarks. The results of the monitoring are shared with management staff and responsible staff have 15 days to make corrections. The monitoring of the PIR ensures program performance outcomes are reported accurately and timely to the Office of Head Start.

# Standard Operating Procedures

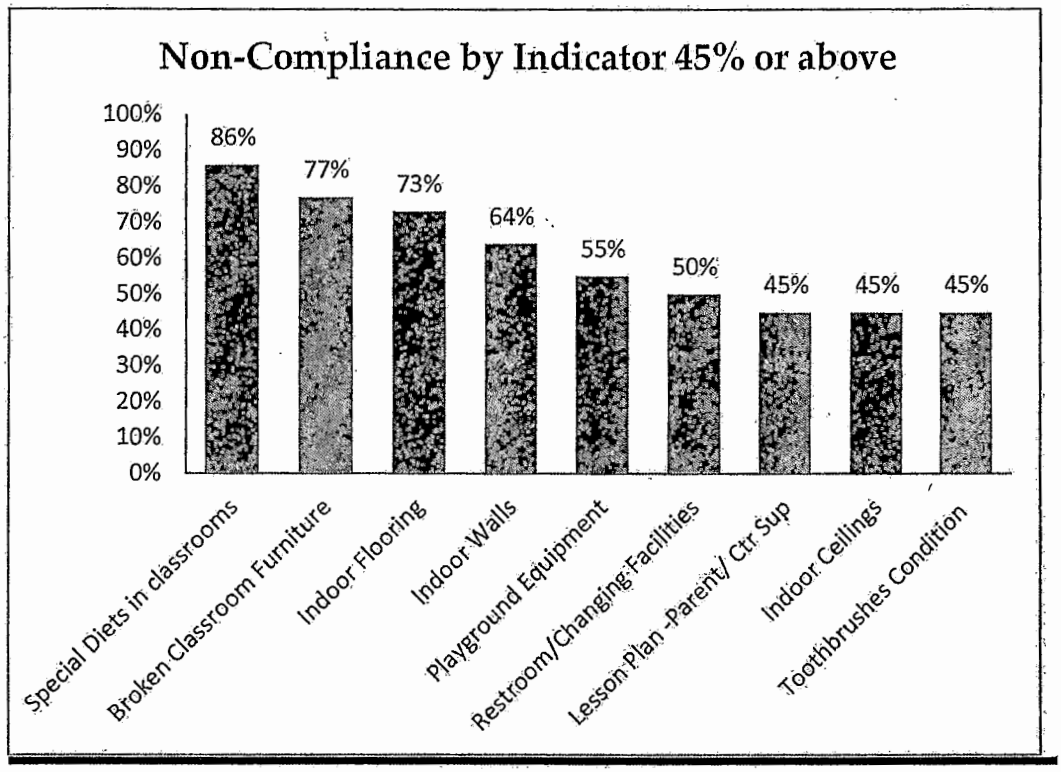
The Quality Assurance Unit assists the program in the establishment, review, and revision of policies and procedures by facilitating the SOP Committee. Meetings occur to ensure SOPs developed are in compliance with Head Start Program Performance Standards, Orange County Policies & Procedures, and other applicable laws and regulations. SOPs reviewed by the SOP Committee are submitted to the Policy Council and the governing board for review and final approval.




# Compliance Statistics



# Compliance Statistics




# Quality Assurance Contact Information

**Ashley Gay**
**Phone** 407-836-6540
**E-mail** Ashley.Gay@ocfl.net

**Shauna Kirby**
**Phone** 407-836-6553
**E-mail** Shauna.Kirby@ocfl.net

**Raquel Sapeg**
**Phone** 407-836-8951
**E-mail** Raquel.Sapeg@ocfl.net

**Our Office:**
**Orange County Head Start**
**2100 E. Michigan St.**
**2nd Floor**
**Orlando, FL 32806**

# POLICY COUNCIL COMMITTEES

## 2017

Executive Committee: Jeneka Lloyd, Charmaine Jobson, Jacqueline Eugene, Heather Chisholm-Wright, and Idalmis Echevarria

Concerns Committee: Simoane West, Emily Cortes, Yameli Roman

Personnel Committee: Jeneka Lloyd, Charmaine Jobson, Jacqueline Eugene, Heather Chisholm-Wright, and Idalmis Echevarria

Planning and Budget Committee: Lakeisha Tolbert, Blanca Vallejo, Cedric Reese

Advisory Committee: Tonette Vance, Darline Demosthene, Tiffany Thomas, Jazmyn Yon

Nominating Committee: Shearly Mirabal, Kegan Troutman, AnnaKay McCrae, America Cameron

Advocacy and Leadership Committee: Amanda Nunes, Leah Ackerman, Jennifer Molina, Bianca Santos

Standard Operating Procedures Committee: Lakeshia Singleton, Abigail Soriano, Lauren Arce, Courtney Sanders, Tramelaine Brown

Father/Male Engagement Committee: Malcolm Scarlett, Jason Marshall, Edwin Soto, Kegan Troutman, Wilthere Philistin, Cedric Reese

By-Laws Ad-Hoc Committee: Tameika Ward, Jessica Rosa, Celeste Coleman, Jenny Johnson

Special/Ad-Hoc Committee: Blanca Vallejo, Tiffany Thomas, Jazmyn Yon



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# ORANGE COUNTY GOVERNMENT
# HEAD START
# 2017 PARENT ACTIVITY FUND REQUEST

| Aloma | LOCATION | DATE | PRESENTER / TOPIC / ACTIVITY |
|---|---|---|---|
| #1 - Family Well Being | Aloma Head Start | 2/10/17 | CPR/First Aid<br>Maria Gonzalez<br>Food Choice: Publix |
| Bithlo | | | |
| #1 – Family As Learners | Bithlo Conference Room | TBA | CPR |
| #2 – Family Well Being | Bithlo Conference Room | TBA | Budget Workshop |
| Callahan | | | |
| #1 Family Well Being | Callahan | 3/1/16 | Alfreida Siplin A&D Financial Svcs |
| | | | |
| Denton Johnson | | | |
| #1 – Family Connections to Peers and Community | Audobon Center for Birds of Prey | Feb 2017 | Nature Walk |
| #2 Family Engagement | Denton Johnson | Feb 2017 | Game Night / Guest Speaker |
| Dover Shores | Location | | |
| #1 Family Well Being | Dover Shores Cafeteria | March 2017 | Health & Safety Presentation with First Aid Kit |
| #2 Family as Learners | Dover Shores Cafeteria | March 2017 | Nutrition Presentation with Kitchen Measuring Item |
| #3 Family as Learners | Dover Shores Cafeteria | March 2017 | Speech Therapy with Children/Books and or Flash Cards |
| East Orange | | | |
| #1 Positive Parent Child Relationship | East Orange | | Positive Discipline |
| #2 Family Engagement in Transitions | East Orange | | Transition to Kindergarten |
| Engelwood | | | |
| #1 – Family Well Being | Engelwood | March 8, 2017 | Omar Cardona, Luz Perez: How to Talk to Your Child About Difficult Things/Solutions |
| #2 – Family Well Being | Engelwood | March 14, 2017 | Maria Gonzalez. Head Start Nurse |
| Evans | | | |
| #1 – Family Well Being | Evans Cafeteria | March 8, 2017 | Hands on Homes In Partnership |
| #2 – Families As Learners | Evans Cafeteria | March 8, 2017 | Orlando Tech and Adult Literacy League |

| Grand Avenue | LOCATION | DATE | PRESENTER / TOPIC / ACTIVITY |
|---|---|---|---|
| #1 – Family Well Being | AMF Bowling Alley | April 2017 | |
| #2 – Family Well Being | Grand Avenue | April 2017 | Fitness Day |
| Hal Marston | | | |
| #1 - Family Well Being | Hal Marston | April 2017 | Family Photos |
| #2 – Family as Learners | Hal Marston | April 2017 | Spa Day |
| John Bridges | | | |
| #1 Positive Parent Child Relationship | John Bridges | March 22, 2017 | Dena Aremu, Lourdes Ramos |
| #2 Family as Learners | John Bridges | April 12, 2017 | Vidya Deonarine, Nieto Vilma – School Readiness |
| Lila Mitchell | | | |
| #1 – Family Well Being | Lila Mitchell | March 9, 2017 | Housing Workshop – Ramon Pleas |
| #2 – Family Well Being | Lila Mitchell | March 9, 2017 | Credit Counseling – Ramon Pleas |
| Maxey | | | |
| #1 – Family Connections to Peers & Community | Winter Garden Bowl | March 28, 2017 | Bowling Day |
| #2 Positive Parent Child Relationship | Maxey Community Center | March 28, 2017 | Arts & Crafts |
| Orlando Tech | | | |
| #1 – Family Well Being | Orlando Tech | February 1, 2017 | Jacqlin Raguain / Red Cross |
| | | | |
| Pine Hills | | | |
| #1 – Family as Learners | Pine Hills | March 15, 2017 | JuanMatos – First time home buyers to provide info and training |
| #2 – Family as Learners | Pine Hills | March 15, 2017 | Clear Point Credit Counseling – Credit Repair and financial goals |
| South Orlando YMCA | | | |
| #1 – Family Well Being | SOYMCA | March 21, 2017 | Maria Gonzalez - Head Start Nurse: First Aid Tips |
| | | | |
| Southwood | | | |
| #1 Family Well Being | Southwood Cafeteria | April 5, 2017 | Couponing workshop |
| #2 Family Well Being | Southwood Cafeteria | April 5, 2017 | Budgeting Workshop |
| Taft | | | |
| #1 – Family Well Being | Taft | February 2017 | On Line Course eCPRcertification.com |
| #2 – Families as lifelong educators | Taft | March 2017 | Ivelisse Alvarez – Med Kids Counseling |
| Tangelo Park | | | |
| #1 – Family Connections to Peers and Community | Tangelo | April 2017 | First Response Training Group |

| | | | |
|---|---|---|---|
| Ventura | LOCATION | DATE | PRESENTER / TOPIC / ACTIVITY |
| #1 Family Well Being | Ventura | TBD | Speech Therapy with children books & or flash cards |
| #2 Family Well Being | Ventura | TBD | Health & Safety Presentation with first Aid Kit |
| #3 Family Well Being | Ventura | TBD | Nutrition presentation with Kitchen Measuring items |
| Washington Shores ELC | | | |
| #1 – Family as Learners | WS/ELC | April 13, 2017 | Harry Bing – Remax Realty |
| Washington Shores @ the Hope | | | |
| #1 – Family Well Being | Dr. L Sylvester Hankins Park | March 15, 2017 | Field day and picnic |
| | | | |

CFHLA.org

# HOSPITALITY CAREER FAIR 2017

**TUESDAY JAN 31ST, 2017 10AM - 2PM**

**Orange County Convention Center**
**North Concourse - N220**

**Including On-Site Representatives From:**

*Bluegreen Corporation - The Fountains Resort*
*Caribe Royale Orlando*
*Diamond Resorts International*
*DoubleTree by Hilton Orlando at SeaWorld*
*Four Seasons Resort Orlando at Walt Disney World Resort*
*Hyatt Regency Grand Cypress*
*Hyatt Regency Orlando*
*Landform of Central Florida*
*Loews Hotels*
*Marriott Vacation Club*
*Omni Orlando Resort at ChampionsGate*
*Orange Lake Country Club, Inc.*
*Orlando World Center Marriott*
*Park Inn by Radisson Orlando - Celebration*
*Renaissance Orlando at SeaWorld*
*Reunion Resort & Club*
*Vistana Signature Experiences*
*staySky Hotel & Resorts*
*Towne Park*
*Villas of Grand Cypress*
*Walt Disney World Swan and Dolphin*
*Westin Orlando Lake Mary Orlando North*

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Questions? Please Contact: The Central Florida Hotel & Lodging Association
6675 Westwood Blvd. Suite 210 - Orlando, FL 32821
P: 407-313-5000 - F: 407-313-5050 - What's New? www.CFHLA.org


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# DRIVING DIRECTIONS AND PARKING INFORMATION

## CAREER FAIR: NORTH BUILDING

The North Concourse, located inside the OCCC's North Building (highlighted in red), faces Universal Boulevard. The street address for the North Concourse is 9400 Universal Boulevard, Orlando, FL 32819.

## LYNX BUS ROUTES

From the Airport, please use Lynx 42 Bus

From Downtown Orlando, please use Lynx 38 Bus

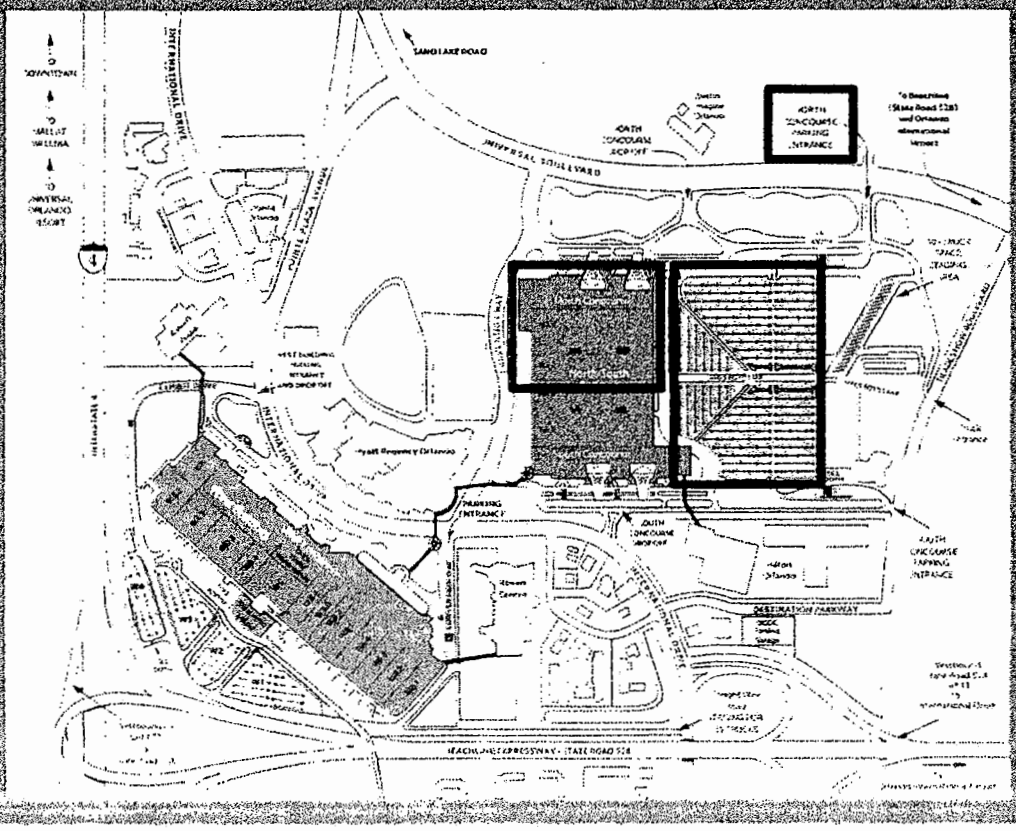
## PARKING (HIGHLIGHTED IN BLUE)

The parking lot for North and South Building / Concourse can be accessed by two entrances - Universal Blvd (North Side) or International Drive (South Side).

For more information relating to Convention Center Navigation - please visit:

**www.OCCC.net**

## PARKING IS COMPLIMENTARY FOR ALL CAREER FAIR ATTENDEES!



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# Been Arrested?

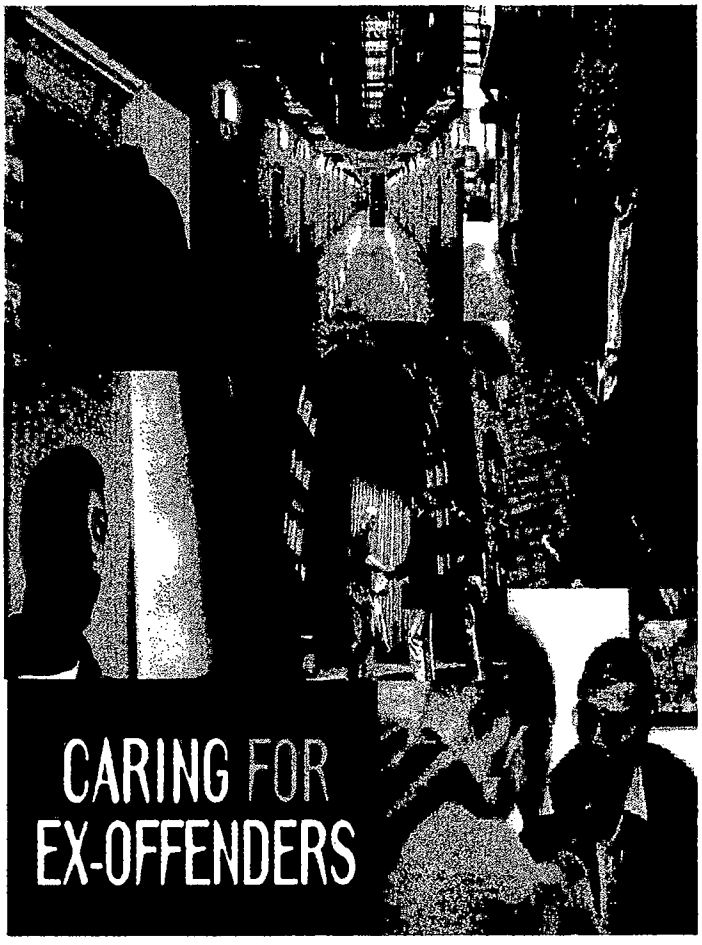
# Need Help?

## Call us; 407-219-7625

www.hishealinghand.com

reentry@hishealinghand.com

mail us at: PO Box 1854 Goldenrod, FL 32733




reintegrating individuals
into the community

CARING FOR EX-OFFENDERS
reintegrating individuals into the community

His Healing Hand Ministries and Final Freedom Aftercare provide a wide range of services here in Central Florida for ex-offenders, those currently on probation or parole, returning from a time in county, state, or federal correctional facilities or offenders to the Orange and Seminole County areas.

We serve those who need help with reentry and aftercare with the following services;

***Job Search help***

***Apprenticeship program info***

***Addiction and recovery program information and placement***

***Resume help***

***Training information for various trades***

***Career Planning and counseling***

***A list of companies that hire ex-offenders***

***Bonding information***

***Mentors and life coaches***

***Tax credit information***

***Our mobile phone number is***

**407-219-7625**

**Our Office locations**

***Goodwill Job Center East***

**On Mondays 9 to 1**

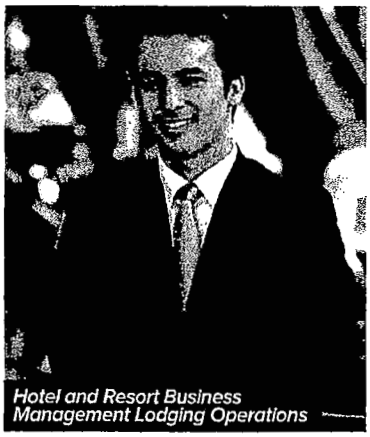
**3911 E. Colonial Dr. Orlando, FL 32803**

***Goodwill Job Center West***

**3200 West Colonial Orlando, FL 32808**

**On Thursdays 9 to 1**

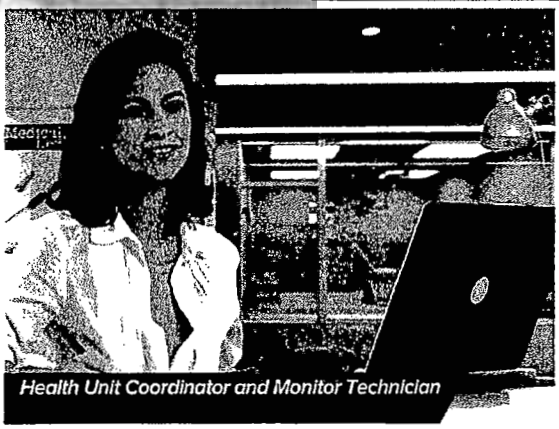
# Career Pathway Training


Hotel and Resort Business Management Lodging Operations

Patient Care Technician

Emergency Medical Technician

Automotive Service Advisor and Consultant


Health Unit Coordinator and Monitor Technician

Certified Nursing Assistant

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APOPKAYOUTHWORKS

# Career Exploration June 5-July 28, 2017

CareerSource CENTRAL FLORIDA

- Available to High School Juniors & Seniors in the Apopka area.
- Earn $8.50/hour
- AYW offers:
  - Mentoring
  - Occupational Skills Training,
  - Leadership Development,
  - Financial Education
  - Summer Employment

## Important Dates

- Feb 28th -Applications Due
- March 21st-Career Showcase
- April-AYW Orientation
- June 5-9th-Workplace Skills Training
- June 12- July 28th- Career Exploration

## Explore Careers

| | |
|---|---|
| Construction | Hospitality |
| Education | Manufacturing |
| Engineering | Retail |
| Food Service | Science |
| Healthcare | Technology |

www.apopkayouthworks.com

CONTACT: DR. SHAKENYA HARRIS-JACKSON P: 407-703-1819 E: SJACKSON@APOPKA.NET

Orange County Government

# HEAD START

Lonnie C. Bell Jr.
Director, Family Services

Sonya L. Hill
Head Start Division Manager

# POLICY COUNCIL

# PROGRAM

# INFORMATION & UPDATES

# FEBRUARY 2017

Orange County
Family Services Department
Head Start Division

# POLICY COUNCIL MONTHLY MEETING

Who: **Policy Council Members**

Date: **THURSDAY- FEBRUARY 16, 2017**

Time: **6:30 PM**

Location: **GOV DINING HALL**
**1718 E. Michigan Street**
**Orlando, FL 32806**

**Child Care Provided**

*Sandra Moore:*
*407-836-8913 (8am-5pm)*
*Email Sandra.moore2@ocfl.net*

**SEE YOU THERE!!!!!**



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# AGENDA

**Orange County Government ● Head Start Policy Council ● GOV Dining Hall**
**1718 E. Michigan Street ● Orlando, Florida 32806**

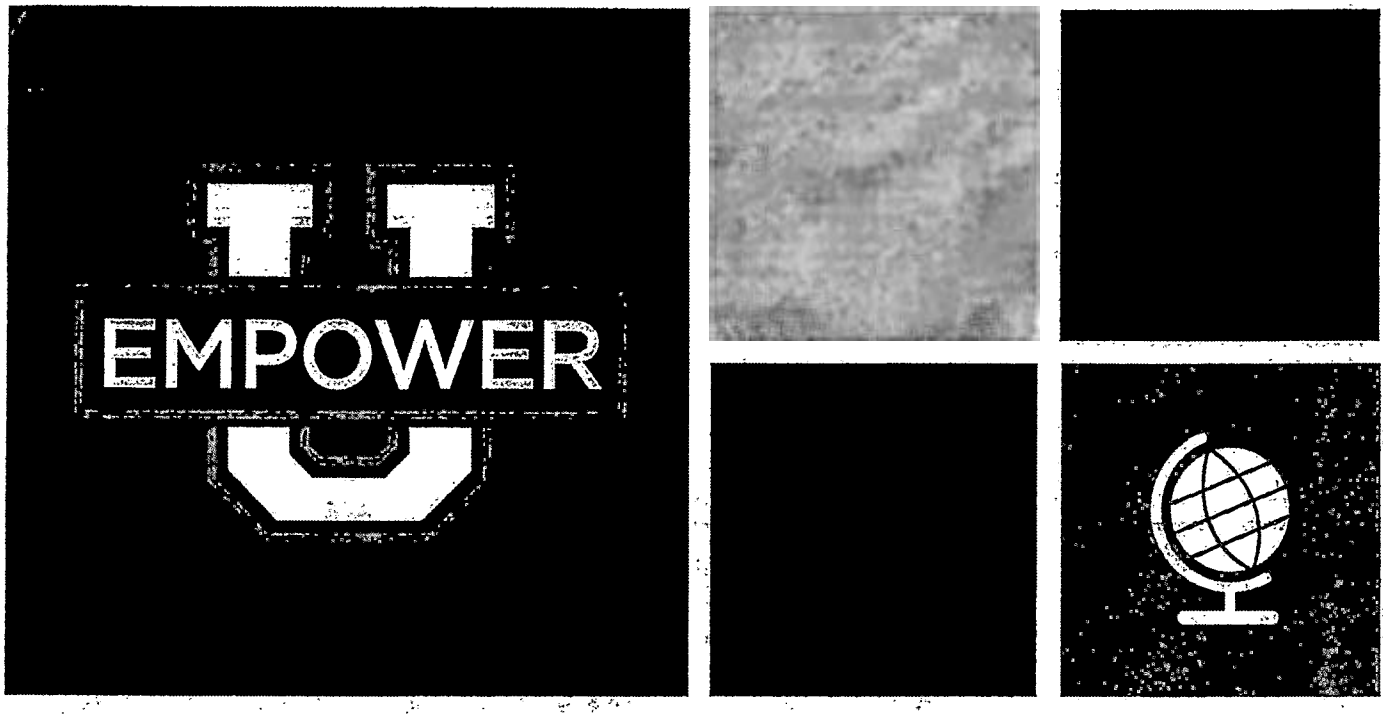
**February 16, 2017**
**MEETING STARTS AT 6:30 p.m.**

1. *Call to Order – Chairperson*
2. *Roll Call – Secretary*
3. *Adoption of Agenda*
4. *Speakers – Fifth/Third Bank, Orlando Fresse & Steve Martin*
5. *Secretary Report*
   a. *Review of January 19, 2017 Minutes*
   b. *Corrected minutes from December 15, 2016*
6. Human Resources Report
7. Budget Report
8. Status of Board of County Commissioners Vote- Helen Hill

   The Head Start Division requests filing of the program information updates and meeting minutes for the official county record:

   a. Head Start Policy Council Program Information and Updates November 2016
   b. Head Start Policy Council Special Call Meeting Minutes October 2016

9. Head Start Division Manager's Report – Sonya Hill, Head Start Division Manager
10. Commissioner/Commissioner's Liaison Report- Commissioner Victoria Siplin
11. Service Area Reports
12. Old Business
    a. Region IV Update
    b. FHSA Update
13. New Business
    a. Self-Assessment Schedule – Shauna Kirby
    b. School Readiness AP1 Update – Avis McWhite
    c. Parent Training Institute
    d. Fatherhood Breakfast
    e. Father Daughter Dance
14. Public Comment
15. Adjourn




# Financial Empowerment Program

## Course Overview

FIFTH THIRD BANK

For education purposes only.

# Empower U Modules

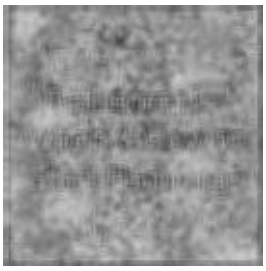
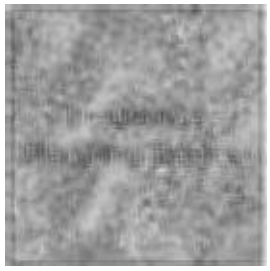
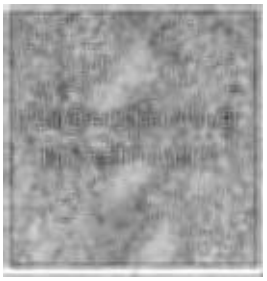
## FINANCIAL HEALTH

- Budgeting & Saving Money
- Boost Your Credit Score
- Strategies to Slash Your Debt
- Protecting Your Identity
- Basic Estate Planning[1]

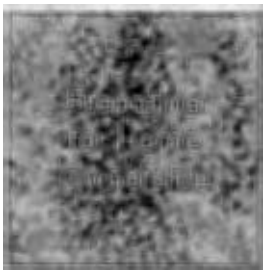
## FINANCIAL CHECKUP

- Financial Checkup 101

## INVESTMENT AND PLANNING

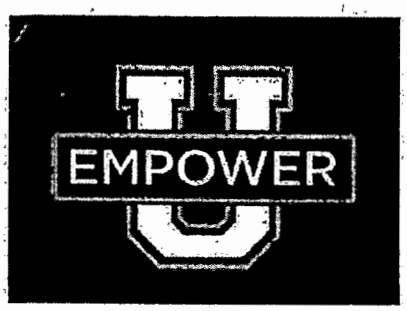
## HOME OWNERSHIP



## EDUCATION AND HEALTH SAVINGS

- Choosing the Right College Saving[1]
- Health Savings Accounts


For education purposes only.




# Course Descriptions

Each class is 30 minutes and has a specific topic. Classes do not need to be taken in any particular order, however, the more classes you take, the more financially fit you will become.

- **Financial Checkup 101**
  This class will give you a quick overview of all the various financial options/decisions you may face throughout your life. Saving, budgeting, identity protection, using credit wisely, homeownership, investing options, and saving for college will all be covered.

- **Budgeting & Saving Money**
  In this class, you will learn how to create a budgeting process that will work for you and get you on track to meet your own personal financial goals. You will learn how to save—no matter your income level, amount of debt or fear of the process.

- **Boost Your Credit Score**
  Credit can be your friend or enemy. You will learn what credit means, why it's important, how to clean up bad credit and how to establish good credit in this class.

- **Strategies to Slash Your Debt**
  Learn how to slash your debt with four different approaches, and learn the ways to help prevent yourself from getting into debt in the future.

- **Protecting Your Identity**
  Learn the very real threat of identity theft and how to protect yourself and your family against it.

- **Basic Estate Planning***
  Although a difficult topic to consider, this class will provide critical information you need to consider regarding your estate. Estate planning is one of the most important steps you can take to make sure that your final property and health care wishes are honored, and that your loved ones are provided for in your absence.

- **Retirement: When & How to Start Planning†**
  Retirement savings is an important consideration at every stage of your life—whether you are just embarking on a career, moving up the ladder or planning your retirement party. This class will provide an overview of important retirement considerations.

- **Insurance Planning Basics†**
  This class will focus on how to protect your family, your property and yourself in the event of an accident, illness, disability or death.

- **Understanding Investments†**
  Investments are an important part of accumulating wealth to increase your financial stability and save for your future. This class will give you an overview of how to go about investing and give you the tools necessary to begin the investing process.

- **Preparing for Home Ownership**
  According to Trulia, buying is cheaper than renting in all 100 of the largest metro areas. This class will provide you with an overview of the home buying process.

- **Home Equity & Refinancing**
  There are unique differences between refinancing and home equity loans. Learn these differences and discover what option is best for you.

- **Choosing the Right College Savings†**
  College costs have risen 80% over the last 10 years according to College Board, 2013. You will learn how much and how to save for your child's college education.

- **Health Savings Accounts**
  Consumer-directed healthcare can be very confusing for employees. This class will provide you with an overview of health savings accounts and the benefits of having one.

*Fifth Third Securities does not provide estate planning services. Please consult an estate-planning attorney before making any decisions or taking any action based on this information.

†Fifth Third Bank provides access to investments and investment services through various subsidiaries, including Fifth Third Securities. Fifth Third Securities is the trade name used by Fifth Third Securities, Inc., member FINRA/SIPC, a registered broker-dealer and a registered investment advisor registered with the U.S. Securities and Exchange Commission (SEC). Registration does not imply a certain level of skill or training. Securities and investments offered through Fifth Third Securities, Inc. and insurance products:

| | | |
|---|---|---|
| Are Not FDIC Insured | Offer No Bank Guarantee | May Lose Value |
| Are Not Insured By Any Federal Government Agency | | Are Not A Deposit |

Insurance products made available through Fifth Third Insurance Agency, Inc. Deposit and credit products provided by Fifth Third Bank. Member FDIC. ☖ Equal Housing Lender.

# Head Start Policy Council

**Human Resources Committee**

**January 2017 Actions**

## I. Pending Approval for hire

| Job Title | Candidate's Name |
|---|---|
| NONE | |

## II. Termination from employment (Involuntarily)

| Job Tile | Reason | Employee's Name |
|---|---|---|
| Teacher Assistant | Attendance | Touria Alami Chentoufi |
| Technician On Call | Temporary Assignment Complete | Shayanti Simon |
| Technician On Call | Temporary Assignment Complete | Wendy Troche |
| Technician On Call | Temporary Assignment Complete | Mason Barnes |

## III. Separation from employment (Voluntarily)

| Job Title | Reason | Employee's Name |
|---|---|---|
| Teacher Assistant | Family Reasons | Naishira Rivera Ortiz |
| Teacher Assistant | Personal Reasons | Sue Sweetland |

## IV. Current Head Start Openings – As of 02/09/17

| Job Title | Number of Positions | Potential Candidates in process for hire |
|---|---|---|
| Teacher Assistant | 18 | |
| Licensed Practical Nurse | 1 | |
| Center Supervisor | 1 | |

# Head Start Budget Summary January 2017

## *Head Start Budget Summary*

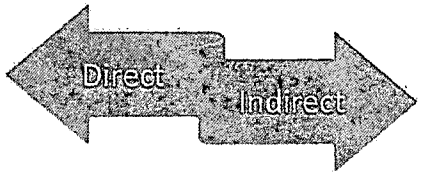
Below is a statement of financial activity (or a expense sheet). This summarizes all the financial spending over a period of time. In the example below, we are looking at spending on a monthly basis. This report gives the council an understanding of Orange County Head Start's financial health. The accompanying reports are the details in which the summary is created.

| Unit Name | Current Budget 2016-2017 | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | J | A | S | Encumbered | TOTAL Budget YTD | BALANCE | TOTAL YTD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 7522 - Education | $10,451,803.00 | $636,791.45 | $804,713.88 | $990,210.97 | $1,126,751.13 | | | | | | | | | $248,749.49 | $3,558,467.30 | $6,893,336.21 | 34.04% |
| 7525 - Training | $122,891.00 | $0.00 | $709.95 | $3,551.41 | $11,027.92 | | | | | | | | | $0.00 | $15,289.28 | $129,657.56 | 12.44% |
| 7526 - Disabilities | $623,106.00 | $21,817.73 | $4,373.05 | $35,708.38 | $29,987.05 | | | | | | | | | $106,548.00 | $91,886.21 | $168,447.16 | 14.74% |
| 7527 - Medical/LPN | $288,637.00 | $5,937.11 | $13,487.21 | $12,373.16 | $16,912.30 | | | | | | | | | $15,440.49 | $48,719.78 | $239,917.22 | 16.88% |
| 7521 - Department | $1,321,904.00 | $60,024.00 | $91,311.75 | $132,041.32 | $104,012.78 | | | | | | | | | $6,880.71 | $387,445.82 | $971,853.50 | 29.31% |
| 7528 - Family Svc Work | $1,388,962.00 | $51,554.09 | $110,823.76 | $108,289.62 | $105,259.95 | | | | | | | | | $0.00 | $375,926.73 | $1,013,134.30 | 27.06% |
| 7524 - USDA Services | $1,590,860.00 | $14,306.69 | $117,234.49 | $105,937.62 | $201,300.17 | | | | | | | | | $900,785.17 | $386,071.94 | $31,187.89 | 24.26% |
| 7523 - USDA Admin | $176,600.00 | $8,186.00 | $11,006.89 | $11,108.33 | $13,112.17 | | | | | | | | | $0.00 | $43,416.51 | $133,186.49 | 24.58% |

Building a Budget, Indirect and Direct Costs

A detailed budget, is consistent with program objectives and goals. This is required as part of the Head Start budget process. It is imporatnat to understand the types of costs that are allowable under the program award. A budget details the types of costs that are allowable under the program, the cost principles to which it will be subject, differences between direct and indirect costs, circumstances requiring establishment of an indirect cost rate or research patient care cost rate, and any requirement for matching or cost sharing.

A "direct cost" is any cost that can be specifically identified with a particular project, program, or activity. Direct costs include salaries, travel, equipment, and supplies that benefit the program directly. Indirect costs include facilities and administrative costs. Organizations use both costs. The essential difference between direct costs and indirect costs is that only direct costs can be traced to specific cost objects. A cost object is something for which a cost is compiled, such as a product, service, customer, project, or activity.



# 7522 Budget Planner

| | |
|---|---|
| 7522 BUDGET (Headstart Services) | $10,004,548.00 |
| ACTUAL SPENT | $3,310,953.07 |
| DIFFERENCE (over/under budget) | $6,693,594.93 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $5,560,633.00 | $1,882,977.57 | $3,677,655.43 |
| 1130 - Other Salaries & Wages | $75,900.00 | $30,549.41 | $45,350.59 |
| 1140 - Overtime | $10,000.00 | $2,499.74 | $7,500.26 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $5,646,533.00 | $1,916,026.72 | $3,730,506.28 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $499,559.00 | $140,217.97 | $359,341.03 |
| 2120 - Retirement Contribution | $503,600.00 | $143,189.90 | $360,410.10 |
| 2130 - Life and Insurance | $1,703,400.00 | $477,083.87 | $1,226,316.13 |
| 2131 - HAS Contribution | $29,500.00 | $104,750.00 | -$75,250.00 |
| 2200 - Payments to OPEB Trust | $105,672.00 | $0.00 | $105,672.00 |
| | | | $0.00 |
| Total | $2,841,731.00 | $865,241.74 | $1,976,489.26 |

OCPS

$86,321

Pull Contract

| 4000 - 4999 | | | |
|---|---|---|---|
| 4020 - Books, CDs, Videos & Subscripions | $20,000.00 | $1,246.35 | $18,753.65 |
| 4110 - Office Supplies | $25,000.00 | $1,473.46 | $23,526.54 |
| 4115 - Miscellaneous Operating Supplies | $75,000.00 | $597.85 | $74,402.15 |
| 4116 - Event Meal Reimbursements | $3,000.00 | $486.46 | $2,513.54 |
| 4120 - Software < $1000 | $12,609.00 | $1,246.00 | $11,363.00 |
| 4121 - Computer Equipment < $1000 | $54,580.00 | $0.00 | $54,580.00 |
| 4123 - Equipment < $1000 | $25,000.00 | $830.87 | $24,169.13 |
| 4135 - Food & Dietary | $282,788.00 | $27,322.46 | $255,465.54 |
| 4143 - Medical & Surgical | $0.00 | $0.00 | $0.00 |
| 4175 - Clothing & Wearing Apparel | $100.00 | $0.00 | $100.00 |
| 4195 - Misc Supplies or Expenses | $10,000.00 | $0.00 | $10,000.00 |
| 4412 - Promotional Expenses | $16,625.00 | $0.00 | $16,625.00 |
| 4418 - Educational Assist. Program | $10,000.00 | $3,100.00 | $6,900.00 |
| 4440 - Improvements to Non-County Assets | $5,784.00 | $0.00 | $5,784.00 |
| 4450 - Parent Activity Fund | $9,216.00 | $0.00 | $9,216.00 |
| 4452 - Field Trips - Head Start | $15,360.00 | $0.00 | $15,360.00 |
| 4482 - Self Insur. Prop/Casulty | $279,660.00 | $279,660.00 | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $844,722.00 | $315,963.45 | $528,758.55 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

# 7526 Budget Planner

| | |
|---|---|
| 7526 BUDGET (Disabilities) | $507,496.00 |
| ACTUAL SPENT | $91,628.21 |
| DIFFERENCE (over/under budget) | $415,867.79 |

| 1000 - 1999 | | | |
|---|---|---|---|
| | Budget | Actual | Difference |
| 1120 - Regular Salaries & Wages | $202,556.00 | $59,037.54 | $143,518.46 |
| 1130 - Other Salaries & Wages | $30,000.00 | $0.00 | $30,000.00 |
| 1140 - Overtime (Lourdes Ramos 10/22 -Eergency) | $0.00 | $139.50 | -$139.50 |
| | | | $0.00 |
| Total | $232,556.00 | $59,177.04 | $173,378.96 |

| 2000-2999 | | | |
|---|---|---|---|
| Object Code | Budget | Actual | Difference |
| 2110 - FICA Taxes | $15,494.00 | $4,170.04 | $11,323.96 |
| 2120 - Retirement Contribution | $15,232.00 | $4,450.19 | $10,781.81 |
| 2130 - Life and Insurance | $40,800.00 | $11,635.45 | $29,164.55 |
| 2131 - HAS. Contribution | $600.00 | $3,250.00 | -$2,650.00 |
| 2200 - Payments to OPEB Trust | $1,754.00 | $0.00 | $1,754.00 |
| | | | $0.00 |
| Total | $73,880.00 | $23,505.68 | $50,374.32 |

| 3000 - 3999 | | | |
|---|---|---|---|
| | | | |
| 3195 - Contract Services Medica | $57,000.00 | $3,228.00 | $53,772.00 |
| 3275 -** Medical Services | $120,000.00 | $0.00 | $120,000.00 |
| 3410 - Local Travel | $5,000.00 | $338.56 | $4,661.44 |
| 3530 | $50.00 | $5.45 | $44.55 |
| 3720 - Communications | $1,250.00 | $294.30 | $955.70 |
| | | | $0.00 |
| Total | $183,300.00 | $3,866.31 | $179,433.69 |

[redacted]

| 5000 - 5999 | | | |
|---|---|---|---|
| Object Code | Budget | Actual | Difference |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

[redacted]



227

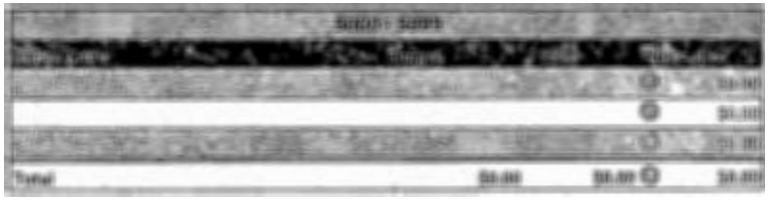
# 7527 Budget Planner

| | |
|---|---|
| 7527 BUDGET (Medical/Dental/LPN) | $288,537.00 |
| ACTUAL SPENT | $58,658.92 |
| DIFFERENCE (over/under budget) | $229,878.08 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $10,508.00 | $2,263.57 | $8,244.43 |
| 2120 - Retirement Contribution | $9,972.00 | $2,316.54 | $7,655.46 |
| 2130 - Life and Insurance | $40,800.00 | $5,624.56 | $35,175.44 |
| 2131 - HAS. Contribution | $400.00 | $1,250.00 | -$850.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $61,680.00 | $11,454.67 | $50,225.33 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3195 - Contract Services Medical | $17,500.00 | $10,000.00 | $7,500.00 |
| 3179 - Contract Service - Employmt. Agent | $10,000.00 | $1,533.75 | $8,466.25 |
| 3197 - Contract Svcs Not Oth Speicifed | $30,000.00 | $0.00 | $30,000.00 |
| 3410 - Local Travel | $4,000.00 | $215.91 | $3,784.09 |
| 3720 - Communications | $5,000.00 | $265.39 | $4,734.61 |
| 3530 | $100.00 | $11.91 | $88.09 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $66,600.00 | $12,026.96 | $54,573.04 |

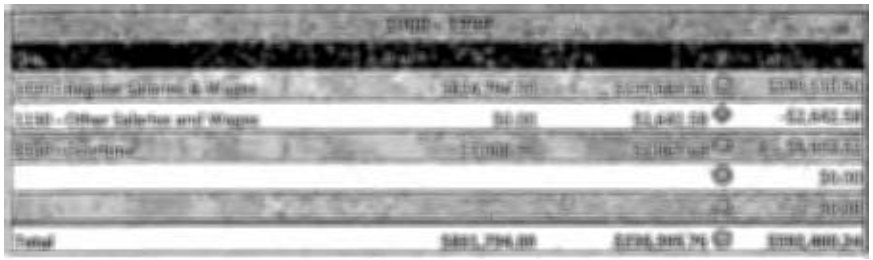
| 4000 - 4999 | | | |
|---|---|---|---|
| Object Code | Budget | Actual | Difference |
| 4110 - Office Supplies | $2,000.00 | $0.00 | $2,000.00 |
| 4115 - Miscellaneous Operating Supplies | $5,000.00 | $2,208.42 | $2,791.58 |
| 4121 - Computer Equipment < $1000 | $2,000.00 | $0.00 | $2,000.00 |
| 4123 - Equipment < $1000 | $2,000.00 | $120.99 | $1,879.01 |
| 4143 - Medical & Surgical | $10,000.00 | $2,043.04 | $7,956.96 |
| 4418 - Educational Assist. Program | $500.00 | $0.00 | $500.00 |
| 4450 - Parent Activity Fund | $500.00 | $0.00 | $500.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $22,000.00 | $4,372.45 | $17,627.55 |



228

# 7521 Budget Planner

| | |
|---|---|
| 7521 BUDGET (Headstart Admin) | $1,321,904.00 |
| ACTUAL SPENT | $344,418.76 |
| DIFFERENCE (over/under budget) | $977,485.24 |



Angel -

Sandra / Evette PC

| 2000-2999 | | | |
|---|---|---|---|
| | | | |
| 2110 - Fica Taxes | $63,093.00 | $17,578.25 | $45,514.75 |
| 2120 - Retirement Contribution | $62,025.00 | $18,338.82 | $43,686.18 |
| 2130 - Life & Health Insurance | $173,400.00 | $37,481.27 | $135,918.73 |
| 2131 - HAS Contribution | $1,800.00 | $6,000.00 | -$4,200.00 |
| 2200 - Payments to OPEB Trust | $7,892.00 | $0.00 | $7,892.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $308,210.00 | $79,398.34 | $228,811.66 |

| 3000 - 3999 | | | |
|---|---|---|---|
| | | | |
| 3125 - Indirect Costs | $103,329.00 | $0.00 | $103,329.00 |
| 3410 - Local Travel | $1,000.00 | $1,218.82 | -$218.82 |
| 3510 - Postage & Messenger Services | $2,000.00 | $0.00 | $2,000.00 |
| 3530 - Toll Charges | $150.00 | $62.30 | $87.70 |
| 3610 - Rental of Equipment | $5,600.00 | $948.92 | $4,651.08 |
| 3720 - Communications | $3,000.00 | $1,211.49 | $1,788.51 |
| 3820 - Maintenance of Equipment | $2,567.00 | $1,329.78 | $1,237.22 |
| 3910 - Graphic Reprod. Services | $8,800.00 | $63.65 | $8,736.35 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $126,446.00 | $4,834.96 | $121,611.04 |

Need to find out what

Revenue to date $30.17

| 4000 - 4999 | | | |
|---|---|---|---|
| | | | |
| 4010 - Dues and Memberships | $9,395.00 | $6,594.00 | $2,801.00 |
| 4110 - Office Supplies | $13,000.00 | $983.60 | $12,016.40 |
| 4115 - Miscellaneous Operaitng Supplies | $3,000.00 | $0.00 | $3,000.00 |
| 4120 - Software < 1000 | $1,500.00 | $0.00 | $1,500.00 |
| 4121 - Computer Equipment < $1000 | $1,020.00 | $173.35 | $846.65 |
| 4123 - Equipment < $1000 | $5,000.00 | $310.75 | $4,689.25 |
| 4112 Promotional Expenses | $5,000.00 | $0.00 | $5,000.00 |
| 4418 - Educational Assist. Program | $1,000.00 | $1,250.00 | -$250.00 |
| 4422 - Scholarships -Awards - Benefits | $559.00 | $0.00 | $559.00 |
| 4482 - Self Insur. Property/casualty | $11,480.00 | $11,480.00 | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $50,954.00 | $20,791.70 | $30,162.30 |

# 7528 Budget Planner

| | |
|---|---|
| 7528 BUDGET (Family Service Work) | $1,388,962.00 |
| ACTUAL SPENT | $375,927.68 |
| DIFFERENCE (over/under budget) | $1,013,034.32 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $933,988.00 | $267,736.81 | $666,251.19 |
| 1130 - Other Salaries & Wages | $10,000.00 | $0.00 | $10,000.00 |
| 1140 - Overtime | $5,000.00 | $1,015.25 | $3,984.75 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $948,988.00 | $268,752.06 | $680,235.94 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $71,450.00 | $19,386.76 | $52,063.24 |
| 2120 - Retirement Contribution | $67,808.00 | $19,777.35 | $48,030.65 |
| 2130 - Life and Insurance | $255,000.00 | $56,635.25 | $198,364.75 |
| 2131 - HAS. Contribution | $2,500.00 | $8,000.00 | -$5,500.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $396,758.00 | $103,799.36 | $292,958.64 |

| 3000 - 3999 | | | |
|---|---|---|---|
| 3410 - Local Travel | $5,000.00 | $596.40 | $4,403.60 |
| 3720 - Communications | $8,000.00 | $662.40 | $7,337.60 |
| 3530 - | $100.00 | $21.49 | $78.51 |
| | | | $0.00 |
| Total | $13,100.00 | $1,280.29 | $11,819.71 |

| 4000 - 4999 | | | |
|---|---|---|---|
| 4020 - Books, CDs, Videos & Subscripions | $2,000.00 | $0.00 | $2,000.00 |
| 4110 - Office Supplies | $7,000.00 | $1,985.98 | $5,014.02 |
| 4115 - Miscellaneous Operating Supplies | $2,000.00 | $0.00 | $2,000.00 |
| 4121 - Computer Equipment < $1000 | $2,000.00 | $0.00 | $2,000.00 |
| 4123 - Equipment < $1000 | $2,000.00 | $109.99 | $1,890.01 |
| 4412 - Promotional Expenses | $5,000.00 | $0.00 | $5,000.00 |
| 4418 - Educational Assist. Program | $1,000.00 | $0.00 | $1,000.00 |
| 4450 - Parent Activity Fund | $9,216.00 | $0.00 | $9,216.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $30,216.00 | $2,095.97 | $28,120.03 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

# 7524 Budget Planner

| | |
|---|---|
| 7524 BUDGET (USDA SERVICES) | $1,590,860.00 |
| ACTUAL SPENT | $426,807.92 |
| DIFFERENCE (over/under budget) | $1,164,052.08 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $161,794.00 | $47,386.14 | $114,407.86 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $161,794.00 | $47,386.14 | $114,407.86 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $12,570.00 | $3,409.55 | $9,160.45 |
| 2120 - Retirement Contribution | $12,355.00 | $33,563.45 | -$21,208.45 |
| 2130 - Life and Insurance | $81,600.00 | $17,666.78 | $63,933.22 |
| 2131 - HAS. Contribution | $1,000.00 | $3,500.00 | -$2,500.00 |
| 2200 - Payments to OPEB Trust | $3,536.00 | $0.00 | $3,536.00 |
| | | | $0.00 |
| Total | $111,061.00 | $58,139.78 | $52,921.22 |

Revenue to date $292,114.53

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

*4123- Shipping



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# 7523 Budget Planner

| | |
|---|---|
| 7523 BUDGET (USDA Admin) | $176,600.00 |
| ACTUAL SPENT | $43,413.51 |
| DIFFERENCE (over/under budget) | $133,186.49 |

| 1000 - 1999 | | | |
|---|---|---|---|
| 1120 - Regular Salaries & Wages | $114,615.00 | $32,034.19 | $82,580.81 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $114,615.00 | $32,034.19 | $82,580.81 |

| 2000-2999 | | | |
|---|---|---|---|
| 2110 - FICA Taxes | $8,767.00 | $2,367.69 | $6,399.31 |
| 2120 - Retirement Contribution | $8,619.00 | $2,409.03 | $6,209.97 |
| 2130 - Life and Insurance | $30,600.00 | $3,342.58 | $27,257.42 |
| 2131 - HAS. Contribution | $300.00 | $0.00 | $300.00 |
| 2200 - Payments to OPEB Trust | $1,326.00 | $0.00 | $1,326.00 |
| | | | $0.00 |
| Total | $49,612.00 | $8,119.30 | $41,492.70 |

| 5000 - 5999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |

| 6000 - 6999 | | | |
|---|---|---|---|
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $0.00 | $0.00 | $0.00 |



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# 7525 Budget Planner

| | |
|---|---|
| 7525 BUDGET (Training) | $288,537.00 |
| ACTUAL SPENT | $58,658.92 |
| DIFFERENCE (over/under budget) | $229,878.08 |

## 1000 - 1999

| | | | |
|---|---|---|---|
| | | | $106,552.16 |
| | | | $1,000.00 |
| Total | $0.00 | $0.00 | $107,552.16 |

## 2000-2999

| | | | |
|---|---|---|---|
| | $0.00 | $0.00 | #VALUE! |
| | | | #VALUE! |
| Total | $0.00 | $0.00 | #VALUE! |

## 3000 - 3999

| Object Code | Budget | Actual | Difference |
|---|---|---|---|
| 3185 - Contractural Service - Training | $11,070.00 | $0.00 | $11,070.00 |
| 3420- Out of County Travel | $17,700.00 | $3,844.28 | $13,855.72 |
| 3610 - Rental of Equipment | $1,000.00 | $3,844.28 | -$2,844.28 |
| 3620 - Leases -Bldgs & Stuructures | $2,000.00 | $0.00 | $2,000.00 |
| 3910 - Graphics Reprod.Services | $1,000.00 | $0.00 | $1,000.00 |
| 3197- Equip rental labor | $5,000.00 | $0.00 | $5,000.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $37,770.00 | $7,688.56 | $30,081.44 |

## 4000 - 4999

| Object Code | Budget | Actual | Difference |
|---|---|---|---|
| 4020 - Books, CDs, Videos & Subscriptions | $1,000.00 | $0.00 | $2,000.00 |
| 4030 - Training and Educational Costs | $63,550.00 | $4,720.00 | $2,791.58 |
| 4040 - License and Certification fees | $1,000.00 | $0.00 | $2,000.00 |
| 4110- Office Supplies (Excluding printing) | $2,771.00 | $0.00 | $1,879.01 |
| 4115 - Miscelaneous Operating Supplies | $2,000.00 | $0.00 | $7,956.96 |
| 4116 - Event Meal Reimbursments | $4,500.00 | | $500.00 |
| 4418 - Educational Assist. Program | $10,300.00 | $1,250.00 | $500.00 |
| | | | $0.00 |
| | | | $0.00 |
| | | | $0.00 |
| Total | $85,121.00 | $5,970.00 | $17,627.55 |

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| CH Full Name | Comp Supp Name | Item Total |
|---|---|---|
| DEONARINE, VIDYA D | REGION IV HEADSTART | $240.00 |
| DEONARINE, VIDYA D | KAPLAN EARLY LEARNING COM | $229.95 |
| FLORES, DAISY | SQ HORIZONS MEDICA | $116.00 |
| FLORES, DAISY | ULINE SHIP SUPPLIES | $422.40 |
| FLORES, DAISY | THE WEBSTAURANT STORE | $385.98 |
| FLORES, DAISY | RESTAURANT EQUIPMENT W | $61.40 |
| FLORES, DAISY | SQ HORIZONS MEDICA | $1,319.80 |
| FLORES, DAISY | QUANTUM DISTRIBUTORS | $1,496.27 |
| FORE, ANGELA M | SOUTHWES 5262476513708 | $983.60 |
| FORE, ANGELA M | PAYPAL PALS | $411.96 |
| FORE, ANGELA M | REGION IV HEADSTART | $240.00 |
| FORE, ANGELA M | SHERATON ATLANTA HOTEL | ($173.20) |
| FORE, ANGELA M | SDE INC | $405.00 |
| FORE, ANGELA M | SDE INC | $405.00 |
| FORE, ANGELA M | SDE INC | $405.00 |
| FORE, ANGELA M | HILTON SAN ANTONIO | $277.86 |
| FORE, ANGELA M | SHERATON ATLANTA HOTEL | $173.20 |
| FORE, ANGELA M | SHERATON ATLANTA HOTEL | $173.20 |
| FORE, ANGELA M | SHERATON ATLANTA HOTEL | $173.20 |
| FORE, ANGELA M | SHERATON ATLANTA HOTEL | $173.20 |
| JOHNSON, JUNE | OCBCC FIRE RESCUE SERV | $63.52 |
| JOHNSON, JUNE | OCBCC FIRE RESCUE SERV | $255.52 |
| JOHNSON, JUNE | OCBCC FIRE RESCUE SERV | $247.24 |
| JOHNSON, JUNE | OCBCC FIRE RESCUE SERV | $487.04 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $11.98 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $17.97 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $17.97 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $41.93 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $17.97 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $25.04 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $21.15 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $50.08 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $31.30 |
| JOHNSON, JUNE | ULINE SHIP SUPPLIES | $349.05 |
| JOHNSON, JUNE | COUNCIL FOR PROFESSIONAL | $425.00 |
| JOHNSON, JUNE | OFFICE DEPOT | $615.46 |
| JOHNSON, JUNE | OFFICE DEPOT | $7.28 |
| JOHNSON, JUNE | OFFICE DEPOT | $103.96 |
| JOHNSON, JUNE | OFFICE DEPOT | $33.67 |
| JOHNSON, JUNE | OFFICE DEPOT | $657.11 |
| JOHNSON, JUNE | OFFICE DEPOT | $13.98 |
| JOHNSON, JUNE | OFFICE DEPOT | $20.97 |
| JOHNSON, JUNE | OFFICE DEPOT | $97.32 |
| JOHNSON, JUNE | OFFICE DEPOT | $317.98 |
| JOHNSON, JUNE | OFFICE DEPOT | $6.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $261.31 |
| JOHNSON, JUNE | OFFICE DEPOT | $5.59 |
| JOHNSON, JUNE | OFFICE DEPOT | $128.27 |
| JOHNSON, JUNE | OFFICE DEPOT | $183.93 |
| JOHNSON, JUNE | OFFICE DEPOT | $4.49 |



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| | | |
|---|---|---|
| JOHNSON, JUNE | OFFICE DEPOT | $212.55 |
| JOHNSON, JUNE | OFFICE DEPOT | $10.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $283.16 |
| JOHNSON, JUNE | OFFICE DEPOT | $36.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $159.56 |
| JOHNSON, JUNE | OFFICE DEPOT | $23.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $7.98 |
| JOHNSON, JUNE | OFFICE DEPOT | $91.98 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $4.39 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $8.98 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $8.78 |
| JOHNSON, JUNE | READYREFRESH BY NESTLE | $10.87 |
| JOHNSON, JUNE | PUBLIX #436 | $205.13 |
| JOHNSON, JUNE | CDW GOVERNMENT | $532.68 |
| JOHNSON, JUNE | OFFICE DEPOT | $299.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $24.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $99.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $9.49 |
| JOHNSON, JUNE | OFFICE DEPOT | $87.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $299.99 |
| JOHNSON, JUNE | OFFICE DEPOT | $99.99 |
| MOORE, SANDRA | OFFICE DEPOT | $543.13 |
| MOORE, SANDRA | OFFICE DEPOT | $155.45 |
| MOORE, SANDRA | OFFICE DEPOT | $95.56 |
| MOORE, SANDRA | WAL-MART #3162 | $81.90 |
| MOORE, SANDRA | OFFICE DEPOT | $519.80 |
| MOORE, SANDRA | OFFICE DEPOT | $244.42 |
| MOORE, SANDRA | WAL-MART #3162 | $95.03 |
| MOORE, SANDRA | OFFICE DEPOT | $197.98 |
| MOORE, SANDRA | OFFICE DEPOT | $67.40 |
| MOORE, SANDRA | OFFICE DEPOT | $181.42 |
| MOORE, SANDRA | OFFICE DEPOT | $252.00 |
| MOORE, SANDRA | OFFICE DEPOT | $101.96 |
| MOORE, SANDRA | WM SUPERCENTER | $43.94 |
| MOORE, SANDRA | OFFICE DEPOT | $11.49 |
| MOORE, SANDRA | OFFICE DEPOT | $299.98 |
| MOORE, SANDRA | CDW GOVERNMENT | ($60.00) |
| MOORE, SANDRA | WAL-MART #3162 | $44.54 |
| MOORE, SANDRA | WM SUPERCENTER | $43.92 |
| ORLEMAN, EILEEN | PUBLIX #436 | $28.95 |
| ORLEMAN, EILEEN | TEACHSTONE | $200.00 |
| ORLEMAN, EILEEN | TEACHSTONE | $100.00 |
| ROUSH, TRACY L | SQ NADINI ENTERPRI | $28.00 |
| SHEIKH, SHAMIN | WAL-MART #0890 | $7.57 |
| SHEIKH, SHAMIN | GFS STORE #1971 | $248.18 |
| SHEIKH, SHAMIN | APNA BAZAAR | $15.98 |
| SHEIKH, SHAMIN | GFS STORE #1927 | $185.35 |
| SHEIKH, SHAMIN | PUBLIX #1387 | $4.29 |
| SHEIKH, SHAMIN | WAL-MART #0890 | $76.07 |
| SHEIKH, SHAMIN | WM SUPERCENTER | $4.97 |
| SHEIKH, SHAMIN | WAL-MART #0890 | $8.90 |



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| | | |
|---|---|---|
| SHEIKH, SHAMIN | WM SUPERCENTER | $9.84 |
| SHEIKH, SHAMIN | BRAVO OAK RIDGE | $193.12 |
| SHEIKH, SHAMIN | WAL-MART #0942 | $66.56 |
| SHEIKH, SHAMIN | PUBLIX #1387 | ($5.92) |
| SHEIKH, SHAMIN | PUBLIX #1387 | $47.90 |
| SHEIKH, SHAMIN | PUBLIX #1122 | $37.50 |
| SHEIKH, SHAMIN | APNA BAZAAR | $47.94 |
| SHEIKH, SHAMIN | WM SUPERCENTER | $98.90 |
| SHEIKH, SHAMIN | WM SUPERCENTER | $91.11 |
| SMITH, KERRY-ANN | PUBLIX #436 | $157.66 |
| SMITH, KERRY-ANN | PUBLIX #692 | $55.40 |
| SMITH, KERRY-ANN | PUBLIX #436 | $207.26 |
| SMITH, KERRY-ANN | PUBLIX #436 | $23.06 |
| SMITH, KERRY-ANN | PUBLIX #436 | $32.04 |
| SMITH, KERRY-ANN | PUBLIX #761 | $44.76 |
| SMITH, KERRY-ANN | WAL-MART #3162 | $116.26 |
| SMITH, KERRY-ANN | PUBLIX #761 | $43.54 |
| SMITH, KERRY-ANN | WALGREENS #6505 | $25.98 |
| SMITH, KERRY-ANN | PUBLIX #761 | $101.19 |
| SMITH, KERRY-ANN | PUBLIX #331 | $209.46 |
| SMITH, KERRY-ANN | WAL-MART #4588 | $61.22 |
| SMITH, KERRY-ANN | PUBLIX #1174 | $152.31 |
| SMITH, KERRY-ANN | PUBLIX #761 | $56.82 |
| SMITH, KERRY-ANN | WM SUPERCENTER | $46.38 |
| SMITH, KERRY-ANN | WM SUPERCENTER | $36.24 |
| SMITH, KERRY-ANN | PUBLIX #692 | $26.94 |

02/01/2017 PAGE: 1
ORANGE COUNTY
Department 062
FY 2017 Monthly Expense Report
For the selected Department and Unit, by Object and Appropriation

Through 02/01/2017

FUND: 8299 DEPT: 062 UNIT: 7538

| | OBJECT | APPR | OBJECT NAME | CURRENT BUDGET | OCT | NOV | DEC | JAN | PRE-ENCUM. AMOUNT | ENCUM. AMOUNT | TOTAL YTD | BALANCE | % BUDGET USED YTD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | 1120 | 7EA | REGULAR SALARIES and WAGES | $ 696,350.00 | $ - | $ - | $ 79,360.49 | $ 38,664.63 | $ - | $ - | $ 118,025.12 | $ 578,324.88 | 16.95 |
| | 2110 | 7EA | FICA TAXES | $ 53,673.00 | $ - | $ - | $ 5,782.96 | $ 2,812.91 | $ - | $ - | $ 8,595.87 | $ 45,077.13 | 16.02 |
| | 2120 | 7EA | RETIREMENT CONTRIBUTION | $ 52,295.00 | $ - | $ - | $ 6,038.87 | $ 2,944.16 | $ - | $ - | $ 8,983.03 | $ 43,311.97 | 17.18 |
| | 2130 | 7EA | LIFE and HEALTH INSURANCE | $ 172,857.00 | $ - | $ - | $ 19,330.20 | $ 9,701.13 | $ - | $ - | $ 29,031.33 | $ 143,825.67 | 16.79 |
| OBJECT CATEGORY 1 | | | | $ 975,175.00 | $- | $- | $110,512.52 | $54,122.83 | $ - | $ - | $164,635.35 | $810,539.65 | 16.88 |
| 2 | 3125 | 7EB | INDIRECT COSTS | $ 42,498.00 | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ 42,498.00 | .00 |
| | 3185 | 7EC | CONTRACT SVC-TRAINING | $ 1,500.00 | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ 1,500.00 | .00 |
| | 4020 | 7EC | BOOKS, COMPACT DISKS, VIDEOS, AND SUBSCRIPTIONS | $ 476.00 | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ 476.00 | .00 |
| | 4110 | 7EC | OFFICE SUPPLIES (NOT INCLUDING PRINTING) | $ 6,000.00 | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ 6,000.00 | .00 |
| | 4115 | 7EC | MISCELLANEOUS OPERATING SUPPLIES | $ 7,880.00 | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ 7,880.00 | .00 |
| | 4123 | 7EC | EQUIPMENT LESS THAN $1000 | $ 5,000.00 | $ - | $ - | $ - | $ - | $ - | $ - | $ - | $ 5,000.00 | .00 |
| | 4482 | 7EA | SELF INS-PROP CASUALTY | $ 162.00 | $ - | $ - | $ - | $ 1,092.00 | $ - | $ - | $ 1,092.00 | $ (930.00) | 674.07 |
| OBJECT CATEGORY 2 | | | | $ 63,516.00 | $- | $- | $ - | $ 1,092.00 | $ - | $ - | $ 1,092.00 | $ 62,424.00 | 1.72 |
| *TOTAL UNIT_CD 7538 | | | | $1,038,691.00 | $- | $- | $110,512.52 | $55,214.83 | $ - | $ - | $165,727.35 | $872,963.65 | 15.96 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| TOTAL | | | | $1,038,691.00 | $- | $- | $110,512.52 | $55,214.83 | $ - | $ - | $165,727.35 | $872,963.65 | 15.96 |

# *Monthly Report to Head Start Policy Council*

| **Nutrition: JANUARY 2017** | | |
|---|---|---|
| **Number of meals reimbursed by USDA** | **BREAKFAST** | 24,749 |
| **Number of meals reimbursed by USDA** | **LUNCH** | 25,545 |
| **Number of meals reimbursed by USDA** | **SNACK** | 20,841 |
| **Number of meals reimbursed by USDA** | **TOTALS** | 71,135 |
| Number of meals disallowed for reimbursement | | 0 |
| Number of children evaluated for nutritional concerns | | 13 |
| Number of children receiving nutritional education and further care | | 39 |
| Number of monitoring visits to ensure compliance with USDA Regulations | | 6 |
| Number of monitoring visits requiring a corrective action plan | | 0 |
| Number of nutritional activities conducted: "English Muffin Snowman" | | 84 |
| | | |
| | | |
| | | |
| | | |



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# MEDICAL/DENTAL MONTHLY REPORT

## January 2017

Eighty-three (83) new health status evaluations were performed during the month of January 2017.

One hundred ten (110) immunization records were evaluated for compliance during the month of January 2017.

Twenty-four (24) blood test results were reviewed during the month of January 2017.

One hundred five (105) dental exams were reviewed during the month of January 2017. Out of these, forty-three (43) children were diagnosed as needing dental treatment.

Forty-nine (49) parent contacts were initiated regarding health concerns in children during the month of January 2017.

Ten (10) health action plans were developed and discussed with Head Start staff and parents during the month of January 2017.

Nine (9) Physician Medication Order were received, evaluated, and reviewed with staff. Medication information and administration technique training was provided as needed.

Nine (9) trainings were provided to staff.

Six (6) children completed Blood Pressure and Vision screenings.

Fifteen (15) children were evaluated for health concerns.

Thirty-one (31) center visits were performed to address health issues, observations, and monitoring.

# DISABILITIES/MENTAL HEALTH REPORT

## JANUARY 2017

A total of one hundred eighty-two (182) children have been enrolled in Head Start with a diagnosed disability from the Local Education Agency (OCPS) since school started last August 2016.

A total of forty-three (43) children have been enrolled in Head Start with a diagnosed disability by contracted providers since school started last August 2016.

A total sixty-seven (67) children were evaluated by OCPS/Preschool Diagnostic Intervention Services for disability eligibility since school started last August 2016.

One hundred eighty-four (184) children were referred to OCHS contracted provider, Kinder Konsulting & Parents Too, Inc. since school started last August 2016.

One hundred twenty-three (123) children were receiving mental health services for behavior issues since school started last August 2016. In addition, there were one hundred-five (105) behavior plans developed for enrolled children.

One thousand seven hundred and nineteen (1,719) hearing screenings were completed since school started last August 2016.

One thousand three hundred and nine (1,309) new children completed the screenings for Speech/Language, Socio-emotional, and Developmental.

Fifty-one (51) visits to centers were completed for the month of January 2017 to centers to: provide technical assistance to staff, conduct observations, conduct health screenings, and complete monitoring visits.

Note: Report from 4 Disabilities/Mental Health Coordinators



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Orange County Head Start

# Parent Family and Community Engagement 2016-2017

***Monthly Report: January 2016***

- One thousand five hundred fifty one (1,551) children were enrolled in the Head Start Program for the month of January 2016.
- Two hundred nineteen (219) children are on the Waiting List 2016-2017.
- Twelve (12) Attendance home visits
- Two (2) families received Crisis/Emergency Assistance.
- Fourteen (14) parents received Educational Services.
- Four hundred thirty three (433) Health Services Follow ups were done by Community Service Worker.
- Fifty One (51) families were referred for family services.
- Two hundred thirty nine (239) were provided families services
- Twenty two (22) Parent Meetings were held this month. Three hundred sixty two (362) parents attended parents meetings. Fifty six (56) males attended.
- Six (6) Fatherhood Activities was held this month. Forty nine (49) fathers attended fatherhood initiatives.
- Nineteen (19) Parents Trainings were held this month. One hundred fifty nine (159) parents attended Parents Trainings.

**Trainings:**

- Financial Workshop (Budgeting, Credit Counseling Economical Shopping)
- Child Sexual Abuse
- Positive Parenting Child Relationship



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# ORANGE COUNTY HEAD START 2016-2017

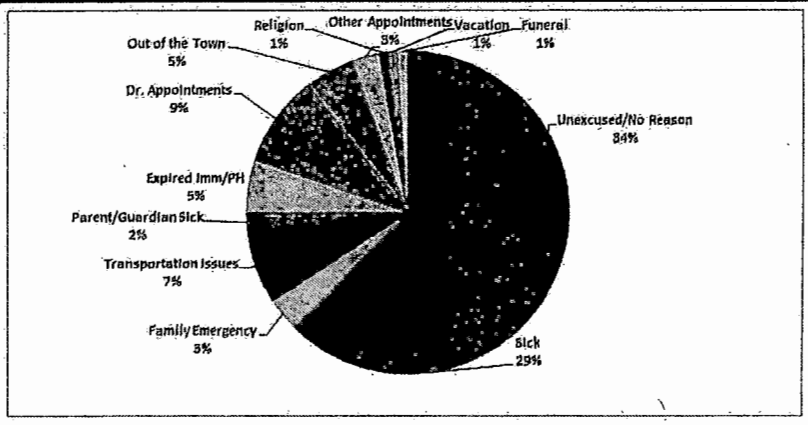
PARENT, FAMILY AND COMMUNITY ENGAGEMENT

ERSEA REPORT MONTH: January YEAR: 2017

| Sites | Funded Enrollment | Monthly Enrollment | 10% IEP | Drops YTD | Waiting List | New Applications | Monthly Attendance |
|---|---|---|---|---|---|---|---|
| Aloma | 34 | 34 | 3 | 2 | 18 | 0 | 91% |
| Bithlo | 30 | 30 | 3 | 3 | 5 | 1 | 93% |
| Callahan | 45 | 45 | 2 | 3 | 6 | 0 | 92% |
| Denton Johnson | 35 | 35 | 4 | 6 | 12 | 0 | 86% |
| Dover Shores | 34 | 34 | 4 | 3 | 4 | 0 | 87% |
| East Orange | 160 | 160 | 25 | 19 | 4 | 3 | 88% |
| Engelwood | 60 | 60 | 12 | 8 | 10 | 0 | 90% |
| Evans | 13 | 13 | 0 | 2 | 4 | 0 | 90% |
| Grand Avenue | 34 | 34 | 7 | 4 | 7 | 0 | 90% |
| Hal P Marston | 120 | 120 | 7 | 21 | 9 | 1 | 87% |
| John Bridges | 120 | 120 | 14 | 12 | 20 | 0 | 89% |
| Lila Mitchell | 83 | 83 | 11 | 11 | 10 | 0 | 92% |
| Maxey | 60 | 60 | 7 | 11 | 1 | 2 | 89% |
| Orlando Tech | 14 | 14 | 1 | 2 | 2 | 0 | 97% |
| Pine Hills | 189 | 189 | 14 | 17 | 25 | 0 | 91% |
| SO YMCA | 60 | 60 | 8 | 4 | 10 | 2 | 90% |
| Southwood | 120 | 120 | 21 | 9 | 23 | 0 | 92% |
| Taft | 120 | 120 | 17 | 10 | 9 | 3 | 85% |
| Tangelo | 15 | 15 | 1 | 3 | 1 | 0 | 82% |
| Ventura | 17 | 17 | 3 | 4 | 10 | 0 | 91% |
| WS ELC | 68 | 68 | 12 | 8 | 18 | 1 | 89% |
| WS Hope | 105 | 105 | 7 | 5 | 19 | 0 | 90% |
| **OCHS Total** | 1536 | 1536 | 12% | 167 | 227 | 16 | 90% |

## Attendance Reasons

| | |
|---|---|
| Unexcused | 963 |
| Sick | 828 |
| Family Emergency | 99 |
| Transportation Issues | 215 |
| Parent/Guardian Sick | 49 |
| Expired Immunizations/PH | 154 |
| Dr. Appointments | 263 |
| Out of the Town | 145 |
| Other Appointments | 79 |
| Religion | 24 |
| Vacation | 28 |
| Funeral | 27 |
| **Total** | 2874 |



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## Recruitment Efforts

| Site | #Recruitment Efforts | Summary |
|---|---|---|
| Aloma | | |
| Bithlo | 3 | Hispanic Chamber of Commerce Metro Orlando, Kindred hospice Orlando, Family Ties Ministries |
| Callahan | 3 | Howard Vernon Motel, Host Inn, Ambassador Hotel |
| Denton Johnson | | |
| Dover Shores | | |
| East Orange | 7 | Bonneville Elementary School, Alafaya Palms Apartments, Castle Creek Elementary School, Camelot Elementary School, Orange Technical College Avalon, Timber Laker Elementary, Cricket Club Apartments |
| Engelwood | 1 | Liberty National |
| Evans | | |
| Grand Avenue | | |
| Hal P Marston | 3 | Family Dollar, Orlando Nails, Best Western Orlando West, |
| John Bridges | 1 | Sheeler High School, |
| Lila Mitchell | 3 | FL Department of Health, Washington Park Branch, Ivey on the Lake |
| Maxey | 3 | City of Winter Garden Martin Luther King Parade, County Gardens Apartments, Westside Park Apartments |
| Orlando Tech | | |
| Pine Hill's | 6 | Family Practices Pediatric, All Wigs, Hues Tailor and Alterations, Liberty Tax, Fresenius Medical Care, DC4 Barber Shop |
| South Orlando YMCA | 3 | Oak Ridge High School, SO YMCA, Papa Johns |
| Southwood | | |
| Taft | | |
| Tangelo | | |
| Ventura | | |
| Washington Shores ELC | | |
| Washington Shores Hope | | |



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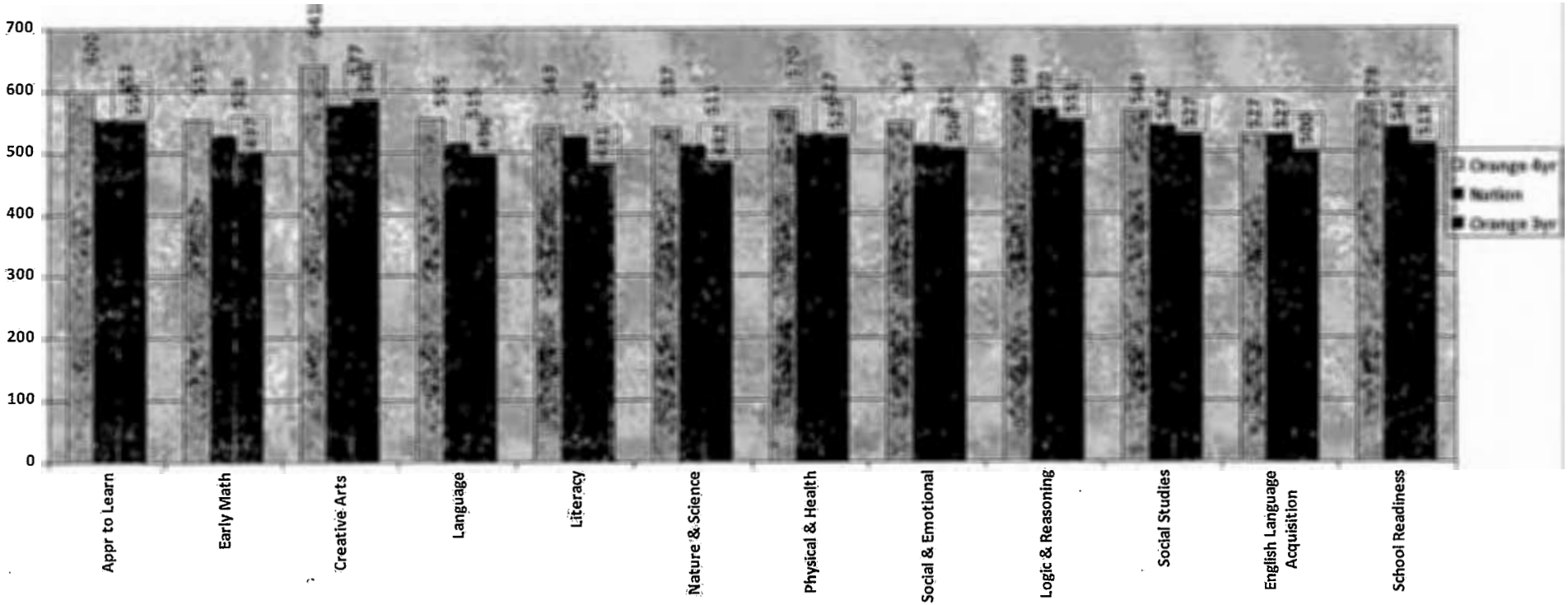
Orange County
Head Start
Education Service Area
Child Outcomes
August 15, 2016-February 3, 2017
4 year olds, Nation, and 3 year olds





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**Interoffice Memorandum**

ORANGE COUNTY GOVERNMENT FLORIDA

**AGENDA ITEM**

December 5, 2016

TO: Mayor Teresa Jacobs
and
Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director
Family Services Department

FROM: Sonya L. Hill, Manager
Head Start Division
**Contact: Khadija Pirzadeh, (407) 836-8912**
**Sonya Hill, (407) 836-7409**

SUBJECT: Filing of Head Start Policy Council Program Information and Updates for the Official County Record
**CONSENT AGENDA ITEM January 10, 2017**

The Head Start Division requests filing of the program information and updates and meeting minutes for the official county record:

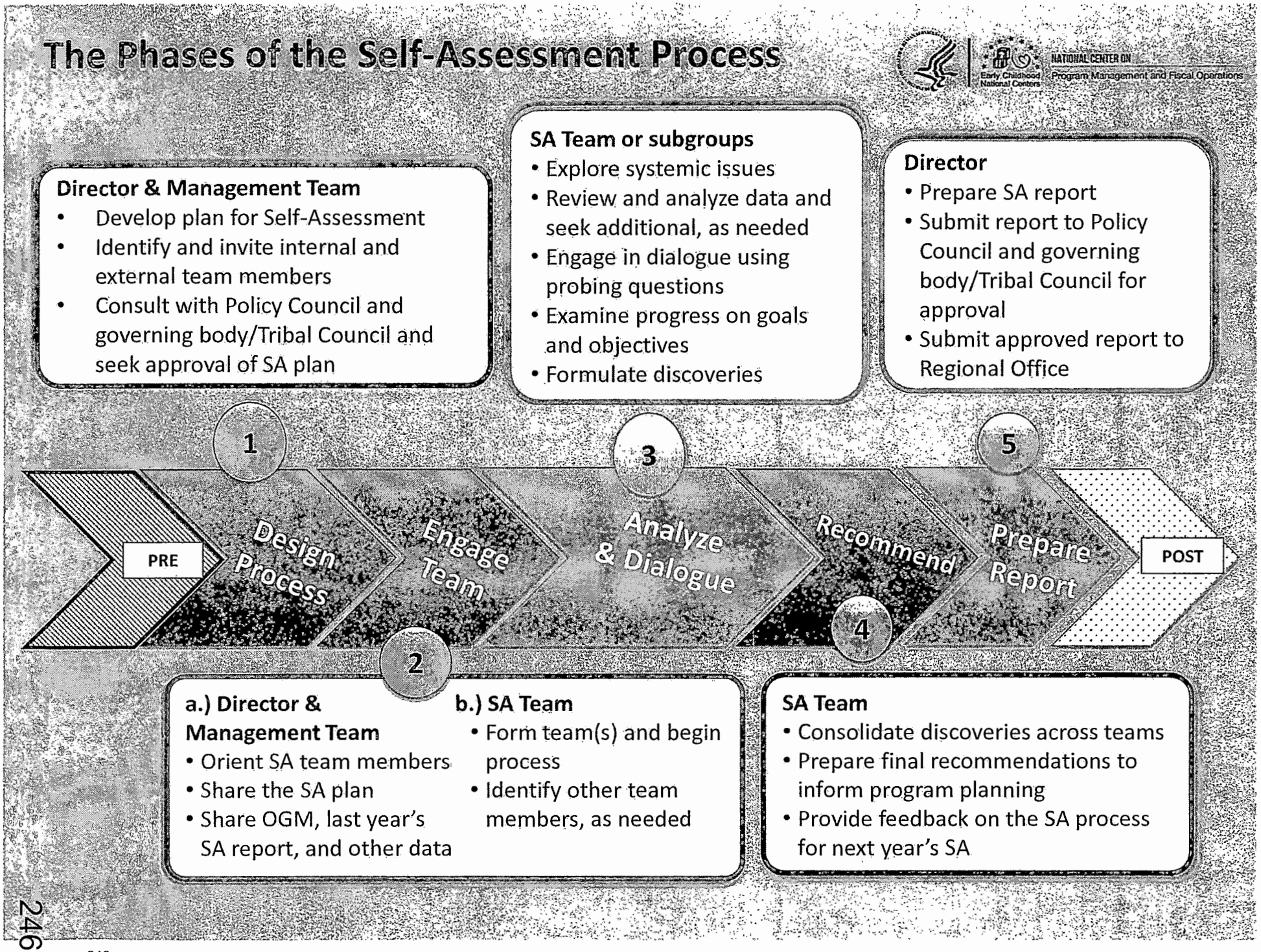
| | |
|---|---|
| Head Start Policy Council Program Information and Updates | November 2016 |
| Head Start Policy Council Meeting Minutes | October 20, 2016 |

**ACTION REQUESTED:** **Receipt and filing of Head Start Policy Council Program Information and Updates November 2016, and Head Start Policy Council Meeting Minutes October 20, 2016 for the official county record.**

SH/kp

C: Randy Singh, Assistant County Administrator
Wanzo Galloway, Assistant County Attorney, County Attorney's Office
John Petrelli, Director, Risk Management and Professional Standards
Yolanda Brown, Manager, Fiscal Division, Family Services Department
Jamille Clemens, Grants Supervisor, Finance Division
Patria Morales, Grant Coordinator, Office of Management and Budget

# The Phases of the Self-Assessment Process



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Date approved by Policy Council: _____

Date approved by BCC: _____

**The following steps provide detailed information on how each phase of the Self-Assessment process will be implemented. The timeline is approximate and reflects the minimum amount of time involved in each phase.**

| Proposed Timeline | Phase | Process |
|---|---|---|
| **February 6-February 28, 2017** | Pre | • Director and management team will review and summarize program data to determine the areas of focus (systemic issues) for the Self-Assessment |
| **February 6-March 7, 2017** | One-Design Process | • Self-Assessment Leadership team will design the process for the 2017 Self-Assessment<br>• Consult with PC and governing body for approval of the SA plan from the Policy Council **(February 6th)** and BCC **(March 7th).** *Due to FSD by 2/13/2017<br>• Key team members will be identified and invited to participate on the SA team **(February 16th-24th).** *Email/Letters to partners sent no later than Feb. 24th to allow a 2 week notice. |
| **March 10, 2017** | Two-Engage Team | • Facilitator will provide orientation to SA team members, roll out the SA plan, and share important program data (OGM results, last year's SA report, etc.)-**Morning session** |
| **March 10 & 13, 2017** | Three-Analyze & Dialogue | • Self-Assessment subgroups will review program data to identify areas of strength, progress on goals and objectives, trends, and formulate discoveries-**Two Afternoon sessions** |
| **March 13-16, 2017** | Four-Recommend | • Self-Assessment team will consolidate discoveries into categories, prepare final recommendations/suggestions to be considered during program planning, and provide feedback for the next year's SA |
| **March 20-24 & April 10-18, 2017** | Five-Prepare Report | • Director, or designee, will prepare SA report using the discoveries and recommendations from the SA team<br>• Report will be submitted to PC **(April 10th)** and BCC **(April 18th)** for approval, and<br>• Approved Report will be submitted to the Regional Office with the continuation grant July 1st |
| **April 24-June 2, 2017** | Post | • Feedback from the SA team will be used to plan for following year's SA<br>• Recommendations will be used to develop an improvement plan<br>• Report insights shared with staff and stakeholders **(June 2nd)** |

# Orange County Head Start
# Policy Council Roster
# February 2017

## EXECUTIVE BOARD

| | |
|---|---|
| Jeneka Lloyd | Chairperson |
| Charmaine Jobson | Vice-Chairperson |
| Idalmis Echevarria | Secretary |
| Jacqueline Eugene | Treasurer |
| Heather Chisholm-Wright | Parliamentarian |

## REPRESENTATIVES AND ALTERNATES

| | |
|---|---|
| ALOMA | Cecilia Pierre |
| | Courtney Pafundi |
| BITHLO | Idalmis Echevarria |
| | Zyad Bawatneh |
| CALLAHAN | Annakay Campbell McCrae |
| | America Cameron |
| DENTON JOHNSON | Malcolm Scarlett |
| | Jason Marshall |
| DOVER SHORES | Emily Cortes |
| | Yameli Roman |
| EAST ORANGE | Charmaine Jobson |
| | Yasmine Rodriguez |
| ENGELWOOD | Vacant |
| | Luz Ruiz |
| EVANS | Wilthere Philistin |
| | Lakeshia Singelton |
| GRAND AVENUE | Tameika Ward |
| | Jessica Rosa |
| HAL P. MARSTON | Jacqueline Eugene |
| | Lakeisha Tolbert |
| JOHN BRIDGES | Blanca Vallejo |
| | Cedric Reese |



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| | |
|---|---|
| **LILA MITCHELL** | Tiffany Thomas |
| | Jazmyn Yon |
| **MAXEY** | Courtney Sanders |
| | Vacant |
| **ORLANDO TECH** | Amanda Nunez |
| | Leah Ackerman |
| **PINE HILLS** | Heather Wright |
| | Simoane West |
| **SOUTH ORLANDO YMCA** | Edwin Soto |
| | Kumarie Deosarran |
| **SOUTHWOOD** | Abigail Soriano |
| | Lauren Arce |
| **TAFT** | Shearly Miraball |
| | Kegan Trotman |
| **TANGELO** | Bianca Santos |
| | Jennifer Molina |
| **VENTURA** | Tania Garcia-Estrada |
| | Nanishka Reyes Padua |
| **W/S ELC** | Tonette Vance |
| | Darline Demosthene |
| **W/S HOPE** | Celeste Coleman |
| | Jenny Johnson |

**COMMUNITY REPS**

| | |
|---|---|
| Vice-Mayor Commissioner Victoria Siplin | BCC |
| Jeneka Lloyd | Past Parent |
| Gail Pressley | Workforce |
| Katie Lynn Schwartz | OCPS |
| Julie Gillespie | Heart2Heart |
| Dexter Nelson | Past Parent |
| Tina Wells | BCC |



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# 3rd Ano Desayuno de Padres

## Orange County Head Start

Haciendo un llamado a todos los
padres, tios, abuelos y otros prominentes
modelos masculinos
Podriamos dialogar?

Seamos sinceros..... Los ninos necesitan una guia
Para triunfar en casa y en la escuela

**Unete a Nosotros y haz la diferencia**

March 2, 2017
9a.m. - 12p.m.

**Taft Community Center**

**9450 S. Orange Avenue (32809)**

**For more information please contact:**

Jose Selles: 407-254-9627
Luis Simonetti: 407- 254-9298
Antonio Wright: 407-836-8462
Dwayne Horne: 407-254-9193
Corey Johnson: 407-254-9483

# 3rd Annual Fatherhood Breakfast

## Orange County Head Start

Calling all dads, granddads, uncles, and other prominent male role models....
Can we talk?

Let's face it... Children need all the guidance we can provide to help them succeed and thrive at home and at school.

**Join Us! Make A Difference!**

**March 2, 2017**
**9a.m. - 12p.m.**

**Taft Community Center**

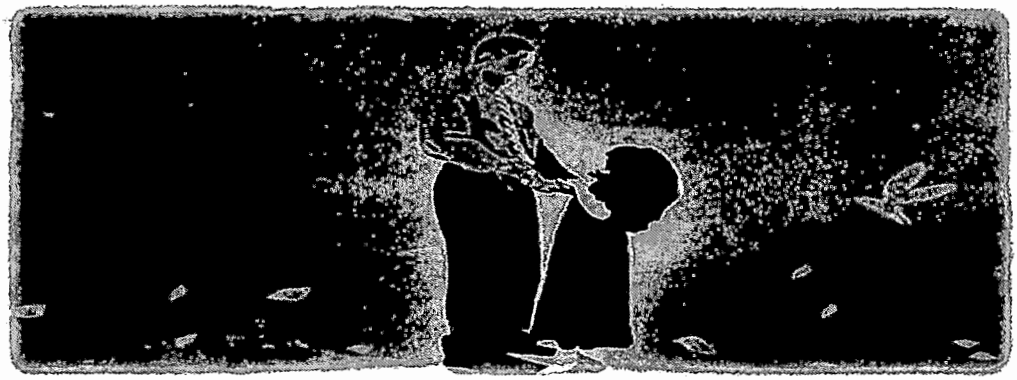
**9450 S. Orange Avenue (32809)**

**For more information please contact:**

Jose Selles: 407-254-9627
Luis Simonetti: 407- 254-9298
Antonio Wright: 407-836-8462
Dwayne Horne: 407-254-9193
Corey Johnson: 407-254-9483

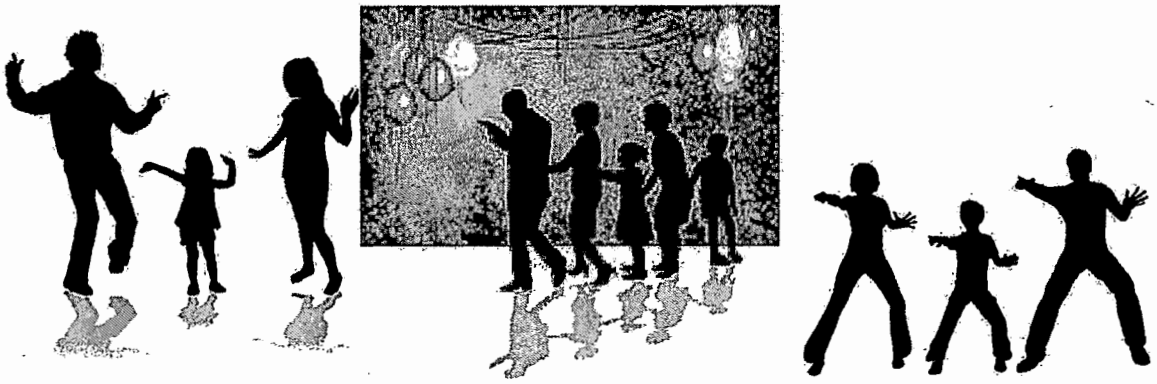
# Orange County Head Start
# Fatherhood Committee
## Presents

## SECOND ANNUAL



# DADDY DAUGHTER DANCE

**When:** Thursday, March 2, 2017
**Where:** 99 E. Marks St.
Orlando FL 32803
(Senior Recreation Complex)
**Time:** 5:00 PM to 7:00 PM



*** LIMITED SPACE AVAILABLE ***

R.S.V.P. with your Family Service Worker by Thursday February 16, 2017.

_____, FSW Phone: _____



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Hal P. Marston's **MOMMY MOMENTS** Presents

Moms From All Centers Welcomed!!!

**FEBRUARY 27, 2017**

**12P-2P**

- 12p-12:30 Getting Started Tips!
- 12:30-1:30 Workout
- 1:30-2p Fuel Foods



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# ORANGE COUNTY GOVERNMENT

# FAMILY SERVICES DEPARTMENT

## HEAD START
## POLICY COUNCIL MEETING DATES
## 2016-2017

| Executive Board<br>2100 E. Michigan Street | Policy Council<br>1768 E. Michigan Street |
|---|---|
| August 8, 2016 | August 18, 2016 |
| September 6, 2016 | September 15, 2016 * |
| October 10, 2016 | October 20, 2016 |
| November 7, 2016 | November 17, 2016 |
| December 5, 2016 | December 15, 2016 |
| January 9, 2017 | January 19, 2017 |
| February 6, 2017 | February 16, 2017 |
| March 6, 2017 | March 16, 2017 |
| April 10, 2017 | April 20, 2017 |
| May 8, 2017 | May 18, 2017 |
| June 5, 2017 | June 15, 2017 |
| July 10, 2017 | July 20, 2017 |
| August 7, 2017 (Tentative) | August 17, 2017 (Tentative) |
| (10 Days prior to Policy Council Meeting) | *Changing of the Guard Ceremony & PC Mtg @ Pine Hill Community Center ( 9-15-16)<br>**Program Governance Training @ Hal Marston Head Start Center (9-10-16) |

Lonnie C. Bell, Family Services Director

Sonya Hill, Head Start Division Manager



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ORANGE COUNTY GOVERNMENT
HEAD START

# POLICY COUNCIL MEETING MINUTES (corrected)

1768 East Michigan Street
Orlando, FL 32806
January 19, 2017

Call to Order by: Jeneka Lloyd 6:43pm

Roll Call by: Idalmis Echevarria

Quorum Established: Jeneka Lloyd

Attended By:

| | | |
|---|---|---|
| Jeneka Lloyd | Past Parent | Chairperson |
| Cecilia Pierre | Aloma | Representative |
| Idalmis Echevarria | Bithlo | Secretary |
| Annakay McCrae | Callahan | Representative |
| Charmaine Jobson | East Orange | Vice-Chairperson |
| Luz Ruiz | Engelwood | Alternate |
| Tameika Ward | Grand Avenue | Representative |
| Jacqueline Eugene | Hal P. Marston | Treasurer |
| Blanca Vallejo | John Bridges | Representative |
| Tiffany Thomas | Lila Mitchell | Representative |
| Courtney Sanders | Maxey | Representative |
| Leah Ackerman | Orlando Tech | Alternate |
| Heather Chisholm-Wright | Pine Hills | Parliamentarian |
| Abigail Soriano | Southwood | Representative |
| Tonette Vance | WS / ELC | Representative |
| Jenny Johnson | WS / Hope | Alternate |
| Victoria Siplin | BCC | Commissioner/Vice Mayor |
| Tina Wells | BCC | Alternate BCC |
| Gail Pressley | Career Source Central FL | Community Rep |
| Dexter Nelson | Past Parent | Community Rep |

Visitors:

| | |
|---|---|
| AnnMarie Alvarado | CHS EHS |
| Patrice Scott | Community Legal Services |

Staff:

| | | |
|---|---|---|
| Polly Bouler | Teacher Assistant | Hal Marston |
| Sandra Moore | Admin Assistant | Main Office |
| Pedro Berrios | Warehouse Tech | Warehouse |
| Avis McWhite | Sr. Program Manager | Main Office |


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| | | |
|---|---|---|
| Tonya Hale | Center Manager | WS / Hope |
| Shauna Kirby | QA | Main Office |
| Felicia Williams | Teacher Assistant | WS / Hope |
| Helen Hill | Sr. Program Manager | Main Office |

**Chairperson Jeneka Lloyd requested a motion to adopt the agenda.**

Motion: Gail Pressley, Community Rep
Second: Dexter Nelson, Community Rep
Status: The motion was carried with no objections

**Speakers:**

Shauna Kirby and Raquel Sapeg – Monitoring & Evaluation Coordinators
Handed out an overview of the QA unit. Their main task is to make sure the Head Start program is in full compliance with the state, federal and local regulations. They are instrumental in where money is needed to be spent in the program whether in the classroom or on the playgrounds. They check children's files to ensure all mandatory documentation is in the file and that they are reflected in the Child Plus system. They also ensure teacher's credentials are up to date. When necessary they implement a Correction Action Plan and revisit the problems to see if they are corrected. They are responsible for Administrative Reports and an annual Self and Community Assessment. They also create Standard Operating Procedures.

**Chairperson Jeneka Lloyd requested a motion to approve the minutes from December 15, 2016**
**With corrections – Attendance was added**

Motion: Dexter Nelson, Community Rep
Second: Gail Pressley, Community Rep
Status: The motion was carried with no objections

**HR Report:**

Avis McWhite, Sr. Program Manager is seeking approval to hire 2 qualified applicants for Center Manager; John Holmes, Marcia Cotton

**Chairperson Lloyd requested a motion to accept the HR report and Avis McWhite recommendations for hire.**

Motion: Tonette Vance, WS/ELC, Representative
Second: Charmaine Jobson, Vice-Chair, East Orange
Status: The motion was carried with no objections

Budget Report by Jacqueline Eugene, Treasurer

Manager's Report by Helen Hill in Sonya Hill's absence.
We are seeking 5 people to go to the Florida Head Start Conference in Orlando. March 14 – 17, 2017, 9AM to 5PM. Send all requests to Sandra Moore. You must have your own transportation.
Acknowledged the Getting Ahead Program and the Mommy Moments group.

Charmaine Jobson is looking for volunteers to work at the conference in different capacities. Also, a new mission and vision statement is being worked on.

**Commissioner Report: Tina Wells**
Since Victoria Siplin is now the Vice Mayor, Ms. Wells asked to update her title on the sign in sheet and roster. She also brought a magnet with her new mobile office hours at 3 locations.

**Service Area Reports:**
Vidya Deonarine, Education Coordinator, reported on the Head Start Child Outcomes compared to the nation.

**Old Business:**

- Committees – Chairperson Lloyd handed out the committees and the names appointed to them. If anyone feels they cannot serve on that committee, let Ms. Lloyd know. If someone does not see their name on a committee and would like to be on one, let Ms. Lloyd know.

Everyone can look in the By-Laws to get a description of all the committees. The Head Start Act also has information on the committees.

- Getting Ahead – The first classes have been held and it was very successful. Four people from the class were at the Policy Council meeting and related some of what they experienced in the class.

Heather Chisholm-Wright brought up some mistakes she found in the minutes. Add Heather Chisholm-Wright in attendance, Idalmis Echevarria, Secretary (remove representative)

**Chairperson Jeneka Lloyd request motion to accept the minutes with changes**
Motion: Dexter Nelson, Community Rep
Second: Charmaine Jobson, Vice-Chairperson
Status: The motion was carried with no objections

**New Business**

- Incredible Years – A 12 week program for parents at 4 sites. Contact your Family Services Worker to participate.

- Parent Activity Fund – All sites have turned in their request for activities for the 2016-2017 school year. The spreadsheet with all the requests was handed out. This will be voted on by the Council. Votes will be for the first choice only. Managers must also submit a sign in sheet for parents who promise to attend. That way the proper amount of food will be purchased. We do not want to over buy.

**Chairperson Lloyd requested a motion to approve the Parent Activity Fund Requests**
Motion: Jacqueline Eugene, Treasurer
Second: Cecilia Pierre, Aloma, Representative
Status: The motion was carried with no objections


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- Orlando Tech @ 97% Attendance.

**Public Comment:**

- Gail Pressley handed out information on a Job Fair on 1/31/17 for the hospitality industry at the OCCC North Concourse
- A program for Apopka High School students coming up June 5 – July 28th.

- Victoria Siplin mentioned a meeting to be held on 1/24/17 at the BCC where Sheriff Jerry Demings will give a safety update.
- Mayor's Job Fair 1/25/17 at Barnett Park/Fairgrounds.

- Cecilie Pierre – Representative – Spoke about a fund for dialysis treatment in Grenada. Fundraiser will be held on 2/4/17 at the Rotary Club on Kirkman Road.

- Jeneka Lloyd reminded all about Guest Readers Week Jan 23-27th.

- Jacqueline Eugene announced the next Mommy Moments event at Hal Marston.

**Chairperson Lloyd requested a motion to adjourn meeting**
Motion: Gail Pressley, Community Representative
Second: Dexter Nelson, Community Representative
Status: The motion was carried with no objections

Adjourn: 8:20pm

Jeneka Lloyd
Signature

2/17/17
Date

NEXT POLICY COUNCIL MEETING
FEBRUARY 16, 2017
GOV- Great Oaks Village Dining Hall
1768 E. MICHIGAN STREET
ORLANDO, FL 32806
6:30 pm



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ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memorandum**

**AGENDA ITEM**

February 24, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director DCFm LCB
Family Services Department

FROM: Lavon B. Williams, Manager, Esq., AICP
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item – March 21, 2017
Neighborhood Pride Grant - Corporal Larry E. Smedley National Vietnam War Museum

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant program that provides funding for neighborhood level projects. The Corporal Larry E. Smedley National Vietnam War Museum, Inc., (formerly known as the National Vietnam Veterans War Museum), was established in 2000 and is a Central Florida non-profit museum. This organization also assists the servicemen and women of all wars and branches of military service.

The purpose of this Museum is to organize, foster and perpetuate a medium for information and education. The Museum aims to project to the general public the role the military played, the conditions that prevailed and the impact of the Vietnam War and subsequent wars on both the military member and society in general. This is done through an impressive collection of artifacts, mementos, equipment and static displays.

The Neighborhood Preservation and Revitalization Division is recommending the award of a one-time landscaping grant in the total amount of $7,000 for plant material and labor to landscape the perimeter of Corporal Larry E. Smedley National Vietnam War Museum, which will serve as a buffer between the museum and adjacent neighborhoods (see Attachment A). The project request is displayed in greater detail in Attachment B. The project was reviewed based on project feasibility and benefit to the community.

**ACTION REQUESTED:** **Approval of a one-time $7,000 landscaping grant to the Corporal Larry E. Smedley National Vietnam War Museum. District 5.**

Attachment(s)

c: Antwan Nelson, Neighborhood Preservation and Revitalization Division

LBW/ydl

Neighborhood Pride Grant
Orange County Board of County Commissioners
March 21, 2017 Consent Agenda
**ATTACHMENT A**

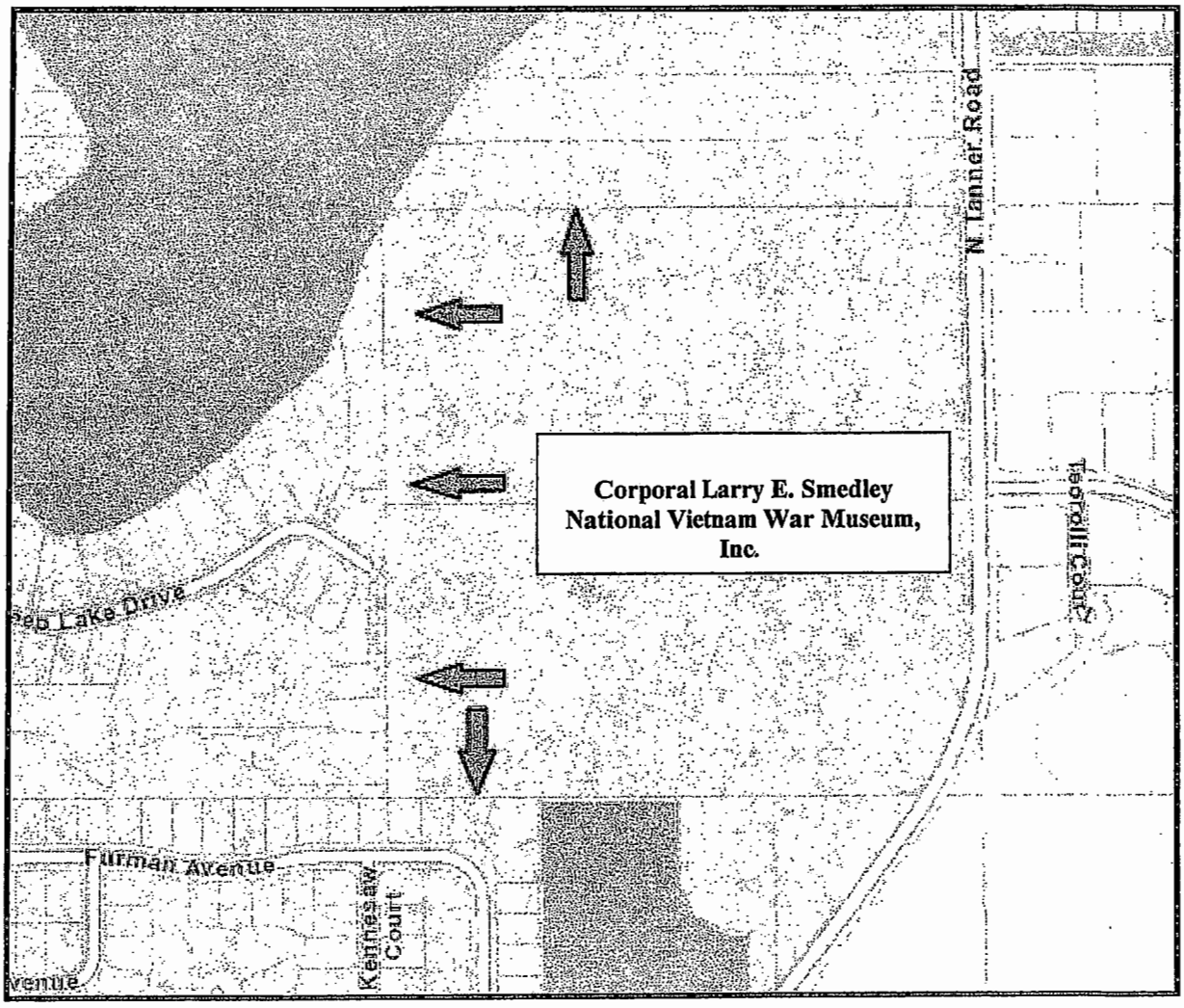
| District | Organization | Project | Property Ownership | Estimated Amount | Project Location |
|---|---|---|---|---|---|
| 5 | The Corporal Larry E. Smedley National Vietnam War Museum, Inc., | Landscaping | Private | $7,000 | 3400 North Tanner Rd Orlando, FL 32826 |
| | | **Total Requests** | | **$7,000** | |

**Attachment B**

# Neighborhood Pride Grant
# Profile

| | |
|---|---|
| Organization Name: Corporal Larry E. Smedley National Vietnam War Museum, Inc. | Request Amount: $7,000 |
| Commission District 5: Emily Bonilla | Matching Amount: $0 |
| Municipality Jurisdiction: N/A | Total Project Cost: 7,000 |
| Property Ownership: Private | Type of Grant: Landscaping |

**Summary:** Organization wishes to install landscaping around the perimeter of the property.



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ORANGE COUNTY GOVERNMENT FLORIDA

# Interoffice Mem

AGENDA ITEM

March 2, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: George A. Ralls, M.D., Deputy County Administrator
County Administrator's Office
**Contact: (407) 836-5496**

SUBJECT: Paratransit Services License
ProTransportation Inc.
**Consent Agenda – March 21, 2017**

The EMS Office of the Medical Director requests approval and execution of the Paratransit Services License for ProTransportation Inc. ProTransportation Inc. has submitted the attached application requesting approval of a Paratransit Services License to provide wheelchair/stretcher service within Orange County.

The EMS Office of the Medical Director has determined that all requirements have been met by ProTransportation Inc. as contained in Orange County Ordinance 2001-09. The public notice has been posted for this request and no objection has been received.

**ACTION REQUESTED**: Approval and execution of the Paratransit Services License for ProTransportation Inc. to provide wheelchair/stretcher service. The term of this license is from April 1, 2017 through April 1, 2019. There is no cost to the County. **(EMS Office of the Medical Director)**

GAR/cf

Attachments



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ORANGE COUNTY GOVERNMENT FLORIDA

# PARATRANSIT SERVICES:

# APPLICATION FOR LICENSE

**APPLICATION DATE: 02/17/2017**

**PROPOSED DATE OPERATIONS WILL BEGIN: 04/01/2017**

## SECTION I: GENERAL INFORMATION

1. **NAME OF SERVICE:** ProTransportation Inc.
2. **BUSINESS ADDRESS (INCLUDE COUNTY):**

   7901 Kingspointe PKWY #19
3. **CONTACT INFORMATION:** Business Phone 800-649-9666

   Mobile Phone 305-304-5609

   Email sg@promedtransport.com
4. **OWNERSHIP TYPE:** PRIVATE CORPORATION

   a. If other, please describe: _____
5. **CORPORATE OFFICERS AND DIRECTORS:**

| NAME | ADDRESS | POSITION |
|---|---|---|
| Pearl Goldblatt | 1910 7th Ave North Lake Worth, FL 33461 | Officer |

6. **LEVEL OF SERVICE:** ☐WHEELCHAIR ☐STRETCHER ☑BOTH
7. **COMMUNICATIONS EQUIPMENT:** ☑TELEPHONE ☐TWO-WAY RADIO ☐OTHER

a. If other, please describe: _____

## SECTION II: REQUISITES TO OBTAINING LICENSE

1. **PAYMENT OF ALL APPLICABLE FEES:**

   ☑ YES, DATE: _____ ☐ NO

2. **VEHICLE INSPECTION COMPLETED BY EMS OFFICE:**

   ☐ YES, DATE: _____ ☑ NO

If not completed at the time of application, payment of fees and vehicle inspection by the EMS Office must be completed prior to commencing operations. Failure to do so may result in revocation of license.

3. **REFERENCES/LETTERS OF SUPPORT SUBMITTED TO EMS OFFICE (Attachment I):**

   ☑ Verifiable business or work references for 5 years, including one notarized letter of reference

   ☑ Five verifiable personal/business references, including two notarized letters of reference

   ☑ Five verifiable credit references, including two notarized letters of reference

4. **CURRENT NOTARIZED FINANCIAL STATEMENT SUBMITTED TO EMS OFFICE:**

   ☑ YES, DATE: _____ ☐ NO

   ***Example: Current letter from bank verifying business account status (no account numbers please).***

5. **PROOF OF INSURANCE SUBMITTED TO EMS OFFICE:**

   ☑ YES, DATE: _____ ☐ NO

If insurance coverage has not been obtained at the time of application the provider must obtain insurance coverage and provide certificates of insurance coverage to the county prior to commencing operations. Failure to do so may result in revocation of license.

## SECTION III: VEHICLES AND STAFFING

1. **NUMBER OF VEHICLES IN OPERATION: 1**

2. **EMPLOYEE ROSTER:**

| NAME | CURRENT CPR CARD (Y/N) |
|---|---|
| Schragie Goldblatt | YES |

# ATTACHMENT I: REFERENCES

1. List previous business experiences or work history for last five years. Submission of at least one letter of reference from list below is required.

| |
|---|
| Our business was established in 1997 under ProMed transportation, we are changing the name to ProTRansportation |
| |
| |
| |
| |

2. List five personal or business references. Submission of at least one letter of reference from list below is required.

| NAME | ADDRESS | PHONE |
|---|---|---|
| Grayco Systems | 201 cambell loop, Hattesburg, MS 39401 | 601-583-0430 |
| Regents Park – Ari Hollender | 6363 Verde Trail Boca Raton, FL 33433 | 561-722-2272 |
| Gold Standard of Care | 534 Datura Street #146 West Palm Beach, FL | 561-659-9330 |
| Greg Sinclair- Hospice Palm Beach | 300 NorthPoint Pkwy #301 W.P.B. FL 33407 | 561-4246238 |
| North Lake Rehab | 750 Bayberry Dr Lake Park, FL 33403 | 561-844-4396 |

3. List five credit references. Submission of at least one letter of reference from list below is required.

| NAME | ADDRESS | PHONE |
|---|---|---|
| Fairmont Insurance | 1600 60th St, Brooklyn, NY 11365 | 718-232-3300 |
| Marcy Corporation | 217 Ohio Road, Lake Worth, FL 33467 | 561-722-2272 |
| Afco Insurance | 4501 College Blvd #320 Leawood, KS 66211 | 800-288-9601 |
| Wex Bank | Po box 6293 Carol Stream. IL 60197 | 800-492-0669 |
| M&J Lift Services | PO box 1285 Dania, FL 33004 | 954-709-5650 |

ORANGE COUNTY GOVERNMENT FLORIDA

# PARATRANSIT SERVICES:

## APPLICATION FOR LICENSE

**I, the undersigned representative of the service named in this application, do hereby attest the information provided in this application is truthful and honest to the best of my knowledge, and that my service meets all of the requirements for operation of a paratransit services in Orange County and the State of Florida. I acknowledge that as provided in Orange County Code of Ordinances Chapter 20, Division 3, Section 20-137, licenses obtained by an application in which any material fact was intentionally omitted or falsely stated are subject to revocation.**

Debra Goldblatt

**SIGNATURE OF APPLICANT OR REPRESENTATIVE**

21 Feb 2017

**DATE**

**NOTARY SEAL**

Dan Andrew Niederman
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF029219
Expires 9/24/2017

Dan A. N

**NOTARY SIGNATURE**

# License

# Paratransit Services

**Orange County**
**Board of County Commissioners**
**Emergency Medical Services**

This is to certify that **PROTRANSPORTATION INC.**
has complied with the Orange County Code **2001-9** and Rules and Regulations established by the Board of County Commissioners and is authorized to operate a Paratransit Service in Orange County.

Date of Issue: **April 1, 2017** Date of Expiration: **April 1, 2019**

40-18(7/14)

Mayor, Board of County Commissioners

ORANGE COUNTY GOVERNMENT FLORIDA

ORANGE COUNTY GOVERNMENT FLORIDA

# Interoffice Memo

I. CONSENT AGENDA
HEALTH SERVICES
DEPARTMENT
2

GENDA ITEM

March 2, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: George A. Ralls, M.D., Deputy County Administrator J. Goodrich for
County Administrator's Office
**Contact: (407) 836-5496**

SUBJECT: Certificate of Public Convenience and Necessity
Renewal for City of Apopka Fire Department
**Consent Agenda – March 21, 2017**

The EMS Office of the Medical Director requests the approval of the renewal Certificate of Public Convenience and Necessity for City of Apopka Fire Department to provide Advanced Life Support Transport Service. City of Apopka Fire Department has submitted the attached application requesting the renewal of their Certificate of Public Convenience and Necessity. The current certificate has been in effect as an Advanced Life Support Transport Service since 1982.

The EMS Office of the Medical Director has determined that all requirements have been met by City of Apopka Fire Department as contained in Orange County Ordinance 2001-9.

**ACTION REQUESTED:** Approval and execution of the renewal Certificate of Public Convenience and Necessity for City of Apopka Fire Department to provide Advanced Life Support Transport Service. The term of this certificate is from April 30, 2017 through April 30, 2019. There is no cost to the County. **(EMS Office of the Medical Director)**

GAR/cf

Attachments



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ORANGE COUNTY GOVERNMENT
FLORIDA

# ORANGE COUNTY, FLORIDA
## EMS OFFICE OF THE MEDICAL DIRECTOR
## RENEWAL APPLICATION
## FOR
## CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

- [x] ALS TRANSPORT
- [ ] BLS TRANSPORT
- [ ] ALS AIR TRANSPORT
- [x] ALS NON-TRANSPORT
- [ ] BLS NON-TRANSPORT
- [ ] INTERFACILTY TRANSPORT

**APPLICATION DATE:** 27/FEB/2017

1. **NAME OF SERVICE:** CITY OF APOPKA FIRE DEPARTMENT
2. **BUSINESS ADDRESS (STREET)** 175 EAST 5TH STREET **CITY:** APOPKA

   **COUNTY:** ORANGE **STATE:** FLORIDA **ZIP CODE:** 32703
3. **PHONE NUMBER:** 407-703-1756 **FAX:** 407-703-1708 **24 Hour Number:** 321-230-1036

   **Internet E-Mail address:** WRIVERA-SANCHEZ@APOPKA.NET

   **Manager's Name:** WILFREDO RIVERA SANCHEZ **Title:** CAPTAIN / EMS COORDINATOR

**NOTE:** (IF THERE ARE ANY CHANGES TO BE MADE TO YOUR PREVIOUS APPLICATION, PLEASE LIST BY NUMBER IN THE SPACE PROVIDED BELOW. (Use separate sheet if necessary). COMPLETE PERSONNEL AND VEHICLE ROSTER ATTACHMENTS, IF THERE ARE ANY CHANGES).

**PERSONNEL AND VEHICLE CHANGES ARE ATTACHED TO THIS APPLICATION.**

**TO THE BEST OF MY KNOWLEDGE, ALL STATEMENTS ON THIS APPLICATION ARE TRUE AND CORRECT AND THERE ARE NO OTHER CHANGES TO BE MADE TO THE ORIGINAL APPLICATION.**

SIGNATURE

27/FEB/2017
DATE:

VICKY CARNICELLA
Notary Public - State of Florida
Commission # FF 181471
My Comm. Expires Mar 31, 2019
Bonded through National Notary Assn.

NOTARY SEAL

NOTARY SIGNATURE



270

# ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS
# EMS OFFICE OF THE MEDICAL DIRECTOR
# CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS, the **CITY OF APOPKA FIRE DEPARTMENT** has requested authorization to provide **Advanced Life Support** services to the citizens of Orange County and
(Advanced Life or Basic Life Support)

WHEREAS, there has been a demonstrated need to provide these essential services to the citizens of Orange County; and,

WHEREAS, the above named service affirms that it will maintain compliance with requirements of the State and County Laws, Ordinances and Rules and Regulations.

THEREFORE, the Board of County Commissioners of Orange County hereby issues a Certificate of Public Convenience and Neccessity to this **ALS Transport** service.
(BLS, ALS-transport, or ALS non-transport)

Date Issued: **April 30, 2017** Date of Expiration: **April 30, 2019**

Limitations: **None**

9-171 (7/10)

(Mayor, Board of County Commissioners )

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorandum

I. CONSENT AGENDA
PUBLIC WORKS
DEPARTMENT
1

February 16, 2017

TO: Mayor Teresa Jacobs
and Board of County Commissioners

FROM: Mark V. Massaro, P.E., Director, Public Works Department

**CONTACT PERSON:** **John Klimovitch, P.E., County Traffic Engineer**
**Traffic Engineering Division**
**PHONE NUMBER:** **(407) 836-7803**

SUBJ: **Construction of Speed Humps on S. Central Avenue**

At the request of the residents on S. Central Avenue, a speed hump survey was mailed to the property owners. This was to determine if the property owners supported the installation of speed humps. If two-thirds of the returned ballots from the property owners were in favor of the speed humps, the County would install the speed humps.

The result of the survey was that 94% of the returned ballots from property owners supported the installation of speed humps. The project is being funded by South Apopka Safe Neighborhoods and Public Works.

**Action Requested: Approval to construct speed humps on S. Central Avenue. District 2.**

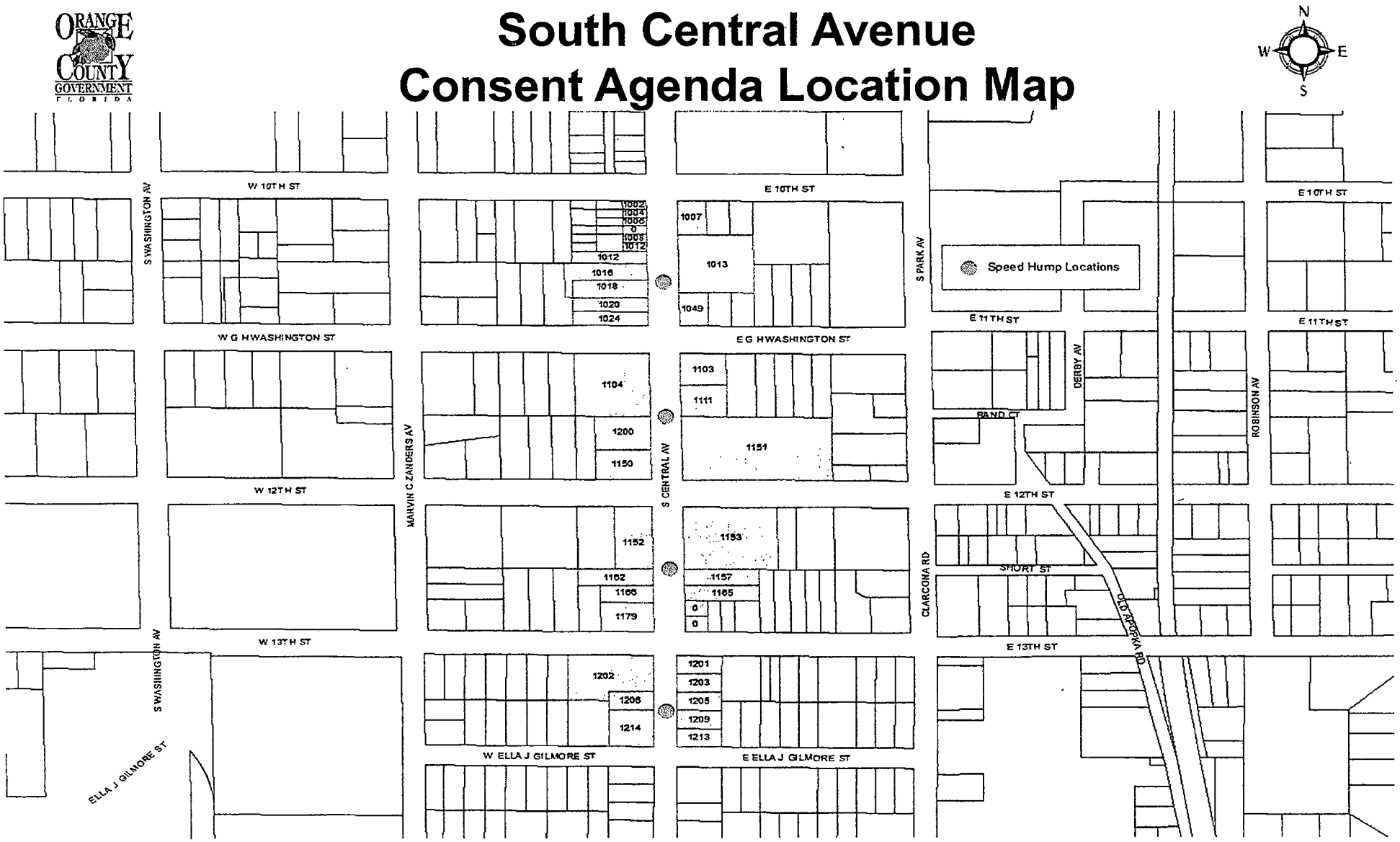
MVM/JK/FCY/nad

Attachment



272

# South Central Avenue
# Consent Agenda Location Map




**Proposed Speed Humps**

**District 2: Commissioner Bryan Nelson**



273

# South Central Avenue
# Consent Agenda District Map

**District :2 Commissioner Bryan Nelson**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorandum

February 16, 2017

TO: Mayor Teresa Jacobs
and Board of County Commissioners

FROM: Mark V. Massaro, P.E., Director, Public Works Department

**CONTACT PERSON:** **John Klimovitch, P.E., County Traffic Engineer**
**Traffic Engineering Division**
**PHONE NUMBER:** **(407) 836-7803**

SUBJ: **Construction of Speed Humps on Fricke Avenue**

At the request of the residents in the Colonial Woods subdivision, a speed hump survey was mailed to the property owners. This was to determine if the property owners supported the installation of speed humps. If two-thirds of the returned ballots from the property owners were in favor of the speed humps, the County would install the speed humps.

The result of the survey was that 68% of the returned ballots from property owners supported the installation of speed humps. The project is being funded by the Colonial Woods Homeowner's Association and Public Works.

**Action Requested: Approval to construct speed humps on Fricke Avenue. District 5.**

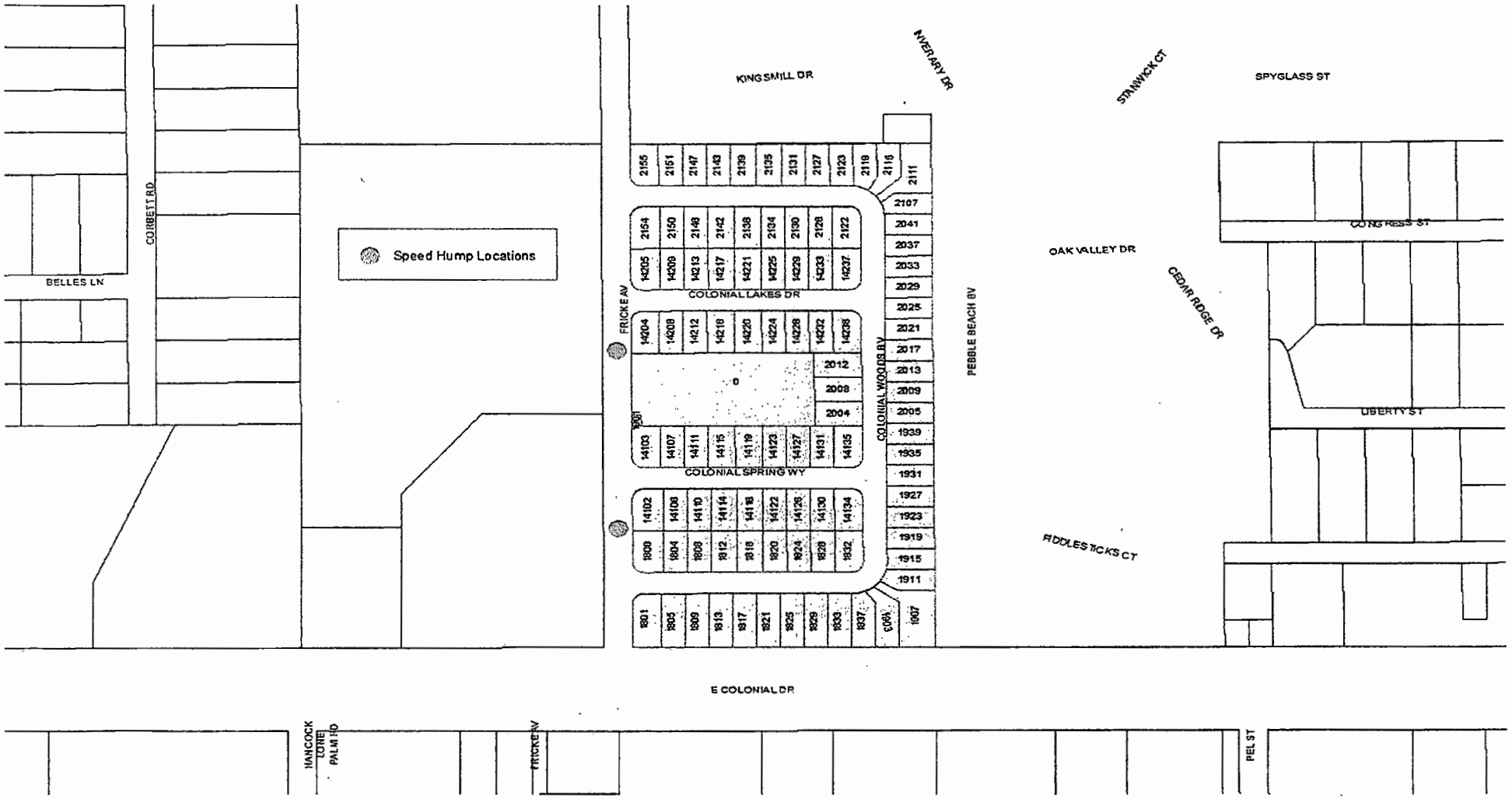
MVM/JK/FCY/nad

Attachment



275

# Fricke avenue
# Consent Agenda Location Map



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# Fricke avenue
## Consent Agenda District Map

**District 5: Commissioner Emily Bonilla**

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorandum

February 20, 2017

TO: Mayor Teresa Jacobs
and Board of County Commissioners

FROM: Mark V. Massaro, P.E., Director, Public Works Department

**CONTACT PERSON:** **John Klimovitch, P.E., County Traffic Engineer**
**Traffic Engineering**
**PHONE NUMBER:** **(407) 836-7803**

SUBJ: **Installation of Traffic Control Devices and "No Parking" signs in President's Park (aka President's Point)**

Our staff recommends that the following traffic control devices be installed in President's Park (aka President's Point):

Install "STOP" signs on:
John Adams Way at Rouse Road
Liberty Bell Cove at John Adams Way

The Fire Marshal recommends that the following "No Parking" signs be installed in President's Park (aka President's Point):

Install "NO PARKING" signs on:
John Adams Way
Liberty Bell Cove

**Action Requested:** **Approval of Traffic Control Devices and "No Parking" sign installations in President's Park (aka President's Point). District 5.**

MVM/JK/AHW/nad

Attachments



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# PRESIDENT'S POINT

LOCATED IN SECTION 4, TOWNSHIP 22 SOUTH, RANGE 31 EAST
ORANGE COUNTY, FLORIDA
DISTRICT # 5

**STOP/STREET**

| | | | |
|---|---|---|---|
| (1) | (Ft E) | on John Adams Way (9 Inch) | 10000 |
| | | at Rouse Road (9 Inch) | 4100 |
| (2) | (Ft N) | on Liberty Bell Cove | 4400 |
| | | at John Adams Way | 10000 |

**SPEED LIMIT 25 MPH**

| | | | |
|---|---|---|---|
| (3) | (Ft E) | on John Adams Way | |
| | | at Rouse Road | |

**END OF ROAD TREATMENT**

| | | | |
|---|---|---|---|
| (4) | (FtE) | on John Adams Way | |
| | | at Liberty Bell Cove | |

**NO PARKING with arrows**

| | |
|---|---|
| (5) | on John Adams Wayfrom Rouse Road extending east to the Cul-de-sac on the north side |
| (6) | on Liberty Bell Covefrom John Adams Way extending north and west to the cul-de-sac on the east and north sides |

ahw/

2/20/2017



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PLAT BOOK 89 PAGE 139

# PRESIDENTS POINTE

LOCATED IN SECTION 4, TOWNSHIP 22 SOUTH, RANGE 31 EAST
ORANGE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PORTION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, AND A PORTION OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH 1/4 CORNER OF SECTION 4, TOWNSHIP 22 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 01°27'26" WEST, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 4, FOR A DISTANCE OF 1802.23 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID NORTHWEST 1/4 OF SECTION 4; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°44'26" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE SAID NORTHWEST 1/4 OF SECTION 4, FOR A DISTANCE OF 200.09 TO A POINT ON A LINE LYING 200.00 FEET WEST OF, AND PARALLEL WITH THE SAID EAST LINE OF THE NORTHWEST 1/4 OF SECTION 4, ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°44'26" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4, AND THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4 FOR A DISTANCE OF 1045.71 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF ROUSE ROAD, AS CONVEYED IN DEED BOOK 347, PAGE 65 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID SOUTH LINE, RUN NORTH 00°05'20" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, FOR A DISTANCE OF 665.80 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4, ALSO BEING THE SOUTHWEST CORNER OF RIVERSBEND UNIT 1, AS RECORDED IN PLAT BOOK 32, PAGES 46 THROUGH 48 OF THE SAID PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE, RUN NORTH 89°40'38" EAST, ALONG THE SOUTH LINE OF SAID RIVERSBEND UNIT 1, ALSO BEING THE SAID NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, FOR A DISTANCE OF 616.72 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4; THENCE DEPARTING SAID SOUTH AND NORTH LINES, RUN SOUTH 00°42'07" WEST, ALONG SAID EAST LINE, FOR A DISTANCE OF 40.01 FEET TO A POINT ON THE NORTH LINE OF THE BOUNDARY LINE AGREEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 4341, PAGE 895 OF THE SAID PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE, RUN ALONG THE NORTH, WEST AND SOUTH LINE OF SAID BOUNDARY LINE AGREEMENT THE FOLLOWING COURSES AND DISTANCES: SOUTH 89°40'38" WEST FOR A DISTANCE OF 15.05 FEET; THENCE RUN SOUTH 01°30'39" WEST FOR A DISTANCE OF 312.51 FEET; THENCE RUN NORTH 89°40'38" EAST FOR A DISTANCE OF 19.46 FEET TO A POINT ON THE AFORESAID EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, ALSO BEING A POINT ON THE SOUTH LINE OF THE NORTH 352.35 FEET OF THE WEST 140 FEET OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 4; THENCE DEPARTING SAID WEST LINE, RUN NORTH 89°40'38" EAST, ALONG SAID SOUTH LINE AND THE EASTERLY EXTENSION THEREOF, FOR A DISTANCE OF 180.00 FEET TO A POINT ON THE EASTERLY LINE OF A 40.00 FOOT WIDE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 2691, PAGE 1713, OFFICIAL RECORDS BOOK 4287, PAGE 331, AND OFFICIAL RECORDS BOOK 10880, PAGE 2444 OF THE SAID PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 00°42'07" WEST, ALONG SAID EASTERLY LINE, FOR A DISTANCE OF 20.79 FEET; THENCE RUN NORTH 89°40'38" EAST FOR A DISTANCE OF 261.69 FEET TO A POINT ON THE AFORESAID LINE LYING 200.00 FEET WEST OF, AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST 1/4 OF SECTION 4; THENCE RUN SOUTH 01°27'26" WEST, ALONG SAID LINE, FOR A DISTANCE OF 293.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 12.29 ACRES, MORE OR LESS

SURVEYOR'S NOTES:

1. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4-22-31, BEING NORTH 89°40'33" EAST.
2. ALL LOT LINES INTERSECTING CURVES ARE RADIAL, UNLESS OTHERWISE NOTED NON-RADIAL ( NR ).
3. ALL PLATTED UTILITY EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.
4. THE LANDS SHOWN HEREON ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PRESIDENTS POINTE ("THE DECLARATION"), RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND ANY SUPPLEMENTS RECORDED THEREAFTER.
5. TRACTS A1 AND A2, (RECREATION TRACTS) SHALL BE OWNED AND MAINTAINED BY THE PRESIDENTS POINTE HOMEOWNERS' ASSOCIATION, INC. ("THE ASSOCIATION")
6. TRACTS B AND C, (OPEN SPACE TRACTS) SHALL BE OWNED AND MAINTAINED BY THE ASSOCIATION.
7. TRACTS D1 AND D2, (ACCESS TRACTS) SHALL BE OWNED AND MAINTAINED BY MERITAGE HOMES OF FLORIDA, INC., THEIR SUCCESSORS AND/OR ASSIGNS.
8. TRACT G, (OPEN SPACE/UTILITY/ACCESS TRACT) SHALL BE OWNED AND MAINTAINED BY THE ASSOCIATION.
9. TRACTS H AND I, (WALL/LANDSCAPE TRACTS) SHALL BE OWNED AND MAINTAINED BY THE ASSOCIATION AS DEFINED BY "THE DECLARATION".
10. TRACTS A1, A2, B, C, G, H, AND I ARE DEFINED AS COMMON AREAS AS DEFINED BY "THE DECLARATION"
11. THE 5.00 FOOT WALL/FENCE EASEMENT SHOWN HEREON IS DEDICATED TO AND MAINTAINED BY THE ASSOCIATION AS DEFINED BY "THE DECLARATION".
12. THE PRIVATE DRAINAGE EASEMENTS (P.D.E.) SHOWN HEREON ARE DEDICATED TO AND MAINTAINED BY THE ASSOCIATION.
13. SEE ALSO ORANGE COUNTY RIGHT-OF-WAY MAP FOR ROUSE ROAD, CIP# 3018 (LAKE UNDERHILL ROAD TO 1500' NORTH OF CORPORATE BOULEVARD).

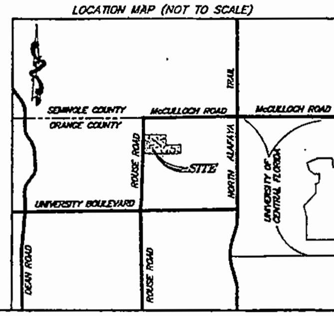
THE PROPERTY SHOWN HEREON REPRESENTS THE LANDS INCLUDED IN THE SUBDIVISION PLAN/DEVELOPMENT PLAN FOR PRESIDENTS PARK (PSP NO. 15-01-017) AS APPROVED BY THE ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS ON JUNE 16, 2015.

LEGEND:

| | |
|---|---|
| ORB | DENOTES OFFICIAL RECORDS BOOK |
| PB | DENOTES PLAT BOOK |
| PG.(S) | DENOTES PAGE |
| PC | DENOTES POINT OF CURVATURE |
| PT | DENOTES POINT OF TANGENCY |
| PI | DENOTES POINT OF INTERSECTION |
| NR | DENOTES NON-RADIAL |
| P.S.M. | DENOTES PROFESSIONAL SURVEYOR AND MAPPER |
| ℄ | DENOTES CENTERLINE |
| □ | DENOTES SET 4" X 4" CONCRETE MONUMENT LB # 6723 PERMANENT REFERENCE MONUMENT |
| R/W | DENOTES RIGHT-OF-WAY |
| LB | DENOTES LICENSED BUSINESS |
| ■ | DENOTES FOUND 4" ROUND CONCRETE NO IDENTIFICATION |
| ● | FOUND 1/2" IRON BAR, NO IDENTIFICATION |
| • | FOUND NAIL & DISK LB #3577 |
| ◆ | SET NAIL & DISK L.B. # 6723 PERMANENT CONTROL POINT |
| U.E. | DENOTES UTILITY EASEMENT |
| D.E. | DENOTES DRAINAGE EASEMENT |
| P.D.E. | DENOTES PRIVATE DRAINAGE EASEMENT |
| RP | DENOTES RADIUS POINT |
| DB | DENOTES DEED BOOK |
| CCR# | DENOTES CERTIFIED CORNER RECORD/NUMBER |
| DOC# | DENOTES OFFICIAL RECORDS DOCUMENT NUMBER OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA |
| (curve symbol) | DENOTES CHANGE IN DIRECTION ALONG RIGHT-OF-WAY LINES |

18 EAST PLANT STREET
WINTER GARDEN, FLORIDA 34787
(407) 654-5355
LB #6723

LOCATION MAP (NOT TO SCALE)




SHEET INDEX
SHEET 1 OF 2 - LEGAL DESCRIPTION, DEDICATION, NOTES, & LOCATION MAP
SHEET 2 OF 2 - CENTERLINE, TRACT & LOT BLOCK GEOMETRY

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

QUALIFICATION STATEMENT OF SURVEYOR AND MAPPER

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being a licensed and registered surveyor and mapper, does hereby certify that on January 9, 2015 a survey of the lands shown in the foregoing plat was completed; that said plat is a true and correct representation of the lands surveyed, that the plat was prepared under my direction and supervision, and that this plat complies with all the survey requirements of Chapter 177, Florida Statutes.

Surveyor's Signature
James L. Rickman P.S.M. # 5633
Allen & Company
Licensed Business # 6723
18 East Plant Street
Winter Garden, Florida 34787

PRESIDENTS POINTE
DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That MERITAGE HOMES OF FLORIDA, INC., a Florida corporation, being the owner in fee simple of all of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates the streets, utility easements, drainage easements and Tract E (Stormwater Tract) to the perpetual use of the public.

Tract F (Lift Station) is hereby dedicated in fee simple to Orange County [illegible]

IN WITNESS WHEREOF, the undersigned, MERITAGE HOMES OF FLORIDA, INC., a Florida corporation has caused these presents to be executed and acknowledged by its undersigned officer thereunto duly authorized on this 9th day of August 2016.

By: MERITAGE HOMES OF FLORIDA, INC., a Florida corporation
By: [signature]
Vice President
Printed Name: BRIAN KITTLE

Signed and sealed in the presence of:
[signature]
Printed Name: Donald C. Berger
[signature]
Printed Name: Amy Steiger

STATE OF FLORIDA COUNTY OF ORANGE

THIS IS TO CERTIFY, That on 8/9/16 before me an officer duly authorized to take acknowledgements in the state and county aforesaid, personally appeared BRIAN KITTLE, DIVISION PRESIDENT of MERITAGE HOMES OF FLORIDA, INC., a Florida corporation, incorporated under the laws of the state of Florida, he is personally known to me or have produced the following identification ________ and he did / did not take an oath that he is the person described in and who executed the foregoing dedication and severally acknowledged the execution thereof to be his free act and deed as such officer thereunto duly authorized; that the official seal of said MERITAGE HOMES OF FLORIDA, INC., a Florida corporation is duly affixed thereto, and that said Dedication is the act and deed of said MERITAGE HOMES OF FLORIDA, INC., a Florida corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the above date.
[signature]
NOTARY PUBLIC
Commission Number: FF217395
My Commission Expires: 4/5/2019
Printed Name: Amy Steiger

CERTIFICATE OF REVIEW BY COUNTY SURVEYOR

This plat has been reviewed for conformity with Chapter 177, Florida Statutes
[signature] Jr. 8-11-16
County Surveyor Date

CERTIFICATE OF APPROVAL BY ZONING DIRECTOR

Examined and Approved [signature] 8-11-16
Zoning Director Date

CERTIFICATE OF APPROVAL BY COUNTY ENGINEER

Examined and Approved [signature] 8-11-16
County Engineer Date

CERTIFICATE OF APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY, That on August 16, 2016 the foregoing plat was approved by the Board of County Commissioners of Orange County, Florida
[signature]
ORANGE COUNTY
ATTEST: Martha O. Haynie
CLERK OF THE BOARD
BY: [signature] D.C.

CERTIFICATE OF COUNTY COMPTROLLER

I HEREBY CERTIFY, that the foregoing plat was recorded in the Orange County Official Records on [illegible] as File No. [illegible]

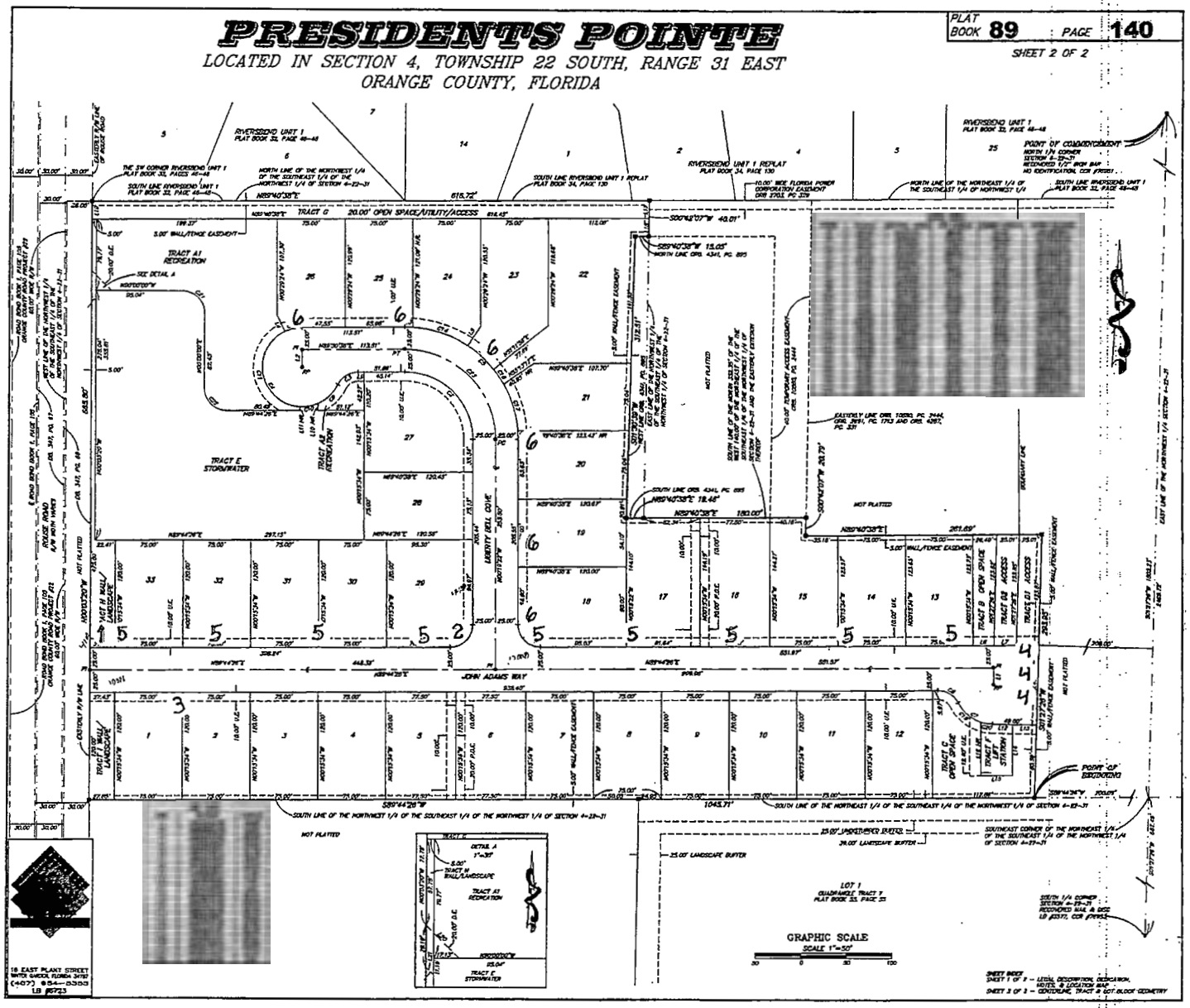
County Comptroller in and for Orange County, Florida
By: [signature]

SEAL

# PRESIDENTS POINTE

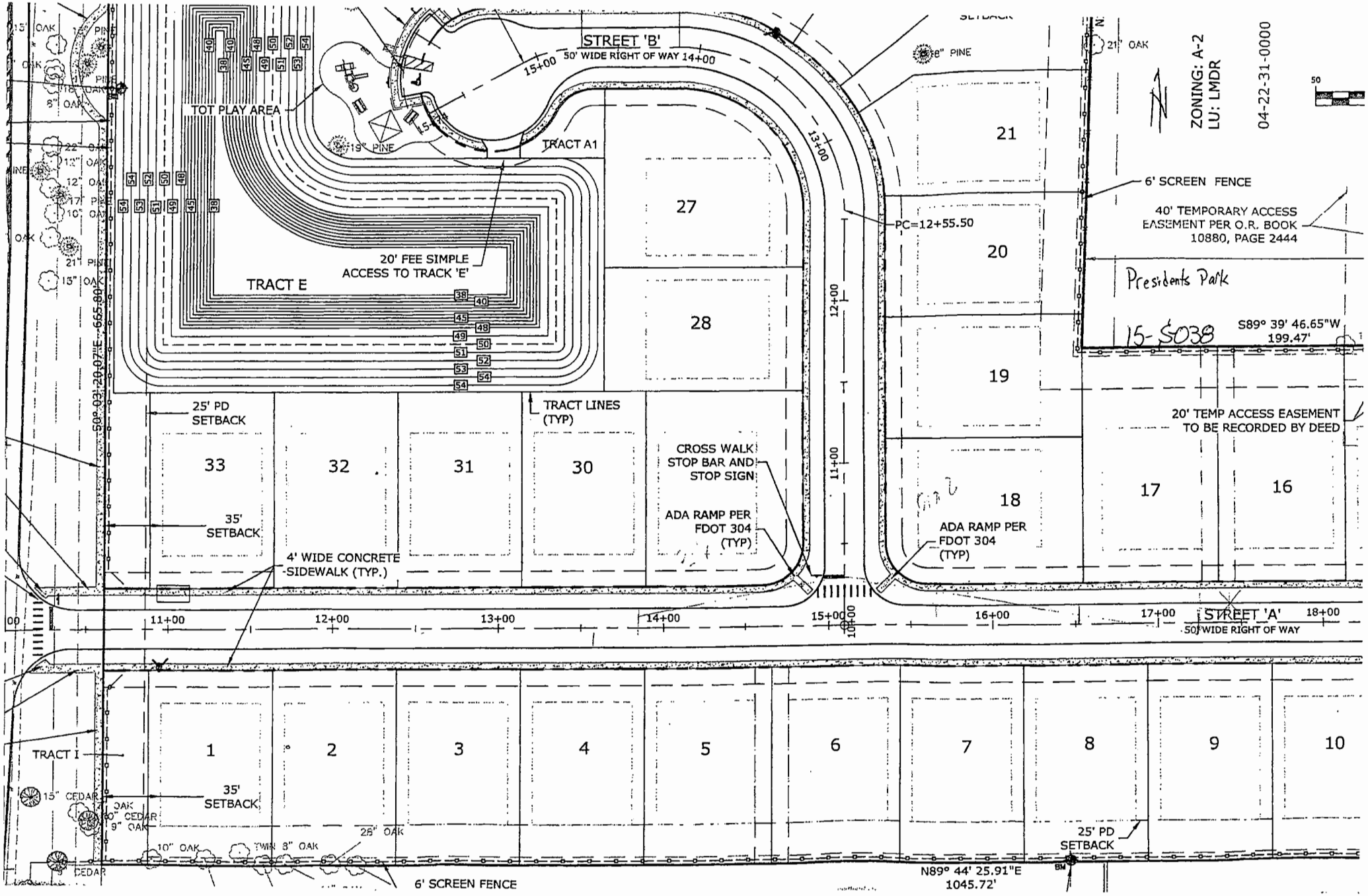
LOCATED IN SECTION 4, TOWNSHIP 22 SOUTH, RANGE 31 EAST
ORANGE COUNTY, FLORIDA

PLAT BOOK 89 PAGE 140
SHEET 2 OF 2






281


STREET 'B'
50' WIDE RIGHT OF WAY
15+00
14+00
13+00
12+00
11+00
10+00
TOT PLAY AREA
TRACT A1
TRACT E
20' FEE SIMPLE ACCESS TO TRACK 'E'
TRACT I
PC=12+55.50
6' SCREEN FENCE
40' TEMPORARY ACCESS EASEMENT PER O.R. BOOK 10880, PAGE 2444
ZONING: A-2
LU: LMDR
04-22-31-0000
President's Park
15-5038
S89° 39' 46.65"W
199.47'
20' TEMP ACCESS EASEMENT TO BE RECORDED BY DEED
25' PD SETBACK
35' SETBACK
TRACT LINES (TYP)
CROSS WALK STOP BAR AND STOP SIGN
ADA RAMP PER FDOT 304 (TYP)
4' WIDE CONCRETE SIDEWALK (TYP.)
STREET 'A'
50' WIDE RIGHT OF WAY
16+00
17+00
18+00
N89° 44' 25.91"E
1045.72'
S0° 03' 20.07"E 665.80'
21
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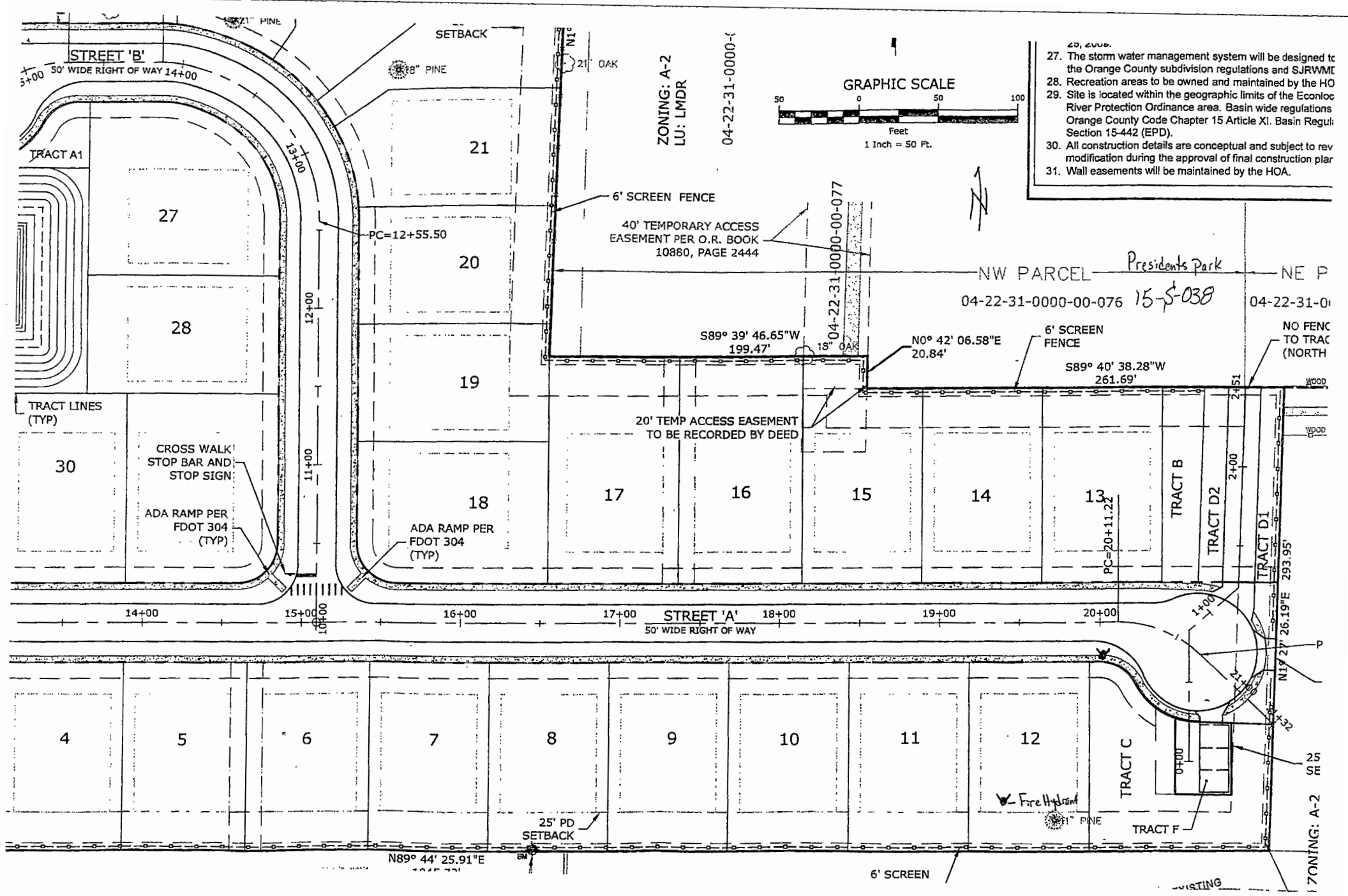


25, 2008.

27. The storm water management system will be designed to the Orange County subdivision regulations and SJRWMD
28. Recreation areas to be owned and maintained by the HO
29. Site is located within the geographic limits of the Econloc River Protection Ordinance area. Basin wide regulations Orange County Code Chapter 15 Article XI. Basin Regul Section 15-442 (EPD).
30. All construction details are conceptual and subject to rev modification during the approval of final construction plar
31. Wall easements will be maintained by the HOA.



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DATE December 20, 2016

DISTRICT 5

## CERTIFICATE OF COMPLETION

THIS IS TO CERTIFY THAT THE FACILITIES CONSTRUCTED BY:

DEVELOPER: Meritage Homes of Florida, Inc.; Attn. Alex Madison

ADDRESS: 5337 Millennia Lakes Boulevard, Suite 410, Orlando, Florida 32839

IN THE DEVELOPMENT OF: President's Park (aka. President's Point)

PROJECT NUMBER: 15-S-038 S-T-R 04-22-31

AS RECORDED IN PLAT BOOK 89, PAGES 139-140, ORANGE COUNTY RECORDS HAVE BEEN COMPLETED IN FORM AND MANNER ACCEPTABLE FOR FUTURE MAINTENANCE BY ORANGE COUNTY, FLORIDA.

CONTRACTOR: Wal-Rose Construction

FACILITIES AND IMPROVEMENTS COMPLETE

| YES | NOT REQUIRED | |
|---|---|---|
| X | | STREETS |
| X | | DRAINAGE FACILITIES |
| X | | WATER SYSTEM |
| X | | SANITARY SYSTEM |
| | X | RECLAIMED WATER SYSTEM |
| X | | EXTERNAL SIDEWALKS |
| X | | SCREENING |
| X | | ELECTRICAL SERVICE |
| | X | UNDERDRAINS |
| | X | ENVIRONMENTAL SWALES |

REQUIRED DOCUMENTS

| YES | NOT REQUIRED | |
|---|---|---|
| X | | ENGINEER CERTIFICATION |
| X | | SURVERYOR CERTIFICATION |
| X | | LETTER OF CREDIT |
| | X | CASH GUARANTEE |
| X | | "AS-BUILT" DRAWINGS |
| | X | APPROVAL OF AUDIO-OVERRIDE DEVICE |
| X | | RETENTION POND MAINTENANCE GUARANTEE |
| | X | UNDERDRAIN CERTIFICATION AND PERFORMANCE GUARANTEE |
| X | | CERTIFIED UTILITY COST AND "BILL OF SALE" |
| X | | PAYMENT FOR STREET AND TRAFFIC SIGNS |
| X | | VALUE OF TRANSFERRED PROPERTY FORM |

ROADWAY CATEGORY

| New Construction | Lane Miles | | Roadway Type | |
|---|---|---|---|---|
| Arterial | | Single lane miles | Private | Public |
| Collector | | Single lane miles | Private | Public |
| X Subdivision (local) | 0.63 | Single lane miles | Private | X Public |
| Alternative Surface | | Single lane miles | Private | Public |

0.63 TOTAL LANE MILES

Ladon E. Cochran
SENIOR INSPECTOR

CHIEF ENGINEER

MANAGER, DEVELOPMENT ENGINEERING

COUNTY ENGINEER, PUBLIC WORKS



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11. In order to recommend issuance of the "Certificate of Completion", the developer is to submit the following items to the County Engineer:

☑ a. Surveyor's certification that all P.R.M.'s, P.C.P.'s and lot corners and have been installed.

N/A ☐ b. Engineer's certification that environmental swales have been in installed and sodded in accordance with approved plan.

☑ c. Engineer's certification of substantial completion in accordance with Section 34-210 of the Orange County Code and an original of engineer's WMD completion letter.

☑ d. Four (4) complete sets of "As-Built" drawings (3 for Orange County Utilities, 1 for Orange County Public Works) in accordance with Section 34-211 of the Orange County Code.

☑ e. An irrevocable letter of credit in accordance with Sections 34-203 and 34-290 of the Orange County Code.

☑ f. Payment for street and traffic signs:

| | | | |
|---|---|---|---|
| No Parking | 15 | ($80.00 ea.) = $ | 1200.00 |
| 6" Street Signs | — | ($80.00 ea.) = $ | 0.00 |
| Stop Signs | — | ($105.00 ea.) = $ | 0.00 |
| Yield 36x36x36 | — | ($105.00 ea.) = $ | 0.00 |
| No Outlet | — | ($105.00 ea.) = $ | 0.00 |
| Speed Limit | 1 | ($98.00 ea.) = $ | 98.00 |
| Keep Right 24x30 | — | ($87.00 ea.) = $ | 0.00 |
| Dead End 30x30 | — | ($105.00 ea.) = $ | 0.00 |
| Dead End Assembly | 3 | ($77.00 ea.) = $ | 231.00 |
| 18" Object Marker | — | ($49.00 ea.) = $ | 0.00 |
| One Way Sign | — | ($78.00 ea.) = $ | 0.00 |
| 9" Stop/Street | 1 | ($221.00 ea.) = $ | 221.00 |
| 6" Stop/Street | 1 | ($153.00 ea.) = $ | 153.00 |
| | | TOTAL = $ | 1903.00 |

Check is to be made payable to the Orange County Board of County Commissioners.

☑ g. A certified utility cost and "Bill of Sale" for utilities to be owned by Orange County. For water and/or wastewater systems that will not be owned by Orange County the Developer must submit completion documentation from utility company or F.D.E.P.'s clearance for use.

☑ h. Retention pond maintenance guarantee (see F24 of Development Engineering Division supplement to subdivision regulations).

I/A ☐ i. Underdrain certification by geotechnical engineer in accordance with Section 34-266 of the Orange County Code.

☑ j. Certification that electric service has been installed or proof of payment for the cost of installation from the power company.

N/A ☐ k. Installation of entryway gate box labeled "Orange County" in



PRESIDENTS PARK (15-S-038)

OFFICE OF THE COMPTROLLER

ORANGE
COUNTY
FLORIDA

**Phil Diamond, CPA**
**County Comptroller**
201 South Rosalind Avenue
Post Office Box 38
Orlando, Florida 32802
Telephone: 407-836-5690
Fax: 407-836-5599
Website www.occompt.com

**COUNTY COMMISSION AGENDA**
**Tuesday, March 21, 2017**

**COUNTY COMPTROLLER**

**Informational only – No Board action required**

Receipt of the following items to file for the record:

a. Minutes of the January 18, 2017, Meeting in the Sunshine. County Mayor Teresa Jacobs and Commissioners Betsy VanderLey, Bryan Nelson, Pete Clarke, Jennifer Thompson, and Victoria Siplin along with area business leaders and local elected officials attended the 2017 Orange County Economic Summit discussing topics that included an economic forecast, presentations regarding the local economy, and a Workforce Development Panel.

b. Florida Public Service Commission Order Suspending Florida Power and Light's Petition for Approval of a New Optional Pilot LED Streetlight Tariff. In re: Petition for approval of a new optional pilot LED streetlight tariff, by Florida Power and Light Company.

c. Orange County Convention Center, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.

d. Orange County Solid Waste System, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.

e. Orange County Water Utilities System, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.

**Items filed for the record can be accessed at www.occompt.com. Then navigate to Clerk of the BCC.**

March 7, 2017

COUNTY GOVERNMENT
FLORIDA

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Ajit M. Lalchandani, County Administrator

SUBJECT: Appointments to the 2016 and 2017 Value Adjustment Boards
**DISCUSSION AGENDA ITEM MARCH 21, 2017**

The Value Adjustment Board (VAB) is composed of two members of the governing body of the county as elected from the membership of the board, one of whom shall be elected chairperson; one citizen member appointed by the governing body of the county who must own homestead property within the county; one member of the school board as elected from the membership of the school board; and one citizen member who owns a business occupying commercial space within the school board district and is elected by the school board. A list indicating how many times each of the Commissioners, Mayor, and citizen members have served on the VAB is attached for your review.

On May 10, 2016, Commissioner Boyd and Commissioner Clarke were appointed to the 2016 VAB and Commissioner Nelson and Commissioner Siplin were appointed as alternates. David W. Robinson was appointed as the citizen member, and Robert W. Caldwell was appointed as the alternate citizen member. Since Commissioner Boyd is no longer a member of the Board, there is a vacancy on the 2016 VAB for a commissioner. In addition, the membership of the 2017 VAB needs to be appointed.

At the March 21, 2017 meeting the Board will be asked to fill the vacancy on the 2016 VAB and appoint two Board members and one citizen member to the 2017 VAB and designate two Board members and one citizen member as alternates. Mr. Robinson and Mr. Caldwell have both indicated their willingness to serve, again.

Please call me if you have any questions.

**ACTION REQUESTED** **Appointment of one Board member to the 2016 Value Adjustment Board and appointment of two Board members and one citizen member to the 2017 Value Adjustment Board and the designation of two alternate Board members and one alternate citizen member.**

AML/cjg

Attachment

cc: Jeffrey J. Newton, County Attorney
Katie Smith, Manager, Comptroller Clerk's Office

AJIT LALCHANDANI, *County Administrator*
201 South Rosalind Avenue ▪ Reply To: Post Office Box 1393 ▪ Orlando, Florida 32802-1393
Telephone: 407-836-7366 ▪ Fax: 407-836-7399
Ajit.Lalchandani@ocfl.net


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## VALUE ADJUSTMENT BOARD APPOINTMENTS

**Commissioner VanderLey**

**Commissioner Clarke**
2013 (alt), 2014, 2015, 2016

**Commissioner Bonilla**

**Commissioner Nelson**
2015 (alt), 2016 (alt)

**Commissioner Thompson**
2011 (alt), 2012 (alt), 2014 (alt)

**Commissioner Siplin**
2015 (alt), 2016 (alt)

**Mayor Jacobs**

**Citizen (David W. Robinson)**
2009 (alt), 2010 (alt), 2011 (alt), 2012, 2013, 2014, 2015, 2016

**Alternate Citizen (Robert W. Caldwell)**
2012, 2013, 2014, 2015, 2016


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ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memoran

February 22, 2017

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: John Goodrich, Manager, Fiscal and Operation Support Division
Health Services Department
(407) 836-7689

SUBJECT: Selection of Consultant, RFP Y17-164-DG Health Insurance Premium & Cost Sharing Assistance Program for Persons with HIV Spectrum Disease – Ryan White Part A

RECOMMENDATION:

Selection of one firm and an alternate to provide Health Insurance Premium & Cost Sharing Assistance Program for Persons with HIV Spectrum Disease – Ryan White Part A, RFP Y17-164-DG, from the following firms listed alphabetically, for a 1-year term. Further recommend the Board authorize execution of the final contract by the Procurement Division, provided it does not exceed the budget of $1,341,609. Further recommend the Board authorize the Procurement Division to renew the contract for two additional 1-year terms. Further recommend the Board authorize the Comptroller to issue an advance payment in the amount of $100,000.

Benalytics Consulting Group, LLC
Heart of Florida United Way

Proposals were evaluated by the Procurement Committee on February 15, 2017. Commissioner Betsy VanderLey was assigned to the Procurement Committee.

PURPOSE:

To administer and pay insurance premiums, co-pays and deductibles for the Ryan White Part A program.



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DISCUSSION:

The health insurance premiums and cost sharing assistance program of the Orlando EMA Ryan White Part A Program provides financial assistance for eligible individuals living with HIV/AIDS to maintain a continuity of health insurance or to receive medical benefits under a health insurance program. Orange County, as the Ryan White Part A recipient, is required to have a policy in place to enroll consumers in health insurance when it is determined to be the most cost efficient way for receiving medical services.

Case managers are responsible for discussing the insurance options and consequences with consumers and subsequently refer them to a navigator. Once enrolled, the consumer obtains a print out of their coverage and deductibles. In coordination with their respective case managers, the consumer provides this document as well as their Notice of Eligibility for Ryan White service to Heart of Florida United Way, who then arranges to ensure the insurance premiums, co-pays and deductibles are paid. Consumers are not officially insured until premiums are paid after the initial enrollment process has been completed.

The budget amount ($1,341,609) represents the projected funding from the U.S. Health Resources and Services Administration (HRSA) and estimated fees to administer the contract.

The procurement committee evaluation is attached.

# EVALUATION SCORESHEET

| RFP Y17-164-DG | Qualifications of Staff | | Qualifications of Firm | | Technical Approach | | Fee Proposal | | TOTAL |
|---|---|---|---|---|---|---|---|---|---|
| WEIGHT | 25 | | 25 | | 25 | | 25 | | |
| **Health Insurance Premium & Cost Sharing Assistance Program for Persons with HIV Spectrum Disease - Ryan White Part A** | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | RAW SCORE | WEIGHTED SCORE | |
| Heart of Florida United Way | 4 | 100 | 4 | 100 | 4 | 100 | | 125 | 425 |
| Benalytics Consulting Group, LLC | 3 | 75 | 4 | 100 | 4 | 100 | | 118 | 393 |

March 7, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

THRU: George A. Ralls, Deputy County Administrator

FROM: Cornita A. Riley, Chief of Corrections
Orange County Corrections Department

SUBJECT: Jail to Community Reentry Program Update
**DISCUSSION AGENDA ITEM, MARCH 21, 2017**

At the Orange County Corrections Department, reentry begins the first day of incarceration. Inmates are assessed for participation in a variety of programs based on their background and qualifications with emphasis being placed on high risk inmates.

Through our partners, inmates are afforded the opportunity to participate in programs such as General Education Development (GED) offered by the Orange County Public Schools, Residential Substance Abuse Treatment supported by Specialized Treatment Education and Prevention Services (S.T.E.P.S.), and Cognitive Behavioral Change (CBC) to assist inmates with changing criminal thinking. Veterans have a designated dorm with counseling and support programs provided by the Veterans Administration. In partnership with Valencia College, inmates participate in a certified construction program that provides them the opportunity to receive three college credits towards an Associate's degree in Building Construction Technology. This program is a gateway to gaining career employment in the construction industry.

With the assistance of other community partners, grants, and in house faith-based services, inmates are also able to participate in programs such as Life Skills, Parenting, Victim Impact, Alcohol Anonymous/Narcotics Anonymous (AA/NA) meetings, and much more.

The Orange County Corrections Department is committed to recognizing the importance of creating sustainable transition from jail to community and engaging our community in our efforts to reduce recidivism.

This item is for informational purposes and No Board action is being requested.



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ORANGE COUNTY GOVERNMENT FLORIDA

**INTEROFFICE MEMO**



March 13, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: George A. Ralls, M.D. Deputy County Administrator

SUBJECT: House Bill 871Update
**Discussion Agenda Item - March 21, 2017**

On March 7, 2017, during BCC open discussion, Commissioner Clarke expressed support for House Bill 871, which would establish a statewide animal abuser registry to avoid placing companion animals in the hands of persons known to have abused animals in the past. As part of the discussion, Mayor Jacobs instructed staff to explore immediate measures at a county and/or regional level that could address the possibility of animals unknowingly being turned over to adopters with animal abuse convictions in their past.

As a follow up, I will provide a brief update on the status of the bill, as well as information about options to address this issue as we await the outcome of the legislative process.

This presentation is informational only; no Board action will be requested.

GR/cr



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ORANGE COUNTY GOVERNMENT
FLORIDA

**Interoffice Memorandum**

AGENDA ITEM

February 27, 2017

TO: Mayor Teresa Jacobs
–AND–
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

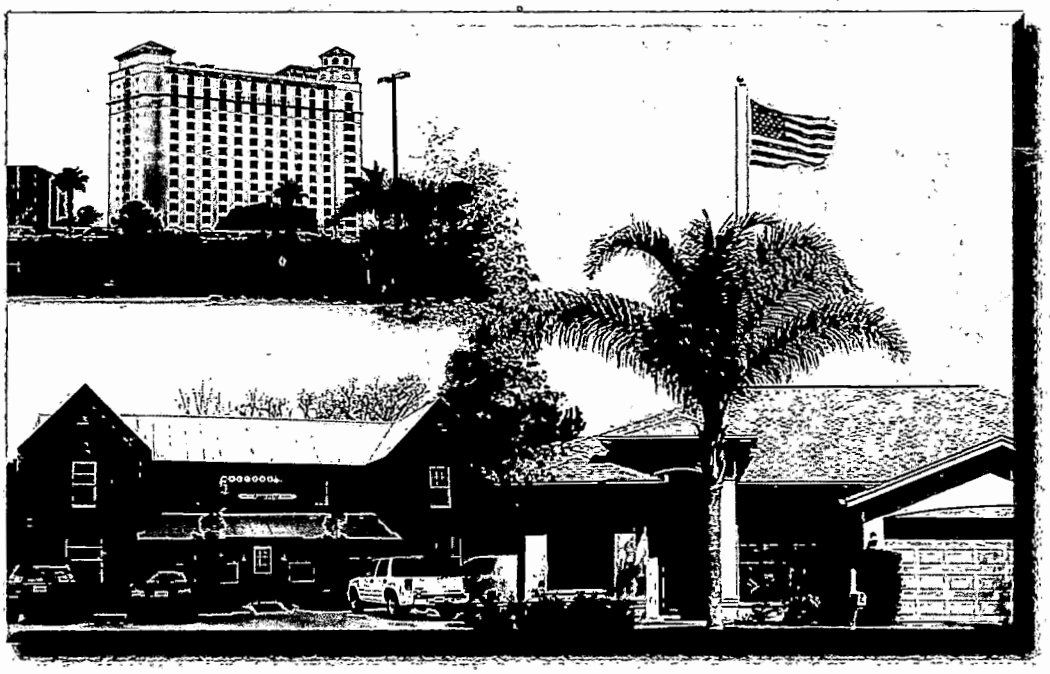
SUBJECT: March 21, 2017 – Work Session
Land Development Process – Zoning and Zoning Changes

On February 7, 2017 and February 21, 2017, staff presented the first two in a series of work sessions aimed at providing an overview of the County's major growth policy framework and the land development process. Those work sessions covered the County's Comprehensive Plan, specifically the plan amendment process and discussion on its framework policies.

On March 21, 2017, staff will provide an overview of the County's land development code aimed at addressing zoning standards and processes as it relates to new development. The work session will highlight the zoning code's relationship to the comprehensive plan, describe the process for rezoning applications for conventional and planned developments, and highlight the importance of public participation through community meetings and hearings. Staff will also describe the Board's responsibility and discretion regarding waivers and conditions of approval, especially where appropriate to address compatibility with adjacent development. Finally, staff will provide a brief overview of the Board of Zoning Adjustment process and the criteria for special exceptions and variances.

This work session is for informational purposes only, no action is required by the Board.

JVW:rep



# Orange County
# Board of Zoning Adjustment

# RECOMMENDATIONS BOOKLET

# March 2, 2017

Prepared by:
Community, Environmental & Development Services Department,
Orange County Zoning Division

ORANGE COUNTY GOVERNMENT
FLORIDA

# ORANGE COUNTY GOVERNMENT

# BOARD of ZONING ADJUSTMENT (BZA)

| | |
|---|---|
| Carolyn C. Karraker<br>***Vice-Chair*** | District #1 |
| Gregory A. Jackson<br>***Chairman*** | District #2 |
| Jose A. Rivas, Jr. | District #3 |
| Deborah Moskowitz | District #4 |
| Wes A. Hodge | District #5 |
| Eugene Roberson | District #6 |
| Vacant | At Large |

# *ORANGE COUNTY ZONING DISTRICTS*

## ***Agricultural Districts***

| | |
|---|---|
| A-I | Citrus Rural |
| A-2 | Farmland Rural |
| A-R | Agricultural-Residential District |

## ***Residential Districts***

| | |
|---|---|
| R-CE | Country Estate District |
| R-CE-2 | Rural Residential District |
| R-CE-5 | Rural Country Estate Residential District |
| R-l, R-IA & R-lAA | Single-Family Dwelling District |
| R-lAAA & R-lAAAA | Residential Urban Districts |
| R-2 | Residential District |
| R-3 | Multiple-Family Dwelling District |
| X-C | Cluster Districts (where *X* is the base zoning district) |
| R-T | Mobile Home Park District |
| R-T-I | Mobile Home Subdivision District |
| R-T-2 | Combination Mobile Home and Single-Family Dwelling District |
| R-L-D | Residential -Low-Density District |
| N-R | Neighborhood Residential |

## ***Non- Residential Districts***

| | |
|---|---|
| P-O | Professional Office District |
| C-l | Retail Commercial District |
| C-2 | General Commercial District |
| C-3 | Wholesale Commercial District |
| I-IA | Restricted Industrial District |
| 1-1/1-5 | Restricted Industrial District |
| 1-2/1-3 | Industrial Park District |
| 1-4 | Industrial District |

## ***Other District***

| | |
|---|---|
| P-D | Planned Development District |
| U-V | Urban Village District |
| N-C | Neighborhood Center |
| N-A-C | Neighborhood Activity Center |

## *VARIANCE CRITERIA*

Section 30-43 of the Orange County Code Stipulates specific standards for the approval of variances. No application for a zoning variance shall be approved unless the Board of Zoning Adjustment finds that all of the following standards are met:

1. Special Conditions and Circumstances – Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. Zoning violations or nonconformities on neighboring properties shall not constitute grounds for approval of any proposed zoning variance.

2. Not Self-Created – The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a zoning variance; i.e., when the applicant himself by his own conduct creates the hardship which he alleges to exist, he is not entitled to relief.

3. No Special Privilege Conferred – Approval of the zoning variance requested will not confer on the applicant any special privilege that is denied by the Chapter to other lands, buildings, or structures in the same zoning district.

4. Deprivation of Rights – Literal interpretation of the provisions contained in this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Chapter and would work unnecessary and undue hardship on the applicant. Financial loss or business competition or purchase of the property with intent to develop in violation of the restrictions of this Chapter shall not constitute grounds for approval.

5. Minimum Possible Variance – The zoning variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.

6. Purpose and Intent – Approval of the zoning variance will be in harmony with the purpose and intent of this Chapter and such zoning variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

## *SPECIAL EXCEPTION CRITERIA:*

Subject to Section 38-78, in reviewing any request for a Special Exception, the following criteria shall be met:

1. The use shall be consistent with the Comprehensive Policy Plan.

2. The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development.

3. The use shall not act as a detrimental intrusion into a surrounding area.

4. The use shall meet the performance standards of the district in which the use is permitted.

5. The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district.

6. Landscape buffer yards shall be in accordance with Section 24-5, Orange County Code. Buffer yard types shall track the district in which the use is permitted.

**In addition to demonstrating compliance with the above criteria, any applicable conditions set forth in Section 38-79 shall be met.**

# ORANGE COUNTY BOARD OF ZONING ADJUSTMENT
# RECOMMENDATIONS
# MARCH 2, 2017

| PUBLIC HEARING | APPLICANT | DISTRICT | BZA Recommendations | PAGE # |
|---|---|---|---|---|
| SE-17-02-188 | Aspire Health Partners, Inc. | 5 | Approved w/Conditions | 1 |
| VA-17-03-001 | Frankie Stua | 5 | Approved w/Conditions | 11 |
| VA-17-03-002 | Dexter Williams | 2 | Approved w/Conditions | 19 |
| SE-17-03-003 | Orlando Kart Center | 4 | Approved w/Conditions | 28 |
| SE-17-03-005 | William Hurd | 1 | Approved w/Conditions | 37 |
| SE-17-03-004 | Jasila Louis | 6 | SE Denied<br>VA #1, 2 & 3 Denied<br>VA #4 Approved w/Conditions | 46 |
| VA-17-03-006 | Ronnie Logan | 5 | Denied | 56 |
| VA-17-03-007 | Lyizz Kazymyrr | 6 | Approved w/Conditions | 63 |
| VA-17-03-009 | Phan's Asian Cuisine | 4 | Denied | 72 |
| SE-17-03-010 | Ocoee Church of God | 2 | Approved w/Conditions | 82 |
| VA-17-03-012 | Oliver Cappo | 5 | Approved w/Conditions | 93 |
| VA-17-03-013 | Dean Moslow | 6 | Approved w/Conditions | 101 |
| SE-17-03-014 | Cowart Mulch | 2 | Approved w/Conditions | 109 |
| VA-17-03-016 | Robert Thomas | 4 | Continued | 119 |
| VA-17-03-017 | Steven Tokar | 3 | Approved w/Conditions | 126 |
| VA-17-03-018 | CapeView Construction, Inc. | 6 | Approved w/Conditions | 133 |
| VA-17-02-193 | Albert Segev | 6 | Approved w/Conditions | 144 |

**ASPIRE HEALTH PARTNERS, INC.**
**SE-17-02-188**

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| | |
|---|---|
| **REQUEST:** | **Special Exception** in R-2 and R-3 zoning districts to allow a clubhouse to be used for social services and job training.<br>(Note: The clubhouse exists and is adjacent to 12 duplexes. It will support the residents of the duplexes and the general public). |
| **ADDRESS:** | 4094 Ellis Drive, Orlando FL 32804 |
| **LOCATION:** | East side of Edgewater Dr., north of Fairbanks Ave., south of Lee Rd. |
| **S-T-R:** | 03-22-29 |
| **TRACT SIZE:** | 7.63 acres |
| **DISTRICT#:** | 5 |
| **LEGAL:** | LORENA GARDENS P/18 LOTS 4 THRU 6 & NWLY 105 FT OF LOT 7 & 8 BLK A & NWLY 105 FT OF N 51 FT OF LOT 5 BLK 5 OF FAIRVIEW SPRINGS REP 1ST ADD K/94 & NWLY 38 FT OF ST LYING SELY OF LOTS 4 THRU 6 BLK A & 1/6 INT IN & TO E 21 FT OF S 150 FT & E 22 FT OF N 250 F |
| **PARCEL ID:** | 03-22-29-5228-01-041 |
| **NO. OF NOTICES:** | 198 |

**DECISION: APPROVED** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated November 8, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Approval is to use the clubhouse to provide job training skills and social services. It shall not be used as a substance abuse or recovery facility; and,

5. A use permit shall be obtained from Orange County prior to operating the facility.

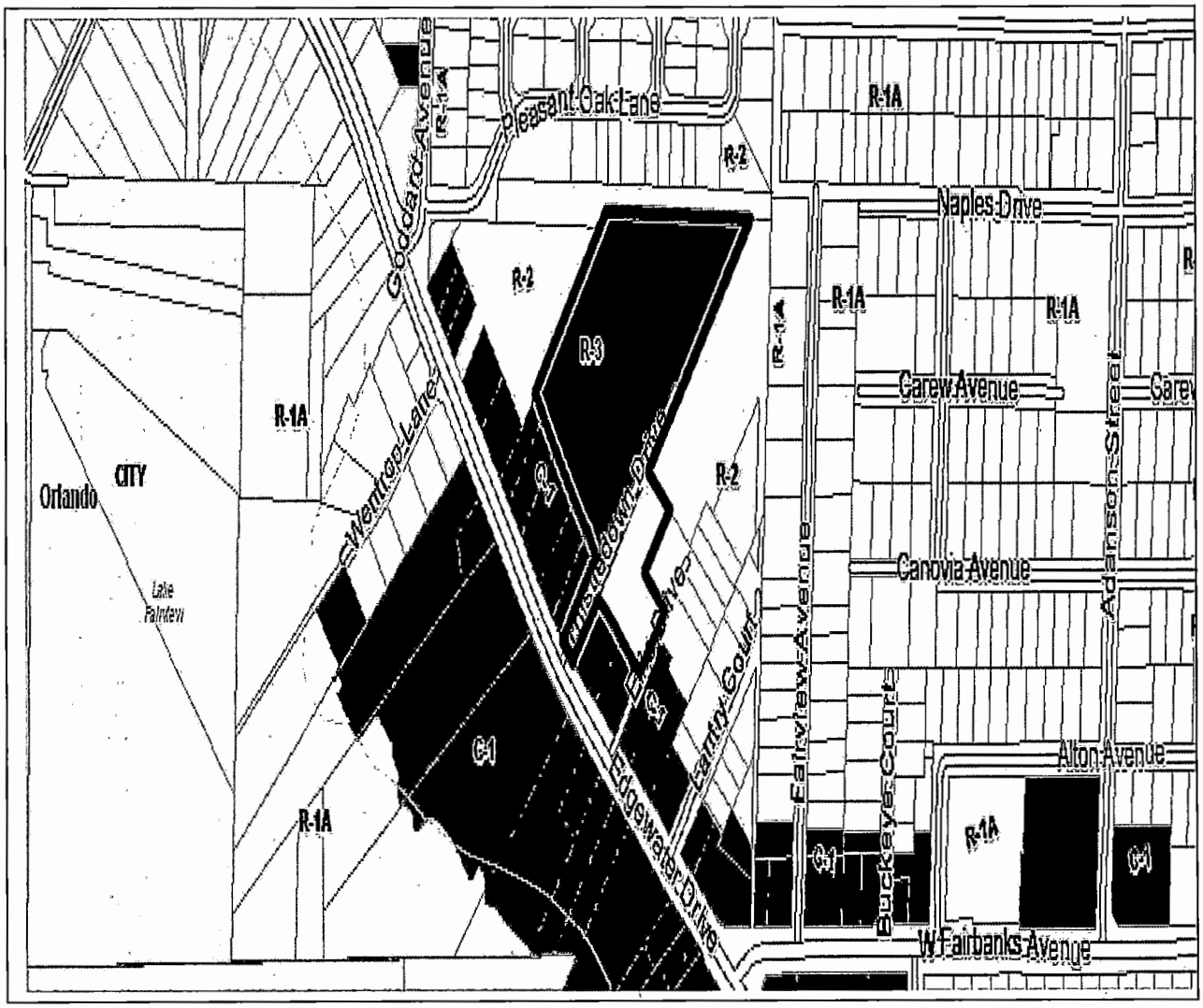
**SYNOPSIS:** Staff gave a brief presentation on the case. It addressed the request, existing use, zoning in the area, and a brief analysis.

The applicant stated the majority of the clients they serve are living in the adjacent duplexes, and that the social services and job training use has been there for three (3) years.

The BZA confirmed that the facility would not be used as a clubhouse after hours.

Staff received two (2) commentaries in favor of the application and one (1) in opposition. There was no opposition at the hearing.

The BZA approved the Special Exception.




**Applicant:** Aspire Health Partners, Inc.

**BZA Number:** SE-17-02-188

**BZA Date:** 03/02/2017

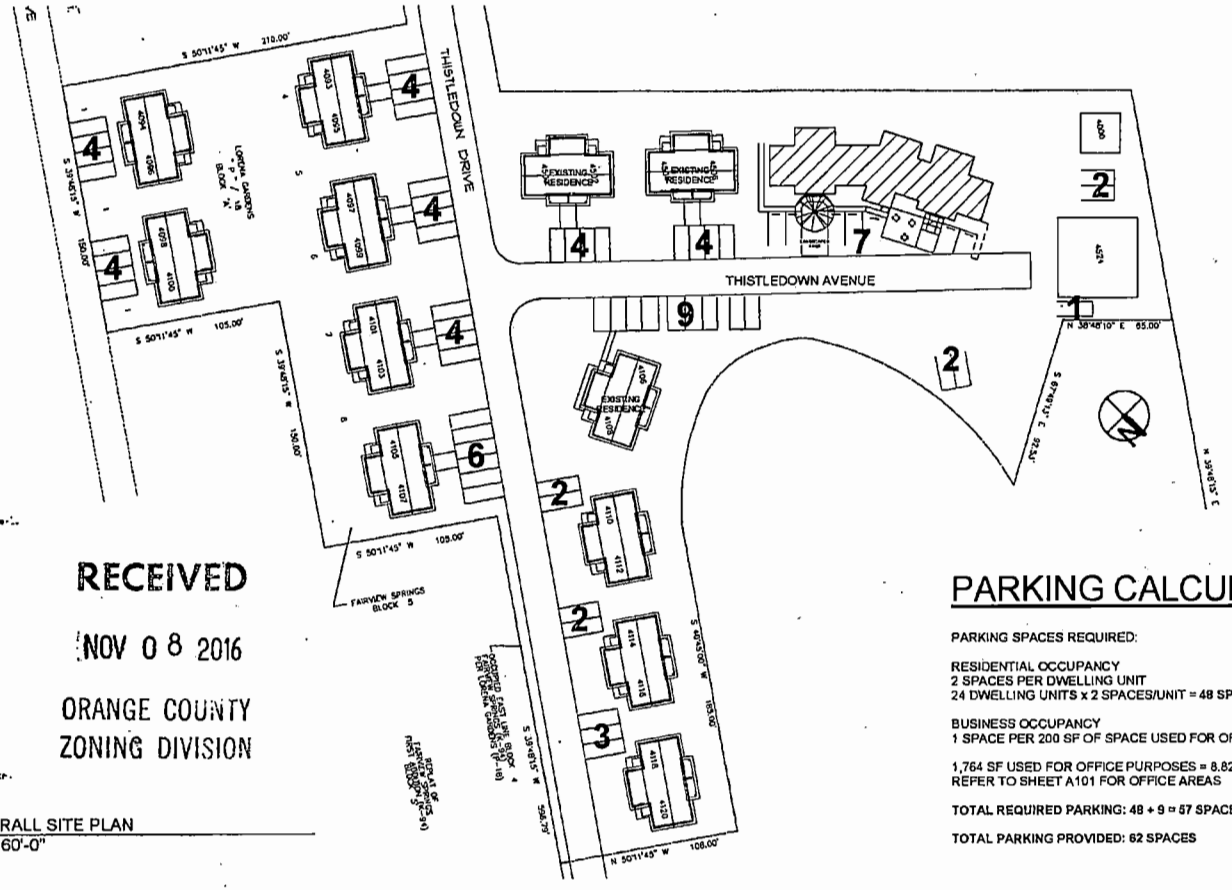
**District:** 5

**Sec/Twn/Rge:** 03-22-29-SE-D

**Tract Size:** 7.63 acres

**Address**: 4094 Ellis Drive, Orlando FL 32804

**Location:** East side of Edgewater Dr., north of Fairbanks Ave., south of Lee Rd.




RECEIVED

NOV 0 8 2016

ORANGE COUNTY
ZONING DIVISION

1 OVERALL SITE PLAN
1" = 60'-0"

## PARKING CALCULATIONS

PARKING SPACES REQUIRED:

RESIDENTIAL OCCUPANCY
2 SPACES PER DWELLING UNIT
24 DWELLING UNITS x 2 SPACES/UNIT = 48 SPACES

BUSINESS OCCUPANCY
1 SPACE PER 200 SF OF SPACE USED FOR OFFICE PURPOSES

1,764 SF USED FOR OFFICE PURPOSES = 8.82 (9) SPACES
REFER TO SHEET A101 FOR OFFICE AREAS

TOTAL REQUIRED PARKING: 48 + 9 = 57 SPACES

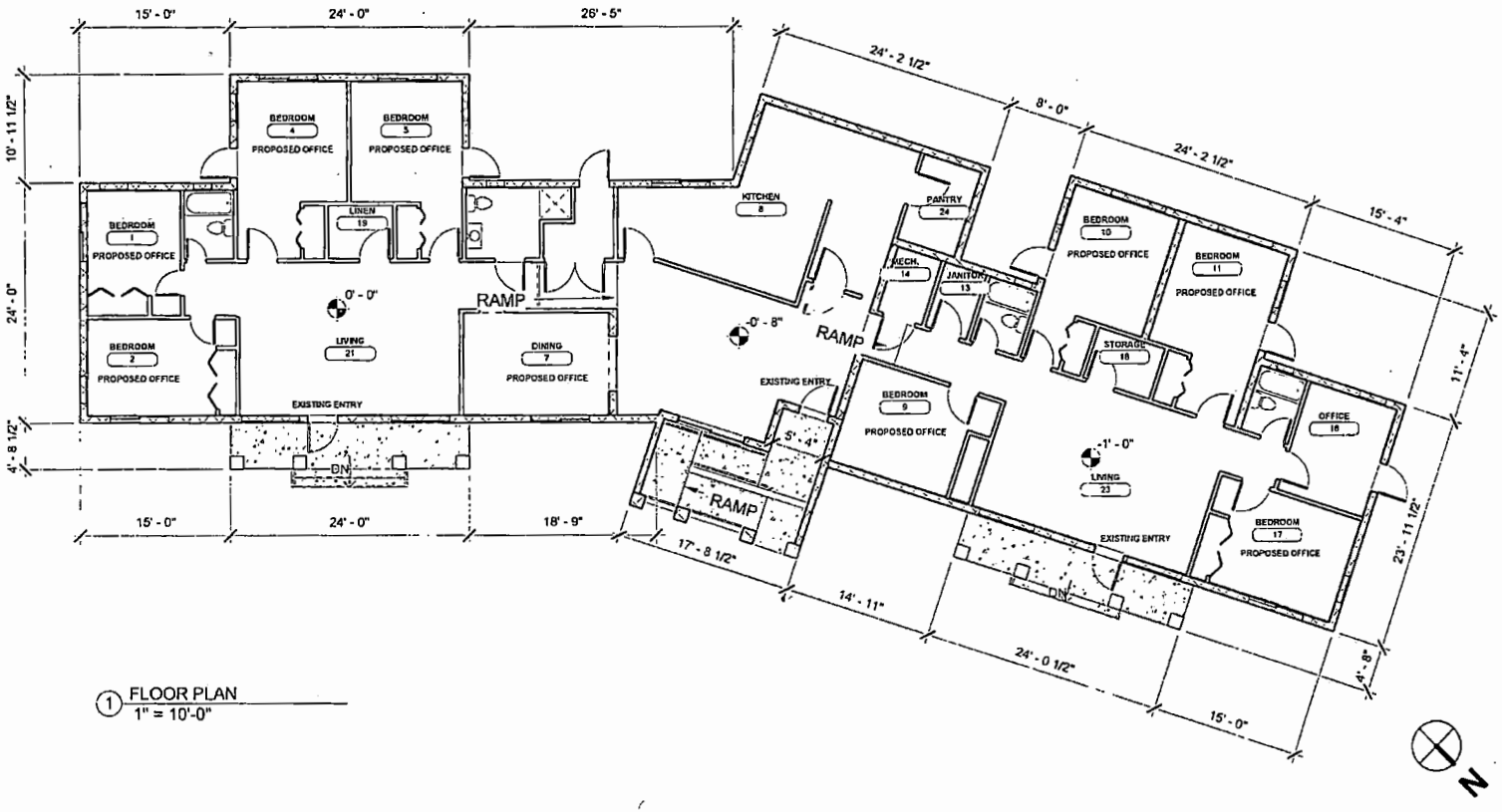
TOTAL PARKING PROVIDED: 62 SPACES

ASPIRE HEALTH PARTNERS
A002

10.03.2016

4508 THISTLEDOWN AVE.
OVERALL SITE PLAN

PROCESS ARCHITECTURE




1 FLOOR PLAN
1" = 10'-0"

ASPIRE HEALTH PARTNERS

A101

10.03.2016

4508 THISTLEDOWN AVE.

FLOOR PLAN

PROCESS ARCHITECTURAL

EXHIBIT "A"


# PAMELA MILTON ROBB, P.A.

ATTORNEY AND COUNSELOR AT LAW

P.O. BOX 785007 • 1311 WINTER GARDEN-VINELAND ROAD • WINTER GARDEN, FLORIDA 34778
TELEPHONE (407) 654-0464 • FAX (407) 656-6163


October 25, 2016

Orange County Zoning Division
201 S. Rosalind Avenue
P.O. Box 2687
Orlando, FL 32802-2687

RE: 4508 Thistledown Avenue

Dear Ladies and Gentlemen:

Aspire Health Partners, Inc. hereinafter "Aspire" is applying for a Special Exception to accommodate its use of 4508 Thistledown Avenue, Orlando, FL 32803 as its "Recovery Place Clubhouse". It is located inside a larger property containing 12 duplex apartment buildings resided in by clients of Aspire. This building was previously occupied by a group home operated under a license issued by the State of Florida. There is also a building used as a laundry facility and a storage building.

Recovery Place is a voluntary program which runs Monday through Friday from 9 a.m. – 4 p.m. The focus of the program is self-directed recovery, including the implementation of the Wellness Recovery Action Plan (WRAP). Recovery is defined as a journey of healing and transformation for a person with a mental health problem to be able to live a meaningful life in a community of his or her choice while striving to achieve maximum human potential. The key concepts to the recovery process include hope, personal responsibility, education, self-advocacy and support.

Recovery Place is a community rehabilitation program for people living with a mental illness. Participants are called members and they work side by side with staff to perform all the functions needed for a smooth running program. The members participate in the Work Activity Units such as Culinary, Clothes Closet, Communications Unit and the Media Unit. This includes cashiering, cleaning, data input, computer work and more.

When the member feels they are ready to move to the next level the member can participate in Transitional Employment. Transitional employment is a cost effective solution to assist in filling entry level positions. Transitional Employment Placements (TEP) are time limited, (6 to 9 months) entry level jobs in the community at prevailing wages for Recovery Place members living with a disability. The only requirement for the member to participate in Transitional Employment is the expressed desire to work.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ORANGE COUNTY
ZONING DIVISION

Recovery Place takes the responsibility for the costly and time consuming process of hiring by filling the position with a member who is qualified for the job, at no expense to the employer.

The Supported Employment program offers long term paid employment opportunities. Members receive support, advocacy, supervision and training assistance to keep them in stable employment indefinitely. The same support is provided to the employer. The Supportive Employment Specialist acts as a liaison between the employer and the member. This program is specifically designed as a vocational rehabilitation program where a member can gain or regain the skills and confidence necessary to have a job while he or she is employed in a "real world" position.

The admission and discharge criteria for Recovery Place are as follows:

**Admission Criteria**

Currently has a Mental Health diagnosis.
Currently is a consumer at Aspire.
Consumer must be 18 years of age or older.
Consumer is willing to work towards recovery and wellness.
Consumer has demonstrated difficulty maintaining stability in the community.
Consumer expresses a desire to work.

**Exclusionary Criteria**
Consumers who pose a threat to fellow consumers and/or staff will be excluded from the program.

**Successful Discharge:**
Consumers successfully establish a Recovery Plan for him/herself which will help them remain as stable as possible by establishing effective action plans for themselves.

Once the consumer has demonstrated the ability and the confidence to utilize the plan effectively in controlling negative feelings and behaviors, taking care of themselves and keeping themselves safe.

The consumer has obtained the level if suitable employment with which he/she is satisfied.

The consumer may return at any time.

**Unsuccessful Discharge**
Consumer's instability or unwillingness to establish and utilize a Wellness Recovery Action Plan.

Following one or more incidents of violent behavior in which the safety of one or more individuals is compromised, or in any way endangers their wellbeing.

Consumer's use of alcohol or illegal substances on property.

This special exception request originates from the inability of the Orange County Fire Department to complete its annual inspection without a use permit for the 4508 Thistledown building. The thought has been that Recovery Clubhouse was a permitted ancillary use in R-3 zoning. It now appears that because Aspire employees are based at that location, a special exception is needed. It further appears that the Recovery Clubhouse would be an appropriate special exception in R-3 Zoning under Category 8322 or 8331.

Very truly yours,

Pamela M. Robb

ORANGE COUNTY GOVERNMENT FLORIDA

# STAFF REPORT
# CASE #SE-17-02-188

Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
March 2, 2017
Commission District: 5

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Aspire Health Partners, Inc. |
| HEARING TYPE: | Board of Zoning Adjustment |
| REQUEST: | Special Exception in R-2 and R-3 zoning districts to allow a clubhouse to be used for social services and job training.<br><br>(Note: The clubhouse exists and is adjacent to 12 duplexes. It will support the residents of the duplexes and the general public). |
| LOCATION: | East side of Edgewater Dr., north of Fairbanks Ave., south of Lee Rd. |
| PROPERTY ADDRESS: | 4094 Ellis Drive |
| PARCEL ID: | 03-22-29-5228-01-041 |
| TRACT SIZE: | 7.63 acres |
| DISTRICT #: | 5 |
| ZONING: | R-3, R-2 |
| EXISTING USE(S): | Clubhouse |
| PROPOSED USE(S): | Job training and life skills |
| SURROUNDING USES: | N – Multifamily<br>S – Commercial<br>E – Vacant, Single Family Residences<br>W - Stormwater retention |

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting Special Exception to allow an existing clubhouse to be used for job training, counselling, and meetings.

2. The entire complex contains twelve (12) duplexes housing clients of Aspire with a mental health diagnosis and the subject Recovery Place Clubhouse.

3. The applicant stated that the Recovery Place Clubhouse facility will operate from 9:00 a.m. to 4:00 p.m., Monday to Friday, with six (6) to eight (8) staff members on site. The majority of the clients served by the facility will be on site residents, as well as a few former residents, and occasional members of the public.

4. This Special Exception application was necessary because the Orange County Fire Department was unable to complete its annual inspection without a use permit.

5. The proposed use is compatible with the surrounding uses.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated November 8, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Approval is to use the clubhouse to provide job training skills and social services. It shall not be used as a substance abuse or recovery facility; and,

5. A use permit shall be obtained from Orange County prior to operating the facility.

cc: Pamela M. Robb, Esq. (Applicant's representative), 1311 Winter Garden Vineland Road, Winter Garden, Florida 34787

**FRANKIE STUA**
**VA-17-03-001**

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| | |
|---|---|
| **REQUEST:** | **Variance** in the R-2 zoning district construct accessory building (shed) 5 ft. from the side street property line in lieu of 15 ft. (Note: The shed was constructed without permits. This is the result of code enforcement action). |
| **ADDRESS:** | 1626 Cumbie Avenue, Orlando FL 32804 |
| **LOCATION:** | Southeast corner of Cumbie Ave. and Taft Ave. |
| **S-T-R:** | 15-22-29 |
| **TRACT SIZE:** | .15 acres |
| **DISTRICT#:** | 5 |
| **LEGAL:** | FAIRVILLA PARK L/115 LOT 13 BLK H |
| **PARCEL ID:** | 15-22-29-2652-08-130 |
| **NO. OF NOTICES:** | 103 |

**DECISION: APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 5, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. Permits for the accessory building shall be obtained within sixty (60) days or this approval becomes null and void.

**SYNOPSIS:** The applicant built a shed without permits. He was cited by the Code Enforcement Division. The shed is located on the part of the lot that has the most area.

Staff advised the BZA that there is a septic tank and drainfield behind the house and the backyard narrows in width. The front yard is the only area that is big enough for a shed.

Staff advised the BZA this request met the Variance Criteria.

The BZA agreed. There was no opposition at the hearing.

**Applicant:** Frankie Stua

**BZA Number:** VA-17-03-001

**BZA Date:** 03/02/2017

**District:** 5

**Sec/Twn/Rge:** 15-22-29-NW-B

**Tract Size:** .15 acres

**Address**: 1626 Cumbie Avenue, Orlando FL 32804

**Location:** Southeast corner of Cumbie Ave. and Taft Ave.

Frankie M. Stua
1626 Cumbie Ave
Orlando, Florida 32804
December 28, 2016

Re: Variance Approval

Dear Orange County Zoning Department:

I am writing to request that your department grant my home a variance for the placement of my custom storage shed. The shed information is attached. It is a custom built shed and was made to match my house. It does currently sit 5 feet off my property line; however it is on the right front side of my fenced in yard. It is placed were a garage would have been, if the builders had added one to the house. It is not visible to any other houses, as the areas directly across the street are industrial warehouses. (~~See photo~~).

I am asking for the variance to be granted, as the area in my back yard where it could be placed, we are just finding out we are losing it due to a grandfathered easement that runs through the back 20 feet of our yard. We have lived here for two years and this was not brought to my attention until the empty lots on the left side of my house, which are in the City of Orlando, are now being developed. My back yard has a septic tank in it. We also have to move our fence up 20 feet, so the fence will now be right to the end of the drain field and it cannot take the weight of the shed. We have nowhere else to place it. I have three children and this is my only storage area for their bikes, etc....I would appreciate your assistance granting this variance during this very stressful situation. I really hate losing half of my back yard and now the possibility of also losing my only storage area is devastating to say the least.

Sincerely,

Frankie Michelle Stua

407-616-7730

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Zoning Division

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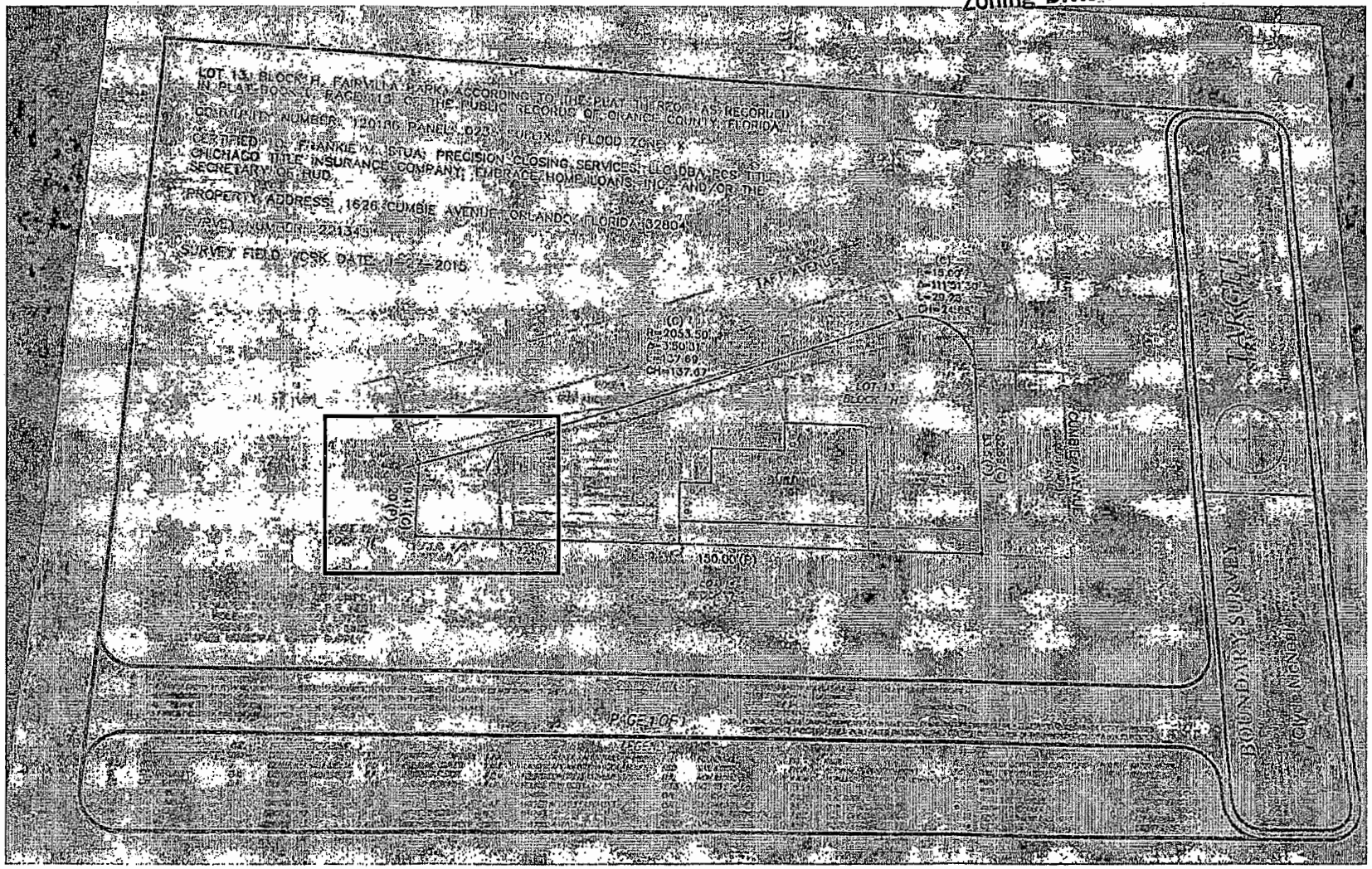

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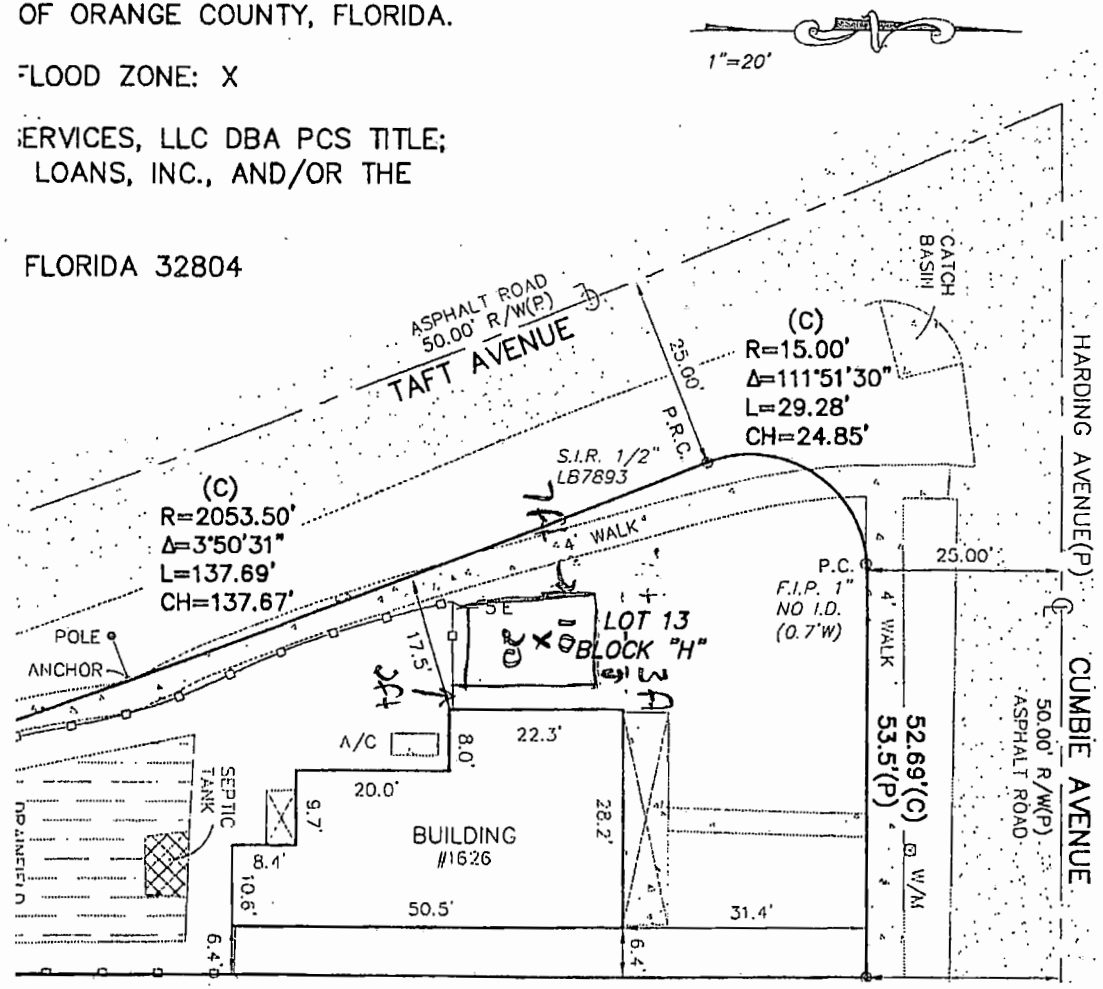
Zoning Division

: PLAT THEREOF, AS RECORDED
OF ORANGE COUNTY, FLORIDA.

FLOOD ZONE: X

SERVICES, LLC DBA PCS TITLE;
LOANS, INC., AND/OR THE

FLORIDA 32804





SERVING ALL FLORIDA COUNTIES
TARGET SURVEYING, LLC
6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
L.B. 7893
PHONE: (561) 640-4800 FACSIMILE :(561) 640-0576
STATEWIDE NUMBERS PHONE (800) 226-4807 FACSIMILE (800) 741-0576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PRESENTATION OF A
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PER #2883

ORANGE COUNTY GOVERNMENT FLORIDA

STAFF REPORT
CASE #VA-17-03-001
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
March 2, 2017
Commission District: 5

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Frankie Stua |
| REQUEST: | Variance in the R-2 zoning district construct accessory building (shed) 5 ft. from the side street property line in lieu of 15 ft.<br><br>(Note: The shed was constructed without permits. This is the result of code enforcement action). |
| LOCATION: | Southeast corner of Cumbie Ave. and Taft Ave. |
| PROPERTY ADDRESS: | 1626 Cumbie Avenue |
| PARCEL ID: | 15-22-29-2652-08-130 |
| TRACT SIZE: | .15 acres |
| DISTRICT #: | 5 |
| ZONING: | R-2 |

STAFF FINDINGS AND ANALYSIS:

1. The applicant constructed an accessory building without permits and was cited by the Code Enforcement Division.

2. The accessory building is located five (5) feet from the side street (Taft Avenue). The code requirement is fifteen (15) feet.

3. The request substantially complies with the zoning variance criteria. There is a septic tank and drain field behind the house which limits the area in the back yard for the accessory structure. In addition, the lot has an irregular shape which allows for limited

area in the backyard and ample space in the front yard. These conditions satisfy the Variance Criteria.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 5, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. Permits for the accessory building shall be obtained within sixty (60) days or this approval becomes null and void.

cc: Frankie and Michelle Stua
1626 Cumbie Avenue
Orlando, Florida 32804

**DEXTER WILLIAMS**
**VA-17-03-002**

---

| | |
|---|---|
| **REQUEST:** | **Variance** in the R-L-D zoning district to construct a sunroom addition 15 ft. from the rear (north) property line in lieu of 20 ft.<br>(Note: The applicant's HOA and four (4) of the most impacted neighbors have submitted letters of support). |
| **ADDRESS:** | 5418 Lochdale Drive, Orlando FL 32818 |
| **LOCATION:** | North side of Lochdale Dr., approximately 175 ft. east of Shale Ridge Trail, 1/4 mile south of Clarcona Ocoee Rd. |
| **S-T-R:** | 35-21-28 |
| **TRACT SIZE:** | 58 ft. x 110 ft. |
| **DISTRICT#:** | 2 |
| **LEGAL:** | ROBINSON HILLS UNIT 7 68/120 LOT 602 |
| **PARCEL ID:** | 35-21-28-7562-06-020 |
| **NO. OF NOTICES:** | 110 |

**DECISION: APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 5, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

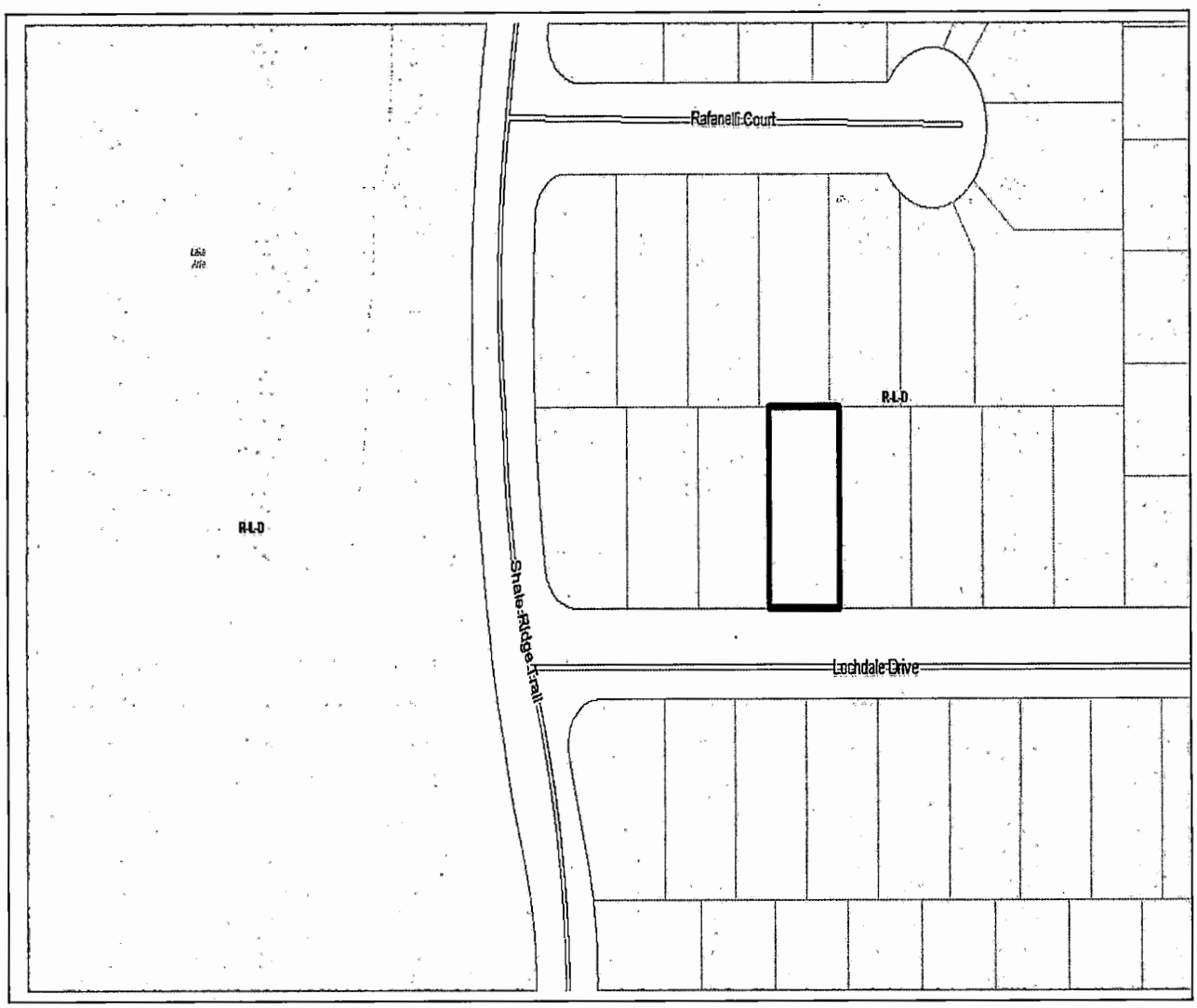
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. The exterior of the addition shall match the exterior of the existing residence with respect to color and materials.

**SYNOPSIS:** Staff explained that the R-L-D zoning district was not a very commonly used district. In addition, while the actual rear setback for this district is fifteen (15) feet, it is because the developers envisioned larger rear yards that they established the setbacks by way of the plat. Therefore, the BZA is actually acting to allow the applicant to do what they would be able to do in any other subdivision with this zoning by right. In addition, if this were a screen room, the applicant could construct it up to thirteen (13) feet into the rear setback by code. Staff concluded by showing that the applicant had the support of the four (4) most impacted property owners and the HOA.

The applicant was in agreement with the staff recommendation and proposed conditions. There being no one in attendance to speak for or against the request, the public hearing was closed.

The BZA found that the applicant was being denied rights enjoyed by others in the same zoning district. Further, the fact that the HOA supported the request showed that this would not be a detriment to the neighborhood.




**Applicant:** Dexter Williams

**BZA Number:** VA-17-03-002

**BZA Date:** 03/02/2017

**District:** 2

**Sec/Twn/Rge:** 35-21-28-SW-C

**Tract Size:** 58 ft. x 110 ft.

**Address**: 5418 Lochdale Drive, Orlando FL 32818

**Location:** North side of Lochdale Dr., approximately 175 ft. east of Shale Ridge Trail, 1/4 mile south of Clarcona Ocoee Rd.

Dexter Williams
5418 Lochdale Drive
Orlando, Florida 32818
01/02/2017

The Manager
Orange County Zoning Division
201 S. Rosalind Ave
Orlando, Fl 32802

Dear Sir/Madam,

I hereby submit my request for variance approval for a proposed 416 sq. ft. concrete block construction Florida room and bathroom addition. My father Sydney Williams is 98 years old and I am making the living facilities more convenient to care for him by adding a bathroom and lounge area which will be wheelchair accessible and fully equipped with the necessary security bars and support.

The building will be constructed 15.5 ft. from the property line. The require building setback is 20.0 ft. so I have exceeded the required 20.0 ft. setback. Sound proof windows will be installed to reduce road noise and will also help to reduce noise levels from my property. The proposed addition will not be a nuisance or hindrance to any of my neighbors.

Your kind consideration would be greatly appreciated in the above mentioned matter.

Sincerely,

Dexter Williams.

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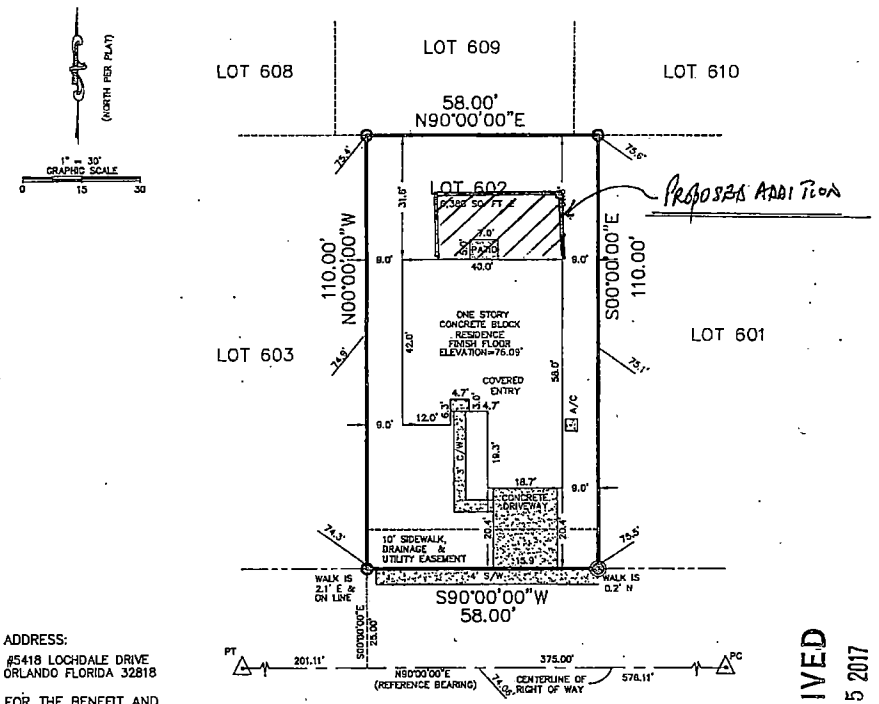
Zoning Division

# PLAT OF SURVEY

DESCRIPTION: (AS FURNISHED)

LOT 602, ROBINSON HILLS, UNIT 7

AS RECORDED IN PLAT BOOK 68, PAGES 120–122 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.




ADDRESS:
#5418 LOCHDALE DRIVE
ORLANDO FLORIDA 32818

FOR THE BENEFIT AND EXCLUSIVE USE OF:
DEXTER M. WILLIAMS
DHI TITLE OF FLORIDA, INC.
ALLIANT NATIONAL TITLE INSURANCE CO
DHI MORTGAGE COMPANY LTD.

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JAN 05 2017
Zoning Division

THERE MAY BE ADDITIONAL IMPROVEMENTS OR DELETIONS TO THE DRAWING SHOWN HEREON. ALL IMPROVEMENTS SHOWN WERE LOCATED ON 11–20–09

## NOTES:

1. ALL DIRECTIONS AND DISTANCES HAVE BEEN FIELD VERIFIED, INCONSISTENCIES HAVE BEEN NOTED ON THE SURVEY, IF ANY.
2. PROPERTY CORNERS SHOWN HEREON WERE SET/FOUND ON 11–20–09, UNLESS OTHERWISE SHOWN.
3. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND.
4. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.
5. BUILDING TIES SHOWN HEREON ARE NOT TO BE USED TO RECONSTRUCT THE BOUNDARY LINES.
6. ELEVATIONS SHOWN HEREON ARE BASED ON SITE BENCHMARK PER APPROVED ENGINERING PLANS PROVIDED BY CLIENT, NGVD 29 DATUM.

## LEGEND

| | |
|---|---|
| ——— | CENTERLINE |
| ——— | RIGHT OF WAY LINE |
| 131.24 | EXISTING ELEVATION |
| A/C | AIR CONDITIONER |
| | CONCRETE |
| C | CHORD LENGTH |
| C.B. | CHORD BEARING |
| CBW | CONCRETE BLOCK WALL |
| CNA | CORNER NOT ACCESSIBLE |
| CP | CONCRETE PAD |
| CS | CONCRETE SLAB |
| C/W | CONCRETE WALK |
| F.E.M.A. | FEDERAL EMERGENCY MANAGEMENT AGENCY |
| F.I.R.M. | FLOOD INSURANCE RATE MAP |
| ID | IDENTIFICATION |
| L | ARC LENGTH |
| LB | LICENSED BUSINESS |
| LS | LICENSED SURVEYOR |
| (M) | MEASURED |
| OHU | OVERHEAD UTILITY LINE |

| | |
|---|---|
| ◎ | FOUND NAIL AND DISC LB #6393 |
| △ | FOUND NAIL AND DISC LB #6393 |
| ○ | FOUND 1/2" IRON ROD AND CAP LB #6393 |
| Δ | DELTA ANGLE |
| (P) | PER PLAT |
| PC | POINT OF CURVATURE |
| PCC | POINT OF COMPOUND CURVE |
| PCP | PERMANENT CONTROL POINT |
| PI | POINT OF INTERSECTION |
| PK | PARKER KALON |
| POC | POINT ON CURVE |
| POL | POINT ON LINE |
| PRC | POINT OF REVERSE CURVATURE |
| PRM | PERMANENT REFERENCE MONUMENT |
| PSM | PROFESSIONAL SURVEYOR AND MAPPER |
| PT | POINT OF TANGENCY |
| R | RADIUS |
| RP | RADIUS POINT |
| S/W | SIDEWALK |
| TYP | TYPICAL |
| UP | UTILITY PAD |

I HAVE EXAMINED THE F.I.R.M. COMMUNITY PANEL NO. 120179 0230 E DATED 12-06-00, AND FOUND APPEARS TO LIE IN ZONE AE AREA WITHIN THE 100 YEAR FLOOD PLAIN.
THE SURVEYOR MAKES NO GUARANTEES AS TO THE ABOVE INFORMATION. PLEASE CONTACT THE LOCAL F.E.M.A. AGENT FOR VERIFICATION.

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF LOCHDALE DRIVE BEING N90°00'00"E PER PLAT.

(FIELD DATE:) 09-14-09
SCALE: 1" = 30 FEET
APPROVED BY: DEB
JOB NO. 8041801 LOT 602
DRAWN BY:

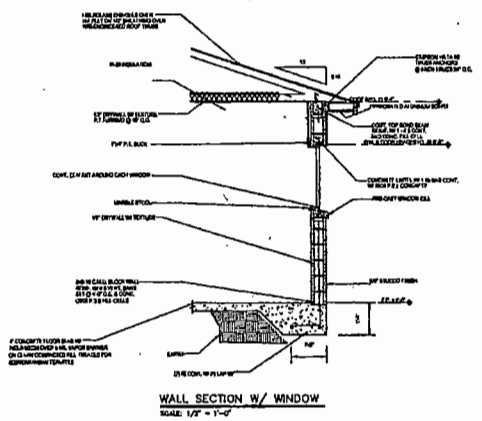
REVISED:
CERTS 08-25-10 RP
FINAL 11-20-09/CC
FORMBOARD 10-08-09 CC
PLOT PLAN 9-8-09 JML


AMERICAN SURVEYING & MAPPING INC.
CERTIFICATION OF AUTHORIZATION NUMBER LB#6393
1030 N. ORLANDO AVE. SUITE B
WINTER PARK, FLORIDA 32789
(407) 425-7979
WWW.AMERICANSURVEYINGANDMAPPING.COM

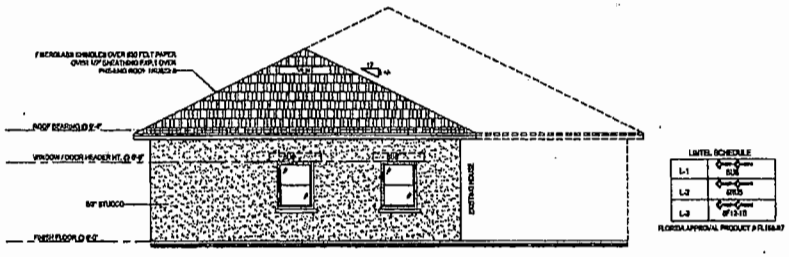

THIS IS A BOUNDARY SURVEY NOT VALID WITHOUT THE AUTHENTIC ELECTRONIC SIGNATURE AND THE AUTHENTIC ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

DAVID MARK DEFILIPPO License Number LS 5038 STATE OF FLORIDA Professional Surveyor & Mapper

DAVID M. DeFILIPPO PSM #5038 — 06-25-10 (DATE) — FOR THE FIRM



WALL SECTION W/ WINDOW

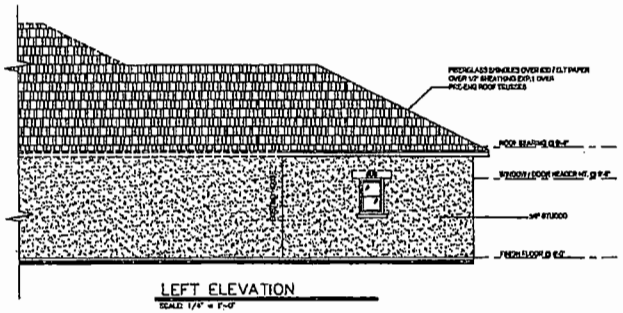


REAR ELEVATION

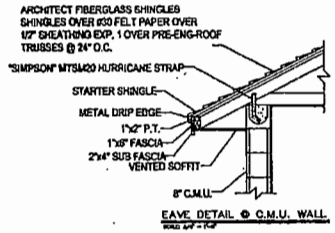
LINTEL SCHEDULE

| | |
|---|---|
| L-1 | (2) 2x6 SPF #2 |
| L-2 | (2) 2x10 SPF #2 |
| L-3 | (2) 9 1/2" x 1 1/8" LVL |

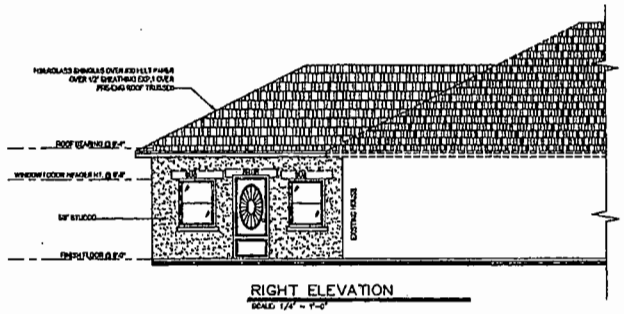
FLORIDA APPROVAL PRODUCT # FL15647



LEFT ELEVATION




EAVE DETAIL @ C.M.U. WALL



RIGHT ELEVATION

ALLEN ARTHUR ARCHITECT

LIC. # AR0009301

301 W. Park Circle Ave.
Ocoee, Florida
32761

PHONE: 407-656-4111
FAX: 407-656-3776

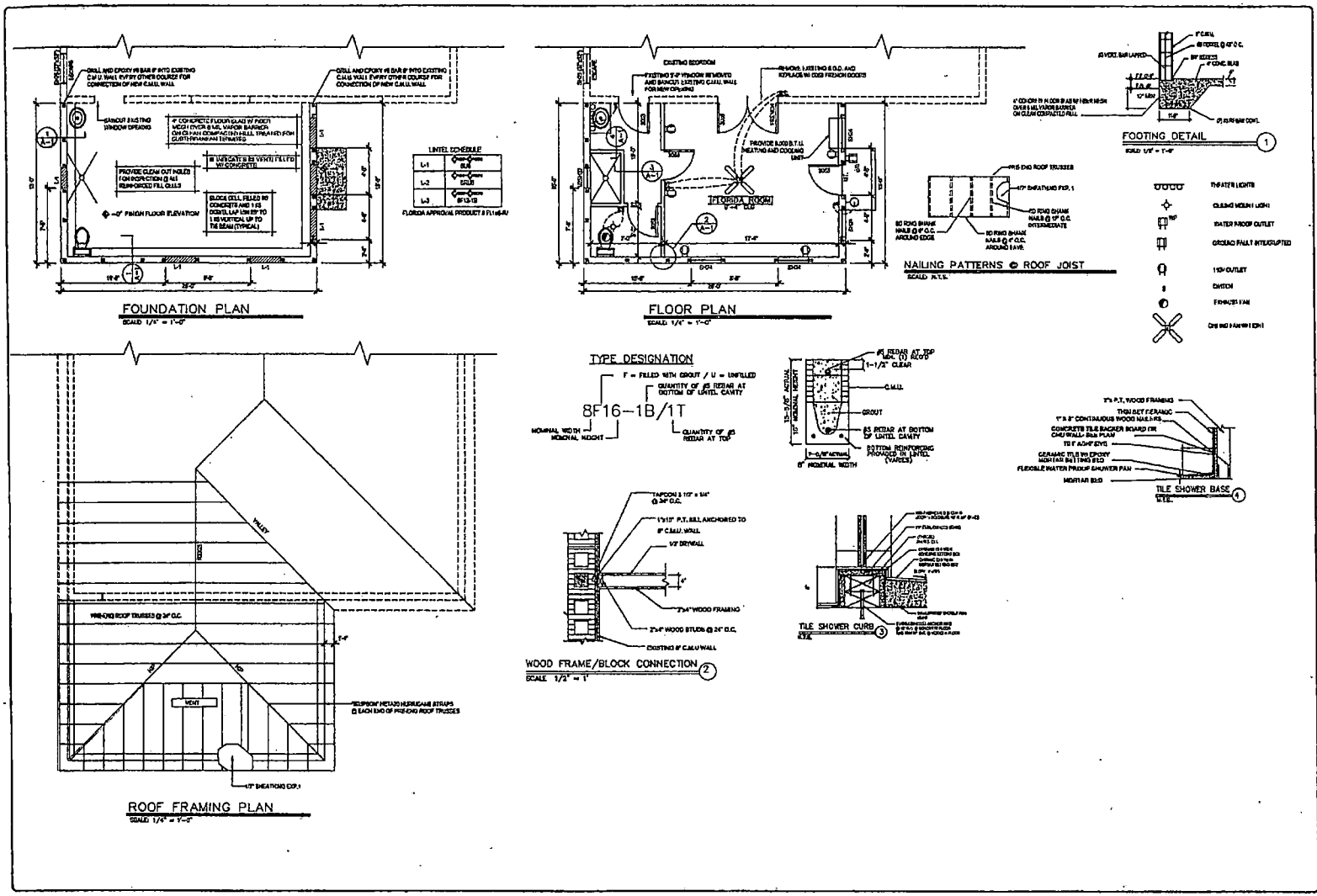
a|r|a

HOUSE ADDITION
5418 LOCHDALE DRIVE
ORLANDO, FLORIDA

WALL SECTION
ELEVATIONS
DETAILS

A-1/2

RECEIVED
JAN 05 2017
Zoning Division


FOUNDATION PLAN
SCALE 1/4" = 1'-0"
FLOOR PLAN
SCALE 1/4" = 1'-0"
FOOTING DETAIL
SCALE 1/4" = 1'-0"
NAILING PATTERNS @ ROOF JOIST
SCALE N.T.S.
ROOF FRAMING PLAN
SCALE 1/4" = 1'-0"
TYPE DESIGNATION
8F16-1B/1T
WOOD FRAME/BLOCK CONNECTION
SCALE 1/2" = 1'
TILE SHOWER CURB
TILE SHOWER BASE
SCALE N.T.S.
ALLEN ARTHUR ARCHITECT
HOUSE ADDITION
5418 LOCHDALE DRIVE
ORLANDO, FLORIDA
FOUNDATION PLAN
FLOOR PLAN
DETAILS
A-1/2

ORANGE COUNTY GOVERNMENT
FLORIDA

STAFF REPORT
CASE #VA-17-03-002
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
March 2, 2017
Commission District: 2

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Dexter Williams |
| REQUEST: | Variance in the R-L-D zoning district to construct a sunroom addition 15 ft. from the rear (north) property line in lieu of 20 ft.<br><br>(Note: The applicant's HOA and four (4) of the most impacted neighbors have submitted letters of support). |
| LOCATION: | North side of Lochdale Dr., approximately 175 ft. east of Shale Ridge Trail, 1/4 mile south of Clarcona Ocoee Rd. |
| PROPERTY ADDRESS: | 5418 Lochdale Drive |
| PARCEL ID: | 35-21-28-7562-06-020 |
| TRACT SIZE: | 58 ft. x 110 ft. |
| DISTRICT #: | 2 |
| ZONING: | R-L-D |

STAFF FINDINGS AND ANALYSIS:

1. Normally, the rear setback in the R-L-D zoning district is fifteen (15) feet. However, the subject property is located in a subdivision where the setbacks are established through notes to the plat. This constitutes a private covenant which overrides the zoning when they are more restrictive.

2. There are numerous screened porches in the community, which are permitted to encroach up to thirteen (13) feet into the rear setback.

3. The applicant has obtained letters of support from the four (4) most impacted neighbors, and from the HOA.

STAFF RECOMMENDATION:

Staff finds that the restrictive setbacks do in fact impose an inability for the applicant to obtain the same rights and benefits as others in the R-L-D zoning district not in this subdivision. Further, the fact that the HOA has supported the request is an acknowledgement that the governing body of the community does not wish to enforce the more restrictive setbacks. Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 5, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. The exterior of the addition shall match the exterior of the existing residence with respect to color and materials.

cc: Dexter Williams
5418 Lochdale Drive
Orlando, Florida 32818

**ORLANDO KART CENTER**
**SE-17-03-003**

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| | |
|---|---|
| **REQUEST:** | **Special Exception** in the IND-4 zoning district to increase the amount of storage space on the east side of the existing track by 12,600 sq. ft.<br>(Note: The addition is internal to the existing operation. The architectural plans submitted with the application show the applicant proposes to construct a new storage building with spectator space on the upper level facing the track). |
| **ADDRESS:** | 201 Parcel Lane, Orlando FL 32824 |
| **LOCATION:** | North side of Parcel Lane, West side of Cosmonaut Blvd., north of Central Florida Pkwy. |
| **S-T-R:** | 11-24-29 |
| **TRACT SIZE:** | 14 acres |
| **DISTRICT#:** | 4 |
| **LEGAL:** | COMM AT THE SE CORNER OF SEC 11-24-29, RUN TH S89-46-37W, 42.15 FT TH NO3-50-37W 313.80 FT TH S89-40-43W 622.98 FT NOO-19-17W 349.52 TH S89-46-44W 283.63 FT TH NO3-50-37W 360.00 FT TH N89-46-44E 450.00 FT TH N O3-50-37W 388.22 FT FOR POB TH NO3-50-37W 132 |
| **PARCEL ID:** | 11-24-29-7268-00-840 |
| **NO. OF NOTICES:** | 39 |

**DECISION: APPROVED** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 17, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or

undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Construction plans shall be submitted within two (2) years or this approval becomes null and void; and,

5. All previous conditions of approval from previous Special Exception approvals still apply to this site.

**SYNOPSIS:** The applicant proposes to add 12,600 sq. ft. of storage space to the go kart track. The extra square footage is for storage.

Staff gave a brief analysis of the area and the uses existing in this industrial park.

The BZA concluded the request met the Special Exception Criteria. There was no opposition.

**Applicant:** Orlando Kart Center

**BZA Number:** SE-17-03-003

**BZA Date:** 03/02/2017

**District:** 4

**Sec/Twn/Rge:** 11-24-29-SE-D

**Tract Size:** 14 acres

**Address**: 201 Parcel Lane, Orlando FL 32824

**Location:** North side of Parcel Lane, West side of Cosmonaut Blvd., north of Central Florida Pkwy.

# Special Exception/Variance Cover Letter

Project: Orlando Kart Center (previously Central Florida Road Course)
Date: January 5th, 2016

The proposed special exception is intended to amend to increase of existing storage containers on east side (previously approved special exception SE16-12-165).

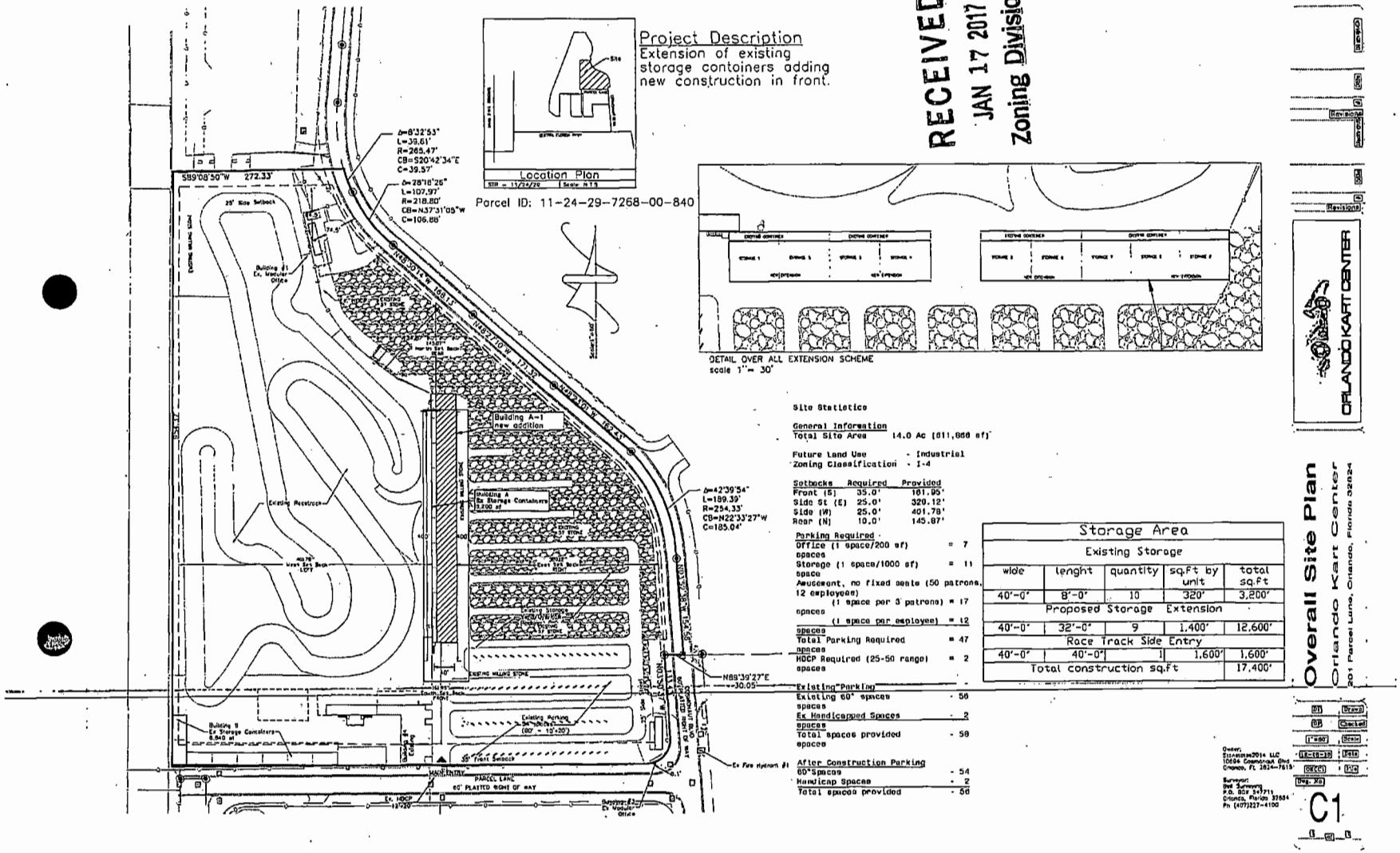
Special Exception requests:
• The proposed amendment is only to increase by 12600 sq ft existing storage containers, and not a variance on setbacks, through conventional construction.

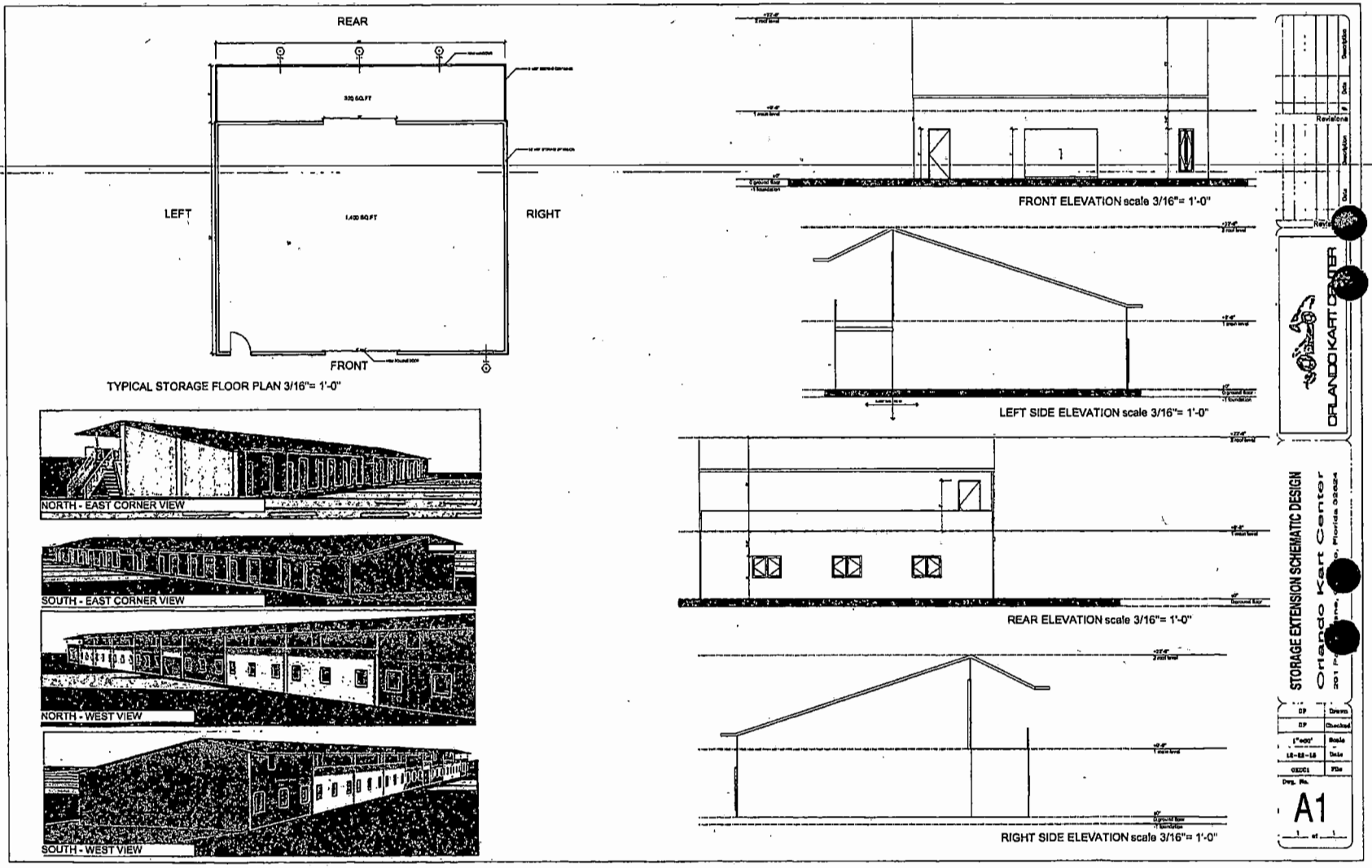
Container Use:
Containers on East side are being used for storage of Orlando Kart center go-karts only.
They all have a roll up door. None will be used as booths or other outside storage.
Plans and engineer drawings (meeting building and fire safety codes) will be submitted to Building department to obtain required permits.

We herein request that the amendment to the existing special exception and be approved. The proposed is fully consistent with the previously approved special exceptions.

If you have any questions or require additional information, please feel free to contact either Clarence Hoenstine (321) 689-3346.

RECEIVED
JAN 10 2017
Zoning Division


Project Description
Extension of existing storage contoiners adding new construction in front.
RECEIVED
JAN 17 2017
Zoning Division
Location Plan
Parcel ID: 11-24-29-7268-00-840
DETAIL OVER ALL EXTENSION SCHEME
scale 1"= 30'
Site Statistics
General Information
Total Site Area 14.0 Ac (611,866 sf)
Future Land Use - Industrial
Zoning Classification - I-4
Setbacks Required Provided
Front (S) 35.0' 181.95'
Side St (E) 25.0' 320.12'
Side (W) 25.0' 401.78'
Rear (N) 10.0' 145.87'
Parking Required
Office (1 space/200 sf) = 7 spaces
Storage (1 space/1000 sf) = 11 space
Amusement, no fixed seats (50 patrons, 12 employees)
(1 space per 3 patrons) = 17 spaces
(1 space per employee) = 12 spaces
Total Parking Required = 47 spaces
HDCP Required (25-50 range) = 2 spaces
Existing Parking
Existing 60' spaces - 56 spaces
Ex Handicapped Spaces - 2 spaces
Total spaces provided - 58 spaces
After Construction Parking
60' Spaces - 54
Handicap Spaces - 2
Total spaces provided - 56
Storage Area
Existing Storage
wide | lenght | quantity | sq.ft by unit | total sq.ft
40'-0" | 8'-0" | 10 | 320' | 3,200'
Proposed Storage Extension
40'-0" | 32'-0" | 9 | 1,400' | 12,600'
Race Track Side Entry
40'-0" | 40'-0" | 1 | 1,600' | 1,600'
Total construction sq.ft 17,400'
ORLANDO KART CENTER
Overall Site Plan
Orlando Kart Center
201 Parcel Lane, Orlando, Florida 32824
C1


REAR
LEFT
RIGHT
FRONT
TYPICAL STORAGE FLOOR PLAN 3/16"= 1'-0"
NORTH - EAST CORNER VIEW
SOUTH - EAST CORNER VIEW
NORTH - WEST VIEW
SOUTH - WEST VIEW
FRONT ELEVATION scale 3/16"= 1'-0"
LEFT SIDE ELEVATION scale 3/16"= 1'-0"
REAR ELEVATION scale 3/16"= 1'-0"
RIGHT SIDE ELEVATION scale 3/16"= 1'-0"
ORLANDO KART CENTER
STORAGE EXTENSION SCHEMATIC DESIGN
Orlando Kart Center
A1

ORANGE COUNTY GOVERNMENT
FLORIDA

STAFF REPORT
CASE #SE-17-03-003
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
March 2, 2017
Commission District: 4

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Orlando Kart Center |
| HEARING TYPE: | Board of Zoning Adjustment |
| REQUEST: | Special Exception in the IND-4 zoning district to increase the amount of storage space on the east side of the existing track by 12,600 sq. ft.<br><br>(Note: The addition is internal to the existing operation. The architectural plans submitted with the application show the applicant proposes to construct a new storage building with spectator space on the upper level facing the track). |
| LOCATION: | North side of Parcel Lane, West side of Cosmonaut Blvd., north of Central Florida Pkwy. |
| PROPERTY ADDRESS: | 201 Parcel Lane |
| PARCEL ID: | 11-24-29-7268-00-840 |
| PUBLIC NOTIFICATION: | 39 |
| TRACT SIZE: | 14 acres |
| DISTRICT #: | 4 |
| ZONING: | IND-4 |
| EXISTING USE(S): | Go Kart Track |
| PROPOSED USE(S): | 9,600 sq. ft. of additional storage |
| SURROUNDING USES: | The site is surrounded by intense heavy industrial uses |

STAFF FINDINGS AND ANALYSIS:

1. On December 1, 2016, this applicant received Special Exception approvals to use 9,600 sq. ft. of storage container space, a 1,730 sq. ft. services building and a metal canopy over the viewing area. The BZA determined the request was compatible with the surrounding high intense industrial uses and approved the request.

2. Since the December 1, 2016 approval, the applicant has decided to construct a building containing 12,600 sq. ft. at the center of the site between the race track and the parking lot. Since this is an expansion of the previous approvals, the applicant requires another Special Exception approval.

3. The proposed construction is typical for this industrial park. Further, it is located internal to the fourteen (14) acre parcel. The request is compatible with the surrounding uses.

4. Applicant is advised all previous conditions of approval apply to this property.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 17, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Construction plans shall be submitted within two (2) years or this approval becomes null and void; and,

5. All previous conditions of approval from previous Special Exception approvals still apply to this site.

cc: Clarence Hoenstine (Applicant's representative)
1903 Hoffner Avenue
Orlando, Florida 32809

**WILLIAM HURD**
**SE-17-03-005**

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| | |
|---|---|
| **REQUEST:** | **Special Exception** in the R-CE zoning district to construct a 900 sq. ft. detached Accessory Dwelling Unit (ADU) for applicant's parents. |
| **ADDRESS:** | 9133 Kilgore Road, Orlando FL 32836 |
| **LOCATION:** | East side of Kilgore Rd., approximately 975 ft. south of Point Cypress Dr. |
| **S-T-R:** | 04-24-28 |
| **TRACT SIZE:** | 1.4 acres |
| **DISTRICT#:** | 1 |
| **LEGAL:** | S1/2 OF N1/2 OF SE1/4 OF NE1/4 OF NE1/4 (LESS N 145 FT OF W 331 FT THEREOF) OF SEC 04-24-28 |
| **PARCEL ID:** | 04-24-28-0000-00-035 |
| **NO. OF NOTICES:** | 86 |

**DECISION: APPROVED** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 13, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

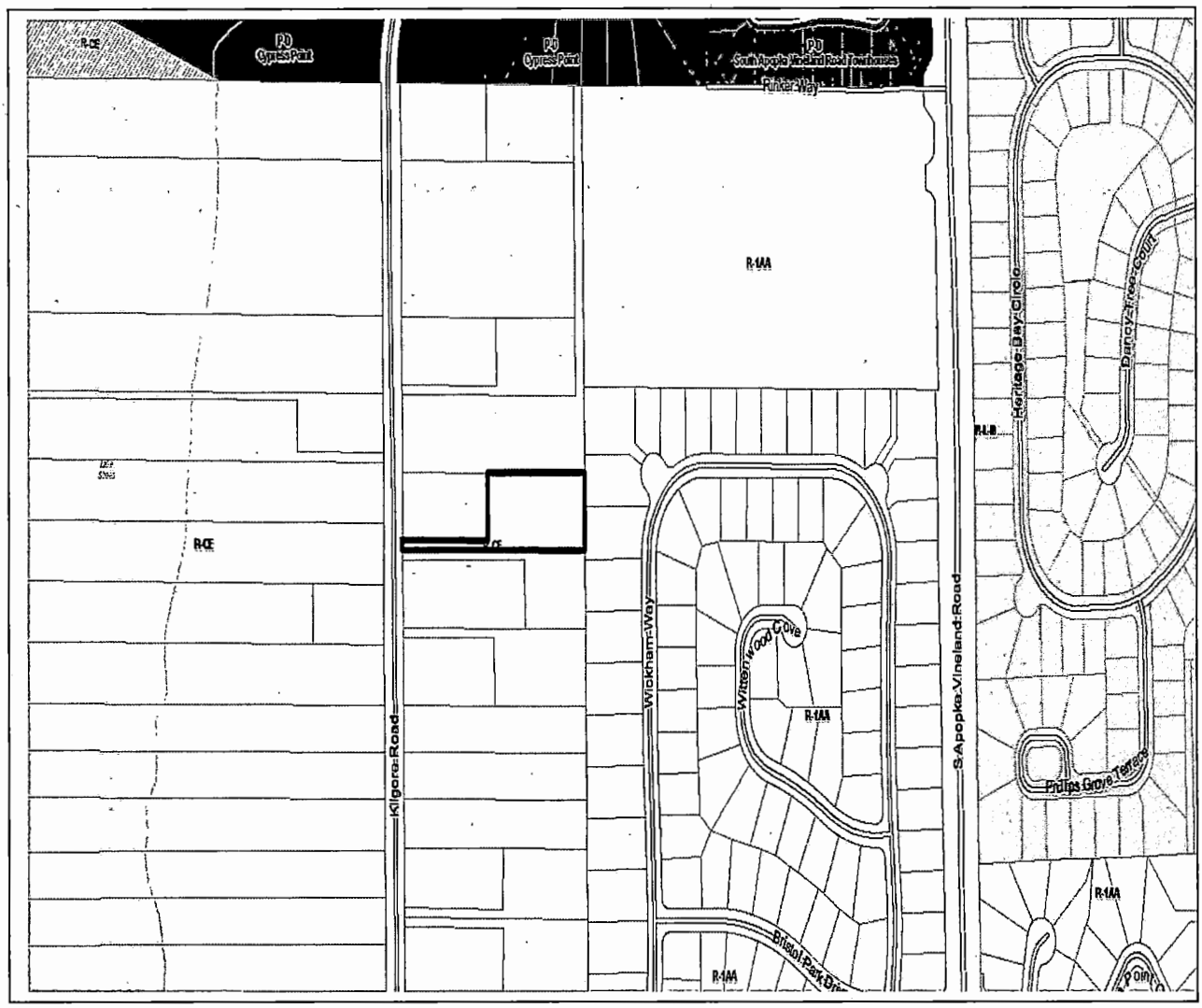
4. The Accessory Dwelling Unit (ADU) shall be occupied by an immediate family member for a minimum of three (3) years. The ADU may be occupied by a non-relative three (3) years after being initially occupied by a relative or after the relative has died, whichever occurs first;

5. Permits shall be obtained within two (2) years or this approval becomes null and void; and,

6. The Accessory Dwelling Unit shall be designed to match the principal residence.

**SYNOPSIS:** The applicant wants to build a small residence (accessory dwelling unit) for his parents. The property is 1.4 acres in size. Since this is a flag lot you will not be able to see the ADU from Kilgore Road.

The BZA concluded this request met the requirements of the ADU regulations. There was no opposition.




**Applicant:** William Hurd

**BZA Number:** SE-17-03-005

**BZA Date:** 03/02/2017

**District:** 1

**Sec/Twn/Rge:** 04-24-28-NE-A

**Tract Size:** 1.4 acres

**Address**: 9133 Kilgore Road, Orlando FL 32836

**Location:** East side of Kilgore Rd., approximately 975 ft. south of Point Cypress Dr.

January 2017

Re: Parcel: 04-24-28-0000-00-035

To Whom It May Concern:

This request for Special Exception for an Accessory Dwelling Unit is for a small "Grandparents Quarters". It is to be built on the back wooded acre of the property we have owned since 1978.

The details are as follows:
It will be a 1-story, 900 sq. ft. (living area) quarters. It will be one building. It will house one senior Grandaddy and one senior Grandma; both born and raised in Orlando. There will be no clients, no instructors, no animals, no children, no members, no employees, no students, no days and hours of operation and services and no proposed outdoor events/activities.

Please see attached copies of maps, parcel identification number, legal description and site plans. The property will remain treed and natural.

We thank you,

William R. Hurd

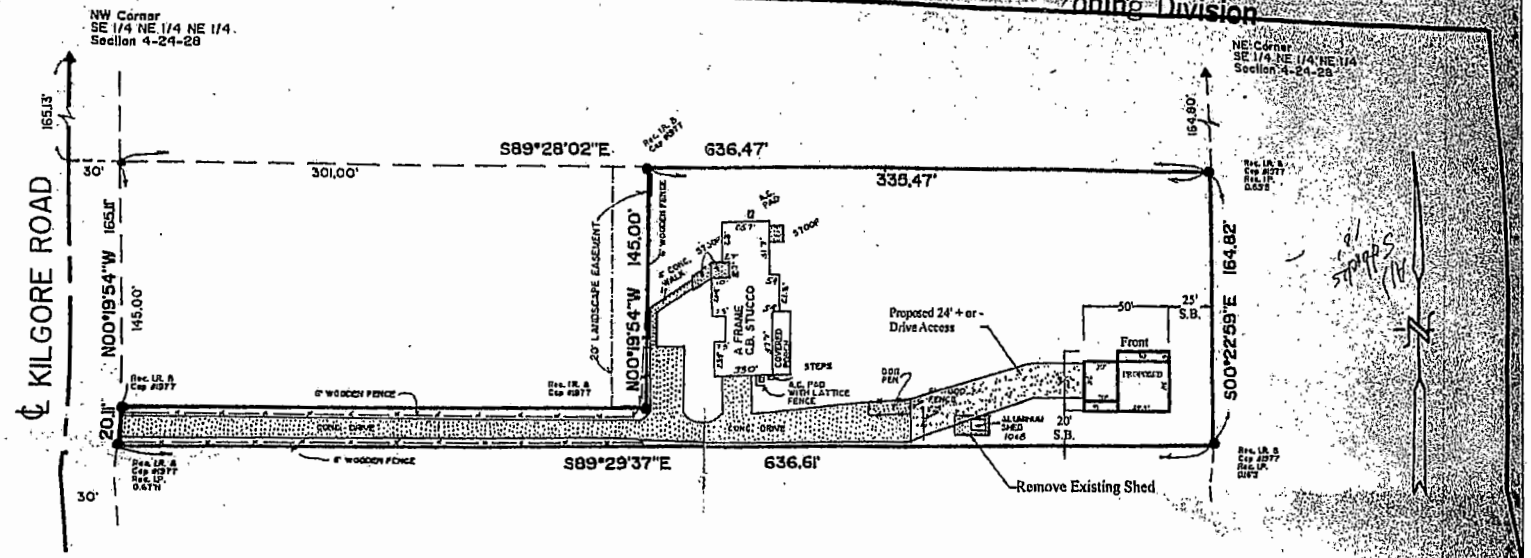
June M. Hurd

9133 Kilgore Rd.
Orlando, Florida. 32836

RECEIVED
JAN 13 2017
Zoning Division

HURD

RECEIVED
JAN 19 2017
Zoning Division




DESCRIPTION

The South 1/2 of the North 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 4, Township 24 South, Range 28 East, (LESS the West 30 feet thereof for road right of way)
ALSO less the North 145 feet of the West 331 feet thereof.

NOTES

Bearings based on the East line of the Northeast 1/4 of Section 4-24-28 as S00°22'59"E.

Additions or deletions to survey drawing by other than the signing party or parties is prohibited without the written consent of the signing party or parties.

I hereby state that after inspection of FIRM Panel No. 120179 0350C dated June 15, 1984, that the property described hereon lies within Zone "C".

ABBREVIATIONS

| | |
|---|---|
| ℄ | Centerline |
| SLB | Registered Land Business |
| FIRM | Flood Insurance Rate Map |
| R/W | Right of way |
| I.R & Cap | Iron rod with plastic cap |
| I.P. | Iron Pipe |
| Conc. | Conc. |

This survey is for the exclusive benefit of:
NATIONSBANK

PROPERTY ADDRESS: 9133 Kilgore Road

PLAT of SURVEY for NATIONSBANK

HART & ASSOCIATES SURVEYS, INC.

| | |
|---|---|
| SCALE | 1" = 60' |
| DATE | 2-16-95 |
| JOB NO. | 95-020 |
| Field JB | CAD |
| F.B./pg | Book WH |
| Revisions | |

86 W. Sixth Avenue
Windermere, Florida
34786
Tele [407] 876-8033
Fax [407] 876-2555

SURVEY BOUNDARY

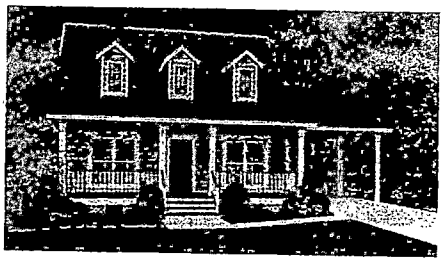
JAMES D. HART

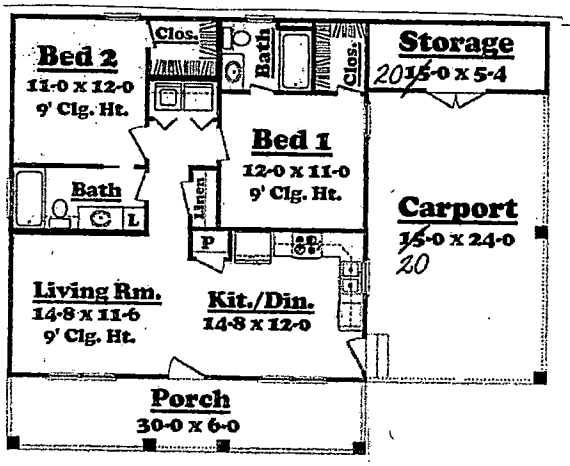
- 41 -

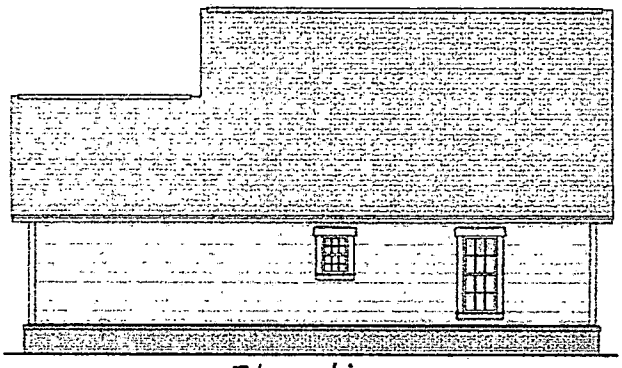
# HURD

9133 Kilgore Road, Orlando, FL 32836

Parcel ID: 04-24-28-0000-00-035





Rear Elevation

| | |
|---|---|
| LIVING AREA | 900 sq.ft. |
| BONUS SPACE: | 0 sq.ft. |
| FOUNDATION: | Crawlspace, Slab |
| BEDROOMS: | 2 |
| BATHS: | 2 |
| HALF BATHS | 0 |
| WIDTH: | ~~45~~ 50' |
| DEPTH: | 36' |
| STORIES: | 1 |

ORANGE COUNTY GOVERNMENT FLORIDA

# STAFF REPORT
# CASE #SE-17-03-005

Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
March 2, 2017
Commission District: 1

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | William Hurd |
| HEARING TYPE: | Board of Zoning Adjustment |
| REQUEST: | Special Exception in the R-CE zoning district to construct a 900 sq. ft. detached Accessory Dwelling Unit (ADU) for applicant's parents. |
| LOCATION: | East side of Kilgore Rd., approximately 975 ft. south of Point Cypress Dr. |
| PROPERTY ADDRESS: | 9133 Kilgore Road |
| PARCEL ID: | 04-24-28-0000-00-035 |
| PUBLIC NOTIFICATION: | 86 |
| TRACT SIZE: | 1.4 acres |
| DISTRICT #: | 1 |
| ZONING: | R-CE |
| EXISTING USE(S): | Single Family Residence |
| PROPOSED USE(S): | Detached ADU- 900 sq. ft. |
| SURROUNDING USES: | The property is surrounded by single family residences. |

STAFF FINDINGS AND ANALYSIS:

1. The applicant owns 1.4 acres of land on Kilgore Road. It is a flag lot so the majority of the property is behind another parcel that fronts on Kilgore Road.

2. The applicant proposes a detached Accessory Dwelling Unit (ADU). It is for his grandparents. The size of the ADU will be no greater than 900 sq. ft. It will comply with all building setbacks.

3. The applicant proposes to preserve as many trees in the rear yard as possible.

4. The request complies with the criteria governing special exceptions and ADUs.

5. Applicant is advised that impact fees are required as per the ADU regulations.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 13, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. The Accessory Dwelling Unit (ADU) shall be occupied by an immediate family member for a minimum of three (3) years. The ADU may be occupied by a nonrelative three (3) years after being initially occupied by a relative or after the relative has died, whichever occurs first; and,

344

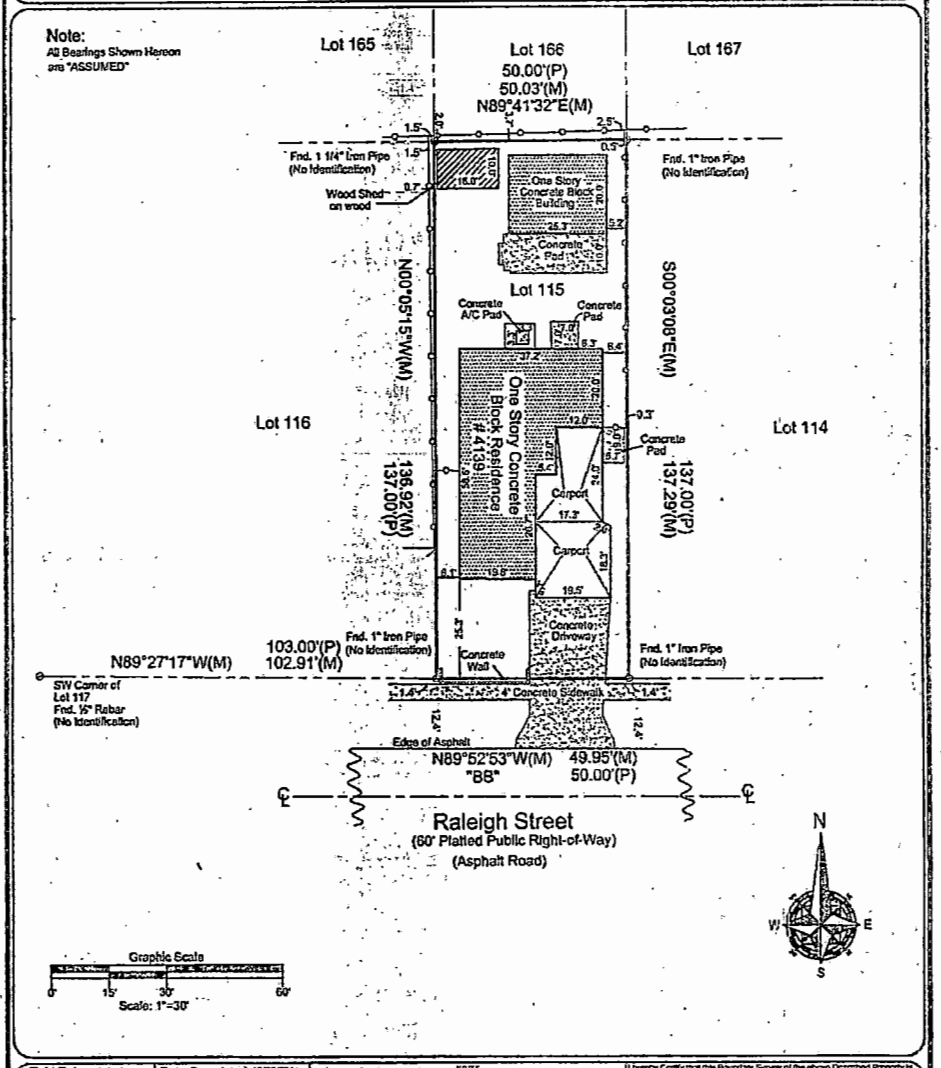
## BOUNDARY SURVEY

**LEGAL DESCRIPTION:**
LOT 115, LAKE MANN SHORES ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK P, PAGE 28 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

**FLOOD INFORMATION:**
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN ORANGE COUNTY, COMMUNITY NUMBER 120179, DATED 09/25/2009.

**CERTIFIED TO:**
JASILA AND SIMONETTE LOUIS

4139 RALEIGH STREET ORLANDO, FLORIDA 32811




| | |
|---|---|
| Field Date: 10/24/2016 | Date Completed: 10/25/2016 |
| Drawn By: B.K. | File Number: IS-32402 |

-Legend-

| | | | |
|---|---|---|---|
| C | - Calculated | PC | - Point of Curvature |
| C | - Centerline | Pg. | - Page |
| CB | - Concrete Block | PI | - Point of Intersection |
| CM | - Concrete Monument | P.O.B. | - Point of Beginning |
| Conc. | - Concrete | P.O.L. | - Point on Line |
| D | - Description | PP | - Power Pole |
| DE | - Drainage Easement | PRM | - Permanent Reference Monument |
| Eas. | - Easement | PT | - Point of Tangency |
| F.E.M.A. | - Federal Emergency Management Agency | R | - Radius |
| FFE | - Finished Floor Elevation | Rad. | - Radial |
| Fnd. | - Found | R&C | - Rebar & Cap |
| IP | - Iron Pipe | Rec. | - Recovered |
| L | - Length (Arc) | Rtd. | - Rooted |
| M | - Measured | Set | - Set ½" Rebar & Cap "LB 7623" |
| N&D | - Nail & Disk | Typ. | - Typical |
| N.R. | - Non-Radial | UE | - Utility Easement |
| ORB | - Official Records Book | Wm | - Water Meter |
| P | - Plat | Δ | - Delta (Central Angle) |
| P.B. | - Plat Book | -O- | - Chain Link Fence |
| -□- | - Wood Fence | | |

-NOTES-

- Survey is Based upon the Legal Description Supplied by Client.
- Abutting Properties Breakdown NOT been Researched for Gaps, Overlaps and/or Hiatus.
- Subject to any Easements and/or Restrictions of Record.
- Bearing basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
- Building Ties are NOT to be used to reconstruct Property Lines.
- Fence Ownership is NOT determined.
- Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- Septic Tanks and/or Drainfield locations are approximate and MUST be verified by appropriate Utility Location Companies.
- Use of this Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give ANY Rights or Benefits to Anyone Other than those Certified.

-POINTS OF INTEREST-

NONE VISIBLE

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information furnished to Me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.

Patrick K. Ireland PSM 6637 LB 7623
This Survey is Intended Only for the use of Said Certified Parties.
This Survey NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.

**Ireland & Associates Surveying, Inc.**
1301 S. International Parkway Suite 2001
Lake Mary, Florida 32748
www.irelandsurveying.com
Office-407.678.3366 Fax-407.320.8165

RECEIVED
JAN 12 2017
Zoning Division

5. Permits shall be obtained within two (2) years or this approval becomes null and void.

cc: William Hurd
9133 Kilgore Road
Orlando, Florida 32836

**JASILA LOUIS**
**SE-17-03-004**

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| | |
|---|---|
| **REQUEST:** | **Special Exception** in the R-1 zoning district to convert existing structure into a 750 sq. ft. detached Accessory Dwelling Unit (ADU) with the following **Variances**:<br>1) To allow a detached ADU with 6,850 sq. ft. of lot area in lieu of 7,500 sq. ft.;<br>2) ADU to be located 3 ft. from the rear (north) property line in lieu of 10 ft.;<br>3) To validate an existing shed located 0 ft. from the side (west) property line in lieu of 5 ft., and 1.5 ft. from the rear (north) property line in lieu of 5 ft.; and,<br>4) To validate an existing carport located 20 ft. from the front (south) property line in lieu of 25 ft.<br>(Note: The property is owned by the applicant who intends to reside in the ADU. Her daughter and grandchild will reside in the main residence. This application is the result of code enforcement action). |
| **ADDRESS:** | 4139 Raleigh Street, Orlando FL 32811 |
| **LOCATION:** | North side of Raleigh St., approximately 100 ft. east of Amaros Ave. |
| **S-T-R:** | 32-22-29 |
| **TRACT SIZE:** | 50 ft. x 137 ft. |
| **DISTRICT#:** | 6 |
| **LEGAL:** | LAKE MANN SHORES P/28 LOT 115 |
| **PARCEL ID:** | 32-22-29-4604-01-150 |
| **NO. OF NOTICES:** | 136 |

**DECISION:** The BZA made a motion to **DENY** the Special Exception and Variances #1 and #2, and to **APPROVE** Variances #3 and #4. The motion **FAILED** with a **TIE** vote of 2 in favor and 2 opposed (2 absent).

Another motion was made and **DENIED** the Special Exception request in that the Board finds it did not meet the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does adversely affect general public interest; further, **DENIED** Variance requests **#1**, **#2**, and **#3**, in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3); and further, **APPROVED** the Variance request **#4**, in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 12, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are

subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development; and,

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

**SYNOPSIS:** Staff gave a presentation on the case. It addressed the request, photographs of the site, zoning in the area, and a brief analysis.

The applicant confirmed they do not live in the house, and stated the structures were there when they bought the house in June, last year. They also stated they were renting the main house, but were evicting the tenant.

Two (2) people spoke in opposition, stating that work was being done on the back building, and the work continued after they were cited. They also stated that they observed signs advertising both units for rent.

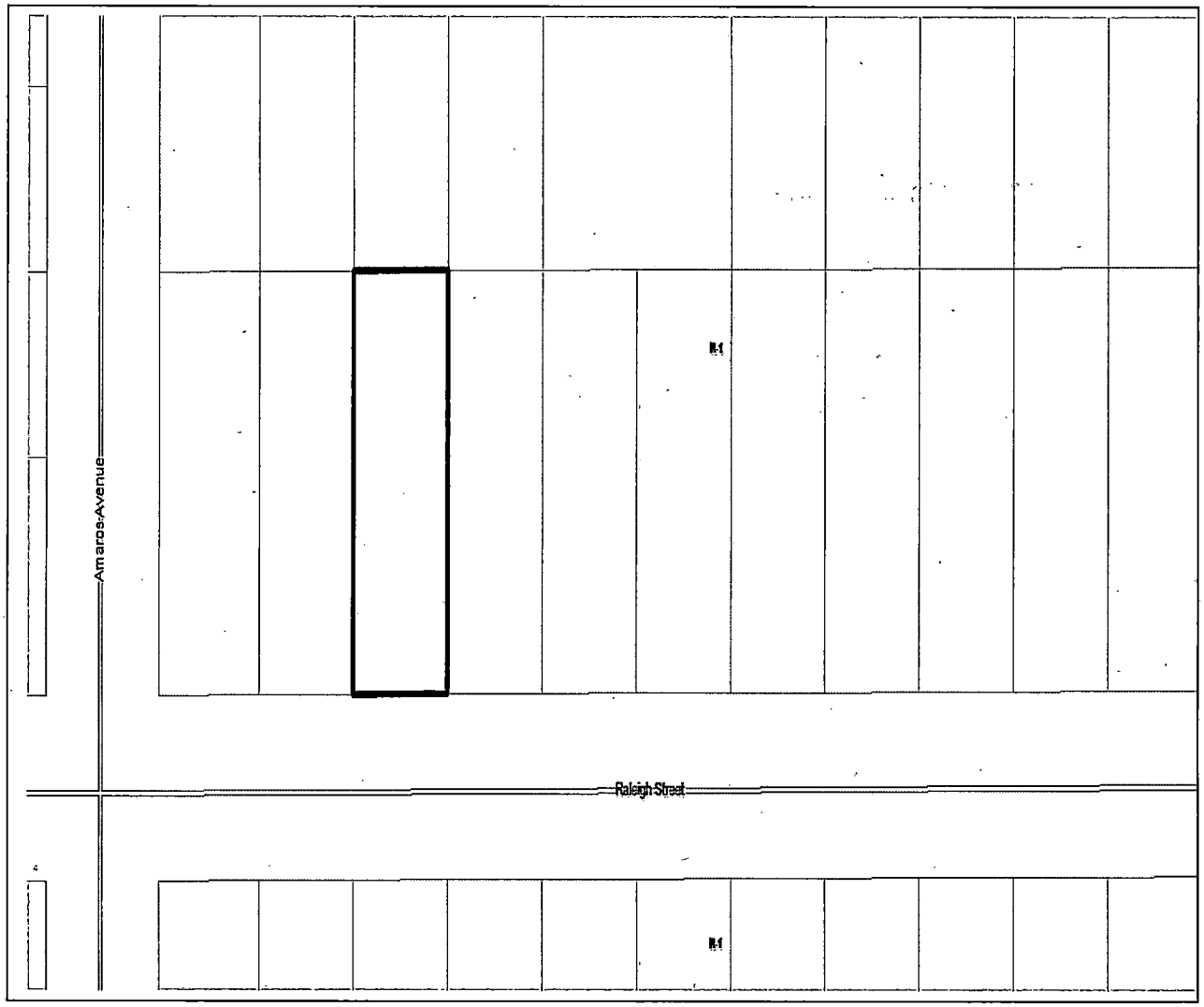
Code Enforcement confirmed that they responded to a citizen complaint, and found that the rear building was being converted into a three (3) bedroom house. The applicant pulled a roof permit, but the Building Division issued a stop work order for exceeding the scope of work.

The BZA noted that work was done without permits, and stated the building was in the wrong place for the proposal. The BZA felt the request fell short of meeting the requirements for approval as there were no special circumstances, the structure appears to be a rental, the problems were self created, the property was purchased 'as is', and allowing the use to continue would confer special privilege to this applicant.

Staff received two (2) commentaries in favor of the application and three (3) in opposition.

The BZA made a motion to **DENY** the Special Exception and Variances #1 and #2, and to **APPROVE** Variances #3 and #4. The motion **FAILED** with a **TIE** vote of 2 in favor and 2 opposed.

The BZA made a second motion to **DENY** the Special Exception and Variances #1, #2 and #3, and to **APPROVE** Variance #4. The motion was approved by the BZA.




**Applicant:** Jasila Louis

**BZA Number:** SE-17-03-004

**BZA Date:** 03/02/2017

**District:** 6

**Sec/Twn/Rge:** 32-22-29-SE-D

**Tract Size:** 50 ft. x 137 ft.

**Address**: 4139 Raleigh Street, Orlando FL 32811

**Location:** North side of Raleigh St., approximately 100 ft. east of Amaros Ave.

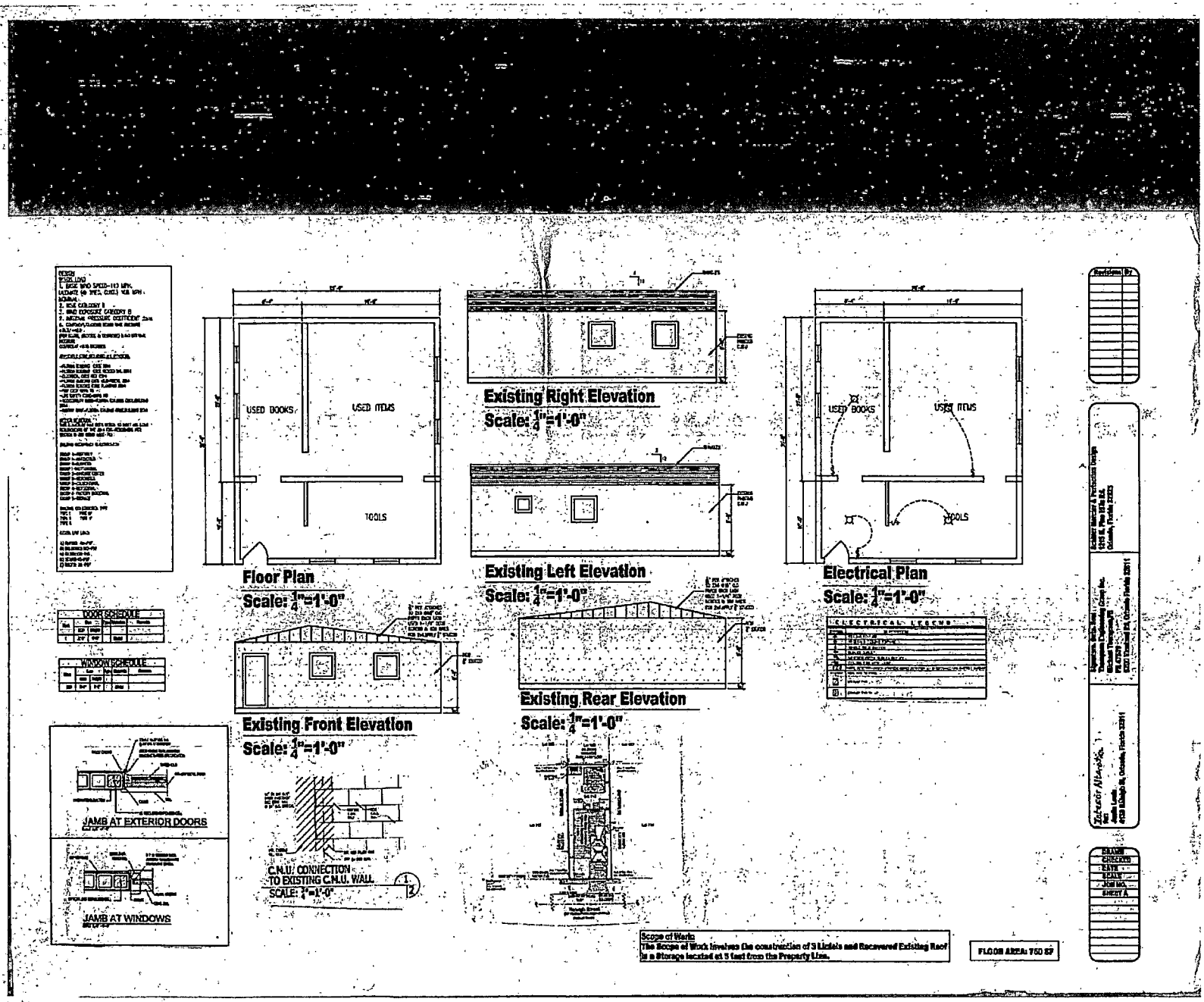
Orlando, FL January 12th 2017

To Orange County Zoning Division

From JASILA Louis

My name is JASILA Louis and I Writing this Letter in order to Request a special exception of accessory Converted dWelling 750 SqFt and I am the one who will leaving IN The house from the orange County Zoning Division For my property Located at 4139 Raleigh Street orlando, FL 32811 and Thank you

RECEIVED
JAN 12 2017
Zoning Division


USED BOOKS
USED ITEMS
TOOLS
Floor Plan
Scale: 1/4"=1'-0"
Existing Right Elevation
Scale: 1/4"=1'-0"
Existing Left Elevation
Scale: 1/4"=1'-0"
Existing Front Elevation
Scale: 1/4"=1'-0"
Existing Rear Elevation
Scale: 1/4"=1'-0"
Electrical Plan
Scale: 1/4"=1'-0"
DOOR SCHEDULE
WINDOW SCHEDULE
JAMB AT EXTERIOR DOORS
JAMB AT WINDOWS
C.M.U. CONNECTION TO EXISTING C.M.U. WALL
SCALE: 3/4"=1'-0"
Scope of Work:
The Scope of Work involves the construction of 3 Lida's and Recovered Existing Roof is a Storage located at 5 feet from the Property Line.
FLOOR AREA: 750 SF

ORANGE COUNTY GOVERNMENT FLORIDA

# STAFF REPORT
# CASE #SE-17-03-004

Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
March 2, 2017
Commission District: 6

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Jasila Louis |
| HEARING TYPE: | Board of Zoning Adjustment |
| REQUEST: | Special Exception in the R-1 zoning district to convert existing structure into a 750 sq. ft. detached Accessory Dwelling Unit (ADU) with the following Variances:<br><br>1) To allow a detached ADU with 6,850 sq. ft. of lot area in lieu of 7,500 sq. ft.;<br>2) ADU to be located 3 ft. from the rear (north) property line in lieu of 10 ft.;<br>3) To validate an existing shed located 0 ft. from the side (west) property line in lieu of 5 ft., and 1.5 ft. from the rear (north) property line in lieu of 5 ft.; and,<br>4) To validate an existing carport located 20 ft. from the front (south) property line in lieu of 25 ft.<br><br>(Note: The property is owned by the applicant who intends to reside in the ADU. Her daughter and grandchild will reside in the main residence. This application is the result of code enforcement action). |
| LOCATION: | North side of Raleigh St., approximately 100 ft. east of Amaros Ave. |
| PROPERTY ADDRESS: | 4139 Raleigh Street |
| PARCEL ID: | 32-22-29-4604-01-150 |
| TRACT SIZE: | 50 ft. x 137 ft. |
| DISTRICT #: | 6 |
| ZONING: | R-1 |

EXISTING USE(S): Single Family Residence w/Sheds

PROPOSED USE(S): Detached Accessory Dwelling Unit

SURROUNDING USES: The site is surrounded by single family residences

STAFF FINDINGS AND ANALYSIS:

1. The applicant is proposing to convert an existing structure into a 750 sq. ft. detached Accessory Dwelling Unit (ADU).

2. The applicant is also requesting variances for the rear setback and to permit the ADU on a lot with 6,850 sq. ft. of lot area in lieu of 7,500 sq. ft. Zoning Regulations require a lot area 1.5 times the minimum required size for the zoning district.

3. The applicant is also requesting setback variances for an existing shed and carport.

4. Code Enforcement cited the property on January 4, 2017, for converting the subject structure into a three (3) bedroom home without permits.

5. Staff must review all variance applications as if the structures were proposed as opposed to existing. If the ADU and shed were proposed, staff would not support the setback variances from the rear and side property lines and for the lot size. The shed is too close to the side and rear property lines. The zoning regulations require a minimum side and rear setback of five (5) feet. Also, the proposed ADU is too close to the rear property line and the lot is too small to meet the requirements for an ADU. The applicant purchased this lot 'as is' and, therefore, the hardships are self-imposed. Staff recommends the ADU and accessory building standards be upheld. Staff cannot support Variances #1, #2, and #3.

6. If the BZA approves the Special Exception and Variances, the applicant is advised that additional impact fees will be assessed in accordance with ADU regulations.

STAFF RECOMMENDATION:

Staff recommends denial of Variances #1, #2, and #3, and approval of Variance #4. If the BZA approves the Special Exception and Variances, the following conditions should be imposed:

1. Development in accordance with site plan dated January 12, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. If the existing wooden shed is ever destroyed or removed, any replacement must comply with setbacks;

5. The applicant shall obtain a permit for the ADU and any unpermitted structures within 120 days of final action by the County or this approval becomes null and void;

6. The Accessory Dwelling Unit (ADU) shall be occupied by an immediate family member for a minimum of three (3) years. The ADU may be occupied by a nonrelative three (3) years after being initially occupied by a relative or after the relative has died, whichever occurs first;

7. The exterior of the ADU shall have similar colors and design materials as the primary residence; and,

8. The applicant shall be responsible for payment of all applicable fees and assessments including, but not limited to, impact fees.

cc: Jasila Louis
6700 Westlake Blvd.
Orlando, Florida 32810

**RONNIE LOGAN**
**VA-17-03-006**

| | |
|---|---|
| **REQUEST:** | **Variance** in the A-2 zoning district to place a mobile home on a 0.57 acres of land in lieu of 2 acres. |
| **ADDRESS:** | 16149 Morris Drive, Orlando FL 32833 |
| **LOCATION:** | North side of Morris Dr., west of Lockwood Dr., south of Old Cheney Hwy. |
| **S-T-R:** | 19-22-32 |
| **TRACT SIZE:** | 105 ft. x 235 ft. |
| **DISTRICT#:** | 5 |
| **LEGAL:** | SEAWARD PLANTATION ESTATES FIRST ADDITION T/124 THE S1/2 LOT 4 BLK B |
| **PARCEL ID:** | 19-22-32-7880-02-041 |
| **NO. OF NOTICES:** | 54 |

**DECISION: DENIED** the Variance request in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3) (3 in favor and 1 opposed).

**SYNOPSIS:** The applicant wants to place a mobile home on .57 acres of land. The code requires a minimum of two (2) acres for a mobile home and one-half (1/2) acre for a conventional residence.

Staff gave an analysis of the area which included the location of existing mobile homes and single family residences. In addition, staff showed mobile home approvals issued by previous Zoning Managers in the 1960s and 1970s. Staff advised the BZA that the area contains mobile homes on similar sized lots but if the BZA chose, they could require this applicant and all future applicants to meet the two (2) acre requirement.

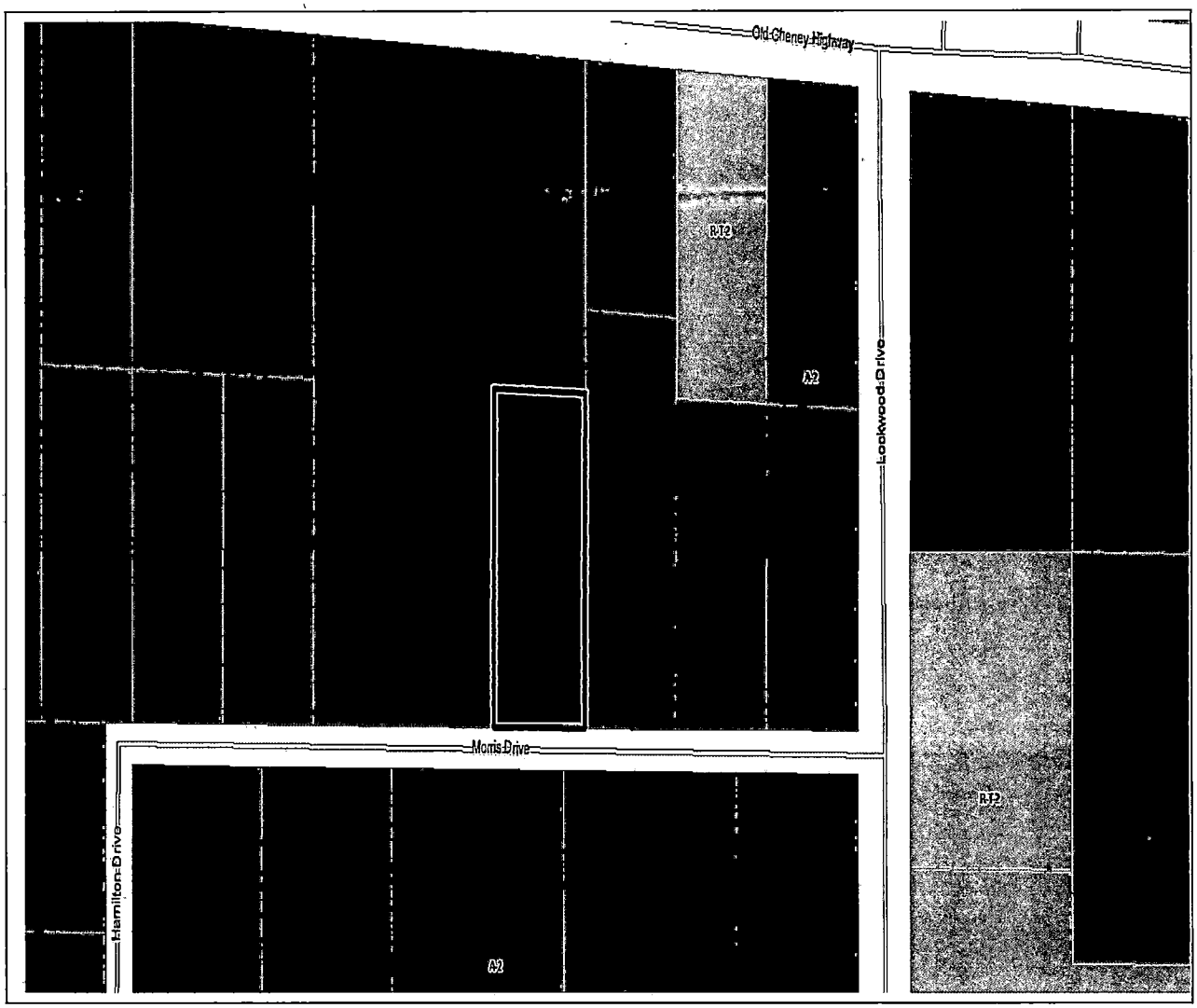
The applicant showed the BZA a map of where he thought the existing mobile homes were located. The applicant resides on the adjacent property so he has much at stake.

Staff advised the BZA that modular homes are considered single family residences not mobile homes.

Four (4) area residents spoke in opposition. They had concerns about property values and aesthetics. They expected Orange County to enforce its standards.

A petition containing (thirty-five) 35 signatures in opposition was submitted at the public hearing.

The BZA denied the request because they felt the request was self created and the property was still able to be built with a single family residence. Denial of the request did not deprive this applicant of its land use rights since a home can still be built on the property.




**Applicant:** Ronnie Logan

**BZA Number:** VA-17-03-006

**BZA Date:** 03/02/2017

**District:** 5

**Sec/Twn/Rge:** 20-22-32-SW-C

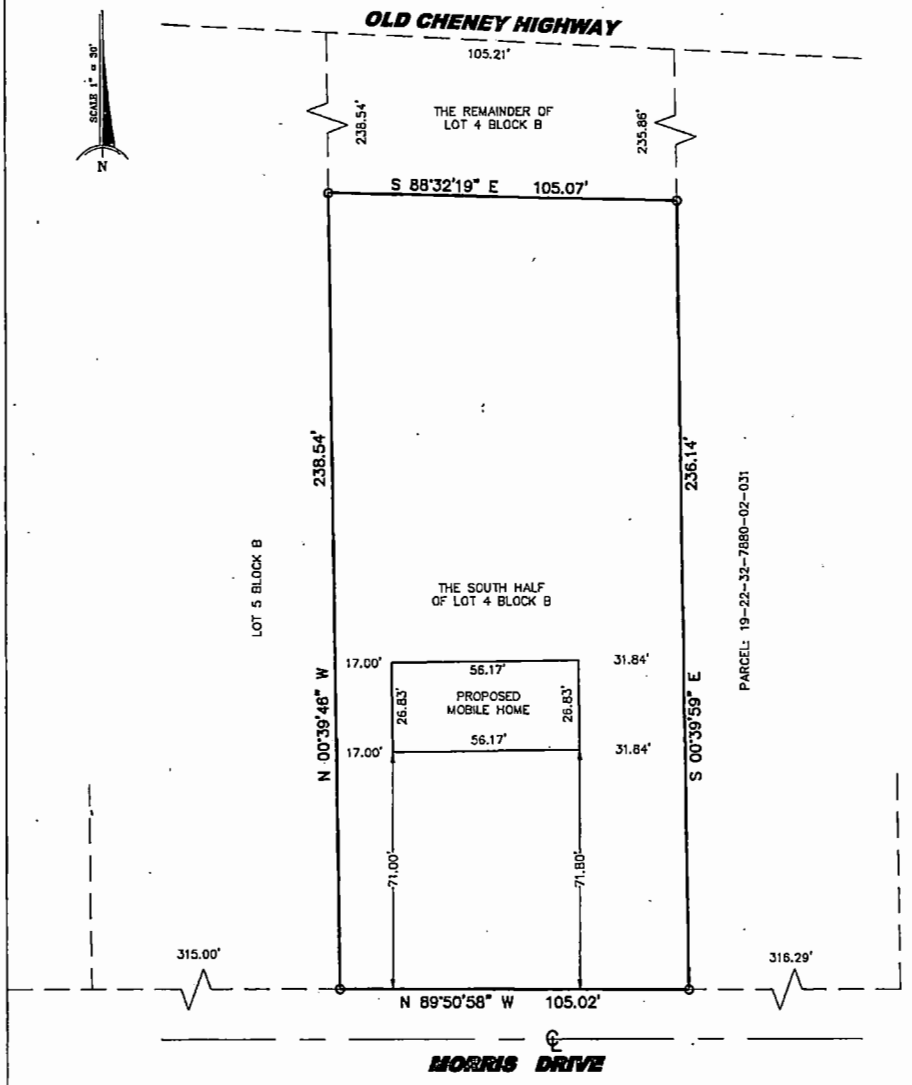
**Tract Size:** 105 ft. x 235 ft.

**Address**: 16149 Morris Drive, Orlando FL 32833

**Location:** North side of Morris Dr., west of Lockwood Dr., south of Old Cheney Hwy.

# PLOT PLAN

DESCRIPTION: THE SOUTH 1/2 OF LOT 4, SEAWARD PLANTATION ESTATES FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK T, PAGE 124, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.




NOTES:

- BEARINGS BASED ON THE NORTH RIGHT OF WAY LINE OF MORRIS DRIVE AS BEING N 89°50'58" W.
- NO UNDERGROUND UTILITIES WERE LOCATED.

RECEIVED
JAN 13 2017
ORANGE COUNTY
ZONING DIVISION

JAMES R. SHANNON JR., P.L.S. #4671
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHANNON SURVEYING, INC.
499 NORTH S.R. 434 – SUITE 2155
ALTAMONTE SPRINGS, FLORIDA, 32714
(407) 774-8372 LB # 6898

DATE OF SURVEY: 10/26/2016
FIELD BY: N/A SCALE: 1" = 30'
FILE NUMBER: PST-PC124-LOTS4-5-8



358

**Ronnie D. Logan**
**16140 Old Cheney Hwy**
**Orlando, FL 32833**
**Phone: (407) 408-0772**

November 3, 2016

Orange County Board of Zoning Adjustment,
Orange County Zoning Division
201 S Rosalind Ave
PO Box 2687
Orlando, FL 32802

Re: Logan, Zoning Variance Application

Board Members,

I am requesting a zoning variance to Orange County Code of Ordinances, Chapter 38, Article VI, Section 38-582 (b)(1) " A mobile home may be used for residential purposes provided that the property contains a minimum of two (2) acres in the A-1 and A-2 districts. Minimum lot width and setbacks shall be per article XII."

The requested zoning variance is for the 'two (2) acres' requirement only. All other Code of Ordinance requirements will be in compliance.

My property is located at 16149 Morris Drive Orlando, FL 32833 and is currently an undeveloped lot. The property is zoned A-2 and is a .572 acre lot, not the minimum of two (2) acres per Section 38-582 (b)(1). The property exceeds the minimum lot width requirements per article XII. The Mobile Home placement will exceed all setback requirements per article XII. (see draft Plot Plan attached)

If the zoning variance is approved, all required permits will be obtained and adhered to before the mobile home is located on the property.

Approval of the zoning variance will be in harmony with and compatible with the surrounding area. A mobile home for residential purposes on this lot is consistent with the pattern of the surrounding neighborhood. Of the 10 homes on Morris Drive, 8 are mobile homes. I also own and live at the adjacent property, 16140 Old Cheney Hwy. Orlando, FL 32833. (see OCPA Maps attached).

I look forward to working with the Board to obtain the zoning variance approval.

Thank You,

Ronnie D. Logan

Attachments:
Zoning Variance Application
2 copies of draft site plan
Letters of no objection from neighbors
OCPA Maps
OC Tax Assessment

RECEIVED
JAN 13 2017
ORANGE COUNTY
ZONING DIVISION

ORANGE COUNTY GOVERNMENT
FLORIDA

# STAFF REPORT
# CASE #VA-17-03-006

Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
March 2, 2017
Commission District: 5

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Ronnie Logan |
| REQUEST: | Variance in the A-2 zoning district to place a mobile home on 0.57 acres of land in lieu of 2 acres. |
| LOCATION: | North side of Morris Dr., west of Lockwood Dr., south of Old Cheney Hwy. |
| PROPERTY ADDRESS: | 16149 Morris Drive |
| PARCEL ID: | 19-22-32-7880-02-041 |
| TRACT SIZE: | 105 ft. x 235 ft. |
| DISTRICT #: | 5 |
| ZONING: | A-2 |

STAFF FINDINGS AND ANALYSIS:

1. The applicant is proposing to place a mobile home on .57 acres of land. The zoning of the property requires a minimum tract size of two (2) acres for mobile homes and 1/2 acre for on-site built homes.

2. While the request seems excessive, staff inspected the area and found numerous mobile homes on one-half (1/2) acre tracts. The Variance Criteria allows for variances where no special privilege is conferred on an applicant that is not conferred on other properties. In this case the same variance was granted to other properties in this area. Staff supports this request.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 13, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. All building setbacks shall be met.

cc: Ronnie Logan
16410 Old Cheney Hwy.
Orlando, Florida 32833

**LYIZZ KAZYMYRR**
**VA-17-03-007**

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| | |
|---|---|
| **REQUEST:** | **Variances** in the R-1A zoning district as follows:<br>1) To validate an existing residence located 25 ft. from the rear property line in lieu of 30 ft.; and,<br>2) To enclose an existing carport 25 ft. from the rear property line in lieu of 30 ft. |
| **ADDRESS:** | 4203 S. Rio Grande Avenue, Orlando FL 32839 |
| **LOCATION:** | Southeast corner of S. Rio Grande Ave. and 42nd St., approximately 1/4 miles west of S. Orange Blossom Trail |
| **S-T-R:** | 10-23-29 |
| **TRACT SIZE:** | 70 ft. x 105 ft. |
| **DISTRICT#:** | 6 |
| **LEGAL:** | RIO GRANDE SUB 2ND REPLAT U/48 LOT 1 BLK E (LESS RD R/W) |
| **PARCEL ID:** | 10-23-29-7420-05-010 |
| **NO. OF NOTICES:** | 98 |

**DECISION: APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 17, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

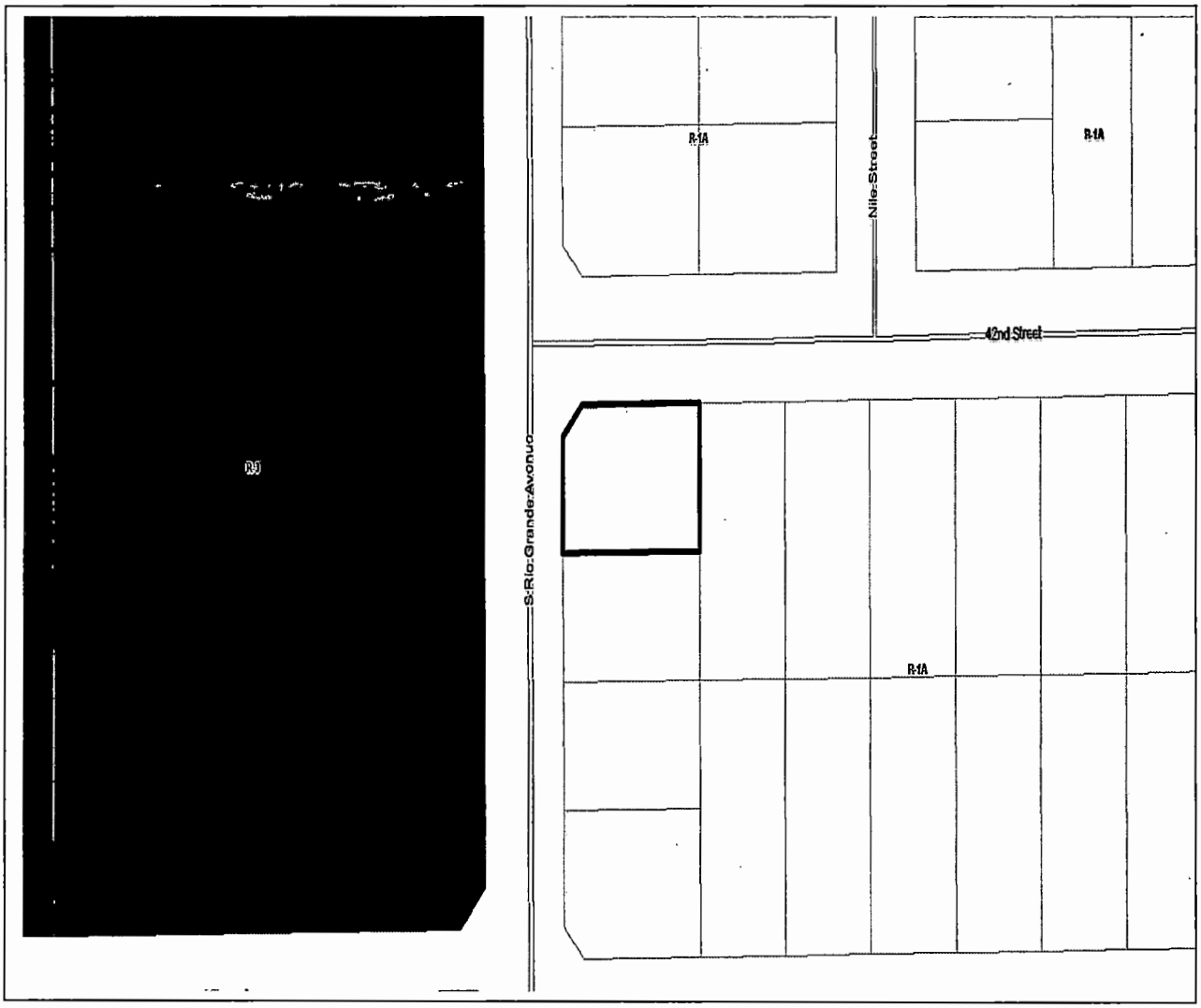
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. The enclosure shall match the design of the main house to the greatest extent possible including color.

**SYNOPSIS:** Staff noted that the home which was constructed in 1957, is located only twenty-five (25) feet from the rear property line in lieu of the required thirty (30) feet in an R-1A zoning district. This renders the entire home a nonconforming structure. The applicant is not increasing the footprint of the home currently under roof, only converting the area under roof from nonliving to living area. Without the variances, she would not be able to do so, as could others in the R-1A zoning district. The applicant is not the original owner and, as such, did not cause the existing situation. Staff noted that two (2) neighbors had submitted letters of support including the most impacted neighbor to the east.

The applicant indicated their agreement with the staff recommendation and the proposed conditions. There being no one in attendance to speak for or against this request, the public hearing was closed.

The BZA noted that the nonconforming status of the home justified the need for the variance, without which the applicant would not be able to do something most other homeowners in the same zoning district would likely be able to do.




**Applicant:** Lyizz Kazymyrr

**BZA Number:** VA-17-03-007

**BZA Date:** 03/02/2017

**District:** 6

**Sec/Twn/Rge:** 10-23-29-SE-D

**Tract Size:** 70 ft. x 105 ft.

**Address**: 4203 S. Rio Grande Avenue, Orlando FL 32839

**Location:** Southeast corner of S. Rio Grande Ave. and 42nd St., approximately 1/4 miles west of S. Orange Blossom Trail

01/16/2017

to whom it may Concern

My name is Lyizz Karrmaa Satthorne Kazymyrr.
My address is 4203 S. Rio Gde Ave Orlando, Florida 32839
I would like to enclose my existing covered porch porch. the rear of my house is only 25 ft. from the rear property line. I need a variance variance of 5 ft.

thank you

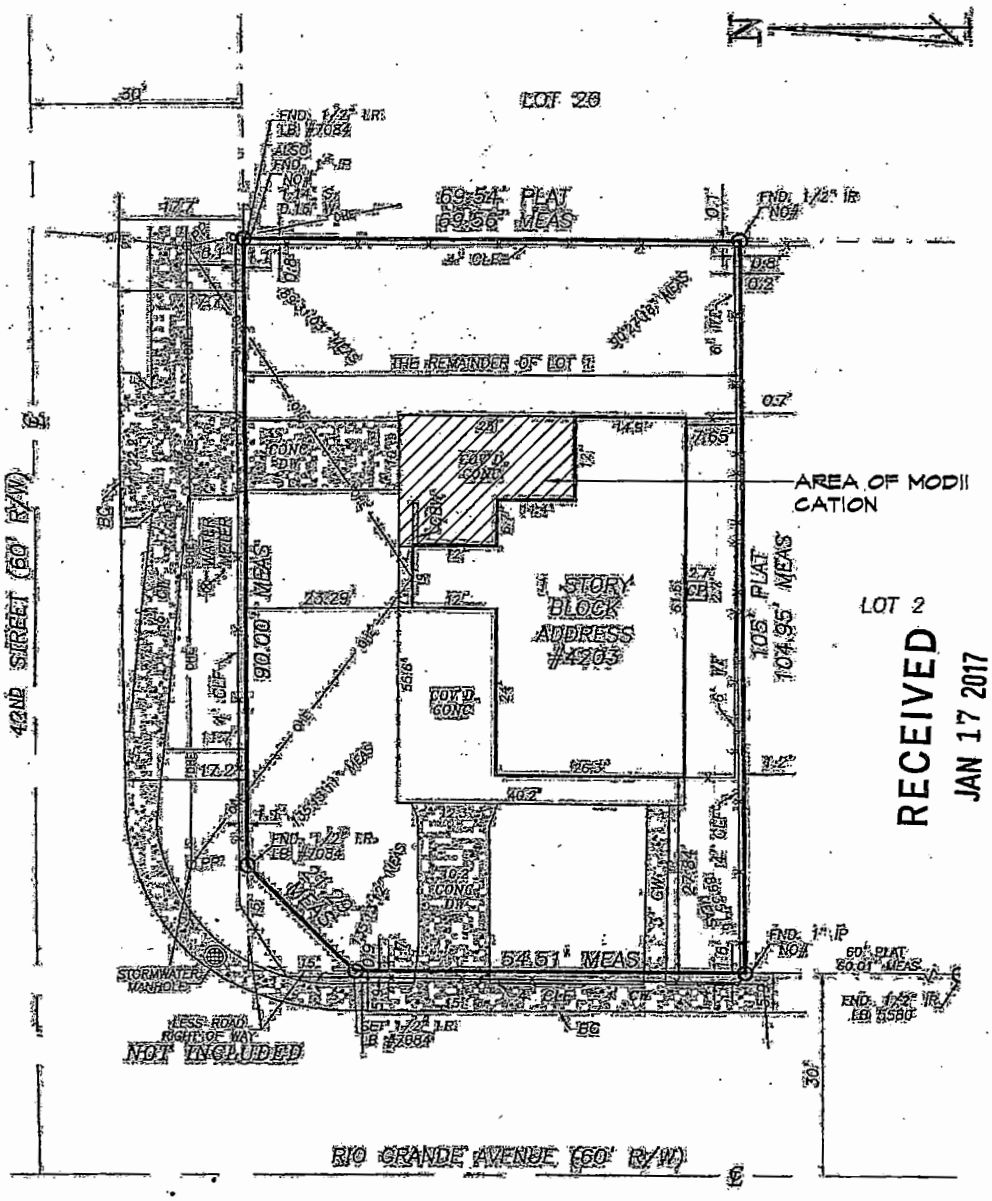
Sincerely

Lyizz Kazymyrr

# MAP OF SURVEY

## DESCRIPTION

OT 1, BLOCK E (LESS ROAD RIGHT OF WAY), RIO GRANDE SUBDIVISION 2ND REPLAT, AS ECORDED IN PLAT BOOK U, PAGE 48, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

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Zoning Division



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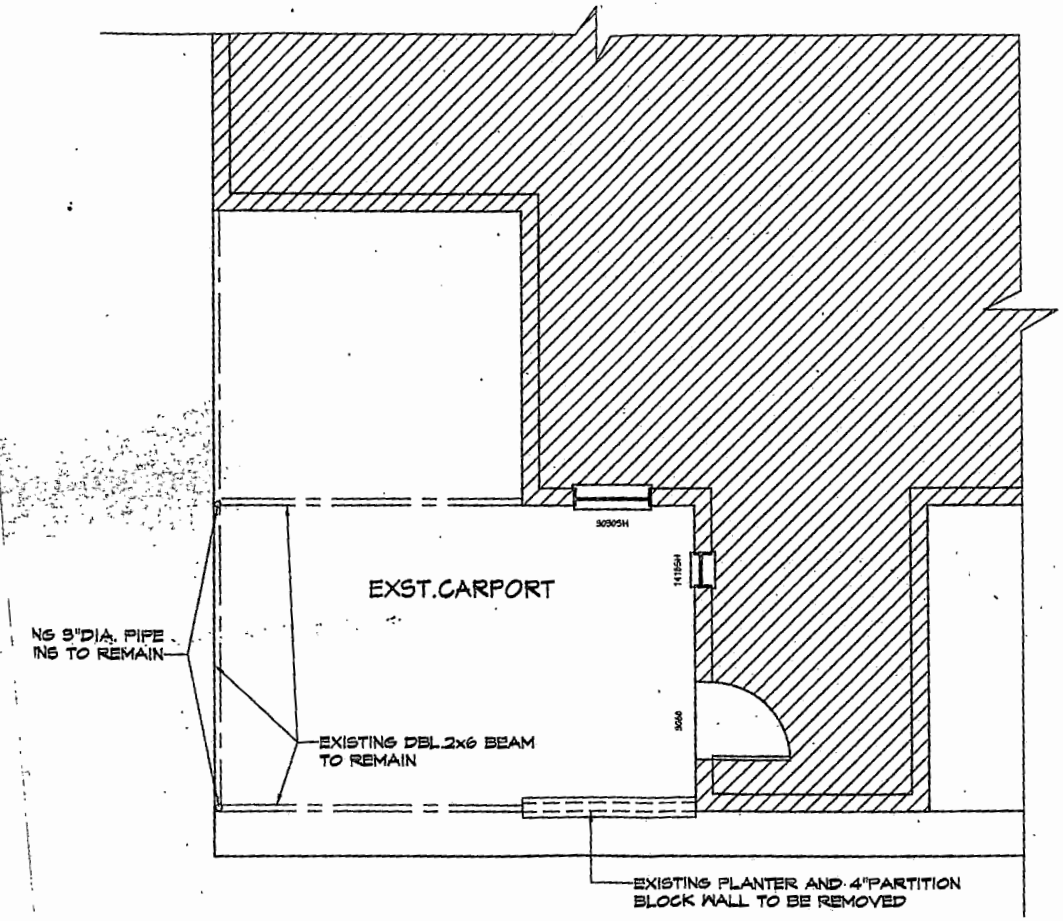
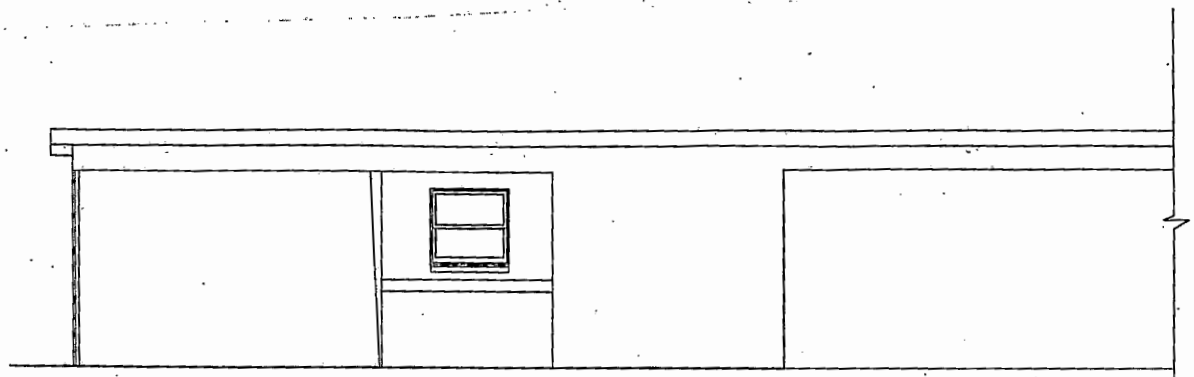
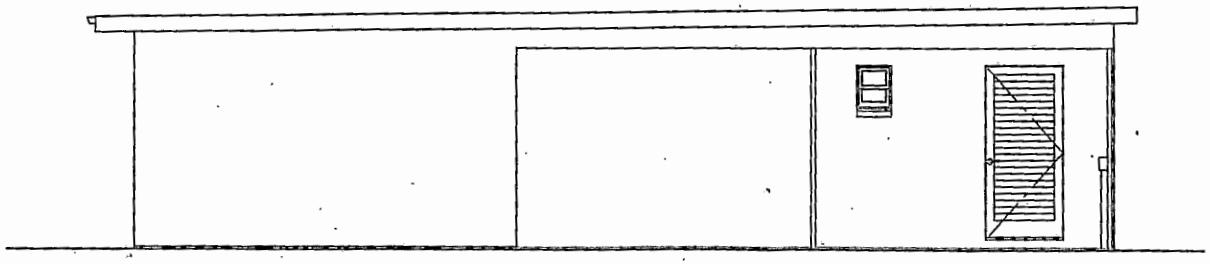

EXST.CARPORT
NG 9"DIA. PIPE
INS TO REMAIN
EXISTING DBL.2x6 BEAM
TO REMAIN
EXISTING PLANTER AND 4"PARTITION
BLOCK WALL TO BE REMOVED



PARTIAL NORTH ELEVATION

SCALE: 1/4"=1'-0"



PARTIAL EAST ELEVATION

SCALE: 1/4"=1'-0"

ORANGE COUNTY GOVERNMENT
FLORIDA

# STAFF REPORT
# CASE #VA-17-03-007

Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
March 2, 2017
Commission District: 6

GENERAL INFORMATION:

APPLICANT: Lyizz Kazymyrr

REQUEST: Variances in the R-1A zoning district as follows:

1) To validate an existing residence located 25 ft. from the rear property line in lieu of 30 ft.; and,
2) To enclose an existing carport 25 ft. from the rear property line in lieu of 30 ft.

LOCATION: Southeast corner of S. Rio Grande Ave. and 42nd St., approximately 1/4 miles west of S. Orange Blossom Trail

PROPERTY ADDRESS: 4203 S. Rio Grande Avenue

PARCEL ID: 10-23-29-7420-05-010

TRACT SIZE: 70 ft. x 105 ft.

DISTRICT #: 6

ZONING: R-1A

STAFF FINDINGS AND ANALYSIS:

1) The applicant is currently using an existing carport as a covered porch. They would like to enclose it to create a year round room.

2) The proposal would not result in any increase in square footage under roof, only the conversion of existing non-living space to living space.

3) The house currently is located five (5) feet into the rear setback, which is where it was constructed in 1957. Therefore, enclosing existing non-living space would increase the degree of non-conformity without the variance.

4) The applicant is not the original owner, and as such, the request is not self imposed.

5) Given that the applicant is not increasing the amount of floor area under roof to accomplish the conversion, the variance is the least necessary.

6) Without the variance, the applicant would not be permitted to add onto their home as may others in the same zoning district. Without the variance they would be deprived rights others in the same district enjoy.

STAFF RECOMMENDATION:

Staff finds that the requested variance is not the result of actions by the applicant. Further, the existing house being located five (5) feet into the rear setbacks possess a physical impediment to the construction of any type of improvement to the house in a logical location. Also, without the variance, the applicant would not be able to enjoy the same opportunities of others in the same zoning district. Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 17, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. The enclosure shall match the design of the main house to the greatest extent possible including color.

cc: Lyizz Kazymyrr
4203 S. Rio Grande Avenue
Orlando, Florida 32839

**PHAN'S ASIAN CUISINE**
**VA-17-03-009**

---

| | |
|---|---|
| **REQUEST:** | **Variance** in the IND-2/IND-3 zoning district to sell beer and wine for on-site consumption (2-COP) 53.7 ft. from a religious use in lieu of 1,000 ft.<br>(Note: Applicant is a restaurant specializing in Asian cuisine. The religious use is located in the same building as the proposed restaurant). |
| **ADDRESS:** | 9741 S. Orange Blossom Trail, Orlando FL 32837 |
| **LOCATION:** | East side of S. Orange Blossom Trail, approximately .4 mi. south of Taft-Vineland Rd. |
| **S-T-R:** | 10-24-29 |
| **TRACT SIZE:** | 1.64 acres |
| **DISTRICT#:** | 4 |
| **LEGAL:** | IRLO O BRONSONS SUB Q/156 A PORTION OF LOTS 2 & 3 BLK A DESC AS BEG 150 FT S OF NW COR OF LOT 2 RUN E 310 FT S 243.75 FT W 310 FT N 244.39 FT TO POB (LESS PART TAKEN ON W FOR R/W PER 6599/5565 & PER 6599/5570) |
| **PARCEL ID:** | 10-24-29-0924-01-023 |
| **NO. OF NOTICES:** | 161 |

**DECISION: DENIED** the Variance request in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3) (unanimous; 4-0).

**SYNOPSIS:** The applicant operates a restaurant and wishes to serve beer and wine with meals. Located inside the same building is a religious use. The code requires a separation of 1,000 feet between businesses that serve beer and wine and religious uses.

Staff advised that this request was extreme and severe, and the 1,000 foot standard should be upheld.

The BZA agreed and denied the request. There was no opposition to this request and the affected religious use submitted a letter of no objection.

**Applicant:** Phan's Asian Cuisine

**BZA Number:** VA-17-03-009

**BZA Date:** 03/02/2017

**District:** 4

**Sec/Twn/Rge:** 10-24-29-NW-B

**Tract Size:** 1.64 acres

**Address**: 9741 S. Orange Blossom Trail, Orlando FL 32837

**Location:** East side of S. Orange Blossom Trail, approximately .4 mi. south of Taft-Vineland Rd.

Tung Phan
Phan's Asian Cuisine
9741 South Orange Blossom Trail Suite #10

Dear Orange County Board of Zoning Adjustment,

My name is Tung Phan and I am the owner and chef at Phan's Asian Cuisine located on 9741 South Orange Blossom Trail Suite #10. Our application to obtain a beer and wine license was recently rejected, and with the highest respect, we would like to appeal your decision.

Hercules Nguyen was the previous tenant of this property, under the business name of Little New Orleans Kitchen & Oyster Bar, who acquired a license to sell beer and wine. Neither our landlord nor the other suites in our plaza have stated to be in opposition of our request to serve alcohol. We have been given a letter of approval from Israelite Church of God In Jesus Christ, our neighboring suite, stating that they hold no reservations with us serving alcohol. In addition, we will have a representative from this church who is willing to speak in front of the board along with my manager, Alexander Gonzalez, and I.

Beyond reasons that has been listed above, I believe that beer and wine compliments the menu I have created for Phan's Asian Cuisine exceedingly well. Most appetizers are created as finger foods created with the intentions of pairing it with specific wines for a bolder experience. Although most sales will be food, the ability to sell beer and wine will aid us tremendously in finances. Furthermore, I would like to state that I am a responsible citizen and resident in the state of Florida holding no criminal records.

Best regards,

T. Phan

Tung Phan, Owner and Chef

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ORANGE COUNTY GOVERNMENT
FLORIDA

ZONING DIVISION
CAROL L. KNOX, Manager
201 South Rosalind Avenue, 1st Floor • Reply To: Post Office Box 2687 • Orlando, Florida 32802-2687
407-836-3111 • Fax 407-836-5507
www.orangecountyfl.net

Arturo Interiano
*Assistant Manager*

*Chief Planners*

Christopher Schmidt
*Permitting*

Rocco Relvini
*Customer Relations*

Bob Windom
*Project Review*

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ORANGE COUNTY
ZONING DIVISION

January 11, 2017

Phan's, LLC
d/b/a Phan's Asian Cuisine
9741 S. Orange Blossom Trail
Orlando, FL 32837

Dear Mr. Phan:

We have received your application for a new alcoholic beverage license for Phan's, LLC d/b/a Phan's Asian Cuisine located at 9741 S. Orange Blossom Trail, Suite 10, Orlando, FL 32837.

On January 11, 2017 we conducted a distance check to see if the proposed location satisfied the separation requirement contained in the Orange County Code. The result of our inspection reveals that the proposed location is 53.7 feet from a religious institution, The Israelite Church of God In Jesus Christ, Inc., located at 9741 S. Orange Blossom Trail, Suites 6 and 7.

Since this location does not satisfy the 1,000 ft. separation requirement from the nearest religious institution, this office cannot issue zoning approval.

Should you have any questions, please contact our office at your convenience.

Sincerely,

Art Interiano
Assistant Zoning Manager

# The Israelite Church

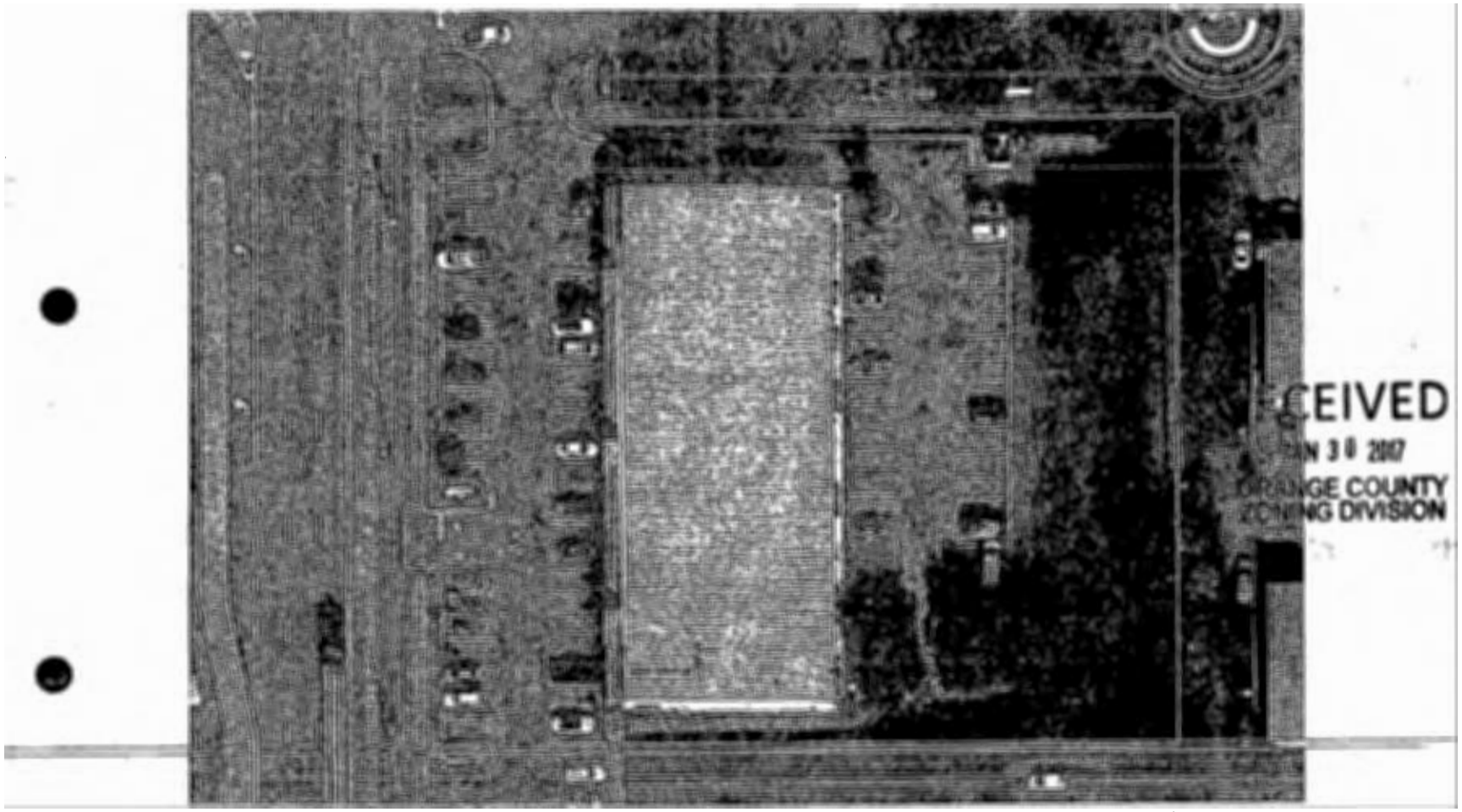
*Of God in Jesus Christ*

World Headquarters • 1941 Madison Ave. • New York, NY 10035
(212) 289 • 9923 (correspondence) {or} (212) 828 • 9490 (fax)
The Holy Apostles & Chief High Priests of the Nation of Israel
Holy ACHP Ahraya ✡ Holy ACHP Shar ✡ Holy ACHP Tazadaqyah


To whom it may concern:

The Israelite Church of God and Jesus Christ Orlando, FL located on 9741 South Orange Blossom Trail Suite 6&7 in Michael's Plaza is writing this letter stating that we don't oppose the restaurant serving beer and wine.

Erlin Augustin



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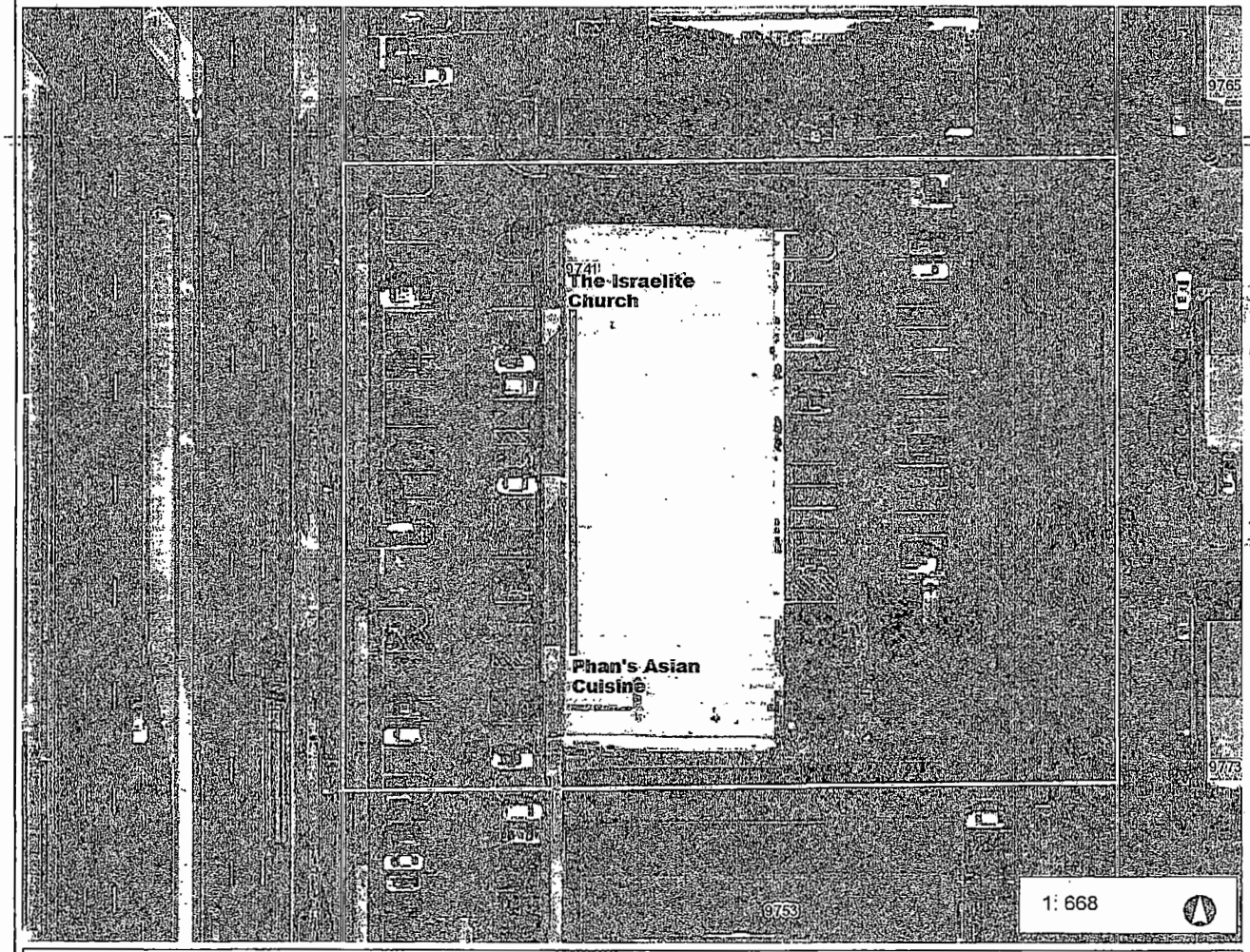
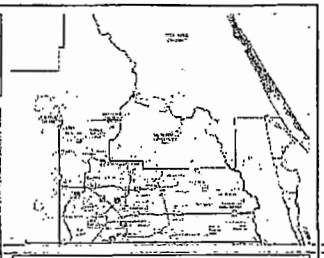
ZONING DIVISION

1/11/2017 - Distance check reveals that Phan's, LLC d/b/a Phan's Asian Cuisine is 53.7 from The Israelite Church of God In Jesus Christ, Inc. The Walking Path is shown above in blue. Distance from such a place of business to a religious institution shall be measured by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the place of business to the main door of the religious institution.

ORANGE COUNTY GOVERNMENT FLORIDA

# VA-17-03-009



**Legend**

☐ Parcel Outline

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ORANGE COUNTY
ZONING DIVISION

1: 668

**Notes**

0.0 0 0.01 0.0 Miles

NAD_1983_StatePlane_Florida_East_FIPS_0901_Feet
Orange County, FL BCC

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

ORANGE COUNTY GOVERNMENT
FLORIDA

# STAFF REPORT
# CASE #VA-17-03-009

Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
March 2, 2017
Commission District: 4

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Phan's Asian Cuisine |
| REQUEST: | Variance in the IND-2/IND-3 zoning district to sell beer and wine for on-site consumption (2-COP) 53.7 ft. from a religious use in lieu of 1,000 ft.<br><br>(Note: Applicant is a restaurant specializing in Asian cuisine. The religious use is located in the same building as the proposed restaurant). |
| LOCATION: | East side of S. Orange Blossom Trail, approximately .4 mi. south of Taft-Vineland Rd. |
| PROPERTY ADDRESS: | 9741 S. Orange Blossom Trail |
| PARCEL ID: | 10-24-29-0924-01-023 |
| TRACT SIZE: | 1.64 acres |
| DISTRICT #: | 4 |
| ZONING: | IND-2/IND-3 |

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to obtain a 2COP alcoholic beverage license for his restaurant. This is the ability to sell beer and wine for on-site consumption with meals.

2. The Zoning Regulations require a minimum distance of 1,000 feet from any religious use facility.

3. On January 11, 2017, the Zoning Division conducted a distance check to see if the proposed restaurant met the distance requirement. The distance measured was 53.7 feet from the Israelite Church of God in Jesus Christ religious facility.

4. The Israelite Church of God in Jesus Christ submitted a letter of no objection.

5. The request constitutes a deviation of ninety-five percent (95%). This is an extremely significant variance request.

6. On September 13, 2016, the Board of County Commissioners (BCC) considered a reduction of the distance requirement between restaurants and schools and religious uses. The BCC reduced the distance for schools to 500 feet but retained the distance of 1,000 feet for churches.

7. Staff cannot support this request for the following reasons: a) it does not meet any of the Variance Criteria; b) the deviation is too great; c) approval of the request would establish an undesirable precedent along S. Orange Blossom Trail; and, d) staff consistently has upheld the community standards relative to alcohol beverage licenses.

8. It is the responsibility of the property's landlord and/or property manager to choose the tenants of his commercial building. Once the lease runs out on the religious use the applicant can re-apply for the alcohol beverage license.

STAFF RECOMMENDATION:

Staff recommends denial of the request. However, should the BZA find that the applicant has satisfied the criteria for the granting of a variance, then staff recommends the following conditions to be imposed:

1. Development in accordance with site plan dated January 30, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. Approval is for the Phan's Asian Cuisine restaurant only. All other tenants must obtain variance approval from Orange County.

cc: Tung Phan (Applicant's representative)
205 Killington Court
Orlando, Florida 32835

**OCOEE CHURCH OF GOD - SE-17-03-010**

| | |
|---|---|
| **REQUEST:** | **Special Exceptions** and **Variances** in the R-2 zoning district as follows:<br>1) Special Exception: To convert an existing single family residence into a school building with three (3) classrooms;<br>2) Special Exception: To increase the capacity of an existing school operation from 95 students to 140 students;<br>3) Variance to grassed parking spaces and unpaved drive aisle in lieu of paved in conjunction with the new classrooms; and,<br>4) Variance to allow existing structure with a 24 ft. front yard setback in lieu of 25 ft.<br>(Note: The Church received approval to operate a school and child care center in 2009. In 2014, the Church obtained approval to install three modular classrooms. In 2016, the Church obtained approval for a fourth modular classroom and to increase the capacity of the school to 95 students). |
| **ADDRESS:** | 105 16th Avenue, Ocoee FL 34761 |
| **LOCATION:** | East side of N. Lakewood Ave., west of Greenwood Ave., between 16th and 17th Avenues |
| **S-T-R:** | 08-22-28 |
| **TRACT SIZE:** | 2.75 acres |
| **DISTRICT#:** | 2 |
| **LEGAL:** | NORTH OCOEE ADDITION NO 1 O/68 THE E 25 FT OF LOT 4 & ALL OF LOT 3 & W 18.50 FT OF LOT 2 BLK 1 |
| **PARCEL ID:** | 08-22-28-5956-01-010; 08-22-28-5956-01-030;<br>08-22-28-5956-01-050; 08-22-28-5956-01-120; and,<br>08-22-28-5956-01-140. |
| **NO. OF NOTICES:** | 91 |

**DECISION: APPROVED** the Special Exception requests in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; and further, **APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. The three (3) grassed parking spaces created through SE-17-03-010, shall be fitted with tire stops, which shall be properly anchored and properly maintained (wooden stops in area are acceptable);

5. Unless specifically removed by prior approvals, all conditions of prior approvals shall remain in full force and effect through the approval of SE-17-03-010;

6. Prior to issuance of permits for the conversion of the home on 16th Avenue to classrooms, the applicant shall obtain a letter from the City of Ocoee indicating that they have agreed upon the provision of utilities for the site. This letter shall be submitted with the permit package; and,

7. Construction plans shall be submitted within three (3) years of final action by the Board of County Commissioners or this approval becomes null and void.

**SYNOPSIS:** Staff explained that this was the third (3rd) time the applicant has been before the BZA in the last three (3) years. Each time the request was to expand the school. The first two (2) appearances were to add modular classrooms. This time, however, they have chosen to convert one of the two (2) residences on the block, which they own, to a permanent three (3) classroom facility. Staff noted that condition #4, needed to be amended to reflect that there are to be three (3) new grassed parking spaces not four (4), as noted. Staff noted that they had not received any correspondence in opposition and three (3) in favor.

The applicant noted that they were in agreement with the staff recommendation and the conditions. There being no one in attendance to speak for or against the request, the public hearing was closed.

The BZA found that the expansion could be easily accommodated on the site with no negative off-site impacts.

**Applicant:** Ocoee Church of God

**BZA Number:** SE-17-03-010

**BZA Date:** 03/02/2017

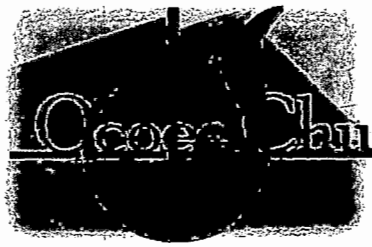
**District:** 2

**Sec/Twn/Rge:** 08-22-28-SW-C

**Tract Size:** 2.75 acres

**Address**: 105 16th Avenue, Ocoee FL 34761

**Location:** East side of N. Lakewood Ave., west of Greenwood Ave., between 16th and 17th Avenues



Ocoee Church of God *Rebuilding lives from the inside out!*

1105 N. Lakewood Avenue · Ocoee, FL · 34761 · p: 407-656-8011 · f: 407-656-8028

January 16, 2017

Orange County Zoning Division

Re: Ocoee Church of God Special Exception

To Whom It May Concern:

In 2009, Ocoee Church of God received a special exception to operate a private school and child care facility. Since then, the church has been able to minister to our community by providing the option of affordable private education through our school, Light Christian Academy. Due to increasing enrollment, we applied for and received a special exception in 2014 to add three modular buildings to our campus in order to provide additional space. In 2016, we received a third special exception, allowing us to add a fourth modular building and increase capacity to 95 students.

We are now seeking a special exception to expand our school and child care services into the existing structure located at 105 16th Avenue, Ocoee. This location, which is adjacent to and owned by the church, is a residential house; it is our intent to use this structure for early childhood education, i.e., K-3 and K-4 programs. The facility would include no more than three instructional classrooms, with a capacity of 40 students and 5 staff members. Therefore, we are also requesting that this special exception include a capacity of 45 individuals at this facility.

As shown on the proposed site plan, the driveway at the existing structure would be modified to provide a one-way drive for student drop-off and pick-up. Additionally, this location will connect via sidewalks to our existing campus.

In order to accommodate the needed parking for this expansion, we plan to utilize parking already available on our campus. The existing campus includes 48 parking stalls. Current operations require 34 of those parking stalls; that figure includes parking for current instructional classrooms, staff, and high school students. The remaining 14 parking stalls are available to accommodate the facility expansion requested in this special exception. Although this will meet the requirement of 4 parking stalls per instructional classroom, we are also requesting to be permitted to add 3 grass parking stalls along the one-way drive as shown on the proposed site plan.

Thank you for your consideration. If you have any further questions, please feel free to contact me at the church office by calling 407-656-8011 or on my cell phone by calling 407-509-7852.

Sincerely,

Bishop Thomas Odom, Lead Pastor

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Zoning Division

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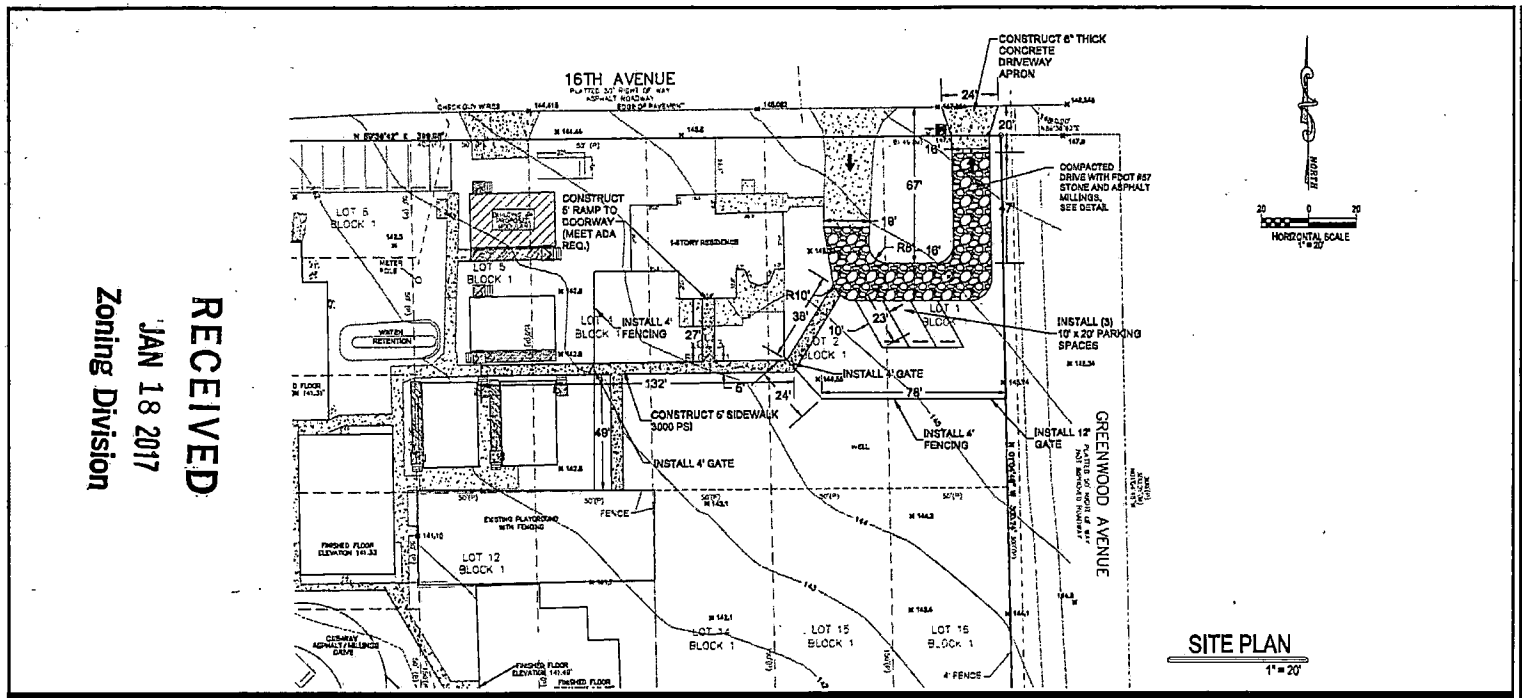
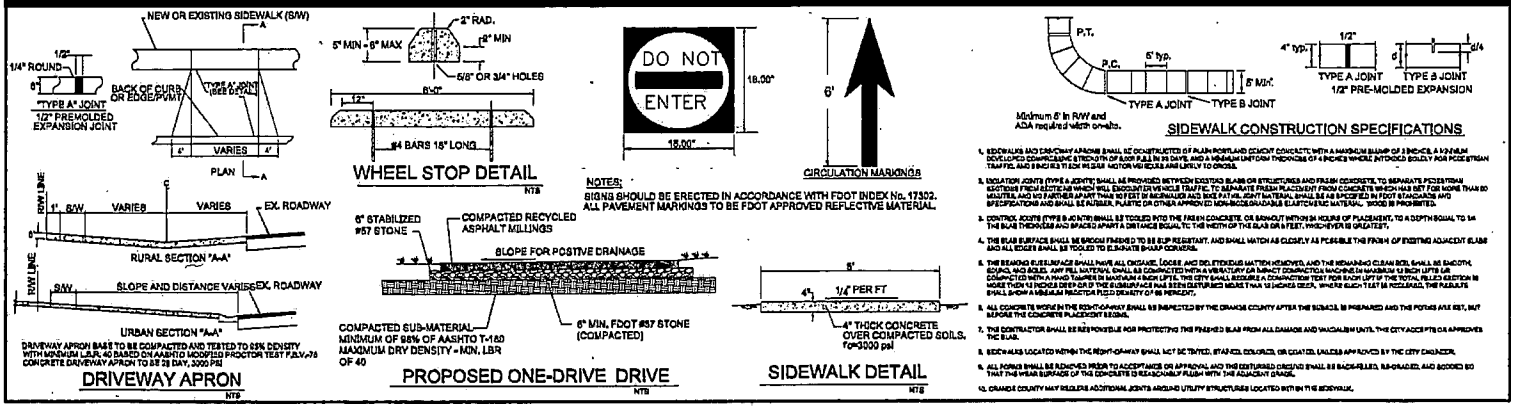
Zoning Division




ENGINEERING BY:
RICHARD A. CAMPANALE, P.E.
FLORIDA LICENSE NO. 54745

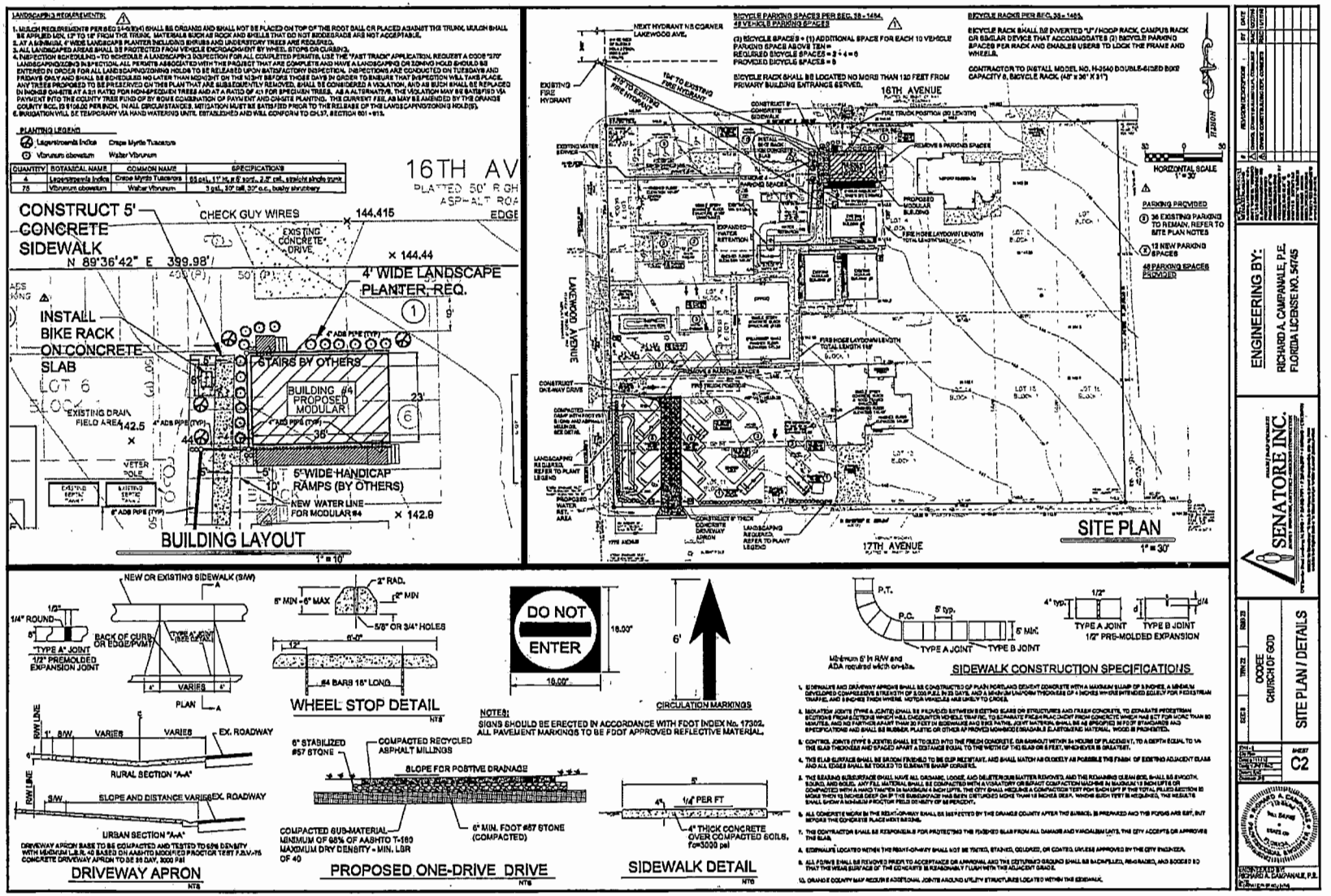
SENATORE INC.

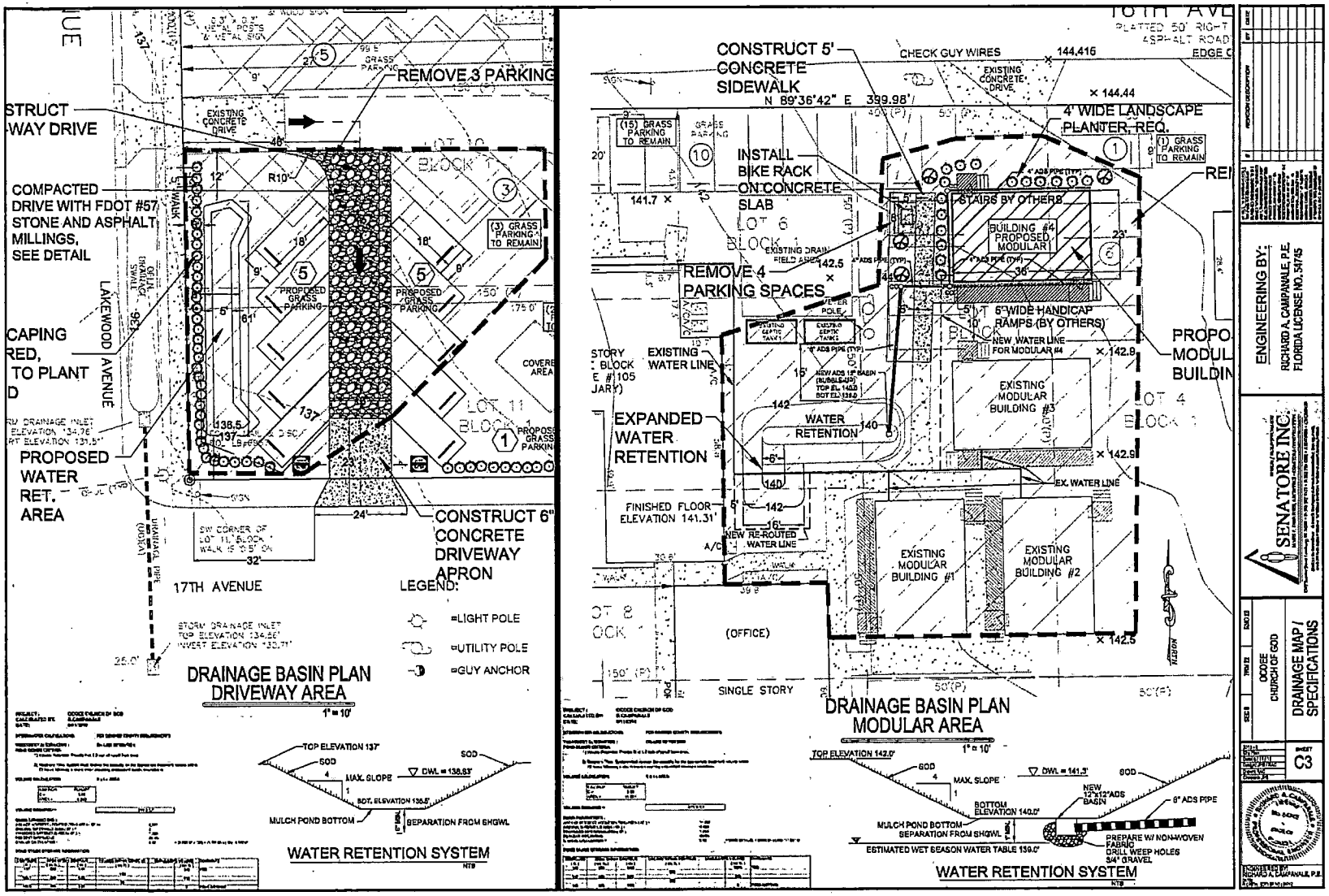
ODDEE
CHURCH OF GOD

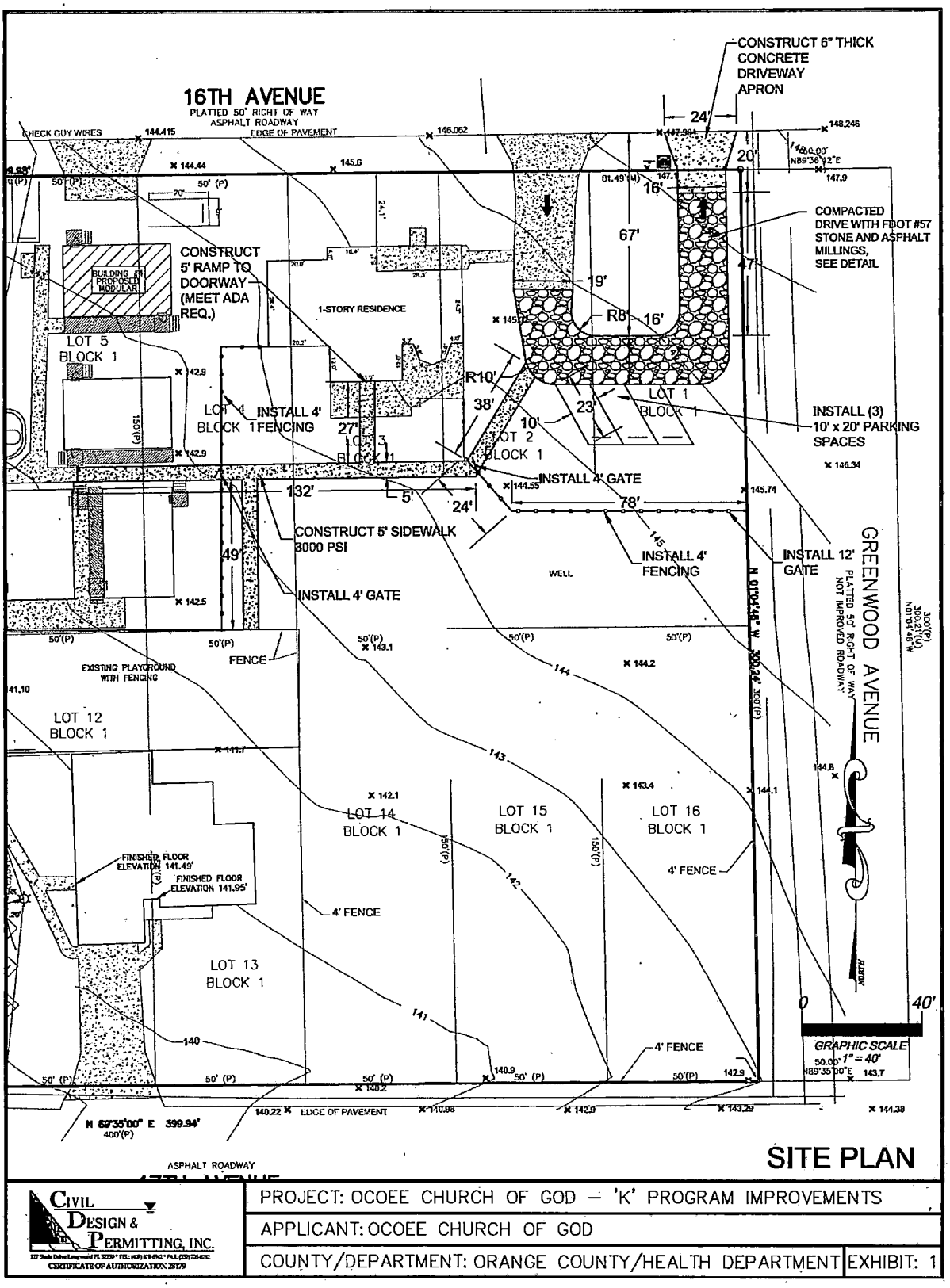
SITE PLAN / DETAILS

C1

ENGINEERED BY:
RICHARD A. CAMPANALE, P.E.


LANDSCAPING REQUIREMENTS:
PLANTING LEGEND
Lagerstroemia Indica Crape Myrtle Tuscarora
Viburnum obovatum Walker Viburnum
QUANTITY | BOTANICAL NAME | COMMON NAME | SPECIFICATIONS
4 | Lagerstroemia Indica | Crape Myrtle Tuscarora | 65 cal., 11' ht. x 6' sprd., 2.0" cal., straight single trunk
75 | Viburnum obovatum | Walker Viburnum | 3 gal., 30" tall, 30" o.c., bushy shrubbery
16TH AV
PLATTED 50' R/W
ASPHALT ROA
CONSTRUCT 5' CONCRETE SIDEWALK
CHECK GUY WIRES
EXISTING CONCRETE DRIVE
N 89°36'42" E 399.98'
144.415
144.44
4' WIDE LANDSCAPE PLANTER REQ.
INSTALL BIKE RACK ON CONCRETE SLAB
STAIRS BY OTHERS
BUILDING #4 PROPOSED MODULAR
EXISTING DRAIN FIELD AREA
142.5
142.8
5' WIDE HANDICAP RAMPS (BY OTHERS)
NEW WATER LINE FOR MODULAR #4
BUILDING LAYOUT
1" = 10'
BICYCLE PARKING SPACES PER SEC. 38 - 1484.
49 VEHICLE PARKING SPACES
(3) BICYCLE SPACES = (1) ADDITIONAL SPACE FOR EACH 10 VEHICLE PARKING SPACE ABOVE TEN =
REQUIRED BICYCLE SPACES = 3 + 4 = 6
PROVIDED BICYCLE SPACES = 6
BICYCLE RACK SHALL BE LOCATED NO MORE THAN 120 FEET FROM PRIMARY BUILDING ENTRANCE SERVED.
BICYCLE RACKS PER SEC. 38 - 1485.
BICYCLE RACK SHALL BE INVERTED "U" / HOOP RACK, CAMPUS RACK OR SIMILAR DEVICE THAT ACCOMMODATES (2) BICYCLE PARKING SPACES PER RACK AND ENABLES USERS TO LOCK THE FRAME AND WHEELS.
CONTRACTOR TO INSTALL MODEL NO. H-2540 DOUBLE-SIZED BIKE CAPACITY 6, BICYCLE RACK. (48" x 36" X 31")
NEXT HYDRANT N.E CORNER LAKEWOOD AVE.
EXISTING FIRE HYDRANT
16TH AVENUE
17TH AVENUE
LAKEWOOD AVENUE
HORIZONTAL SCALE
1" = 30'
PARKING PROVIDED
(3) 36 EXISTING PARKING TO REMAIN, REFER TO SITE PLAN NOTES
(4) 13 NEW PARKING SPACES
49 PARKING SPACES PROVIDED
SITE PLAN
1" = 30'
NEW OR EXISTING SIDEWALK (S/W)
1/2" ROUND
TYPE 'A' JOINT 1/2" PREMOLDED EXPANSION JOINT
BACK OF CURB OR EDGE/PVMT
VARIES
PLAN
WHEEL STOP DETAIL
NTS
DO NOT ENTER
CIRCULATION MARKINGS
NOTES:
SIGNS SHOULD BE ERECTED IN ACCORDANCE WITH FDOT INDEX No. 17302.
ALL PAVEMENT MARKINGS TO BE FDOT APPROVED REFLECTIVE MATERIAL.
P.T.
P.C.
TYPE A JOINT
TYPE B JOINT
1/2" PRE-MOLDED EXPANSION
Minimum 6' in R/W and ADA required width on-site.
SIDEWALK CONSTRUCTION SPECIFICATIONS
1. ALL DRIVEWAYS AND DRIVEWAY APRONS SHALL BE CONSTRUCTED OF PLAIN PORTLAND CEMENT CONCRETE WITH A MAXIMUM SLUMP OF 5 INCHES, A MINIMUM DEVELOPED COMPRESSIVE STRENGTH OF 3,000 P.S.I. IN 28 DAYS, AND A MINIMUM UNIFORM THICKNESS OF 4 INCHES WHERE INTENDED SOLELY FOR PEDESTRIAN TRAFFIC, AND 6 INCHES THICK WHERE MOTOR VEHICLES ARE LIKELY TO CROSS.
2. EXPANSION JOINTS (TYPE A JOINT) SHALL BE PROVIDED BETWEEN EXISTING SLABS OR STRUCTURES AND FRESH CONCRETE, TO SEPARATE PEDESTRIAN SECTIONS FROM SECTIONS WHICH WILL ENCOUNTER VEHICLE TRAFFIC, TO ELIMINATE FREQUENT PLACEMENT FROM CONCRETE WHICH HAS SET FOR MORE THAN 90 MINUTES, AND NO FURTHER APART THAN 20 FEET IN SIDEWALKS AND BIKE PATHS. JOINT MATERIAL SHALL BE AS SPECIFIED IN FDOT STANDARDS AND SPECIFICATIONS AND SHALL BE RUBBER, PLASTIC OR OTHER AP PROVED NONRIDGE DISAPABLE ELASTOMERIC MATERIAL. WOOD IS PROHIBITED.
3. CONTROL JOINTS (TYPE B JOINTS) SHALL BE TOOLED INTO THE FRESH CONCRETE, OR SAWCUT WITHIN 24 HOURS OF PLACEMENT, TO A DEPTH EQUAL TO 1/4 THE SLAB THICKNESS AND SPACED APART A DISTANCE EQUAL TO THE WIDTH OF THE SLAB OR 6 FEET, WHICHEVER IS GREATER.
4. THE SLAB SURFACE SHALL BE BROOM FINISHED TO BE SLIP RESISTANT, AND SHALL MATCH AS CLOSELY AS POSSIBLE THE FINISH OF EXISTING ADJACENT SLABS AND ALL EDGES SHALL BE TOOLED TO ELIMINATE SHARP CORNERS.
5. THE BEARING SUBSURFACE SHALL HAVE ALL ORGANIC, LOOSE, AND DELETERIOUS MATTER REMOVED, AND THE REMAINING CLEAN SOIL SHALL BE SMOOTH, SOUND, AND DENSE. ANY FILL MATERIAL SHALL BE COMPACTED WITH A VIBRATORY OR IMPACT COMPACTION MACHINE IN MAXIMUM 12 INCH LIFTS OR COMPACTED WITH A HAND TAMPER IN MAXIMUM 4 INCH LIFTS. THE CITY SHALL REQUIRE A COMPACTION TEST FOR EACH LIFT IF THE TOTAL FILLED SECTION IS MORE THAN 12 INCHES DEEP OR IF THE SUBGRADE HAS BEEN DISTURBED MORE THAN 12 INCHES DEEP. WHERE SUCH TEST IS REQUIRED, THE RESULTS SHALL SHOW A MINIMUM PROCTOR FIELD DENSITY OF 98 PERCENT.
6. ALL CONCRETE WORK IN THE RIGHT-OF-WAY SHALL BE INSPECTED BY THE ORANGE COUNTY AFTER THE SUBGRADE IS PREPARED AND THE FORMS ARE SET, BUT BEFORE THE CONCRETE PLACEMENT BEGINS.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING THE FINISHED SLAB FROM ALL DAMAGE AND VANDALISM UNTIL THE CITY ACCEPTS OR APPROVES THE SLAB.
8. SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY SHALL NOT BE TINTED, STAINED, COLORED, OR COATED, UNLESS APPROVED BY THE CITY ENGINEER.
9. ALL FORMS SHALL BE REMOVED PRIOR TO ACCEPTANCE OR APPROVAL AND THE DISTURBED GROUND SHALL BE BACKFILLED, REGRADED, AND SODDED SO THAT THE WEAR SURFACE OF THE CONCRETE IS REASONABLY FLUSH WITH THE ADJACENT GRADE.
10. ORANGE COUNTY MAY REQUIRE ADDITIONAL JOINTS AROUND UTILITY STRUCTURES LOCATED WITHIN THE SIDEWALK.
RBW LINE
1' S/W VARIES
VARIES
EX. ROADWAY
RURAL SECTION "A-A"
S/W
SLOPE AND DISTANCE VARIES
URBAN SECTION "A-A"
DRIVEWAY APRON BASE TO BE COMPACTED AND TESTED TO 98% DENSITY WITH MINIMUM L.B.R. 40 BASED ON AASHTO MODIFIED PROCTOR TEST 7.5LV-75
CONCRETE DRIVEWAY APRON TO BE 28 DAY, 3000 PSI
DRIVEWAY APRON
NTS
6" STABILIZED #57 STONE
COMPACTED RECYCLED ASPHALT MILLINGS
SLOPE FOR POSITIVE DRAINAGE
COMPACTED SUB-MATERIAL MINIMUM OF 98% OF AASHTO T-180 MAXIMUM DRY DENSITY - MIN. LBR OF 40
6" MIN. FDOT #57 STONE (COMPACTED)
PROPOSED ONE-DRIVE DRIVE
NTS
1/4" PER FT
4" THICK CONCRETE OVER COMPACTED SOILS, f'c=3000 psi
SIDEWALK DETAIL
NTS
ENGINEERING BY:
RICHARD A. CAMPANALE, P.E.
FLORIDA LICENSE NO. 54745
SENATORE INC.
ODDEE
CHURCH OF GOD
SITE PLAN / DETAILS
SHEET C2
ENGINEERED BY RICHARD A. CAMPANALE, P.E.


REMOVE 3 PARKING
CONSTRUCT 5' CONCRETE SIDEWALK
CHECK GUY WIRES
4' WIDE LANDSCAPE PLANTER, REQ.
INSTALL BIKE RACK ON CONCRETE SLAB
COMPACTED DRIVE WITH FDOT #57 STONE AND ASPHALT MILLINGS, SEE DETAIL
REMOVE 4 PARKING SPACES
EXPANDED WATER RETENTION
PROPOSED WATER RET. AREA
CONSTRUCT 6" CONCRETE DRIVEWAY APRON
17TH AVENUE
LAKEWOOD AVENUE
EXISTING MODULAR BUILDING #1
EXISTING MODULAR BUILDING #2
EXISTING MODULAR BUILDING #3
BUILDING #4 PROPOSED MODULAR
FINISHED FLOOR ELEVATION 141.31'
NEW RE-ROUTED WATER LINE
NEW WATER LINE FOR MODULAR #4
EX. WATER LINE
LEGEND:
=LIGHT POLE
=UTILITY POLE
=GUY ANCHOR
DRAINAGE BASIN PLAN DRIVEWAY AREA
1" = 10'
TOP ELEVATION 137'
SOD
MAX. SLOPE
DWL = 136.83'
BOT. ELEVATION 135.5'
MULCH POND BOTTOM
SEPARATION FROM SHGWL
WATER RETENTION SYSTEM
DRAINAGE BASIN PLAN MODULAR AREA
1" = 10'
TOP ELEVATION 142.0'
DWL = 141.3'
BOTTOM ELEVATION 140.0'
NEW 12"x12"ADS BASIN
6" ADS PIPE
PREPARE W/ NON-WOVEN FABRIC DRILL WEEP HOLES 3/4" GRAVEL
ESTIMATED WET SEASON WATER TABLE 139.0'
WATER RETENTION SYSTEM
ENGINEERING BY:
RICHARD A. CAMPANALE, P.E.
FLORIDA LICENSE NO. 54745
SENATORE INC.
ODDEE CHURCH OF GOD
DRAINAGE MAP / SPECIFICATIONS
C3




| | |
|---|---|
| CIVIL DESIGN & PERMITTING, INC. CERTIFICATE OF AUTHORIZATION: 28179 | PROJECT: OCOEE CHURCH OF GOD – 'K' PROGRAM IMPROVEMENTS |
| | APPLICANT: OCOEE CHURCH OF GOD |
| | COUNTY/DEPARTMENT: ORANGE COUNTY/HEALTH DEPARTMENT \| EXHIBIT: 1 |

ORANGE COUNTY GOVERNMENT
FLORIDA

STAFF REPORT
CASE #SE-17-03-010
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
March 2, 2017
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Ocoee Church of God

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exceptions and Variances in the R-2 zoning district as follows:

1) Special Exception: To convert an existing single family residence into a school building with three (3) classrooms;
2) Special Exception: To increase the capacity of an existing school operation (K3-12) from 95 students to 140 students;
3) Variance for grassed parking spaces and unpaved drive aisle in lieu of paved in conjunction with the new classrooms; and,
4) Variance to allow existing structure with a 24 ft. front yard setback in lieu of 25 ft.

(Note: The Church received approval to operate a school and child care center in 2009. In 2014, the Church obtained approval to install three modular classrooms. In 2016, the Church obtained approval for a fourth modular classroom and to increase the capacity of the school to 95 students).

LOCATION: East side of N. Lakewood Ave., west of Greenwood Ave., between 16th and 17th Avenues

PROPERTY ADDRESS 105 16th Avenue

PARCEL ID: 08-22-28-5956-01-010, 08-22-28-5956-01-030, 08-22-28-5956-01-050, 08-22-28-5956-01-120, & 08-22-28-5956-01-140

TRACT SIZE: 2.75 acres

DISTRICT #: 2

ZONING: R-2

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): School Classrooms

SURROUNDING USES: The area is predominately single family residential in character

STAFF FINDINGS AND ANALYSIS:

1. The applicant has obtained numerous approvals over the last several years to accommodate the expansion of the school approved for the site. The last two were to place modular classrooms on the site. The applicant actually owns the entire block including two (2) existing single family residences.

2. Instead of expanding the number of portables, the applicant has opted to convert one of the existing residences located on the north side of the block (16th Avenue) into three (3) new classrooms.

3. The new classrooms will not be used for the daycare previously approved for the property, but for the K-12 school.

4. Staff has discussed the possibility of the Church preparing an overall campus master plan for their next submittal to show how the school will be configured should approval for the modular units approved for five (5) years in 2016 expire in 2021.

5. The Church was originally approved in 1964, and the school received approval in 2009. The church and school are established components of the neighborhood, and little, if any, opposition has been raise to their expansion through the last two (2) approvals.

6. The property already contains sufficient parking to accommodate the addition of three (3) new classrooms (twelve (12) spaces). However, the applicant wishes to provide additional parking convenient to the new building in the event a child may need assistance to get to the front door. As such, these spaces will be infrequently used, and will not require paving. The drop-off loop will be one-way and will be properly stabilized.

STAFF RECOMMENDATION:

The church has been in existence at this location since 1964, and the school as a K-12 since 2009. This facility is an established part of the neighborhood, and has not had any code enforcement complaints filed against it. The use is completely contained, and

all outdoor play areas are internal to the campus. Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. The four (4) grassed parking spaces created through SE-17-03-010, shall be fitted with tire stops, which shall be properly anchored and properly maintained (wooden stops in area are acceptable);

5. Unless specifically removed by prior approvals, all conditions of prior approvals shall remain in full force and effect through the approval of SE-17-03-010;

6. Prior to issuance of permits for the conversion of the home on 16th Avenue to classrooms, the applicant shall obtain a letter from the City of Ocoee indicating that they have agreed upon the provision of utilities for the site. This letter shall be submitted with the permit package; and,

7. Construction plans shall be submitted within three (3) years of final action by the Board of County Commissioners or this approval becomes null and void.

cc: Bishop Thomas Odom (Applicant representative)
1105 N. Lakewood Avenue
Ocoee, Florida 34761

**OLIVER CAPPO**
**VA-17-03-012**

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| | |
|---|---|
| **REQUEST:** | **Variance** in the R-1A zoning district to allow a total of 1,200 sq. ft. detached accessory building (shed) in lieu of 500 sq. ft.<br>(Note: Applicant proposes a new storage shed. There is an existing 150 sq. ft. shed on the subject property which is to be removed. This is a result of code enforcement action). |
| **ADDRESS:** | 19302 Oakleaf Street, Orlando FL 32833 |
| **LOCATION:** | Southeast corner of Oakleaf Street and Cavalier Avenue |
| **S-T-R:** | 10-23-32 |
| **TRACT SIZE:** | 150 ft. x 300 ft. |
| **DISTRICT#:** | 5 |
| **LEGAL:** | CAPE ORLANDO ESTATES UNIT 12A 4/66 LOT 1 BLK 20 |
| **PARCEL ID:** | 10-23-32-1184-20-010 |
| **NO. OF NOTICES:** | 42 |

**DECISION: APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

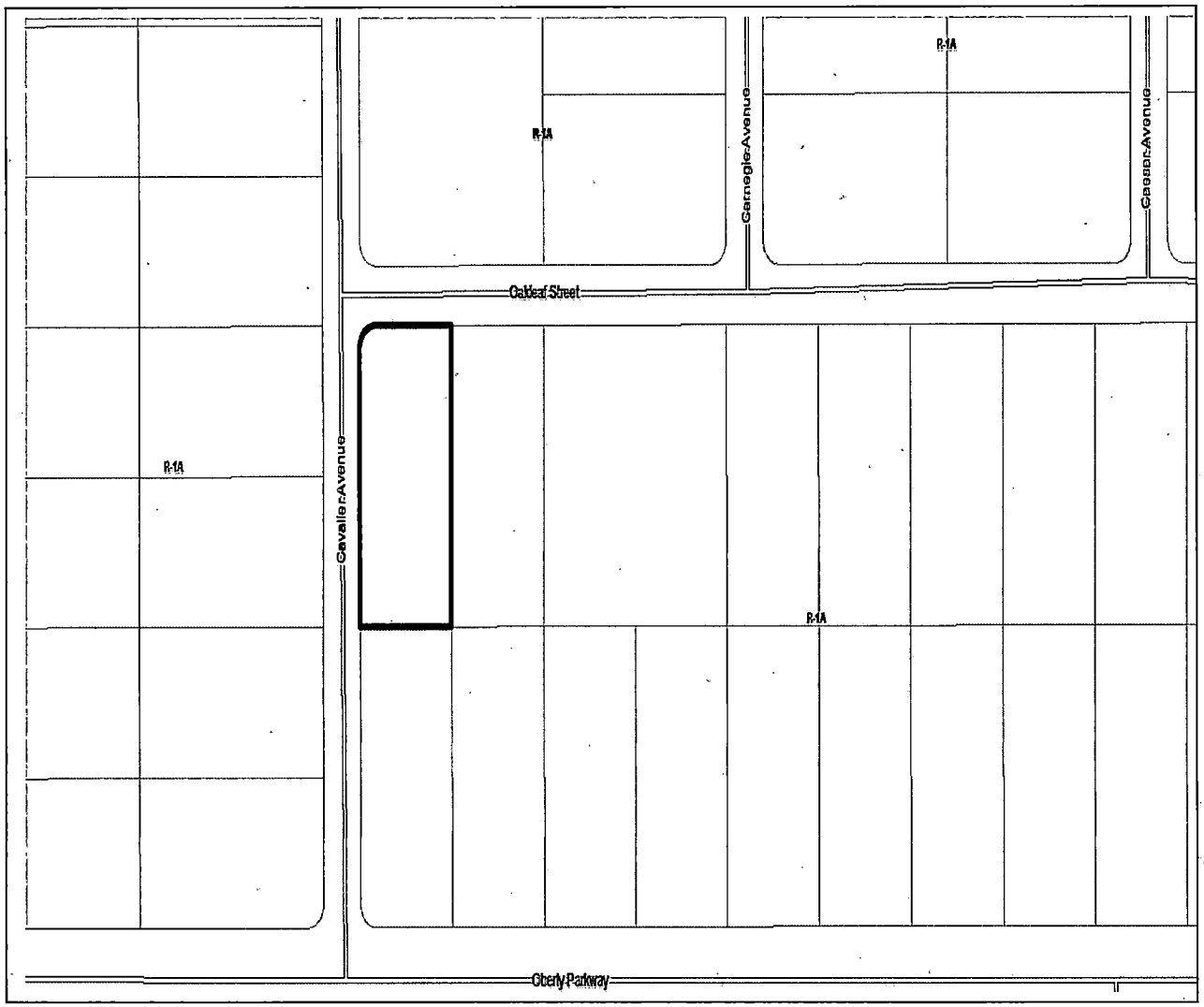
4. Existing shed shall be removed prior to or concurrently with the issuance of the permit for the new shed; and,

5. The exterior of the new shed shall match the exterior of the existing residence with regards to color.

**SYNOPSIS:** The applicant was cited by the Code Enforcement Division for having a shed without any permits.

The applicant proposes to demolish the small shed and build a larger one. He already built a concrete slab for it.

Staff showed the BZA numerous other similar approvals in the area. The BZA agreed that the Wedgefield Development had many large accessory buildings and this request was compatible to those approvals. The Wedgefield Homeowners Association submitted a letter of no objection.




**Applicant:** Oliver Cappo

**BZA Number:** VA-17-03-012

**BZA Date:** 03/02/2017

**District:** 5

**Sec/Twn/Rge:** 11-23-32-SW-C

**Tract Size:** 150 ft. x 300 ft.

**Address**: 19302 Oakleaf Street, Orlando FL 32833

**Location:** Southeast corner of Oakleaf Street and Cavalier Avenue

# Varience Application
# 19302 Oakleaf St Orlando FL 32833
# Cover Letter

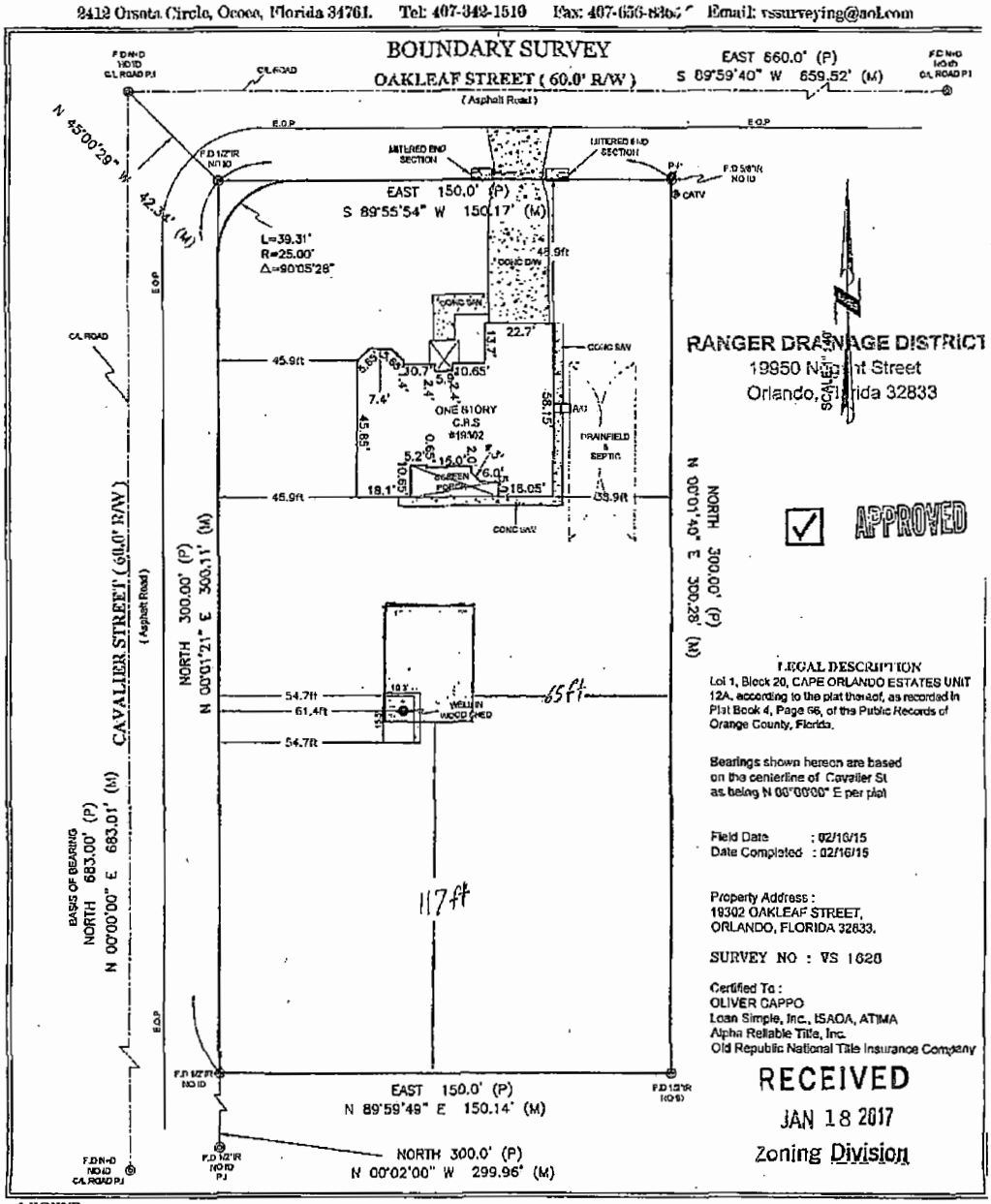
Dear Orange County Zoning, January 18, 2017

I would like to request a variance for a storage shed at my residence.
The existing wood shed is dry-rotted which was built 10 years ago by original owner.
The new shed would be 30' x 40' with block walls, wood truss, and shingle roof to match existing house shingles. Block walls shall be 10' with a 4/12 pitch on shingle roof per proposed signed and sealed drawings. The total square feet is 1200 square feet. The shed would be 54.7 ft from west property line, 65 ft from east property line, and 117 ft from south property line. Approval from Ranger Drainage has been granted. All neighbors have signed a Letter of No Objection. Please allow me to build this shed per proposed drawings.

Regards,

Oliver Cappo

& S SURVEYING, I
2412 Orsota Circle, Ocoee, Florida 34761. Tel: 407-342-1510 Fax: 407-656-8365 Email: rssurveying@aol.com




LEGAL DESCRIPTION
Lot 1, Block 20, CAPE ORLANDO ESTATES UNIT 12A, according to the plat thereof, as recorded in Plat Book 4, Page 66, of the Public Records of Orange County, Florida.

Bearings shown hereon are based on the centerline of Cavalier St as being N 00°00'00" E per plat

Field Date : 02/10/15
Date Completed : 02/16/15

Property Address :
19302 OAKLEAF STREET,
ORLANDO, FLORIDA 32833.

SURVEY NO : VS 1626

Certified To :
OLIVER CAPPO
Loan Simple, Inc., ISAOA, ATIMA
Alpha Reliable Title, Inc.
Old Republic National Title Insurance Company

RECEIVED
JAN 18 2017
Zoning Division

LEGEND

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| CONC | Concrete | TRANS | Transformer | Δ | Arc Length | PROP | Proposed | ◎ | Found Iron Rod or Iron Pipe |
| CLF | Chain Link Fence | E.O.P | Edge of Pavement | Δ | Delta | D.F | Drainfield | ◎ | Found Nail and Disc |
| WF | Wood Fence | C/L | Centerline | C.M | Concrete Monument | S.T | Septic Tank | SW.E | Sidewalk Easement |
| C&G | Curb and Gutter | U.E | Utility Easement | N+D | Nail and Disc | O.H.L | Overhead Lines | LA.E | Limited Access Easement |
| CATV | Cable TV Riser | D.E | Drainage Easement | I.R | Iron Rod | C.B.S | Concrete block structure | N.T.S | Not to Scale |
| TEL | Telephone Riser | P.R.M | Permanent Reference Marker | I.P | Iron Pipe | F.F | Finish Floor | O.R | Official Record |
| L.P | Light Pole | P.O.C | Point of Commencement | F.D | Found | F | Flat | O.R.B | Official Record Book |
| P.P | Power Pole | P.O.C | Point of Reverse Curve | R/W | Right of Way | C | Calculated | R.O.E | Roof Overhang Easement |
| MH | Manhole | P.T | Point of Tangency | B.M | Bench Mark | R.F | Radius Point | S.I.R | Set Iron Rod #7172 |
| SW | Sidewalk | P.I | Point of Intersection | Pp | Pipe | N.R | Non Radial | T.B.M | Temporary Bench Mark |
| WM | Water Meter | P.C.P | Permanent Control Point | BL | Blocked | RAD | Radial | T.O.B | Top of Bank |
| FH | Fire Hydrant | P.O.L | Point on Line | F | Field | R | Radius | E.O.W | Edge of Water |
| AC | Air Condition | C.B | Chord Bearing | M | Measured | B.R | Building Setback | X 88.5u | Spot Elevation |
| TYP | Typical | P.C | Point of Curvature | DW | Driveway | C.LEN | Chord Length | NHWE | Normal High Water Elevation |

## Surveyor's Notes

1.This survey is based on the legal description as provided by the Client.

2.This Surveyor has not abstracted the land shown hereon for easements rights of way or restrictions of records which may affect the title or use of the land.

3.No underground improvements or installations have been located unless noted. Only visible utilities located

4.Elevations if shown hereon are based on NAVD 1988 datum otherwise stated;

5.Dimensions shown for the location of improvements hereon should not be used to reconstruct boundary lines.

6.Dimensions and bearings shown are plat and measured only (unless otherwise noted)

7.Attention is directed to the fact that this plan may have altered in size by reproduction.This must be considered when obtaining scaled data.

8.Features shown by symbols as indicated in legend may not be to scale.

9.Well ties are to face of well.

10.Only visible utilities and encroachment located.

11. This survey is valid for 90 days from the completed date or revised date shown

12.Septic Tanks and drainfield location are approximate and should be verified by the appropriate utility company.

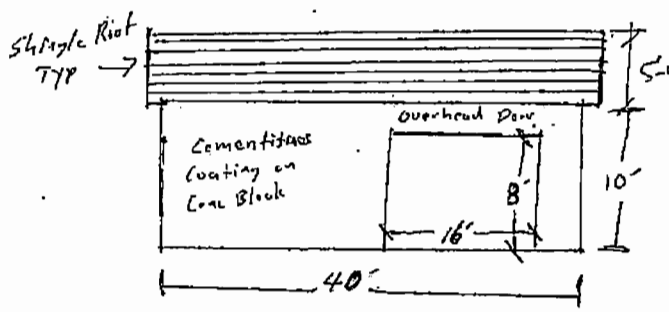
13.The accuracy of this survey meets or exceeds Florida minimum technical standards according to Chapter 5J-17 Florida Administrative Code.

This survey is not valid without the signature and the original raised embossed seal of a Florida licensed Surveyor and Mapper

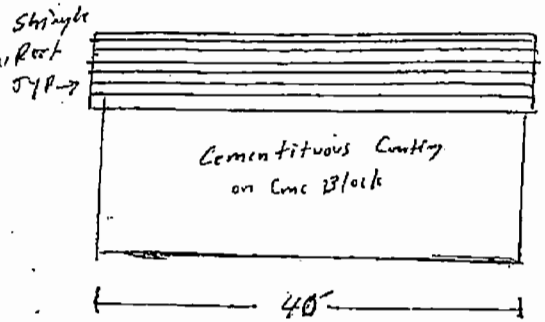
I hereby that this survey was made under my direction and that it meets the minimum technical standards set forth by the board of Professional Land Surveyors and Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

LB 7772

Harry H. Sobhraj — Professional Surveyor and Mapper No. 5342

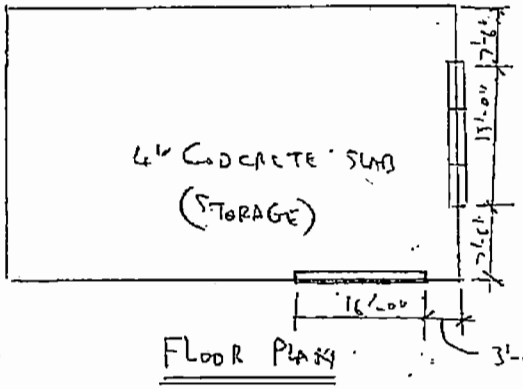



East / Left Side Elevation

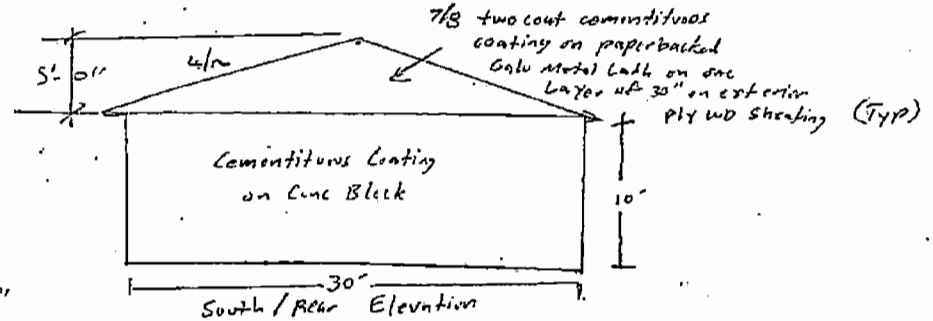



West / Right Side Elevation

In the event of a conflict in member sizes shown on the plans and the general notes, the contractor must utilize the more stringent member size requirements.

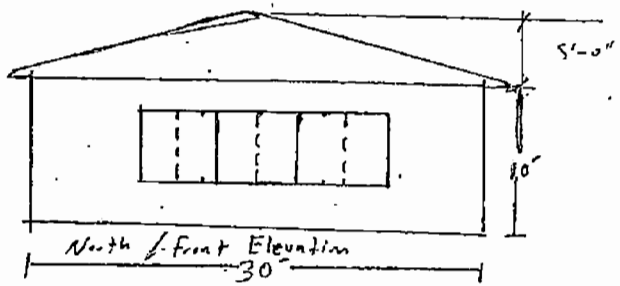


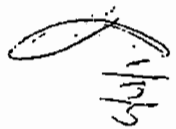

FLOOR PLAN




South / Rear Elevation

Shed Addition
Oliver Cuppo
19302 Oakleaf St
Orlando, FL 32833



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ORANGE COUNTY GOVERNMENT FLORIDA

# STAFF REPORT
# CASE #VA-17-03-012

Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
March 2, 2017
Commission District: 5

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Oliver Cappo |
| REQUEST: | Variance in the R-1A zoning district to allow a total of 1,200 sq. ft. detached accessory building (shed) in lieu of 500 sq. ft.<br><br>(Note: Applicant proposes a new storage shed. There is an existing 150 sq. ft. shed on the subject property which is to be removed. This is a result of code enforcement action). |
| LOCATION: | Southeast corner of Oakleaf Street and Cavalier Avenue |
| PROPERTY ADDRESS: | 19302 Oakleaf Street |
| PARCEL ID: | 10-23-32-1184-20-010 |
| TRACT SIZE: | 150 ft. x 300 ft. |
| DISTRICT #: | 5 |
| ZONING: | R-1A |

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to remove a 150 sq. ft. detached accessory structure and construct a 1,200 sq. ft. detached accessory structure to the property for a cumulative total of 1,200 sq. ft. of accessory structures.

2. This case is a result of code enforcement action. The property owner was cited for beginning construction of the new accessory building without building permits.

3. The amount of variance deviation requested is 140%. However, the review of the historical BZA approvals in this area show that five (5) other properties were granted variances to build accessory structures ranging in size from 1,200 sq. ft. to 1,500 sq. ft. Therefore, the granting of this variance would not confer to this applicant any special privilege that was not conferred to others in the same area.

4. The applicant has obtained letters of support from the three (3) closest neighbors. The applicant has also obtained a letter of support from the Wedgefield HOA.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Existing shed shall be removed prior to or concurrently with the issuance of the permit for the new shed; and,

5. The exterior of the new shed shall match the exterior of the existing residence with regards to color.

cc: Oliver Cappo
19302 Oakleaf Street
Orlando, Florida 32833

**DEAN MOSLOW**
**VA-17-03-013**

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| | |
|---|---|
| **REQUEST:** | **Variance** in the R-1A zoning district to allow an accessory structure containing 864 sq. ft. in lieu of 500 sq. ft. |
| **ADDRESS:** | 3026 Bon Air Drive, Orlando FL 32818 |
| **LOCATION:** | West side of Bon Air Dr., north of Silver Star Rd. |
| **S-T-R:** | 11-22-28 |
| **TRACT SIZE:** | 76 ft. x 138 ft. |
| **DISTRICT#:** | 6 |
| **LEGAL:** | SILVER STAR ESTATES X/108 LOT 7 BLK A |
| **PARCEL ID:** | 11-22-28-8054-01-070 |
| **NO. OF NOTICES:** | 74 |

**DECISION: APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development; and,

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

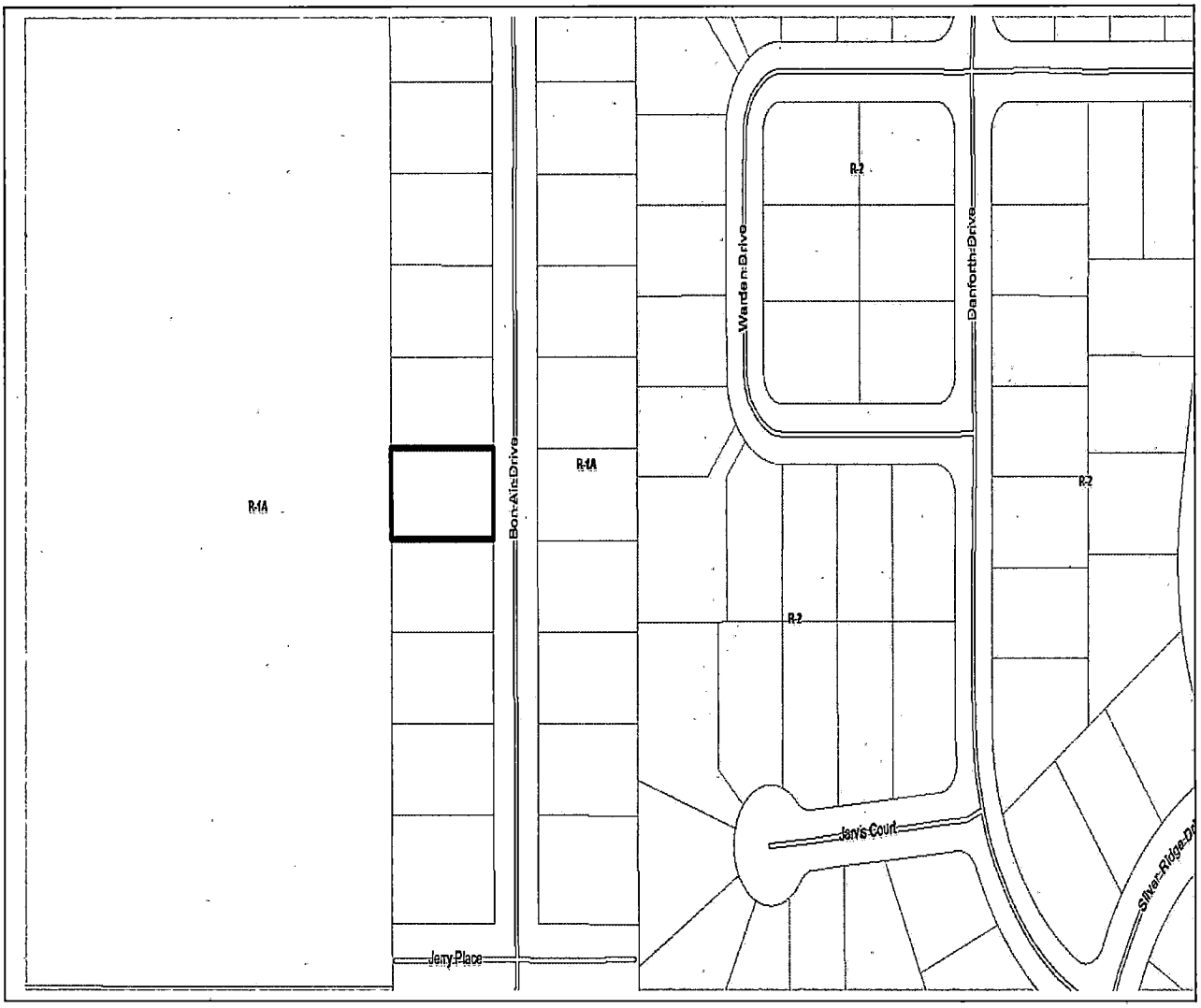
**SYNOPSIS:** Staff gave a brief presentation on the case. It addressed the request, the zoning in the area, and a brief analysis.

The applicant agreed with the staff report.

The BZA noted that the applicant had neighborhood support, and did not see a problem with removing the old shed and replacing it with the new structure.

Staff received nine (9) commentaries in favor of the application and none in opposition. There was no opposition at the hearing.

The BZA approved the variance.




**Applicant:** Dean Moslow

**BZA Number:** VA-17-03-013

**BZA Date:** 03/02/2017

**District:** 6

**Sec/Twn/Rge:** 11-22-28-SW-C

**Tract Size:** 76 ft. x 138 ft.

**Address**: 3026 Bon Air Drive, Orlando FL 32818

**Location:** West side of Bon Air Dr., north of Silver Star Rd.

Orange County Board of Zoning Adjustment

C/O Orange County Zoning Division

201 S. Rosalind Ave. P.O. Box 2687

Orlando, FL 32802

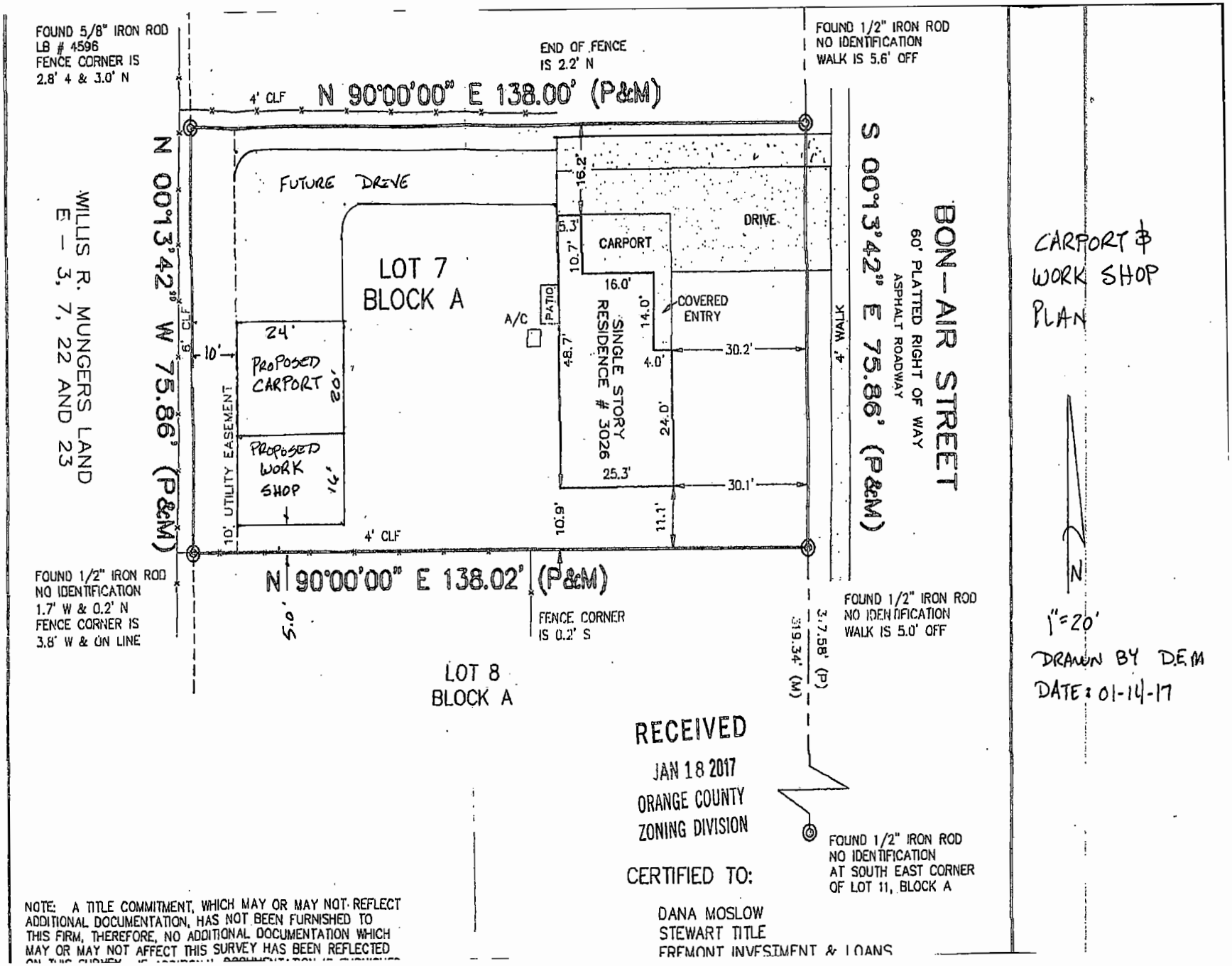
To whom it concerns,

I, Dean Moslow would like to erect an 864sq.ft. combination workshop (364sq.ft.)/carport (480sq.ft.) at the rear of my lot (a sketch of the proposed location with dimensions is attached). This location is 5' from the side property line and 10' from the rear property line. The structure will be replacing the older sheds that are now on the lot (as shown on the attached survey). The building will be no more 14' tall at the peak with a green metal roof and natural wood exterior (attached is a photo of the concept). The total size of the combined structure will be 24' X 36', the shed portion is 24' X 16' and the carport portion is 24' X 20'. ROOF 12:1 PITCH

Dean E. Moslow, PSM
3026 Bon Air Dr.
Orlando, FL 32818
510-657-5054
deanmoslow@gmail.com

RECEIVED
JAN 18 2017
ORANGE COUNTY
ZONING DIVISION

1


FOUND 5/8" IRON ROD
LB # 4596
FENCE CORNER IS
2.8' 4 & 3.0' N
END OF FENCE
IS 2.2' N
FOUND 1/2" IRON ROD
NO IDENTIFICATION
WALK IS 5.6' OFF
4' CLF
N 90°00'00" E 138.00' (P&M)
N 00°13'42" W 75.86' (P&M)
WILLIS R. MUNGERS LAND
E - 3, 7, 22 AND 23
FUTURE DRIVE
LOT 7
BLOCK A
DRIVE
CARPORT
A/C
PATIO
SINGLE STORY
RESIDENCE # 3026
COVERED
ENTRY
16.0'
14.0'
30.2'
4.0'
24.0'
25.3'
30.1'
48.7'
19.2'
5.3'
10.7'
24'
PROPOSED
CARPORT
20'
PROPOSED
WORK
SHOP
12'
10'
10' UTILITY EASEMENT
4' CLF
10.9'
11.1'
S 00°13'42" E 75.86' (P&M)
BON-AIR STREET
60' PLATTED RIGHT OF WAY
ASPHALT ROADWAY
4' WALK
FOUND 1/2" IRON ROD
NO IDENTIFICATION
1.7' W & 0.2' N
FENCE CORNER IS
3.8' W & ON LINE
N 90°00'00" E 138.02' (P&M)
5.0'
FENCE CORNER
IS 0.2' S
FOUND 1/2" IRON ROD
NO IDENTIFICATION
WALK IS 5.0' OFF
319.34' (M)
317.58' (P)
LOT 8
BLOCK A
RECEIVED
JAN 18 2017
ORANGE COUNTY
ZONING DIVISION
CERTIFIED TO:
DANA MOSLOW
STEWART TITLE
FREMONT INVESTMENT & LOANS
FOUND 1/2" IRON ROD
NO IDENTIFICATION
AT SOUTH EAST CORNER
OF LOT 11, BLOCK A
NOTE: A TITLE COMMITMENT, WHICH MAY OR MAY NOT REFLECT
ADDITIONAL DOCUMENTATION, HAS NOT BEEN FURNISHED TO
THIS FIRM, THEREFORE, NO ADDITIONAL DOCUMENTATION WHICH
MAY OR MAY NOT AFFECT THIS SURVEY HAS BEEN REFLECTED
CARPORT & WORK SHOP PLAN
N
1"=20'
DRAWN BY D.E.M
DATE: 01-14-17

RECEIVED
JAN 18 2017
ORANGE COUNTY
ZONING DIVISION

ORANGE COUNTY GOVERNMENT
FLORIDA

STAFF REPORT
CASE #VA-17-03-013
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
March 2, 2017
Commission District: 6

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Dean Moslow |
| REQUEST: | Variance in the R-1A zoning district to allow an accessory structure containing 864 sq. ft. in lieu of 500 sq. ft. |
| LOCATION: | West side of Bon Air Dr., north of Silver Star Rd. |
| PROPERTY ADDRESS: | 3026 Bon Air Drive |
| PARCEL ID: | 11-22-28-8054-01-070 |
| TRACT SIZE: | 76 ft. x 138 ft. |
| DISTRICT #: | 6 |
| ZONING: | R-1A |

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to construct a workshop/carport behind the house.

2. The applicant intends to remove older sheds on the property.

3. The BZA granted a similar variance in 2015, allowing a ninety-two percent (92%) deviation for a property located three (3) lots away.

4. The house has only an attached one (1) vehicle carport. It would be impossible to expand this carport without encroaching into the setback.

5. The property backs up to Pinewood Elementary School. No homes will be impacted to the rear.

6. The neighbors have signed letters of no objection to this proposal.

7. Staff would normally have concerns with the amount of variance deviation requested (73%), however, the above mentioned factors mitigate, and staff can support the request.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development; and,

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

cc: Dean Moslow
3026 Bon Air Drive
Orlando, Florida 32818

**COWART MULCH**
**SE-17-03-014**

| | |
|---|---|
| **REQUEST:** | **Special Exception** in the Ind-2/Ind-3 zoning district to operate a Yard Trash Processing Facility.<br>(Note: The applicant proposes to use a wood chipper to break down vegetation, tree limbs, and brush into mulch for wholesale. There will be no burning of any kind. The applicant proposes to keep the 5 existing buildings on site. Hours of operation will be Monday-Saturday, 7:00 a.m. to 5:00 p.m. An attendant will be present at all times). |
| **ADDRESS:** | 2320 N. Orange Blossom Trail, Apopka FL 32703 |
| **LOCATION:** | South and west sides of N. Orange Blossom Trail, across Junction Rd. |
| **S-T-R:** | 26-20-27 |
| **TRACT SIZE:** | 20 acres |
| **DISTRICT#:** | 2 |
| **LEGAL:** | BEG SW COR OF NW1/4 OF SW1/4 RUN N 846 FT E 130.21 FT TO WLY LINE OF CSX RR R/W RUN SELY ALONG R/W 10.43 FT E 14.19 FT SELY 1156.16 FT TO S LINE OF NW1/4 OF SW1/4 RUN W 916.16 FT TO POB IN SEC 26-20-27 & BEG SE COR OF NE1/4 OF SE1/4 RUN N 680 FT N 48 DEG |
| **PARCEL ID:** | 26-20-27-0000-00-023 |
| **NO. OF NOTICES:** | 46 |

**DECISION: APPROVED** the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain

requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Burning is prohibited;

5. Hours of operation shall be 7:00 a.m. to 5:00 p.m., Mondays through Saturdays. No grinding or mulching allowed before 8:00 a.m.;

6. Storage piles shall be as located on plan date-stamped, 'Received January 18, 2017'. Storage piles shall not exceed twenty (20) feet in height;

7. No more than 12,000 cubic yards of yard trash may be stored on the site at any given time;

8. All setbacks shall be as shown on plan date-stamped, 'Received January 18, 2017'; and,

9. Permits shall be obtained within two (2) years of Orange County approval or this approval becomes null and void.

**SYNOPSIS:** The applicant proposes to bring vegetation, logs, trees, and wood to the site and grind it into mulch and soil for future sales. The property is already zoned to sell mulch and soil.

Staff gave a short presentation regarding this request. The area is developing as industrial. There is an airport nearby. The property allows intense industrial land uses. Staff supports the request at this location.

The applicant gave a brief presentation and answered questions. They indicated they plan to use the rail spur adjacent to the property. All equipment and construction vehicles will meet the yard buffer requirements.

One (1) property owner spoke in opposition. He had concerns about noise and dust.

The operator addressed those concerns and agreed to lower the mound heights and not commence any grinding until 8:00 a.m.

The BZA concluded this request was compatible with the general area and was consistent with the Comprehensive Plan. Staff received four (4) commentaries in favor of this request.

**Applicant:** Cowart Mulch

**BZA Number:** SE-17-03-014

**BZA Date:** 03/02/2017

**District:** 2

**Sec/Twn/Rge:** 27-20-27-SE-D,26-20-27-SW-C

**Tract Size:** 20 acres

**Address**: 2320 N. Orange Blossom Trail, Apopka FL 32703

**Location:** South and west sides of N. Orange Blossom Trail, across Junction Rd.

Burkett engineering | CIVIL ENGINEERING CONSULTANTS

January 18, 2017

Board of Zoning Adjustment
Orange County Zoning Division
201 S. Rosalind Avenue, 1st Floor
Orlando, FL 32802-1393

RE: Cowart Mulch Production Facility
BEI Job No. 1629.10

Dear BZA:

On behalf of Cowart Mulch, **Burkett Engineering, Inc.** is requesting a Special Exception for the Cowart Mulch Facility located at 2320 N. Orange Blossom Trail.

Enclosed in this submittal is:
Two copies of the Site Plan printed at 24"x36"
BZA Application w/ Relationship Disclosure, Project Expenditure and Agent Authorization forms
Orange County Tax information
Fully Executed Land Purchase Contract
EPD Notification Email
Survey
Legal Description
One copy of the Site Plan printed at 8 ½"x11"

The 19.89 +/- acre site was previously developed and most recently used by TNT Equipment to store materials and equipment. The site consists of four open air buildings and one enclosed building, concrete paved parking and storage areas, as well as storm sewer conveyance and water service. Sanitary service is provided by a septic system on site.

The Cowart Mulch Facility is proposing to use the site for wholesale sales of mulch, which is allowable in the I-2/I-3 zoned property. The Special Exception request is to allow production of mulch from logs, stumps, and branches of trees. The hours of operation for the facility will be between 7:00 am and 5:00 pm. Trucks will be entering and exiting the site during these times per the truck route plan shown in the enclosed Site Plan to deposit their payload. Storage Piles of raw materials and processed mulch can be found in the enclosed Site Plan and shall not measure more than 25 feet high. The Cowart Mulch Facility will store no more than 12,000 cubic yards of raw or processed material at any one time. The adjacent properties consist of tract zoned A-1, A-2, I-2/I-3, and I-4; the mulching facility will adhere to buffer requirements per Orange County Ordinance 38-79(120) for a Yard Trash Facility.

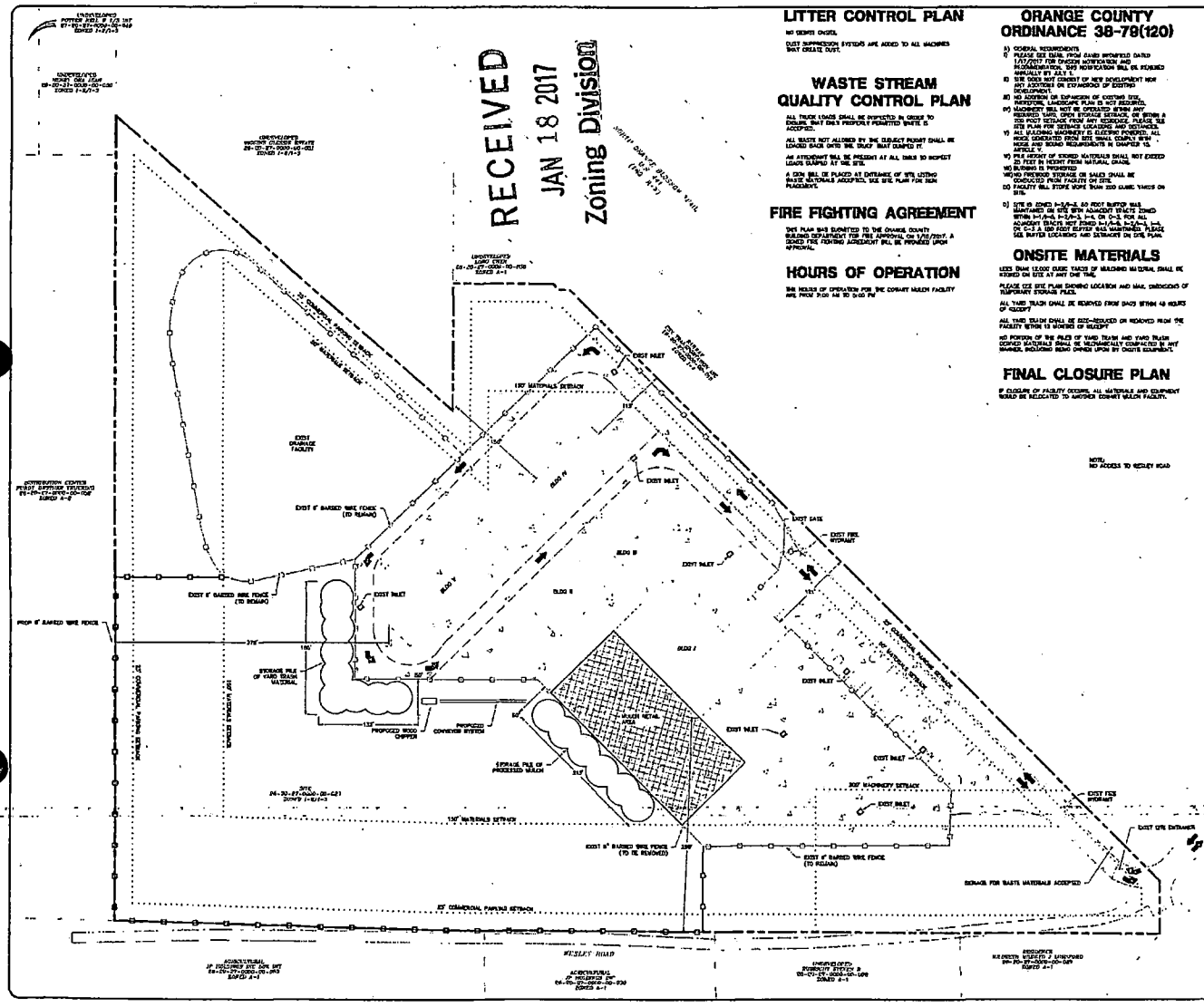
Please call if you have any questions regarding the enclosed information. Thank you for your assistance in this permitting effort.

Sincerely,
**Burkett Engineering, Inc.**

Bill Burkett

William E. Burkett, PE
President

c: Mr. Chris Cowart (w/o encl.)




## LITTER CONTROL PLAN

NO DEBRIS ONSITE.

DUST SUPPRESSION SYSTEMS ARE ADDED TO ALL MACHINES THAT CREATE DUST.

## WASTE STREAM QUALITY CONTROL PLAN

ALL TRUCK LOADS SHALL BE INSPECTED IN ORDER TO ENSURE THAT ONLY PROPERLY PERMITTED WASTE IS ACCEPTED.

ALL WASTE NOT ALLOWED BY THE DISPOSAL PERMIT SHALL BE LOADED BACK ONTO THE TRUCK THAT DUMPED IT.

AN ATTENDANT WILL BE PRESENT AT ALL TIMES TO INSPECT LOADS DUMPED AT THE SITE.

A SIGN WILL BE PLACED AT ENTRANCE OF SITE LISTING WASTE MATERIALS ACCEPTED, SEE SITE PLAN FOR SIGN PLACEMENT.

## FIRE FIGHTING AGREEMENT

THIS PLAN WAS SUBMITTED TO THE ORANGE COUNTY BUILDING DEPARTMENT FOR FIRE APPROVAL ON 1/18/2017. A SIGNED FIRE FIGHTING AGREEMENT WILL BE PROVIDED UPON APPROVAL.

## HOURS OF OPERATION

THE HOURS OF OPERATION FOR THE COWART MULCH FACILITY ARE FROM 7:00 AM TO 5:00 PM

## ORANGE COUNTY ORDINANCE 38-79(120)

A) GENERAL REQUIREMENTS
1) PLEASE SEE DATE FROM GAMS INFORMED DATED 1/17/2017 FOR DIVISION NOTIFICATION AND DISCOMMENTATION. THIS NOTIFICATION WILL BE REVISED ANNUALLY BY JULY 1.
2) SITE DOES NOT CONSIST OF NEW DEVELOPMENT NOR ANY ADDITIONS OR EXPANSION OF EXISTING DEVELOPMENT.
3) NO ADDITION OR EXPANSION OF EXISTING SITE, THEREFORE, LANDSCAPE PLAN IS NOT REQUIRED.
4) MACHINERY WILL NOT BE OPERATED WITHIN ANY REQUIRED YARD, OPEN STORAGE SETBACK, OR WITHIN A 100 FOOT SETBACK FROM ANY RESIDENCE. PLEASE SEE SITE PLAN FOR SETBACK LOCATIONS AND DISTANCES.
5) ALL MULCHING MACHINERY IS ELECTRIC POWERED. ALL NOISE GENERATED FROM SITE SHALL COMPLY WITH NOISE AND SOUND REQUIREMENTS IN CHAPTER 15, ARTICLE 5.
6) PILE HEIGHT OF STORED MATERIALS SHALL NOT EXCEED 20 FEET IN HEIGHT FROM NATURAL GRADE.
7) BURNING IS PROHIBITED
8) NO PROPOSED STORAGE OR SALES SHALL BE CONDUCTED FROM FACILITY ON SITE.
9) FACILITY WILL STORE MORE THAN 200 CUBIC YARDS ON SITE.
10) SITE IS ZONED I-2/I-3. 50 FOOT BUFFER WAS MAINTAINED ON SITE WITH ADJACENT TRACTS ZONED WITHIN I-1/I-4, I-2/I-3, I-4, OR O-3. FOR ALL ADJACENT TRACTS NOT ZONED I-1/I-4, I-2/I-3, I-4, OR O-3 A 100 FOOT BUFFER WAS MAINTAINED. PLEASE SEE BUFFER LOCATIONS AND DISTANCES ON SITE PLAN.

## ONSITE MATERIALS

LESS THAN 12,000 CUBIC YARDS OF MULCHING MATERIAL SHALL BE STORED ON SITE AT ANY ONE TIME.

PLEASE SEE SITE PLAN SHOWING LOCATION AND MAX. DIMENSIONS OF TEMPORARY STORAGE PILES.

ALL YARD TRASH SHALL BE REMOVED FROM DAYS WITHIN 48 HOURS OF RECEIPT

ALL YARD TRASH SHALL BE SIZE-REDUCED OR REMOVED FROM THE FACILITY WITHIN 12 MONTHS OF RECEIPT

NO PORTION OF THE PILES OF YARD TRASH AND YARD TRASH DERIVED MATERIALS SHALL BE MECHANICALLY COMPACTED IN ANY MANNER, INCLUDING BEING OWNED UPON BY ONSITE EQUIPMENT.

## FINAL CLOSURE PLAN

IF CLOSURE OF FACILITY OCCURS, ALL MATERIALS AND EQUIPMENT WOULD BE RELOCATED TO ANOTHER COWART MULCH FACILITY.

NOTE:
NO ACCESS TO RESLEY ROAD

## SITE INFORMATION

STREET ADDRESS
2320 N. ORANGE BLOSSOM TRAIL
APOPKA, FLORIDA 32703

SITE AREA: 19.00 +/- AC
IMPERVIOUS AREA: 0.19 +/- AC
PERMOUS AREA: 11.70 +/-AC

EXISTING PARKING PROVIDED: 25 SPACES
MATERIAL OF PARKING AREA: CONCRETE PAVING

NO ADDITIONAL PROPOSED PARKING PROVIDED

BUILDING INFORMATION:

BLDG I
1 STORY
16,000 SQ. FT
25 FT

BLDG II
1 STORY
5,547 SQ. FT.
25 FT

BLDG III
1 STORY
916 SQ. FT.
25 FT

BLDG IV
1 STORY
5,878 SQ. FT.
25 FT

BLDG V
1 STORY
2,070 SQ. FT.
25 FT

NO ADDITIONAL PROPOSED STRUCTURES

NOTE:
FOR THIS PLAN YARD TRASH REPORT TO LOCS, STUMPS, AND BRANCHES OF TREES TO BE PROCESSED AS MULCH

## LEGEND

EXISTING CONCRETE
EXISTING ASPHALT
TRUCK ROUTE

GRAPHIC SCALE
( IN FEET )
1 inch = 50 ft.

Burkett engineering
CIVIL ENGINEERING CONSULTANTS
105 E. Robinson Street, Suite 501 Orlando, Florida 32801
(407) 246-1800 Fax (407) 246-0113
www.burkettengineering.com

COWART MULCH
MULCH PRODUCTION FACILITY
ORANGE COUNTY, FLORIDA

SITE PLAN

DATE: 1/18/2017
PROJECT NO.: 1629.10
DRAWN BY: JMC
DESIGNED BY: JMC
CHECKED BY: WEB
ENGINEER IN CHARGE: WILLIAM E. BURKETT, P.E.

REG. # 28043
BURKETT ENGINEERING, INC.
CERT. OF AUTH. NO. 7108

SHEET NO.
1
OF:1

- 115 -

ORANGE COUNTY GOVERNMENT
FLORIDA

# STAFF REPORT
# CASE #SE-17-03-014

Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
March 2, 2017
Commission District: 2

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Cowart Mulch |
| HEARING TYPE: | Board of Zoning Adjustment |
| REQUEST: | Special Exception in the Ind-2/Ind-3 zoning district to operate a Yard Trash Processing Facility.<br><br>(Note: The applicant proposes to use a wood chipper to break down vegetation, tree limbs and brush into mulch for wholesale. There will be no burning of any kind. The applicant proposes to keep the 5 existing buildings on site. Hours of operation will be Monday-Saturday, 7:00 a.m. to 5:00 p.m. An attendant will be present at all times). |
| LOCATION: | South and west sides of N. Orange Blossom Trail, across Junction Rd. |
| PROPERTY ADDRESS: | 2320 N. Orange Blossom Trail |
| PARCEL ID: | 26-20-27-0000-00-023 |
| PUBLIC NOTIFICATION: | 46 |
| TRACT SIZE: | 20 acres |
| DISTRICT #: | 2 |
| ZONING: | IND-2/IND-3 |
| EXISTING USE(S): | Vacant industrial storage yard |
| PROPOSED USE(S): | Mulch facility |

SURROUNDING USES: Commercial/Industrial uses oriented along US 441. A citrus grove to the south. A trucking business to the west and vacant industrial zoned parcels to the north.

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to occupy a vacant site fronting on North US 441 and use the site to grind and chip trees, logs, and other types of vegetation for wholesale. The existing five (5) buildings will remain.

2. There will be two (2) staging areas where they will store the product outdoors. Both areas are at the center of the twenty (20) acre parcel. One (1) area will be where the unprocessed vegetation will lie and the other area is where the processed vegetation (mulch) will be placed in mounds.

3. The access and the parking is oriented along US 441. The facility is limited by code to no more than 12,000 cubic yards of yard trash (vegetation). If it exceeds 12,000 cubic yards, it will fall into a higher level of landfill and must go back through review by the Development Review Committee (DRC), the Board of Zoning Adjustment (BZA), and the Board of County Commissioners (BCC).

4. The subject site is zoned Industrial and has Industrial-2/Industrial-3 zoning. There is an active citrus grove to the south. The front of the property faces US 441, a principal arterial roadway. There is a trucking business to the west as well as thick vegetation. The proposed use is both compatible with the surrounding uses and constitutes as reasonable at this location.

5. Although the code allows the height of piles/mounds to reach twenty-five (25) feet, staff requests discussion on lowering the maximum height to twenty (20) feet as twenty-five (25) feet is too high.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain

requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Burning is prohibited;

5. Hours of operation shall be 7:00 a.m. to 5:00 p.m., Mondays through Saturdays;

6. Storage piles shall be as located on plan date-stamped, 'Received January 18, 2017'. Storage piles shall not exceed twenty (20) feet in height;

7. No more than 12,000 cubic yards of yard trash may be stored on the site at any given time;

8. All setbacks shall be as shown on plan date-stamped, 'Received January 18, 2017'; and,

9. Permits shall be obtained within two (2) years of Orange County approval or this approval becomes null and void.

cc: William E. Burkett (Applicant's representative)
105 E. Robinson Street, Suite 501
Orlando, Florida 32801

**ROBERT THOMAS**
**VA-17-03-016**

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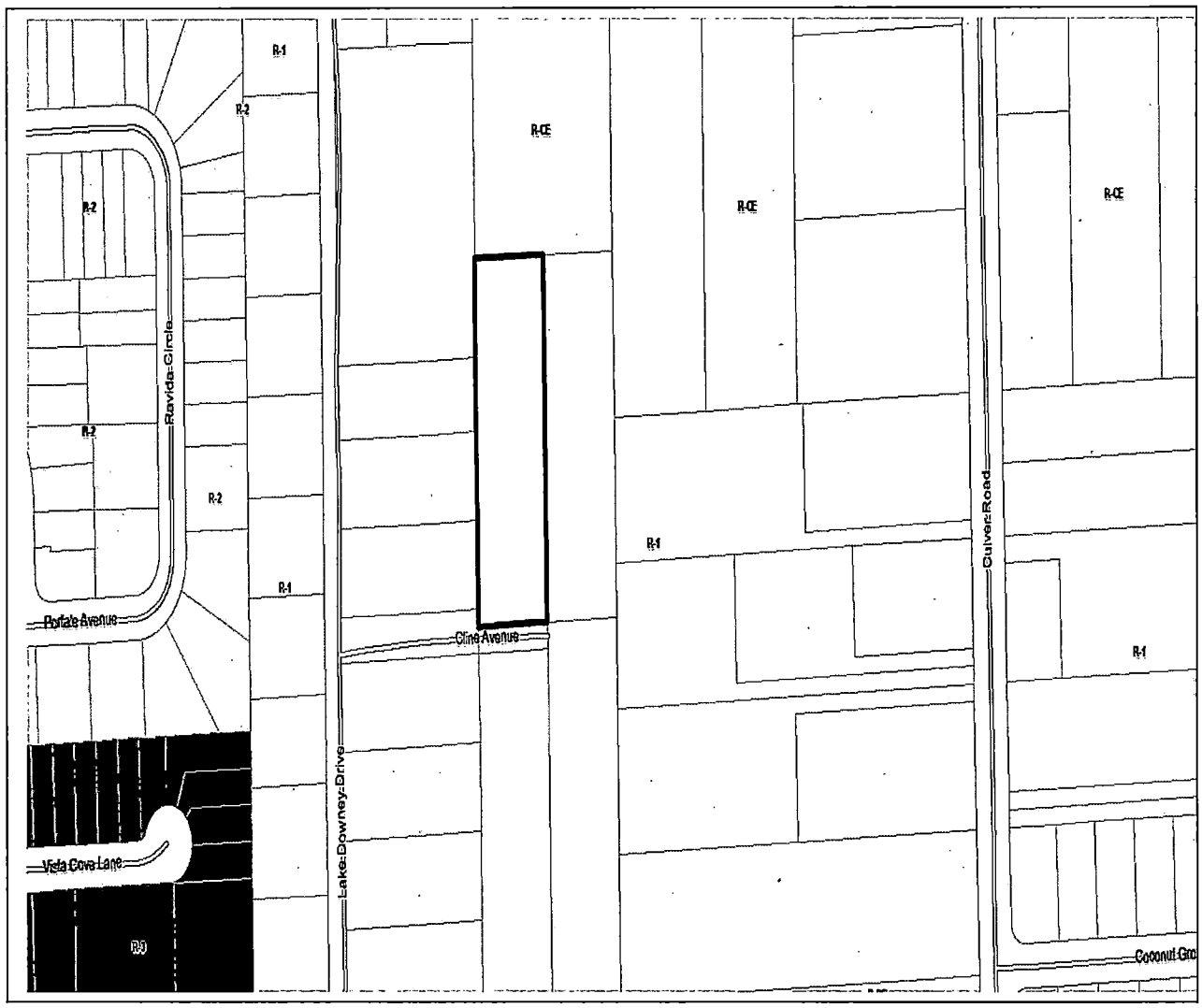
| | |
|---|---|
| **REQUEST:** | **Variance** in the R-1 zoning district to construct accessory structure (new carport) containing 640 sq. ft. in lieu of 500 sq. ft.<br>(Note: The applicant is removing an existing 320 sq. ft. carport and constructing a new 640 sq. ft. carport on the side of the residence). |
| **ADDRESS:** | 10275 Cline Avenue, Orlando FL 32825 |
| **LOCATION:** | East end of Cline Ave., 1/4 mile south of Flowers Ave. |
| **S-T-R:** | 20-22-31 |
| **TRACT SIZE:** | 127 ft. x 413 ft. |
| **DISTRICT#:** | 4 |
| **LEGAL:** | ORLANDO IMPROVEMENT CO NO 2 S/98 THE N 413 FT OF S 843 FT OF W1/4 OF LOT 9 & N 413 FT OF S 843 FT OF E1/2 OF LOT 10 BLK D |
| **PARCEL ID:** | 20-22-31-6350-04-093 |
| **NO. OF NOTICES:** | 75 |

This request was **CONTINUED** to the April 6, 2017 BZA Meeting, to re-advertise the revised request.




**Applicant:** Robert Thomas

**BZA Number:** VA-17-03-016

**BZA Date:** 03/02/2017

**District:** 4

**Sec/Twn/Rge:** 20-22-31-NW-B

**Tract Size:** 127 ft. x 413 ft.

**Address**: 10275 Cline Avenue, Orlando FL 32825

**Location:** East end of Cline Ave., 1/4 mile south of Flowers Ave.

BOARD OF ZONING AND ADJUSTMENT
201 SOUTH ORANGE AVENUE
ORLANDO,FLORIDA 32302

COVER LETTER

December19, 2016

Property:10275 Cline Avenue
Orlando, Florida 32825

Authorized Agent: Robert Thomas
2333 Bridgewood Trail
Orlando, Florida 32818
(407)545-0684

PROPERTY I.D.20-22-31-6350-04-093

This required "COVER LETTER" is an attached document in the formal request to remove existing 320.0 s.f. carport and install a new 640.0 s.f. carport on existing footprint. The increased size is Of minimal intensity and shall be set 9.8 feet from existing West Property Line; just as existing to Be demolished.

The property zoned R-1 has 1.2 acres and new carport will almost be unseeable by the nearest Neighbor to the West.
The new carport shown on attached drawings (2016-09 Dwg. A-1, A-2) 8.19.2016 shall be Aluminum columns over an open slab with one course of concrete blocks on East and West sides. New carport shall be 20'x30' with Class 'A' shingles on pre-manufactured "ELITE" insulated Aluminum Roof Panel System. Height shall be -20 ft.

Letters of "NO OBJECTIONS" are processed to reach the surrounding neighbors before the Hearing Date of March 2,2017.

Concise Designs has prepared the Variance Package with all requirements met and documents Signed and Sealed.

The complete drawings show elevations and related construction details to effect the construction. Meets and Bounds, Zoning notation, Property designation as recorded in Orange County Public Records are all part and parcel of this Variance Request.

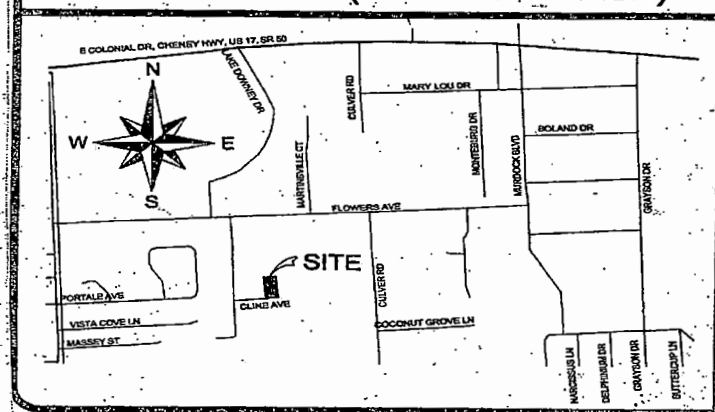
Respectfully,

Robert Thomas Concise Designs



420

# VICINITY MAP (NOT TO SCALE)




THE NORTH 413 FEET OF THE SOUTH 843 FEET OF THE EAST HALF OF LOT 10; AND THE NORTH 413 FEET OF THE SOUTH 843 FEET OF THE WEST QUARTER OF LOT 9, ALL IN BLOCK D, ORLANDO IMPROVEMENT CO., NO. 2, AS RECORDED IN PLAT BOOK S, PAGE 98, PUBLIC RECORDS OF COUNTY, FLORIDA; TOGETHER WITH AN EASEMENT FOR ROAD OVER THE NORTH 30 FEET OF THE SOUTH 430 FEET OF THE EAST HALF OF SAID LOT 10 AND THE NORTH 30 FEET OF THE SOUTH 430 FEET OF THE WEST QUARTER OF SAID LOT 9.

ALONG WITH: THE NORTH 50 OF THE SOUTH 450 FEET OF LOT 11, AND THE NORTH 50 FEET OF THE SOUTH 450 FEET OF THE WEST ONE-HALF OF LOT 10, ALL IN BLOCK "D", OF THE ORLANDO IMPROVEMENT COMPANY NO. 2, AS RECORDED IN PLAT BOOK S, PAGE 98, PUBLIC RECORDS OF COUNTY, FLORIDA, TO BE USED BY THE GRANTEES AND THE PUBLIC FOR RIGHT OF WAY TO AND FROM THEIR RESPECTIVE PROPERTIES IN THE ABOVE REFERENCED SUBDIVISION.

EXIST. 5' UTILITY EASEMENT

S00°42'20"W 413' DESC

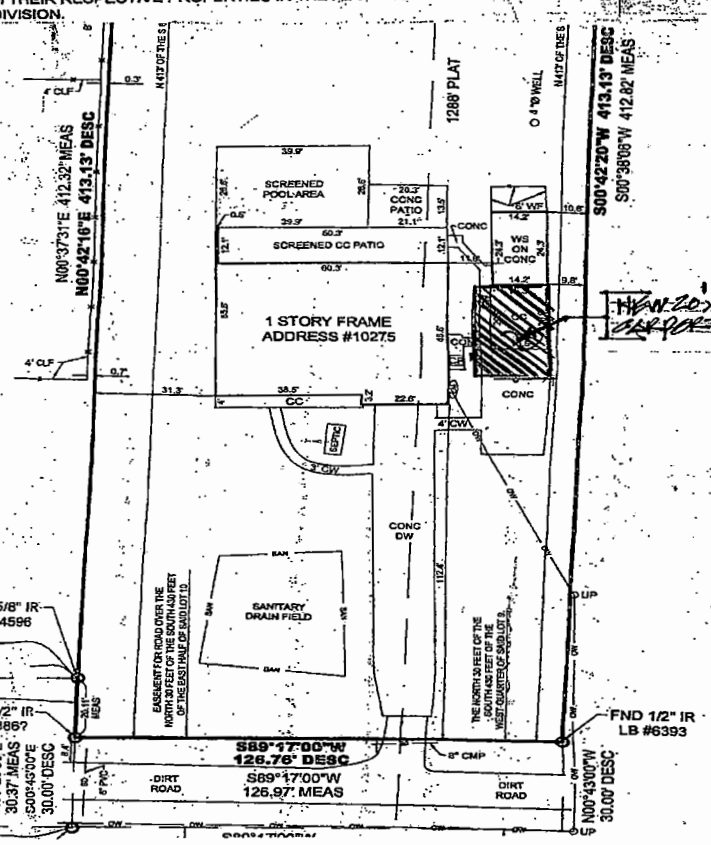
NEW "ELITE" SHINGLE ROOFING ON 1/2" "CDX" PLT. DECKING

EXISTING EAST PROPERTY LINE

TYPICAL FOR NEW 4" SQ. STRUCTURAL COLUMNS

NEW 6" T REINF. CONC. SLAB W/ FOOTERS

EXIST. EAST PROPERTY LINE




NEW 20'x30' CARPORT

RECEIVED
JAN 18 2017
Zoning Division



421

ORANGE COUNTY GOVERNMENT
FLORIDA

STAFF REPORT
CASE #VA-17-03-016
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
March 2, 2017
Commission District: 4

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Robert Thomas |
| REQUEST: | Variance in the R-1 zoning district to construct accessory structure (new carport) containing 640 sq. ft. in lieu of 500 sq. ft.<br><br>(Note: The applicant is removing an existing 320 sq. ft. carport and constructing a new 640 sq. ft. carport on the side of the residence). |
| LOCATION: | East end of Cline Ave., 1/4 mile south of Flowers Ave. |
| PROPERTY ADDRESS: | 10275 Cline Avenue |
| PARCEL ID: | 20-22-31-6350-04-093 |
| TRACT SIZE: | 127 ft. x 413 ft. (1.2 acres) |
| DISTRICT #: | 4 |
| ZONING: | R-1 |

STAFF FINDINGS AND ANALYSIS:

1. The applicant is proposing to demolish an existing 320 sq. ft. carport and replace it with a new 600 sq. ft. carport. There is an existing fourteen (14) foot by twenty-four (24) foot shed which is proposed to remain on the subject property immediately behind the new carport. This brings the cumulative total accessory square footage to 640.

2. The subject property is zoned R-1. The minimum lot area for a lot in the R-1 zoning district is 5,000 sq. ft. At 1.2 acres in size, the subject property is over ten (10) times the size of the minimum R-1 zoned lot.

3. The applicant is maintaining a nine (9) foot side setback, which is four (4) feet greater than required. Due the extensive lot depth available, the proposed carport will be at least 120 feet from the front property line.

4. Were the property zoned R-CE as is the property immediately to the north, the applicant would be entitled to 2,000 sq. ft. of accessory floor area.

5. Based on the living area of the applicant's home, they are actually entitled to a total of 542 sq. ft. of accessory floor area rather than 500 (2,170 sq. ft. x .25). As such, the actual variance is for ninety-eight (98) sq. ft. which would be a variance of eighteen percent (18%). This is the minimum required.

6. Staff research shows that there have been several variances for similar requests within several hundred feet of the subject property, including one for a total of 900 sq. ft. of the accessory floor area, and another for 744 sq. ft. on the smaller lots. In addition, a review of the aerial shows that the neighbor to the east also has a large accessory structure.

STAFF RECOMMENDATION:

Staff finds that the requested variance is minimal in nature, being well below that which the BZA has granted in the past. Further, due to the large lot pattern to the east of the subject property, the proposal will be in harmony with the intent of the Zoning Regulations, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. Further, several past variances have been granted in this neighborhood for larger structures. Finally, a variance was also granted for a carport in front of a principal structure, showing that carports are a common improvement in this area. Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. The color and/or hue of the roofing material shall to the greatest extend possible match that of existing residence.

cc: Robert Thomas
2333 Bridgewood Trail
Orlando, Florida 32818

**STEVEN TOKAR**
**VA-17-03-017**

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| | |
|---|---|
| **REQUEST:** | **Variances** in the R-1A zoning district as follows:<br>1) Variance to allow existing detached carport 3 ft. from the side (south) property line in lieu of 5 ft.; and,<br>2) Validate existing residence located 7.4 ft. from the side (north) property line in lieu of 7.5 ft.<br>(Note: There are no permits on file for the carport. This is code enforcement related. The carport is open on all four sides. The applicant has obtained 18 signatures of support from residents in the area). |
| **ADDRESS:** | 2359 Justy Way, Orlando FL 32817 |
| **LOCATION:** | East side of Justy Way, approximately 575 ft. south of Trevarthon Rd. |
| **S-T-R:** | 13-22-30 |
| **TRACT SIZE:** | 75 ft. x 150 ft. |
| **DISTRICT#:** | 3 |
| **LEGAL:** | SUMMER OAKS 13/107 LOT 23 |
| **PARCEL ID:** | 13-22-30-8381-00-230 |
| **NO. OF NOTICES:** | 65 |

**DECISION: APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Permits for the carport shall be obtained within sixty (60) days or this approval becomes null and void; and,

5. Prior to the issuance of any permits the applicant shall vacate the utility easement or obtain approval from the Public Works Division to encroach into the utility easement.

**SYNOPSIS:** Staff gave a presentation on the case. It addressed the request, the zoning in the area, and a brief analysis.

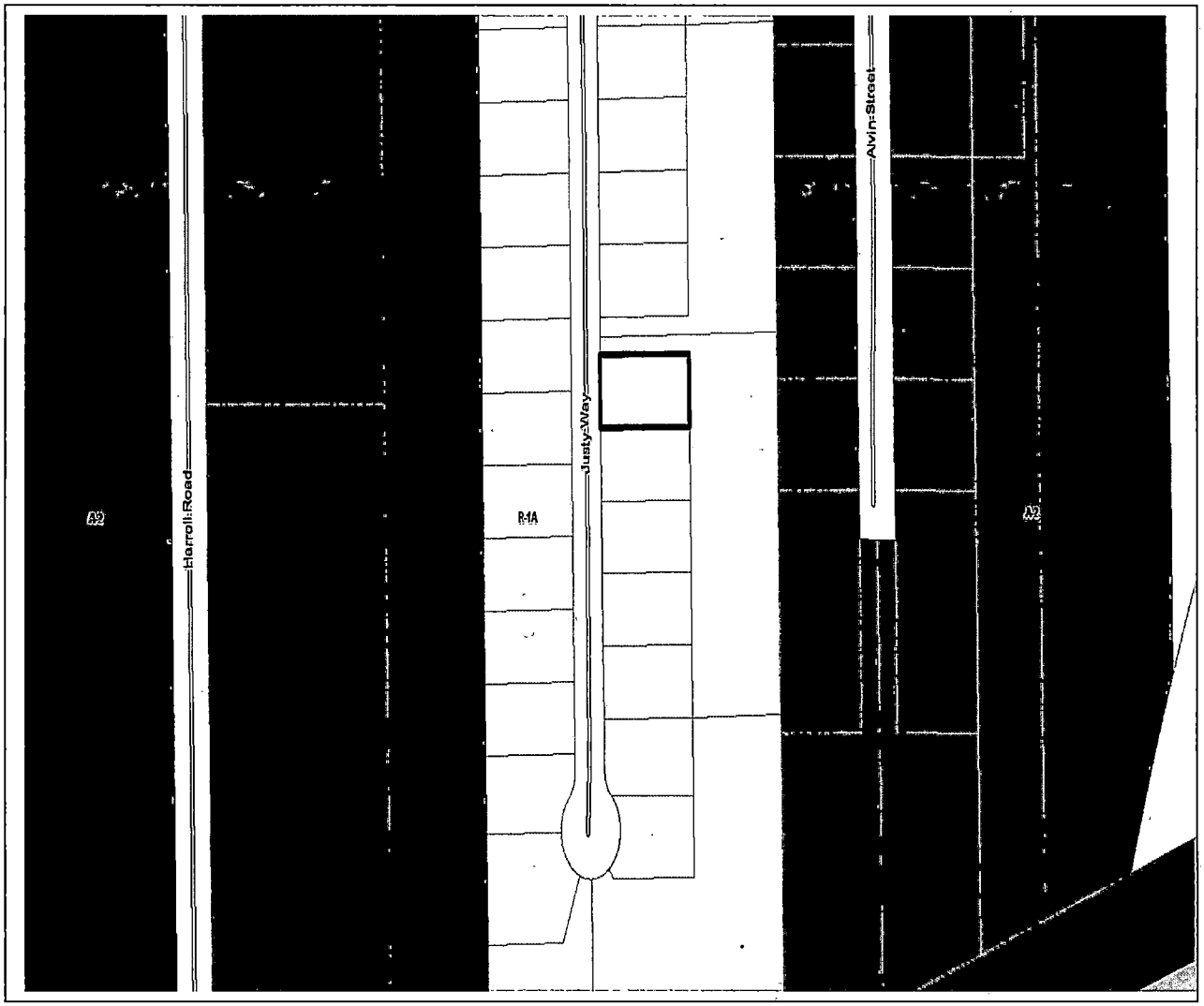
The applicant stated that he poured the slab, hired a company to install the carport, and that they told him permits were not required and the setbacks were acceptable. The applicant stated that he uses the carport to store his boat and camper. He also stated that he allowed Code Enforcement on his property to view the neighbor's violation, and he then got cited.

Code Enforcement confirmed the neighbor called in the violation after he visited the property. Code Enforcement stated that the violation would be resolved if the variance is approved.

The BZA stated that they would rather see the boat being stored on the slab under the carport at the back instead of in front or on the street, and that the request is minimal.

Staff received eleven (11) commentaries in favor of the application and none in opposition. There was no opposition at the hearing.

The BZA approved the variance subject to the five (5) conditions in the staff report.




**Applicant:** Steven Tokar

**BZA Number:** VA-17-03-017

**BZA Date:** 03/02/2017

**District:** 3

**Sec/Twn/Rge:** 13-22-30-NE-A

**Tract Size:** 75 ft. x 150 ft.

**Address**: 2359 Justy Way, Orlando FL 32817

**Location:** East side of Justy Way, approximately 575 ft. south of Trevarthon Rd.

## Cover letter for variance request at 2359 Justy Way

To whom it may concern;

This letter is a request for two variances for the property at 2359 Justy Way Orlando FL 32817.

This request is for a metal carport open on all sides and a concrete slab. The carport is 24' 10" wide, 12' 6" high and 20' 0" long.

The existing concrete has been there since 2007 and the metal carport structure has been on the property since 2008.

The structure is 5'10" from the east property line and 3'9" from the south property line. I propose to keep this structure in this location because I

do not have the resources to relocate the structure, demo and re pour new concrete. This structure is also tucked away in the corner of the property

and is not an eye sore or nuisance. I have 18 signatures from 12 residences in the neighborhood that do not object to this structure.

The structure is being used to store a boat and small camper.

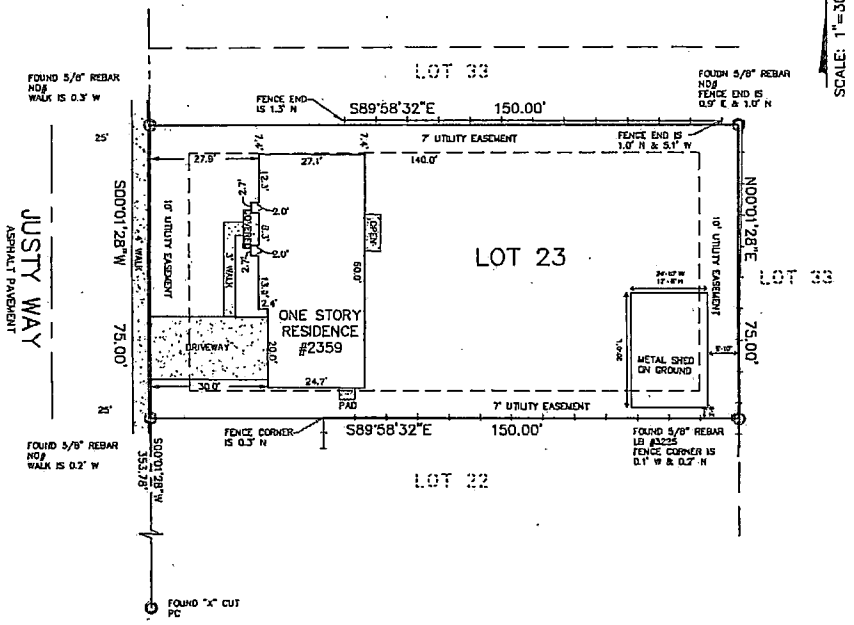
Thank you,

Steve Tokar

# MAP OF SURVEY

DESCRIPTION

LOT 23, SUMMER OAKS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BODK 13, PAGE 107 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.




LEGEND:

| | | | |
|---|---|---|---|
| WOOD UTILITY POLE & GUY WIRE | | NR | NON RADIAL |
| OHU | OVERHEAD UTILITY LINE | RAD | RADIAL |
| | 6' WOOD FENCE | TYP | TYPICAL |
| | 4' CHAIN LINK FENCE | PC | POINT OF CURVATURE |
| | CENTERLINE | PT | POINT OF TANGENCY |
| | RIGHT OF WAY LINE | PRC | POINT OF REVERSE CURVATURE |
| | CONCRETE | POP | PERMANENT CONTROL POINT |
| (P) | PLAT | PRM | PERMANENT REFERENCE MONUMENT |
| (M) | MEASURED | PI | POINT OF INTERSECTION |
| (D) | DESCRIPTION | RP | RADIUS POINT |
| (C) | CALCULATED | A/C | AIR CONDITIONER |
| | | R | RADIUS |
| | | Δ | CENTRAL ANGLE |
| | | L | ARC LENGTH |
| | | CB | CHORD BEARING |
| | | CH | CHORD LENGTH |
| | | ORB | OFFICIAL RECORD BOOK |
| | | PG | PAGE |

*CERTIFIED TO:*

*STEVEN A. & CARRIE TOKAR*

*CRESTAR, A SUNTRUST COMPANY*

*QUALITY TITLE AND GUARANTY CO., INC.*

*CLONINGER AND FILES, P.A.*

*ATTORNEYS' TITLE INSURANCE FUND, INC.*

RECEIVED
JAN 18 2017
Zoning Division

ORANGE COUNTY GOVERNMENT FLORIDA

STAFF REPORT
CASE #VA-17-03-017
Orange County Zoning Division
Planner: David Nearing
Board of Zoning Adjustment
March 2, 2017
Commission District: 3

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Steven Tokar |
| REQUEST: | Variances in the R-1A zoning district as follows:<br><br>1) Variance to allow existing detached carport 3 ft. from the side (south) property line in lieu of 5 ft.; and,<br>2) Validate existing residence located 7.4 ft. from the side (north) property line in lieu of 7.5 ft.<br><br>(Note: There are no permits on file for the carport. This is code enforcement related. The carport is open on all four sides. The applicant has obtained 18 signatures of support from residents in the area). |
| LOCATION: | East side of Justy Way, approximately 575 ft. south of Trevarthon Rd. |
| PROPERTY ADDRESS: | 2359 Justy Way |
| PARCEL ID: | 13-22-30-8381-00-230 |
| TRACT SIZE: | 75 ft. x 150 ft. |
| DISTRICT #: | 3 |
| ZONING: | R-1A |

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting variances to validate setbacks for an existing carport and house.

2. Code Enforcement cited the property on December 2, 2016.

3. Per the applicant, the carport was built without permits approximately nine (9) years ago.

4. The neighbors have signed letters of no objection to this proposal.

5. Staff must review all variance applications as if the structures were proposed as opposed to existing. If the carport was proposed, staff would not support this side yard variance because it is too close to the side property line. Therefore, staff cannot support Variance #1.

STAFF RECOMMENDATION:

Staff recommends denial of Variance #1, and approval of Variance #2, subject to the following conditions:

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development; and,

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

cc: Steven Tokar
2359 Justy Way
Orlando, Florida 32817

**CAPEVIEW CONSTRUCTION, INC.**
**VA-17-03-018**

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| | |
|---|---|
| **REQUEST:** | **Variances** in the R-1A zoning district to construct a single family residence on two (2) substandard sized lots as follows:<br>1) 50 ft. lot width in lieu of 75 ft.;<br>2) 6,750 sq. ft. lot area in lieu of 7,500 sq. ft.;<br>3) 6 ft. side yard setback in lieu of 7.5 ft.;<br>4) 25 ft. rear yard setback in lieu of 30 ft.; and,<br>5) 1,104 sq. ft. minimum living area in lieu of 1,200 sq. ft. |
| **ADDRESS:** | 1019 38th Street, Orlando FL 32805 |
| **LOCATION:** | North side of 38th Street, approximately 950 ft.. east of S. Orange Blossom Trail |
| **S-T-R:** | 03-23-29 |
| **TRACT SIZE:** | 100 ft. x 135 ft. |
| **DISTRICT#:** | 6 |
| **LEGAL:** | ANGEBILT ADDITION NO 2 J/124 LOTS 24 & 25 BLK 98 |
| **PARCEL ID:** | 03-23-29-0182-98-240 |
| **NO. OF NOTICES:** | 148 |

**DECISION: APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Approval of this request constitutes approval of two (2) substandard sized lots as depicted on plan dated January 18, 2017, and approved by the Board of Zoning Adjustment; and,

5. The front elevation of each unit shall not be identical. Different materials, textures, and colors shall be used to differentiate the two (2) units to avoid monotony.

**SYNOPSIS:** Staff noted that the majority of the lots in this area are of the same size as the two (2) lots proposed by the applicant. The majority of the homes that have been built on the subject property are on similar sized lots. Further, staff noted that there have been several variances granted in this area for the same request. Staff noted that no correspondence for or against this request have been received. The proposed split will simply return to the two (2) lots to their originally platted state, and this will be consistent with the pattern of development in the neighborhood.

The applicant indicated their agreement with the staff recommendation and with the proposed conditions. There being no one present to speak for or against the request, the public hearing was closed.

The BZA found that returning the lots to their original platted condition would be consistent with the development in the neighborhood, and would not be injurious to the neighborhood, but would in fact enhance the area.

**Applicant:** CapeView Construction, Inc.

**BZA Number:** VA-17-03-018

**BZA Date:** 03/02/2017

**District:** 6

**Sec/Twn/Rge:** 10-23-29-NE-A

**Tract Size:** 100 ft. x 135 ft.

**Address**: 1019 38th Street, Orlando FL 32805

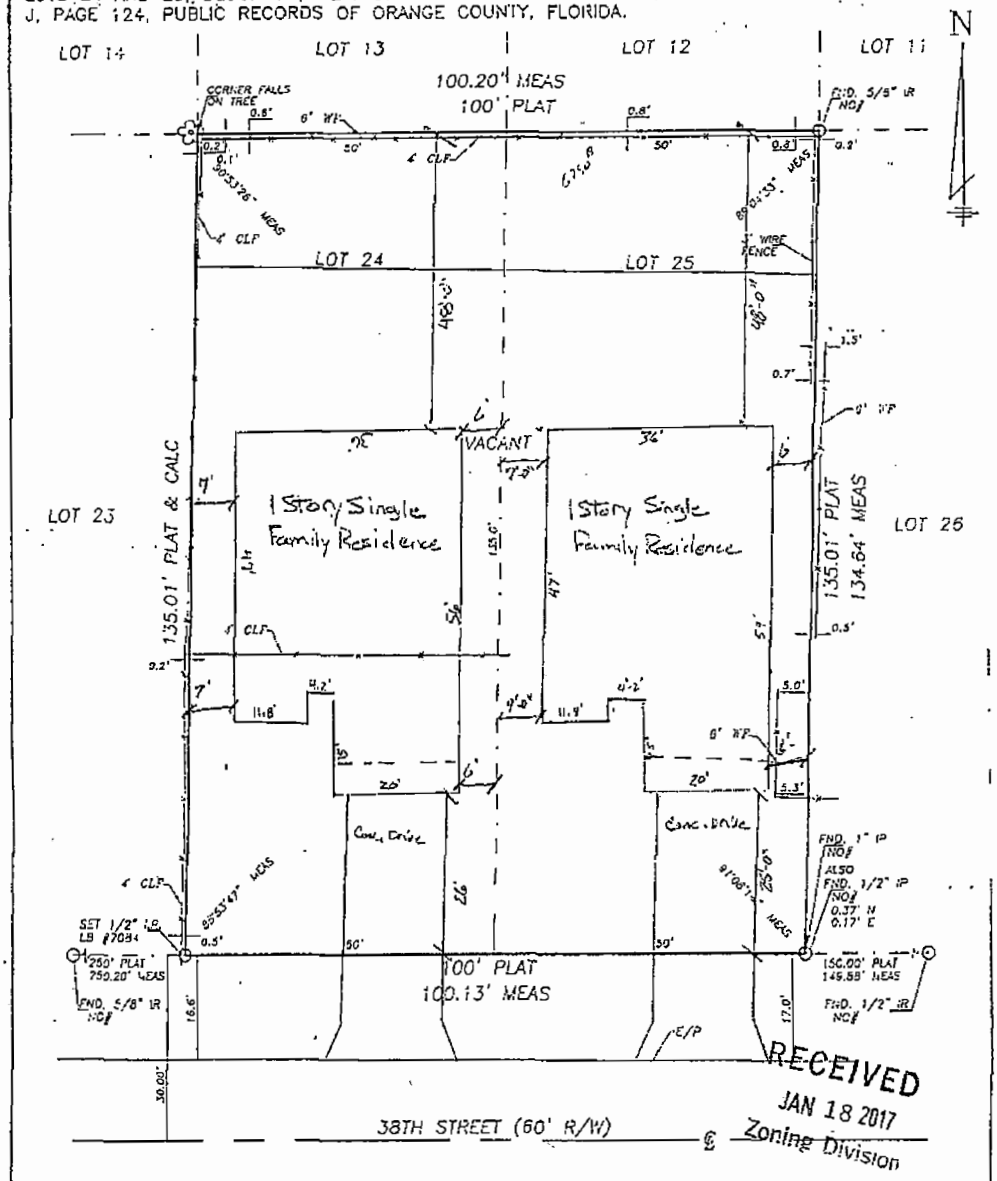
**Location:** North side of 38th Street, approximately 950 ft.. east of S. Orange Blossom Trail

CapeView construction Inc. is requesting a variance from a 75' foot wide lot to a 50' foot wide lot with 6' foot side yard setbacks 25' front and a 30' foot rear yard setback. This request complies with the original plat of 1929. There are serval homes in the area that are built on 50' foot wide lots. Plus there has been a variance and it was granted in the same block for two 50' foot wide lots and two New homes were built there. The height is Approximately 18' to 20' feet. And the homes living area square footage will be somewhere in between 1104 and 1371 Sq. ft.

# MAP OF SURVEY

## DESCRIPTION

LOTS 24 AND 25, BLOCK 98, PLAT OF ANGEBILT ADDITION NO. 2, AS RECORDED IN PLAT BOOK J, PAGE 124, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.




OFF 001-124-BLK98-LOT24,25 NOTE: UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.

BOUNDARY SURVEY CERTIFIED TO: CAPEVIEW

FIELD DATE: DEC. 23, 2016

SCALE: 1" = 20' | DRAWN BY: A. P. / D. R.

BEARING STRUCTURE BASED ON THE NORTHERLY RIGHT OF WAY LINE OF 38TH STREET.

THIS LOT IS IN FLOOD ZONE X, BASED ON FLOOD INSURANCE RATE MAP, NO. 12095 0245 F, ORANGE COUNTY, FLORIDA.

REVISIONS:

LEGEND

| | |
|---|---|
| BC – BACK OF CURB | IR – IRON ROD |
| CALC – CALCULATED | L – ARC LENGTH |
| ℄ – CENTERLINE | LB – LICENSE BUSINESS |
| Δ – CENTRAL ANGLE | MEAS – MEASURED |
| CLF – CHAIN LINK FENCE | MS – METAL SHED |
| CONC – CONCRETE | N&D – NAIL & DISK |
| CBW – CONCRETE BLOCK WALL | # – NUMBER |
| CM – CONCRETE MONUMENT | OHE – OVERHEAD ELECTRICAL |
| CP – CONCRETE PAD | OL – ON LINE |
| CW – CONCRETE WALKWAY | POB – POINT OF BEGINNING |
| COVD – COVERED | POC – POINT OF COMMENCEMENT |
| DESC – DESCRIPTION | PC – POINT OF CURVATURE |
| DW – DRIVEWAY | PP – POWER POLE |
| DE – DRAINAGE EASEMENT | P&M – PLAT & MEASURED |
| ESMT – EASEMENT | R – RADIUS |
| EOP – EDGE OF PAVEMENT | R/W – RIGHT OF WAY |
| FFE – FINISHED FLOOR ELEVATION | TYP – TYPICAL |
| FND – FOUND | UE – UTILITY EASEMENT |
| IP – IRON PIPE | UB – UTILITY BOX |
| | WF – WOOD FENCE |
| | ⋋ – GUY WIRE ANCHOR |

M.A.P.
Land Surveying, Inc.

4515 Curry Ford Rd.
Suite C
Orlando Fl. 32812
PH. 407 896 4557
FAX 407 277 3778
E-Mail
Maplandsurvey@cfl.rr.com
LB #7084

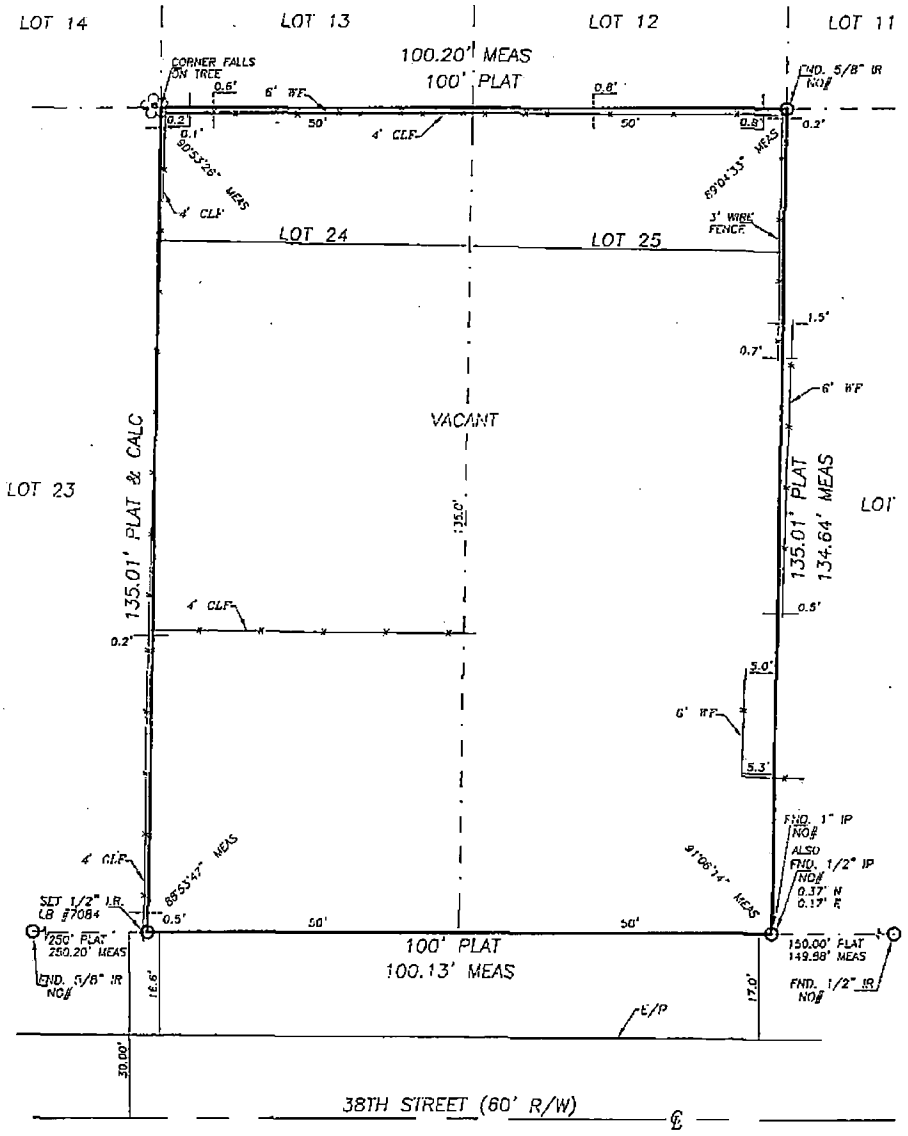
Andrew Perry, P.SM.
Professional Surveyor & Mapper #6124

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR THE ELECTRONIC SIGNATURE AND SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER."

# MAP OF SURVEY

## DESCRIPTION

LOTS 24 AND 25, BLOCK 98, PLAT OF ANGEBILT ADDITION NO. 2, AS RECORDED IN PLAT BOO
J, PAGE 124, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.




DH# OCJ-124-BLK98-LOT24,25 NOTE: UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.

BOUNDARY SURVEY CERTIFIED TO: CAPEVIEW

FIELD DATE: DEC. 23, 2

SCALE: 1" = 20' | DRAWN BY: A. P

BEARING STRUCTURE BASED ON THE NORTHERLY RIGHT OF WAY LINE OF 38TH STREET.

THIS LOT IS IN FLOOD ZONE X, BASED ON FLOOD INSURANCE RATE MAP, NO. 12017C 0215 F, ORANGE COUNTY, FLORIDA.

LEGEND

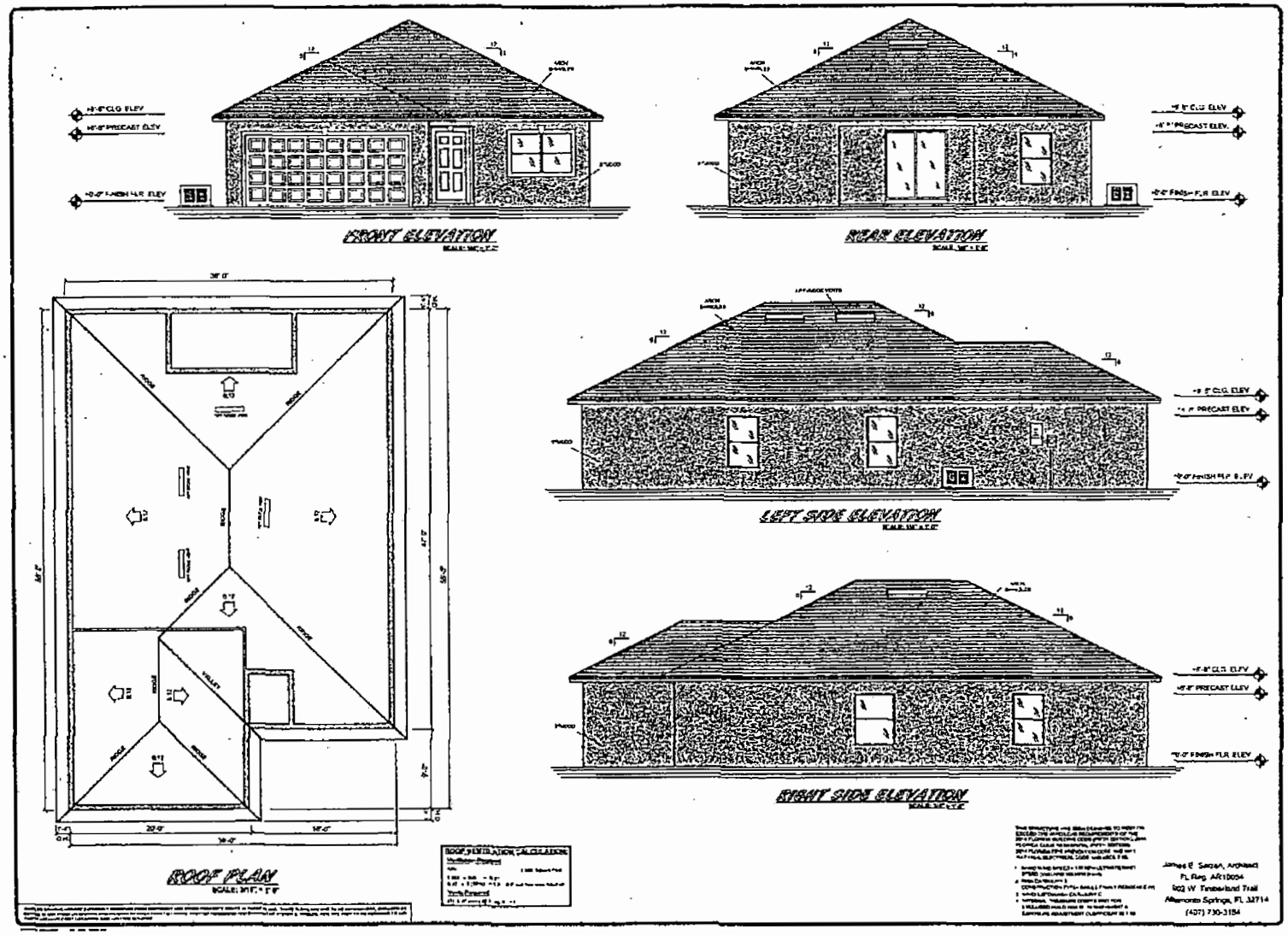
| | |
|---|---|
| BC – BACK OF CURB | IR – IRON ROD |
| CALC – CALCULATED | L – ARC LENGTH |
| ℄ – CENTERLINE | LB – LICENSE BUSINESS |
| Δ – CENTRAL ANGLE | MEAS – MEASURED |
| CLF – CHAIN LINK FENCE | MS – METAL SHED |
| CONC – CONCRETE | NAIL – NAIL & DISK |
| CBW – CONCRETE BLOCK WALL | R – RADIUS |
| CM – CONCRETE MONUMENT | OHE – OVERHEAD ELECTRICAL |
| CP – CONCRETE PAD | OL – GAS LINE |
| CW – CONCRETE WALKWAY | POB – POINT OF BEGINNING |
| COVD – COVERED | POC – POINT OF COMMENCEMENT |
| DESC – DESCRIPTION | PC – POINT OF CURVATURE |
| DW – DRIVEWAY | PP – POWER POLE |
| DE – DRAINAGE EASEMENT | P&M – PLAT & MEASURED |
| ESMT – EASEMENT | R – RADIUS |
| E/P – EDGE OF PAVEMENT | R/W – RIGHT OF WAY |
| TFE – TERRACED FLOOR ELEVATION | TYP – TYPICAL |
| FND – FOUND | UE – UTILITY EASEMENT |
| IP – IRON PIPE | UB – UTILITY BOX |
| | WF – WOOD FENCE |
| | > – GUY WIRE ANCHOR |

REVISIONS:


M.A.P.
Land Surveying, Inc.
4515 Curry Ford Rd.
Suite C
Orlando Fl. 32812
PH. 407 896 4557
FAX 407 277 3776
E-Mail Maplandsurvey@cfl.rr.com
LB #7084


Andrew Perry, P.SM
Professional Surveyor & Mapper

"NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL, OR THE ELECTRONIC SIGNATURE OF THIS FLORIDA LICENSED SURVEYOR AND M

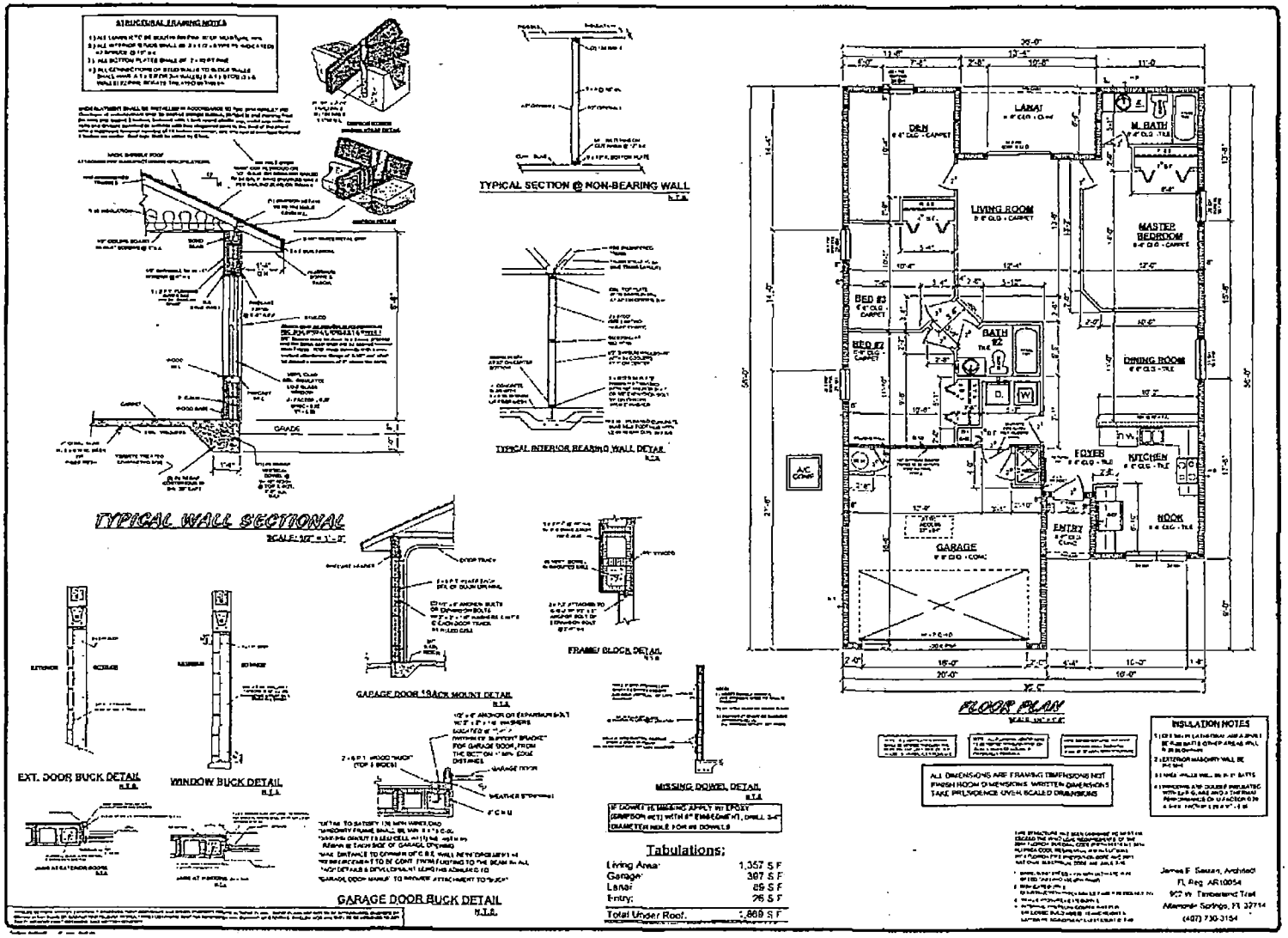



CAPEVIEW
CUSTOM HOMEBUILDER

SHIELDS DESIGNS
5124 Ardmore Drive
Winter Park, FL 32792
(407) 810-1730

5 7

- 139 -


STRUCTURAL FRAMING NOTES
TYPICAL WALL SECTIONAL
TYPICAL SECTION @ NON-BEARING WALL
TYPICAL INTERIOR BEARING WALL DETAIL
GARAGE DOOR BACK MOUNT DETAIL
FRAME/ BLOCK DETAIL
EXT. DOOR BUCK DETAIL
WINDOW BUCK DETAIL
GARAGE DOOR BUCK DETAIL
MISSING DOWEL DETAIL
Tabulations:
Living Area: 1,357 S F
Garage: 397 S F
Lanai: 89 S F
Entry: 26 S F
Total Under Roof: 1,869 S F
FLOOR PLAN
DEN
LANAI
M. BATH
LIVING ROOM
MASTER BEDROOM
BED #3
BED #2
BATH #2
DINING ROOM
FOYER
KITCHEN
ENTRY
NOOK
GARAGE
A/C COMP
INSULATION NOTES
ALL DIMENSIONS ARE FRAMING DIMENSIONS NOT FINISH ROOM DIMENSIONS. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS
James E. Sasser, Architect
FL Reg. AR10054
902 W. Timberland Trail
Altamonte Springs, FL 32714
(407) 730-3154
SHIELDS DESIGNS
5424 Ardmore Drive
Winter Park, FL 32792
(407) 810-1730
CAPEVIEW
CUSTOM HOMEBUILDER
4 7

- 140 -

ORANGE COUNTY GOVERNMENT
FLORIDA

STAFF REPORT
CASE #VA-17-03-018
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
March 2, 2017
Commission District: 6

GENERAL INFORMATION:

APPLICANT: CapeView Construction, Inc.

REQUEST: Variances in the R-1A zoning district to construct a single family residence on two (2) substandard sized lots as follows:

1) 50 ft. lot width in lieu of 75 ft.;
2) 6,750 sq. ft. lot area in lieu of 7,500 sq. ft.;
3) 6 ft. side yard setback in lieu of 7.5 ft.;
4) 25 ft. rear yard setback in lieu of 30 ft.; and,
5) 1,104 sq. ft. minimum living area in lieu of 1,200 sq. ft.

LOCATION: North side of 38th Street, approximately 950 ft. east of S. Orange Blossom Trail

PROPERTY ADDRESS: 1019 38th Street

PARCEL ID: 03-23-29-0182-98-240

TRACT SIZE: 100 ft. x 135 ft.

DISTRICT #: 6

ZONING: R-1A

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to construct a single family residence on two (2) substandard lots. The current R-1A zoning requires a minimum lot width of seventy-five (75) feet, a minimum lot area of 7,500 sq. ft., a minimum side yard setback of 7.5 feet, a minimum rear yard setback of thirty (30) feet, and minimum living area 1,200 sq. ft. (for one SFR).

2) The subject lots are fifty (50) feet wide, with a lot area of 6,750.05 sq. ft. This is more commensurate with a lot in the R-1 zoning district.

3) Of the twenty-six (26) lots on this block, eleven (11) have been developed at fifty (50) feet width. Of the twenty-six (26) lots on this block, only nine (9) including the subject property, actually meet the lot width for the R-1A zoning district. If the variance is granted, only seven (7) lots (just over 25%) would meet or exceed the required lot width.

4) Several variances have been granted by the BZA in the past for similar requests in this area. The most recent for a lot abutting the rear of the subject property in 2004.

5) Granting of this request would be harmonious with the pattern of development in this neighborhood, and would not be detrimental to the purpose and intent of the Zoning Ordinance.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated January 18, 2017, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Approval of this request constitutes approval of two (2) substandard sized lots as depicted on plan dated January 18, 2017, and approved by the Board of Zoning Adjustment; and,

5. The front elevation of each unit shall not be identical. Different materials, textures, and colors shall be used to differentiate the two (2) units to avoid monotony.

cc: E. Clyde Tucker, (Applicant's representative)
5315 Lee Ann Drive
Orlando, Florida 32808

**ALBERT SEGEV**
**VA-17-02-193**

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| | |
|---|---|
| **REQUEST:** | **Variances** in the P-O zoning district to construct office building as follows:<br>1) 10 ft. from front property line (N. Kirkman Rd.) in lieu of 25 ft.; and,<br>2) 26 ft. from rear property line (east line) in lieu of 30 ft. |
| **ADDRESS:** | N. Kirkman Road, Orlando FL 32811 |
| **LOCATION:** | East side of N. Kirkman Rd., approximately 1/4 mile north of Old Winter Garden Rd. |
| **S-T-R:** | 30-22-29 |
| **TRACT SIZE:** | 350 ft. x 76 ft. |
| **DISTRICT#:** | 6 |
| **LEGAL:** | ORLO VISTA TERRACE ANNEX N/96 LOT 3 BLK J (LESS W 56 FT FOR R/W) |
| **PARCEL ID:** | 30-22-29-6426-10-030; 30-22-29-6426-10-040; and,<br>30-22-29-6426-10-060 |
| **NO. OF NOTICES:** | 96 |

**DECISION: APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0):

1. Development in accordance with site plan date-stamped, 'Received January 18, 2017', and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

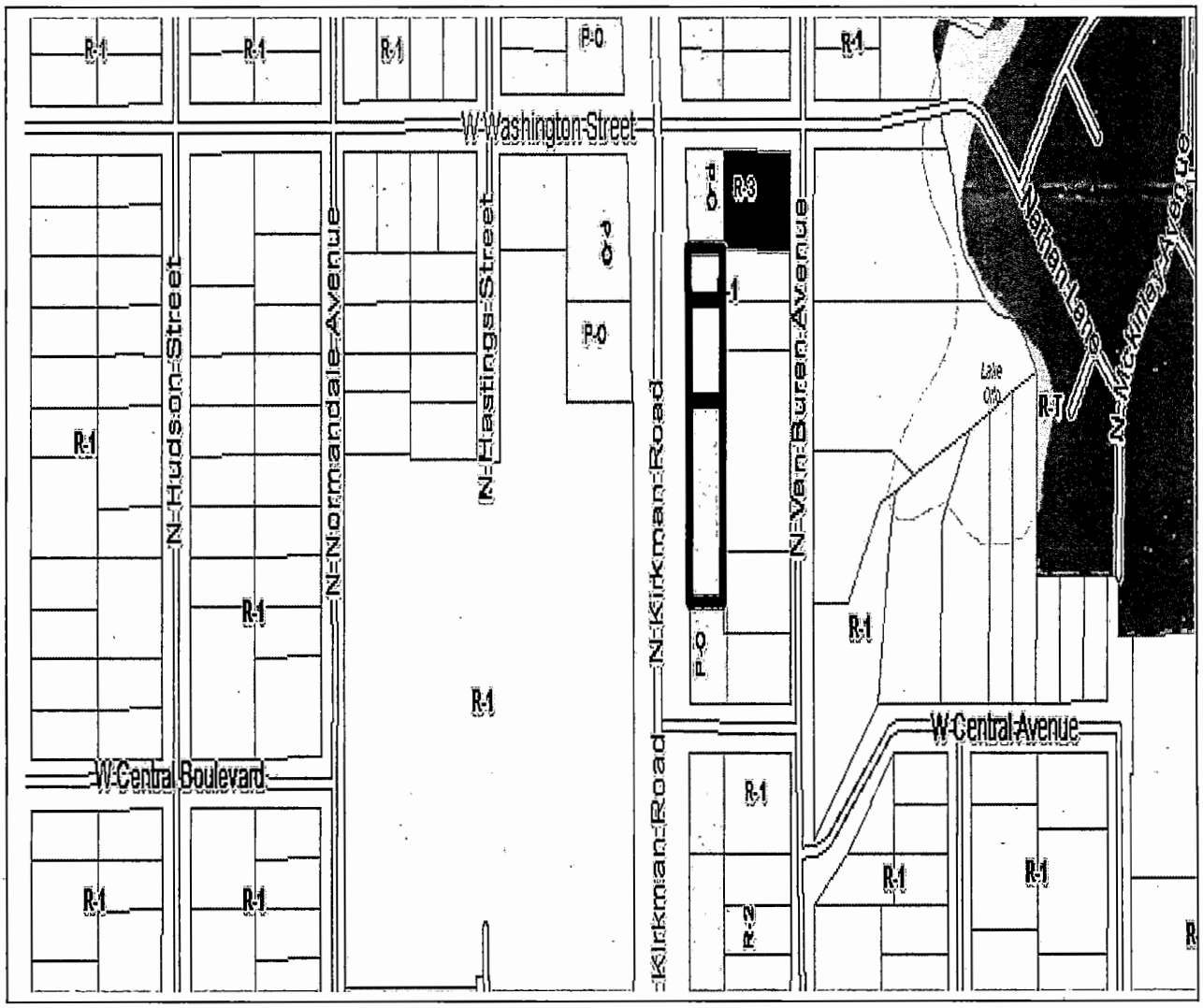
4. Plans submitted for non-residential permitting shall have parking provided in accordance with the Sec. 38-1476, of the Orange County Code dealing with off-street parking and loading. All parking requirements shall be met; and,

5. Prior to issuance of a Certificate of Occupancy, the applicant shall complete construction of a six (6) foot tall masonry wall along the site's eastern property line.

**SYNOPSIS:** Staff noted that the subject property was very shallow and fronted on a major six-lane divided roadway. There is no way to create a truly viable and functional office development on the property without granting the requested variances. Staff noted that the applicant was providing the buffer yard required through the rezoning to P-O granted in December 2016. However, there will be a need for the applicant to modify the parking and building area to ensure that they provide the required parking. Staff also noted that due to an error in advertising in February, this is the second time this request has come before the BZA. As a result of the February notices, staff became aware that there are residents to the east who are not in support of this project, and who also opposed the change in zoning last year. Staff is recommending that the applicant include a six (6) foot tall masonry wall across the east property line.

The applicant indicated their agreement with the staff recommendation and conditions. There being no one in attendance for or against the request, the public hearing was closed.

The Board found that due to the size and shape of the property, there was no way to develop the site as it was rezoned by the County without the variances.




**Applicant:** Albert Segev

**BZA Number:** VA-17-02-193

**BZA Date:** 03/02/2017

**District:** 6

**Sec/Twn/Rge:** 30-22-29-SW-C

**Tract Size:** 350 ft. x 76 ft.

**Address**: N. Kirkman Road, Orlando FL 32811

**Location:** East side of N. Kirkman Rd., approximately 1/4 mile north of Old Winter Garden Rd.

Orlando December 9,2016

Board of Zoning Adjustment

Orange County Florida

Ref: Application # VA-17-02-193

Front and rear setback variance request.

Dear Sirs:

We aim to develop the property to be used as Professional Offices, in line with the recently approved current land use.

The property is 350.30' wide and only 75.81' deep on one end and 72.43' on the other end. Current zoning required setbacks are 25' front setback and 30' rear setback. This allows only for a building to be 17.5' deep that makes it impossible to reasonably develop and comply with the rear and front setbacks.

We are proposing a variance to reduce the required front setback to 7.5' and reduce the rear setback to 25'. This will allow for a building 115' wide and 45' deep for a total of 5,175 sqft. The site allows for the necessary retention area and 27 parking spaces including one handicap, required by code for a building with this size. Please see attached variance plan.

This qualifies as a special condition since it was platted that way long before we took ownership of the property, and probably before the current setbacks were implemented and Kirkman Rd. was widened. This condition was not created by the owner and will not confer on the applicant any special privilege.

The literal interpretation of the property required setbacks will deprive the owner of the right to develop this property since the current limitations makes it impossible to build a viable building for the use determined by the current and future land use map.

The variance requested is the minimum variance that will allow a reasonable use of the land.

Please do not hesitate to contact us if additional information is required.

Sincerely

Alfredo Bacci

Cell: 321 303 3692

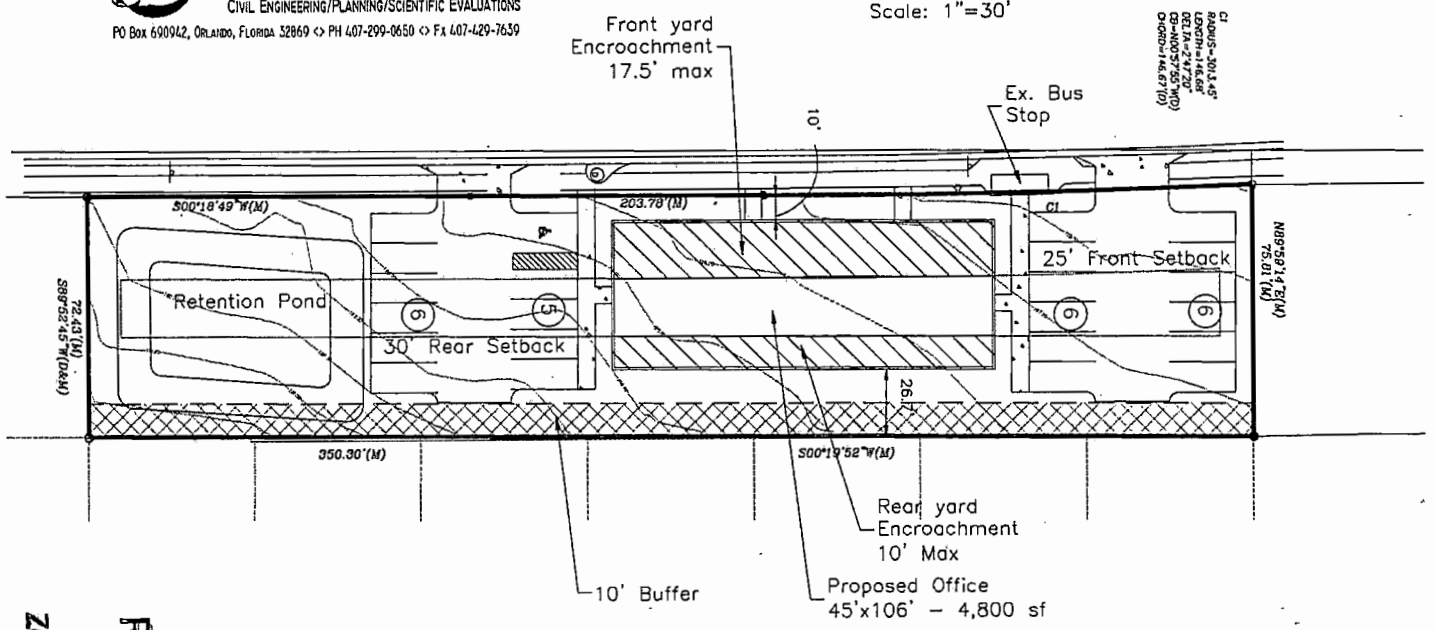
1005 Chokecherry Dr

Winter Springs Fl 32708

RECEIVED
DEC 07 2016
Zoning Division

**Unroe Engineering**
CIVIL ENGINEERING/PLANNING/SCIENTIFIC EVALUATIONS
PO Box 690942, Orlando, Florida 32869 <> PH 407-299-0650 <> Fx 407-429-7639

Scale: 1"=30'




RECEIVED
JAN 12 2017
Zoning Division

Variance Site Plan

Darcy Unroe PE 60929

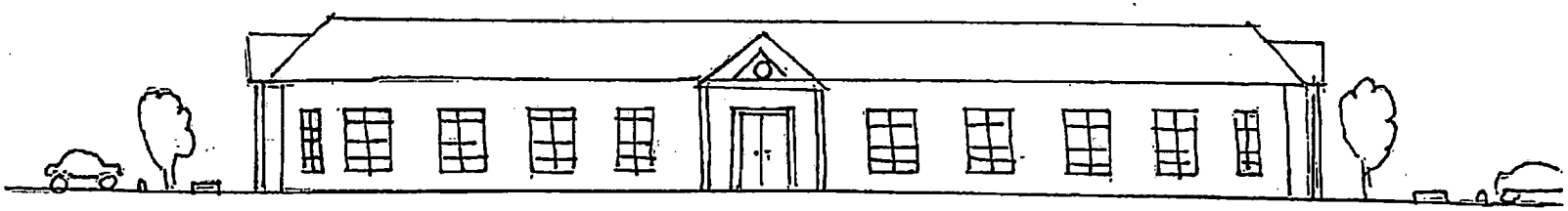
PROFESSIONAL OFFICE BUILDING. PROPOSED

5175 SQFT

FRONT ELEVATION

CMU & STUCCO

METAL ROOF



ORANGE COUNTY GOVERNMENT
FLORIDA

STAFF REPORT
CASE #VA-17-02-193
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
March 2, 2017
Commission District: 6

GENERAL INFORMATION:

APPLICANT: Albert Segev

REQUEST: Variances in the P-O zoning district to construct office building as follows:

1) 10 ft. from front property line (N. Kirkman Rd.) in lieu of 25 ft.; and,
2) 26 ft. from rear property line (east line) in lieu of 30 ft.

LOCATION: East side of N. Kirkman Rd., approximately 1/4 mile north of Old Winter Garden Rd.

PROPERTY ADDRESS: N. Kirkman Road

PARCEL ID: 30-22-29-6426-10-030, 30-22-29-6426-10-040, & 30-22-29-6426-10-060.

TRACT SIZE: 350 ft. x 76 ft.

DISTRICT #: 6

ZONING: P-O

STAFF FINDINGS AND ANALYSIS:

1. Initially, the applicant submitted a site plan which did not meet a condition attached to the rezoning of the northern portion of the plan by the Planning & Zoning Commission (PZC). This condition required a ten (10) foot wide buffer along the east property line. The two (2) parking lots encroached into this buffer. Staff proposed that the applicant go back to PZC to remove the condition, as the BZA lacks the authority to waive or amend any PZC condition. Rather than delaying the project, the applicant redesigned the project to reduce the square footage of the building to 4,800 sq. ft. to reduce the parking lots' size so that they will not encroach into the buffer.

2. Staff does not object to the slight encroachment of the retention pond into the ten (10) foot buffer. The encroachment is extremely minor and plantings can be installed in the bank.

3. The subject property is very shallow for any use along Kirkman Road, which is a six (6) lane divided road at this location. Variances for setbacks are the only viable option to create a functional site.

4. The location of the building will actually be consistent with the setbacks of other buildings in this area which lost their front setbacks due to road widening through the years. This is actually a trend in certain communities, using a "build to" line as opposed to a "setback" line.

5. The applicant did not plat this property in its current configuration. Denial of this variance will actually deny the applicant rights other property owners in the area enjoy.

6. One outstanding issue involves the number of parking spaces. At 4,800 sq. ft., the applicant should provide twenty-four (24) parking spaces. They are only showing twenty-three (23). Typically, parking variances are not advisable for raw land being developed. Parking and floor area should balance. A condition stating such has been imposed.

7. As a result of an error in a prior public notice, this item was continued from the February 2, 2017, BZA meeting. As a result of this prior notice, staff became aware that there are neighbors to the east who do not support this project.

STAFF RECOMMENDATION:

The subject property is irregularly shaped. It has extensive frontage in Kirkman Road and a narrow lot depth. Without variances, the applicant would be left with insufficient building area to create a truly functional and viable project, rendering the land of little value. The request is consistent with the Comprehensive Plan. Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan date-stamped, 'Received January 18, 2017', and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain

requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. Plans submitted for non-residential permitting shall have parking provided in accordance with the Sec. 38-1476, of the Orange County Code dealing with off-street parking and loading. All parking requirements shall be met; and,

5. Prior to issuance of a Certificate of Occupancy, the applicant shall complete construction of a six (6) foot tall masonry wall along the site's eastern property line.

cc: Alfredo Enrique Bacci (Applicant's representative)
1005 Chokecherry Drive
Winter Springs, Florida 32708

Albert Segev
1766 Fairview Shores Drive
Orlando, Florida 32804

**OFFICE OF COMPTROLLER** *INTEROFFICE MEMO*

**ORANGE COUNTY FLORIDA**

**Phil Diamond, CPA**
**County Comptroller**
Finance and Accounting Department
Special Assessments
P O Box 38
Orlando, FL 32802
Telephone: 407-836-5770
Fax: 407-836-5753

Date: March 7, 2017

To: Mayor Teresa Jacobs
and
Board of County Commissioners

From: Margaret A. McGarrity, Chief Deputy Comptroller

Contact: Ann Troutman, 407-836-5770

Subject: Public Hearing to Amend the Existing Municipal Service Benefit Unit (MSBU) for Streetlighting

MSBU District: **Lakeside Neighborhood and Thornhill, A Replat Areas**

Applicant: Anil Sant
Lakeside Neighborhood
Developer

District: Commissioner VanderLey, District 1

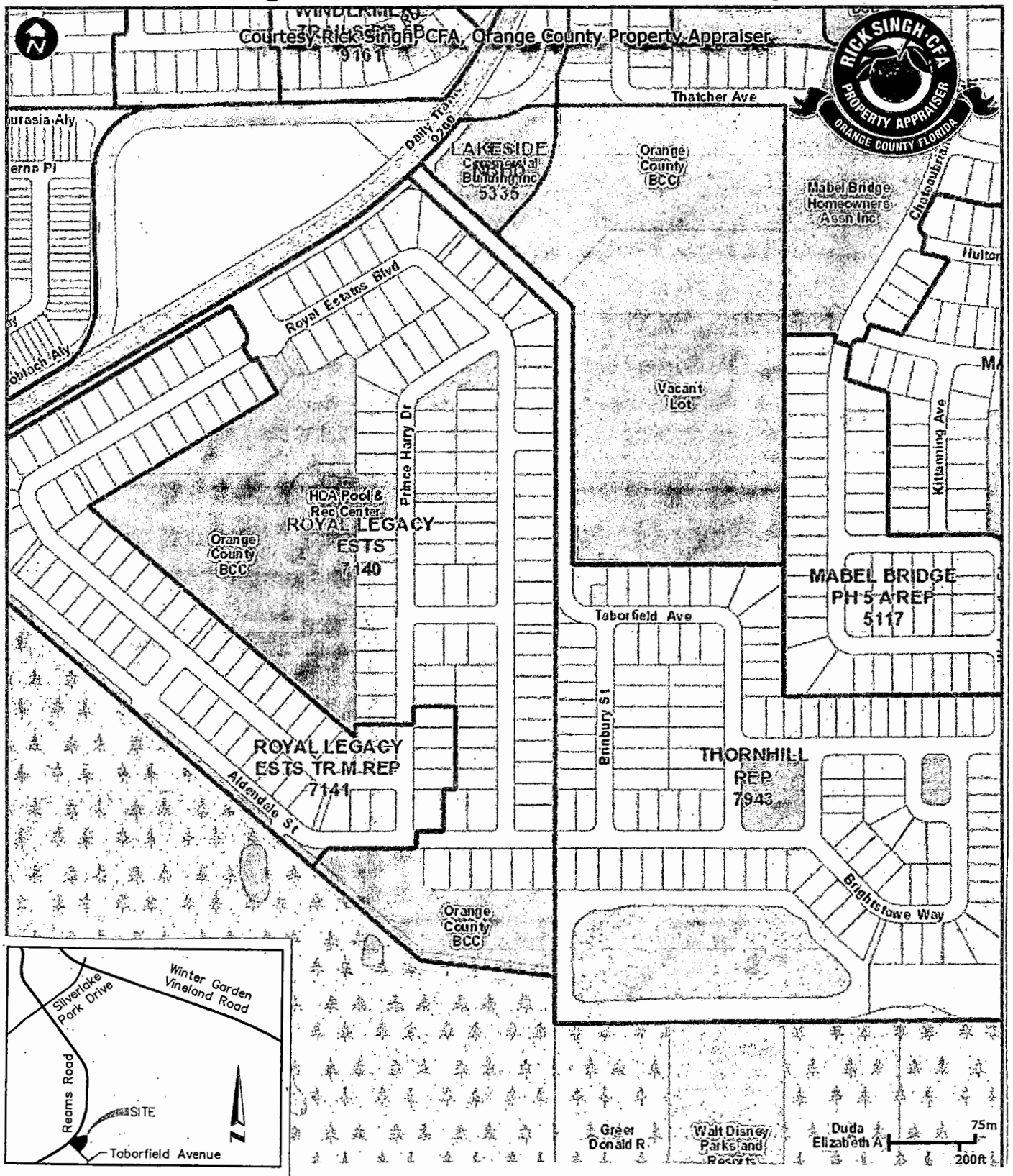
Report: The attached resolution will amend the existing MSBU. The amendment will add the 1 (one) lot / parcel for the Lakeside Neighborhood subdivision. This will allow all of the 106 lots / parcels to be assessed for streetlighting.

Streetlighting: The streetlighting inventory will consist of 50 - 100 watt decorative clermont fixtures with 50 - 22 foot single decorative sanibel poles. The estimated assessment for the amending MSBU for streetlighting is $243.08 per lot, per year. Last year's assessment was $243.08 per lot.

Effective Date: The amending MSBU would be effective November 1, 2017.

Action Requested: Approval of attached resolution.

# Lakeside Neighborhood and Thornhill, A Replat Areas




VICINITY MAP
Scale: 1" = 2000'

**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**AMENDING AND RESTATING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR STREETLIGHTING**
**FOR**

# Lakeside Neighborhood and Thornhill, A Replat Areas 11/2017

WHEREAS, Section 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County, and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board"), is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, by the Resolution dated October 30 2007, the Board established the Thornhill, A Replat 11/2008 Municipal Service Benefit Unit (hereinafter known as the "MSBU") for streetlighting (hereinafter known as the "Resolution"), said Resolution being recorded in Official Records as Document Instrument Number 20070728403, Book 09494, Pages 4567 through 4570, Public Records of Orange County, Florida; and

WHEREAS, the County has now received a request, in writing, from Anil Sant (hereinafter known as the "Developer") of Lakeside Neighborhood for the amendment of such Resolution to combine and include the subdivisions which are more fully described below in that portion of the unincorporated area of Orange County and to maintain the existing streetlighting inventory of 50 - 100 watt 9500 lumen high pressure sodium decorative clermont fixtures and 50 - 22 foot single decorative sanibel poles; and

WHEREAS, this Board has determined that the amendment and restatement of the existing MSBU, the purpose of which is to combine and include the subdivisions which are more fully described below and to maintain the existing streetlighting inventory as requested by the Developer, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired and in the public interest, and that the properties will be benefited, now and in the future, and that the existing MSBU should be amended and restated to combine said subdivisions and to maintain the existing streetlighting inventory; and

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

*RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS*

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. The **Thornhill, A Replat 11/2008** Resolution for streetlighting which is recorded in Official Records as Document Instrument Number **20070728403**, Book **09494**, Pages **4567 through 4570**, Public Records of Orange County, Florida, is hereby amended as the **Lakeside Neighborhood and Thornhill, A Replat Areas 11/2017** MSBU, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes. This MSBU is to combine and include said subdivisions, the boundaries of which appear on the recorded plats of **Lakeside Neighborhood and Thornhill, A Replat** subdivisions, Plat Book **89**, Pages **97 and 98 for Lakeside Neighborhood** and Plat Book **65**, Pages **55 through 58 for Thornhill, A Replat**, Sections **01 and 04**, Township **24**, Range **27**, and Lot **1 for Lakeside Neighborhood** and Lots **1 through 105 for Thornhill, A Replat**, Public Records of Orange County, Florida and to maintain the existing streetlighting inventory which is more fully described below. The purpose of such MSBU is to provide for collection and disbursal by the County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSBU, including energy charges, streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, electrical services and current used in their operation, and for payment of administrative costs and appropriate reserves for cash balance. It is the understanding of the County that **Duke Energy Florida, Inc.** is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of Lakeside Neighborhood and Thornhill, A Replat subdivisions and that Duke Energy Florida, Inc. will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such standard maintenance and operation. Such equipment is to include **50 - 100 watt 9500 lumen high pressure sodium decorative clermont** fixtures at **$25.40** per fixture, per month and **50 - 22 foot single decorative sanibel** poles at **$16.03** per pole, per month for a yearly rate of **$25,494.09**, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern and set the rates for Duke Energy Florida, Inc. for the services described herein. It is further understood by the County that Duke Energy Florida, Inc. may construct such streetlighting equipment only in those portions of the MSBU as may be necessary concurrent with the development of Lakeside Neighborhood and Thornhill, A Replat subdivisions and that the streetlighting district created herein will be operated only in such portions of the MSBU until such construction is completed in other portions of the MSBU; provided that if such construction is only to be in portions of such MSBU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board. After presentation and approval by the Board, it is understood and agreed between the County and the Developer that (if applicable) as Lakeside Neighborhood and Thornhill, A Replat subdivisions expand the additional Additions, Phases, Sections, Units and/or etc., as the case may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration. **It is further understood that the revised contract between the County and Duke Energy Florida, Inc. for Lakeside Neighborhood and Thornhill, A Replat subdivisions will not be effective until November 1, 2017.** Streetlights installed prior to this date are the responsibility of the developer and not the County. It is further understood that only 50 - 100 watt 9500 lumen high pressure sodium decorative clermont fixtures at $25.40 per fixture, per month and 50 - 22 foot single decorative sanibel poles at $16.03 per pole, per month are approved for this MSBU. Any additional streetlighting will be the responsibility of the developer.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSBU. This non-ad valorem assessment is levied for the first time as of **November 1, 2017** and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. The property owners within Lakeside Neighborhood and Thornhill, A Replat subdivisions shall pay any cost exceeding standard operating and maintenance expense as determined by the Board. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment, including the establishment and maintenance of an appropriate reserve for cash balance, is **$25,766.48** and the estimated annual charge to each individual freeholder is **$243.08**. Proceeds of collection of such assessments as provided hereinafter put into a special revenue fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

4. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plat(s) of Lakeside Neighborhood and Thornhill, A Replat subdivisions, Plat Book 89, Pages 97 and 98 for Lakeside Neighborhood and Plat Book 65, Pages 55 through 58 for Thornhill, A Replat, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district and appropriate reserves for cash balance for paying expenses, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax

Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to the Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by Duke Energy Florida, Inc., related administrative costs, and to the establishment and maintenance of an appropriate reserve for cash balance. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

5. The Board intends that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector as provided by Florida Law.

6. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU assessments.

7. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

8. The Board of County Commissioners shall be the governing board of said Municipal Service Benefit Unit.

9. This resolution which amends and restates the resolution recorded in Official Records as Document Instrument Number 20070728403, Book 09494, Pages 4567 through 4570, is controlling and supersedes the resolution recorded in Official Records as Document Instrument Number 20070728403, Book 09494, Pages 4567 through 4570, Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY: _____
ORANGE COUNTY MAYOR

DATE: _____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

**OFFICE OF COMPTROLLER** *INTEROFFICE MEMO*

**ORANGE COUNTY FLORIDA**

**Martha O. Haynie, CPA**
**County Comptroller**
Finance and Accounting Department
Special Assessments
P O Box 38
Orlando, FL 32802
Telephone: 407-836-5770
Fax: 407-836-5753

Date: March 7, 2017

To: Mayor Teresa Jacobs
and
Board of County Commissioners

From: Margaret A. McGarrity, Chief Deputy Comptroller

Contact: Ann Troutman, 407-836-5770

Subject: Public Hearings to Amend the Existing Municipal Service Benefit Unit (MSBU) for Maintenance of Retention Pond(s) and for Streetlighting

MSBU District: **Lakeview Pointe at Horizon West Area**

Applicant: Doug Hoffman
Pulte Group
Developer

District: Commissioner VanderLey, District 1

Report: The attached resolutions will amend the existing MSBU's for maintenance of retention ponds and streetlighting. The amendment will add the 104 lots of Lakeview Pointe at Horizon West Phase 2B subdivision. This will allow all of the 306 lots to be assessed for maintenance of retention ponds and streetlighting.

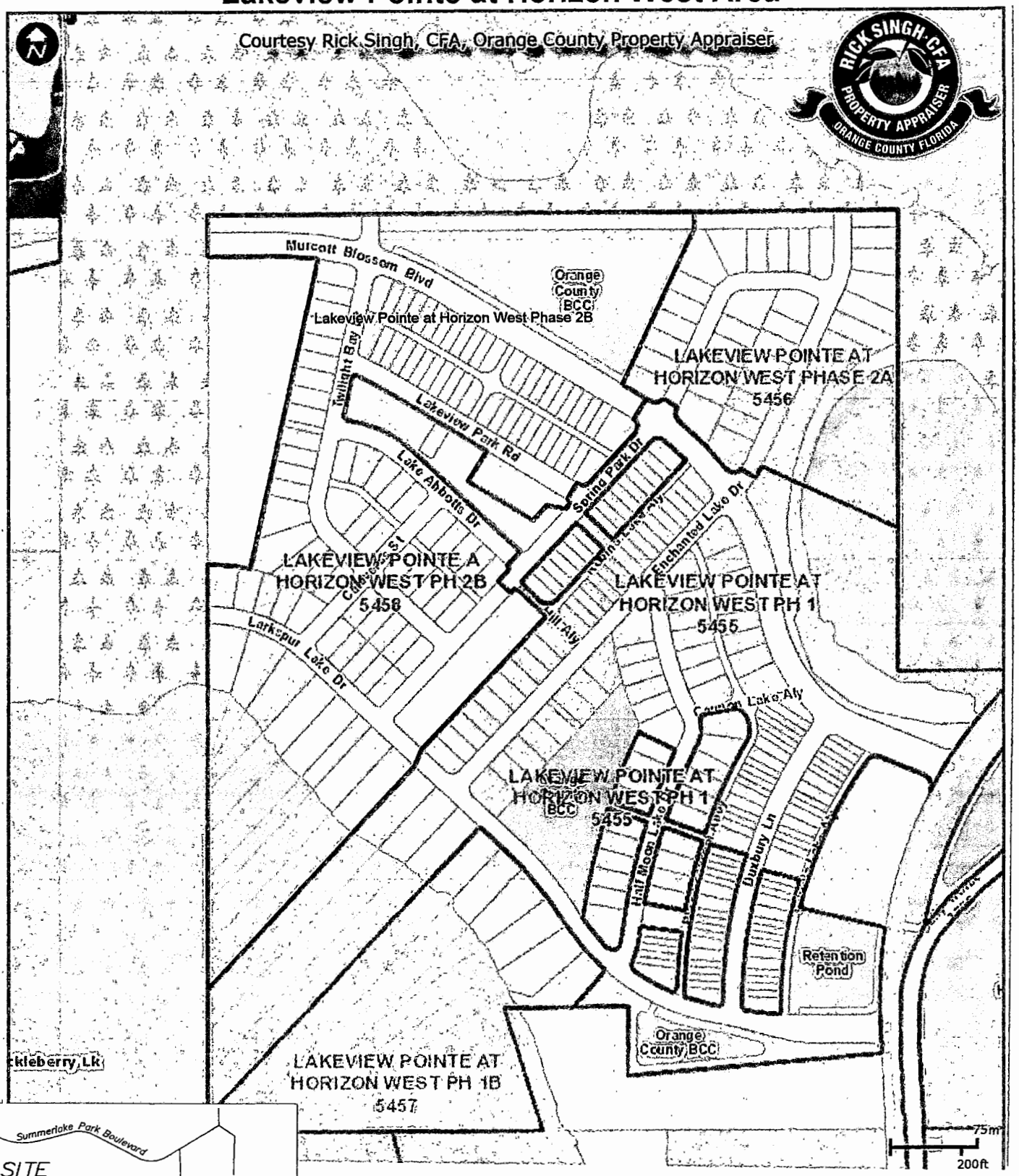
Retention Pond: The estimated assessment for the amending MSBU for maintenance of retention ponds is $78.00 per lot, per year. Last year's assessment was $77.00 per lot.

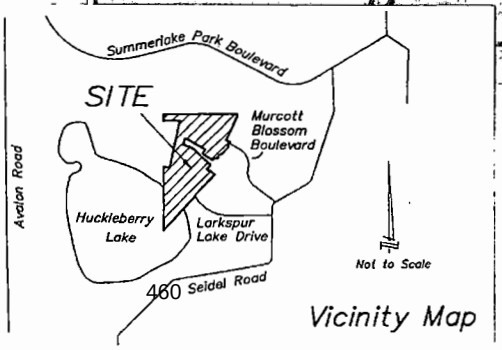
Streetlighting: The streetlighting inventory will consist of 124 - 100 watt decorative ocala (acorn) fixtures with 124 - 16 foot single decorative victorian concrete poles. The estimated assessment for the amending MSBU for streetlighting is $150.00 per lot, per year. Last year's assessment was $140.00 per lot.

Effective Date: The amending MSBU's would be effective November 1, 2017.

Action Requested: Approval of attached resolution for maintenance of retention ponds and approval of attached resolution for streetlighting.

# Lakeview Pointe at Horizon West Area



**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**AMENDING AND RESTATING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR MAINTENANCE OF**
**RETENTION PONDS**
**IN**

# Lakeview Pointe at Horizon West Area 11/2017

WHEREAS, Section 125.01 (01) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County; and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem special assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board") is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, by the Resolution dated April 5, 2016, the Board established the Lakeview Pointe at Horizon West Phases 1, 1B and 2A 11/2016 Municipal Service Benefit Unit (hereinafter known as the "MSBU") for maintenance of retention ponds (hereinafter known as the "Resolution)", said Resolution being recorded in Official Records as Document Instrument Number 20160189123, Public Records of Orange County, Florida; and

WHEREAS, the County has received a request, in writing, from Doug Hoffman (hereinafter known as the "Developer") of Pulte Group for the amendment of such Resolution to combine and include the subdivisions which are more fully described below as shown in Exhibit A and in that portion of the unincorporated area of Orange County; and

WHEREAS, the Board has determined that the amendment of the MSBU, the purpose of which is to combine and include the subdivisions which are more fully described below as shown in Exhibit A of this resolution to provide for maintenance of the county-dedicated retention ponds as requested by the Developer, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired, and in the public interest, and that the properties will be benefited, now and in the future, and that the MSBU should be amended,

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

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. The **Lakeview Pointe at Horizon West Phases 1, 1B and 2A 11/2016** Resolution for maintenance of retention ponds, which is recorded in Official Records as Document Instrument

***RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS***

Number **20160189118**, Public Records of Orange County, Florida, is hereby amended as the **Lakeview Pointe at Horizon West Area 11/2017** MSBU, subject to final adjustment and approval as provided in Section 197.3632, Florida Statutes. This MSBU is to combine and include said subdivisions, the boundaries of which appear on the recorded plats of **Lakeview Pointe at Horizon West Phase 1, Lakeview Pointe at Horizon West Phase 1B, Lakeview Pointe at Horizon West Phase 2A, and Lakeview Pointe at Horizon West Phase 2B** subdivisions, Plat Books, Pages, Sections, Townships, Ranges, and Lots as shown in **Exhibit A** of this resolution, Public Records of Orange County, Florida. The purpose of such MSBU is to provide for collection and disbursal by the County of such funds as may be necessary for the payment of administrative costs and appropriate reserves for cash balance and the minimum maintenance services to be performed on the retention ponds located on the Tracts as shown in **Exhibit B** of this resolution for **Lakeview Pointe at Horizon West Area** subdivisions as shown in Exhibit A of this resolution, which ponds have been dedicated to Orange County on the plats thereof and constructed in accordance with standards approved by the Orange County Public Works Division. The Developer understands that this MSBU is created solely for the purpose of maintaining the retention ponds located on the Tracts as shown in Exhibit B of this resolution for Lakeview Pointe at Horizon West Area subdivisions as shown in Exhibit A of this resolution, and that no other ponds or infrastructure improvements located within the Lakeview Pointe at Horizon West Area subdivisions as shown in Exhibit A of this resolution may be maintained, constructed, reconstructed, improved, or repaired with the non-ad valorem special assessments collected from this MSBU.

3. The County shall perform or cause to be performed minimum maintenance services in the retention pond areas as shown in Exhibit B of this resolution, which maintenance shall be limited to mowing, weed control, mosquito control, maintenance and repair of the structural integrity of control devices, and periodic major repairs and improvements to the retention ponds. Such maintenance shall not include curb and paved roadway maintenance and repair, signage maintenance and repair, or maintenance of or replacement of landscaping improvements. The County may subcontract with any party for the performance of the maintenance services described herein.

4. Upon completion of construction of the retention ponds and the placement of those ponds into operation, the Board shall determine the estimated non-ad valorem special assessment amount required to pay the expense of maintaining and operating the retention ponds in the MSBU. This non-ad valorem special assessment is levied for the first time as of **November 1, 2017**, and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the non-ad valorem special assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenues generated by the non-ad valorem special assessments. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem special assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem special assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available and a cash reserve for periodic major repairs and improvements to the retention ponds. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and

administer the MSBU hereby amended and the County will be reimbursed to such extent at such time as such non-ad valorem special assessments have been collected. The estimated annual cost of operating, maintaining, and administering the MSBU, including the establishment and maintenance of an appropriate reserve for cash balance, is **$23,868.00**, and the estimated annual non-ad valorem special assessment to each freeholder is **$78.00**. Proceeds of collection of such non-ad valorem special assessments as provided hereinafter are to be put into a special fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

5. Upon completion of construction of the retention ponds and the placement of those ponds into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be necessary to pay the estimated expense of the maintenance of the retention ponds and the administration of the MSBU. Such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount toward such maintenance. After the adoption of the non-ad valorem special assessment roll by the Board, the Property Appraiser shall extend the non-ad valorem special assessment upon the non-ad valorem special assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such non-ad valorem special assessment may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, the Board shall certify said non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs of having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, Section 197.3632, Florida Statutes, shall be used.

6. The Board intents that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the non-ad valorem special assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector, as provided by Florida Law. If a contract is signed between a subcontractor for maintenance service and Orange County, the effective date of enactment of the contract will coincide with the receipt of the collection of the MSBU non-ad valorem special assessments.

7. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU non-ad valorem special assessments.

8. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

9. It is understood and agreed between the County and the Developer that (if applicable) as the Lakeview Pointe at Horizon West Area subdivisions as shown in Exhibit A of this resolution expand, the additional Additions, Phases, Sections, Units, and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration.

10. The Board of County Commissioners shall be the governing board of this Municipal Service Benefit Unit.

11. This resolution which amends and restates the resolution recorded in Official Records as Document Instrument Number 20160189123, is controlling and supersedes the resolution recorded in Official Records as Document Instrument Number 20160189123 Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY:_____
ORANGE COUNTY MAYOR

DATE:_____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY:_____
DEPUTY CLERK

Lakeview Pointe at Horizon West Area
Subdivisions
Exhibit "A"

| Subdivisions | Plat Book / Page | Section Township Range Subcode | Lots / Blocks / Buildings / Tracts / Units | Lot Count |
|---|---|---|---|---|
| Lakeview Pointe at Horizon West Phase 1 | 85/100-108 | 33-23-27-5455<br>34-23-27 | Lots 1-88<br>Tracts FD-1 – FD-10<br>Future Development<br>Replatted-Phase 2A | 88<br>0 |
| Lakeview Pointe at Horizon West Phase 1B | 87/78-82 | 33-23-27-5457<br>34-23-27 | Lots 89-170 | 82 |
| Lakeview Pointe at Horizon West Phase 2A | 87/13-14 | 33-23-27<br>34-23-27-5456 | Lots 171-202 | 32 |
| | | | Total for 2016 | 202 |
| **Lakeview Pointe at Horizon West Phase 2B** | **89/45-49** | **33-23-27-5458<br>34-23-27** | **Lots 203-305<br>Tract FD 11<br>Future Development** | **103<br>1** |
| | | | **Total for 2017** | **306** |

Lakeview Pointe at Horizon West Area
Retention Ponds Tracts
Exhibit "B"

| Subdivisions | Plat Book / Page | Tracts | Lot Count |
|---|---|---|---|
| Lakeview Pointe at Horizon West Phase 1 | 85/100-108 | D-1<br>D-2<br>D-3<br>D-4 | 88 |
| Lakeview Pointe at Horizon West Phase 1B | 87/78-82 | N/A | 82 |
| Lakeview Pointe at Horizon West Phase 2A | 87/13-14 | N/A | 32 |
| | Total for 2016 | 4 | 202 |
| **Lakeview Pointe at Horizon West Phase 2B** | **89/45-49** | **D-5** | **104** |
| | **Total for 2017** | **5** | **306** |

**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**AMENDING AND RESTATING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR STREETLIGHTING**
**FOR**

# Lakeview Pointe at Horizon West Area 11/2017

WHEREAS, Section 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County, and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board"), is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, by the Resolution dated April 5, 2016, the Board established the Lakeview Pointe at Horizon West Phases 1, 1B and 2A 11/2016 Municipal Service Benefit Unit (hereinafter known as the "MSBU") for streetlighting (hereinafter known as the "Resolution"), said Resolution being recorded in Official Records as Document Instrument Number 20160189118, Public Records of Orange County, Florida; and

WHEREAS, the County has now received a request, in writing, from Doug Hoffman (hereinafter known as the "Developer") of Pulte Group for the amendment of such Resolution to combine and include the subdivisions which are more fully described below as shown in Exhibit A of this resolution and in that portion of the unincorporated area of Orange County and to increase the existing streetlighting inventory from 75 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures with 75 - 16 foot single decorative victorian concrete poles to 124 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures with 124 - 16 foot single decorative victorian concrete poles; and

WHEREAS, this Board has determined that the amendment and restatement of the existing MSBU, the purpose of which is to combine and include the subdivisions which are more fully described below as shown in Exhibit " of this resolution and to increase the existing streetlighting inventory as requested by the Developer, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired and in the public interest, and that the properties will be benefited, now and in the future, and that the existing MSBU should be amended and restated to combine said subdivisions as shown in Exhibit A of this resolution and to increase the existing streetlighting inventory; and

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

***RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS***

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. The **Lakeview Pointe at Horizon West Phases 1, 1B and 2A 11/2016** Resolution for streetlighting which is recorded in Official Records as Document Instrument Number **20160189118**, Public Records of Orange County, Florida, is hereby amended as the **Lakeview Pointe at Horizon West Area 11/2017** MSBU, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes. This MSBU is to combine and include said subdivisions, the boundaries of which appear on the recorded plats of **Lakeview Pointe at Horizon West Phase 1, Lakeview Pointe at Horizon West Phase 1B, Lakeview Pointe at Horizon West Phase 2A, and Lakeview Pointe at Horizon West Phase 2B** subdivisions, Plat Books, Pages, Sections, Townships, Ranges, and Lots as shown in **Exhibit A** of this resolution, Public Records of Orange County, Florida and to increase the streetlighting inventory which is more fully described below. The purpose of such MSBU is to provide for collection and disbursal by the County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSBU, including energy charges, streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, electrical services and current used in their operation, and for payment of administrative costs and appropriate reserves for cash balance. It is the understanding of the County that **Duke Energy Florida, Inc.** is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of Lakeview Pointe at Horizon West Area - Phase 2B subdivision(s) and that Duke Energy Florida, Inc. will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such standard maintenance and operation. Such equipment is to include **124 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn)** fixtures at **$13.18** per fixture, per month and **124 - 16 foot single decorative victorian concrete** poles at **$13.07** per pole, per month for a yearly rate of **$40,051.14**, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern and set the rates for Duke Energy Florida, Inc. for the services described herein. It is further understood by the County that Duke Energy Florida, Inc. may construct such streetlighting equipment only in those portions of the MSBU as may be necessary concurrent with the development of Lakeview Pointe at Horizon West Area - Phase 2B subdivision(s) and that the streetlighting district created herein will be operated only in such portions of the MSBU until such construction is completed in other portions of the MSBU; provided that if such construction is only to be in portions of such MSBU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board. After presentation and approval by the Board, it is understood and agreed between the County and the Developer that (if applicable) as Lakeview Pointe at Horizon West Area subdivisions as shown in Exhibit A of this resolution expand the additional Additions, Phases, Sections, Units and/or etc., as the case may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration. **It is further understood that the revised contract between the County and Duke Energy Florida, Inc. for Lakeview Pointe at Horizon West Area MSBU will not be effective until November 1, 2017.** Streetlights installed prior to this date are the responsibility of the developer and not the County. It is further understood that only 124 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures at $13.18 per fixture, per month and 124 - 16 foot single decorative victorian concrete poles at $13.07 per pole, per month are approved for this MSBU. Any additional streetlighting will be the responsibility of the developer.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment

amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSBU. This non-ad valorem assessment is levied for the first time as of **November 1, 2017** and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. The property owners within Lakeview Pointe at Horizon West Area MSBU shall pay any cost exceeding standard operating and maintenance expense as determined by the Board. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment, including the establishment and maintenance of an appropriate reserve for cash balance, is **$45,900.00** and the estimated annual charge to each individual freeholder is **$150.00**. Proceeds of collection of such assessments as provided hereinafter put into a special revenue fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

4. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plats of Lakeview Pointe at Horizon West Area subdivisions as shown in Exhibit A, Plat Book and Pages as shown in Exhibit A of this resolution, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district and appropriate reserves for cash balance for paying expenses, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all

respects the same as County ad valorem taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to the Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by Duke Energy Florida, Inc., related administrative costs, and to the establishment and maintenance of an appropriate reserve for cash balance. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

5. The Board intends that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector as provided by Florida Law.

6. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU assessments.

7. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

8. The Board of County Commissioners shall be the governing board of said Municipal Service Benefit Unit.

9. This resolution which amends and restates the resolution recorded in Official Records as Document Instrument Number 20160189118, is controlling and supersedes the resolution recorded in Official Records as Document Instrument Number 20160189118, Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2017
ORANGE COUNTY, FLORIDA

BY:_____
ORANGE COUNTY MAYOR

DATE:_____
ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY:_____
DEPUTY CLERK

Lakeview Pointe at Horizon West Area
Subdivisions
Exhibit "A"

| Subdivisions | Plat Book / Page | Section Township Range Subcode | Lots / Blocks / Buildings / Tracts / Units | Lot Count |
|---|---|---|---|---|
| Lakeview Pointe at Horizon West Phase 1 | 85/100-108 | 33-23-27-5455<br>34-23-27 | Lots 1-88<br>Tracts FD-1 – FD-10 Future Development Replatted-Phase 2A | 88<br>0 |
| Lakeview Pointe at Horizon West Phase 1B | 87/78-82 | 33-23-27-5457<br>34-23-27 | Lots 89-170 | 82 |
| Lakeview Pointe at Horizon West Phase 2A | 87/13-14 | 33-23-27<br>34-23-27-5456 | Lots 171-202 | 32 |
| | | | Total for 2016 | 202 |
| **Lakeview Pointe at Horizon West Phase 2B** | **89/45-49** | **33-23-27-5458<br>34-23-27** | **Lots 203-305<br>Tract FD 11<br>Future Development** | **103<br>1** |
| | | | **Total for 2017** | **306** |

Lakeview Pointe at Horizon West Area
Inventory
Exhibit "B"

| Subdivisions | Inventory |
|---|---|
| Phase 1 | 63 – 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures<br>63 – 16 foot single decorative victorian concrete poles |
| Phase 1B | 0 – 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures<br>0 – 16 foot single decorative victorian concrete poles |
| Phase 2A | 12 – 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures<br>12 – 16 foot single decorative victorian concrete poles |
| Phase 2B | 49 – 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures<br>49 – 16 foot single decorative victorian concrete poles |
| **Total Inventory** | **124 – 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures<br>124 – 16 foot single decorative victorian concrete poles** |

**OFFICE OF COMPTROLLER** *INTEROFFICE MEMO*

**ORANGE COUNTY FLORIDA**

**Phil Diamond, CPA**
**County Comptroller**
Finance and Accounting Department
Special Assessments
P O Box 38
Orlando, FL 32802
Telephone: 407-836-5770
Fax: 407-836-5753

Date: March 7, 2017

To: Mayor Teresa Jacobs
and
Board of County Commissioners

From: Margaret A. McGarrity, Chief Deputy Comptroller

Contact: Ann Troutman, 407-836-5770

Subject: Public Hearings to Amend the Existing Municipal Service Benefit Unit (MSBU) for Maintenance of Retention Ponds and for Streetlighting

MSBU District: **Mabel Bridge Area**

Applicant: Dan Edwards
KB Home Orlando LLC
Developer

District: Commissioner VanderLey, District 1

Report: The attached resolutions will amend the existing MSBU's for maintenance of retention ponds and streetlighting. The amendment will add the 14 lots of Mabel Bridge Phase 6 to the existing districts. This will allow all of the 252 lots to be assessed for maintenance of retention ponds and streetlighting.

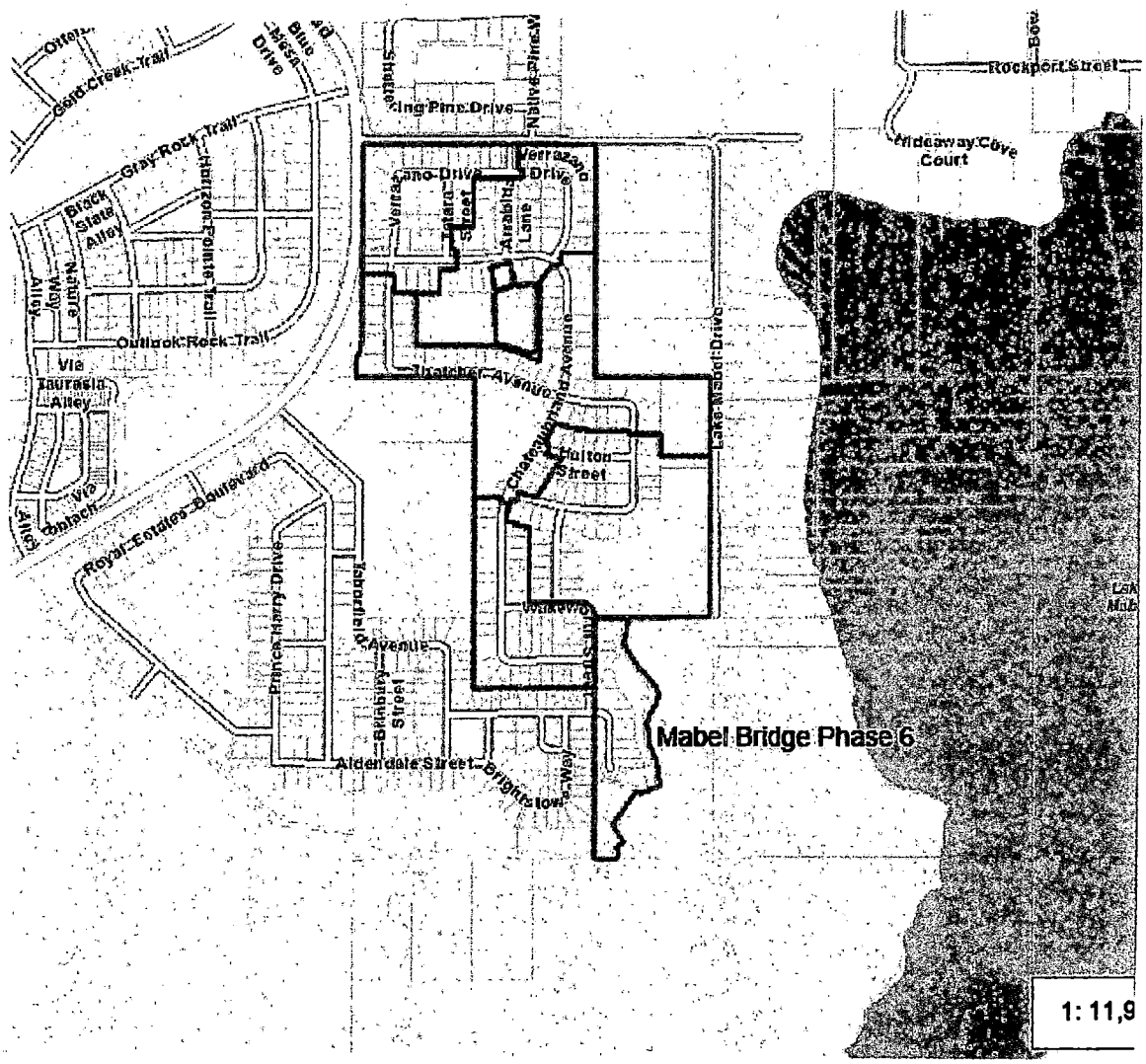
Retention Pond: The estimated assessment for the amending MSBU for maintenance of retention ponds is $78.00 per lot, per year. Last year's assessment was $77.00 per lot.

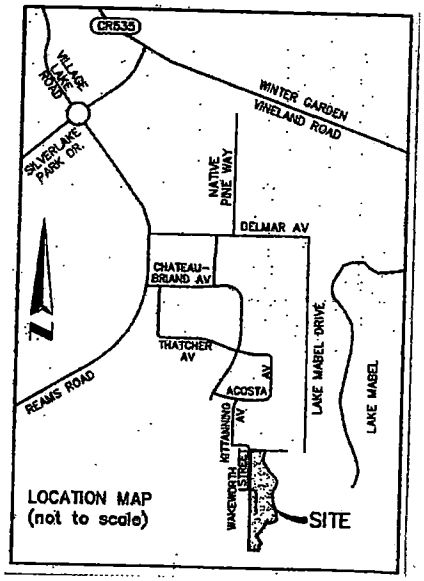
Streetlighting: The streetlighting inventory will consist of 99 - 100 watt decorative ocala (acorn) fixtures with 99 - 16 foot single decorative victorian concrete poles. The estimated assessment for the amending MSBU for streetlighting is $127.32 per lot, per year. Last year's assessment was $127.32 per lot.

Effective Date: The amending MSBU's would be effective November 1, 2017.

Action Requested: Approval of attached resolution for maintenance of retention ponds and approval of attached resolution for streetlighting.

# Mabel Bridge Area



**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**AMENDING AND RESTATING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR MAINTENANCE OF**
**RETENTION PONDS**
**IN**

# Mabel Bridge Area 11/2017

WHEREAS, Section 125.01 (01) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County; and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem special assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board") is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, by the Resolution dated April 8, 2014, the Board established the Mabel Bridge Area 11/2014 Municipal Service Benefit Unit (hereinafter known as the "MSBU") for maintenance of retention ponds (hereinafter known as the "Resolution)", said Resolution being recorded as Document Instrument Number 20140197100, Official Records Book 10733, Pages 5107 through 5111, Public Records of Orange County, Florida; and

WHEREAS, the County has received a request, in writing, from Dan Edwards (hereinafter known as the "Developer") of KB Home Orlando LLC for the amendment of such Resolution to combine and include the subdivisions which are more fully described in and as shown in Exhibit "A" of this resolution and in that portion of the unincorporated area of Orange County; and

WHEREAS, the Board has determined that the amendment of the MSBU, the purpose of which is to combine and include the subdivisions which are more fully described in and as shown in Exhibit "A" of this resolution to provide for maintenance of the county-dedicated retention ponds as requested by the Developer, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired, and in the public interest, and that the properties will be benefited, now and in the future, and that the MSBU should be amended,

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

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS

2. The **Mabel Bridge Area 11/2014** Resolution for maintenance of retention ponds, which is recorded as Document Instrument Number **20140197100**, Official Records Book **10733**, Pages **5107 through 5111**, Public Records of Orange County, Florida, is hereby amended as the **Mabel Bridge Area 11/2017** MSBU, subject to final adjustment and approval as provided in Section 197.3632, Florida Statutes. This MSBU is to combine and include said subdivisions as shown in **Exhibit "A"** of this resolution, the boundaries of which appear on the recorded plats of **Mabel Bridge** subdivisions, Plat Book, Pages, Sections, Townships, Ranges, and Lots as shown in **Exhibit "A"** of this resolution, Public Records of Orange County, Florida. The purpose of such MSBU is to provide for collection and disbursal by the County of such funds as may be necessary for the payment of administrative costs and appropriate reserves for cash balance and the minimum maintenance services to be performed on the retention ponds as shown in **Exhibit "B"** of this resolution, which ponds have been dedicated to Orange County on the plats thereof and constructed in accordance with standards approved by the Orange County Public Works Division. The Developer understands that this MSBU is created solely for the purpose of maintaining the retention ponds as shown in **Exhibit "B"** of this resolution and that no other ponds or infrastructure improvements located within the Mabel Bridge subdivisions as shown in Exhibit "A" of this resolution may be maintained, constructed, reconstructed, improved, or repaired with the non-ad valorem special assessments collected from this MSBU.

3. The County shall perform or cause to be performed minimum maintenance services in the retention pond areas, which maintenance shall be limited to mowing, weed control, mosquito control, maintenance and repair of the structural integrity of control devices, and periodic major repairs and improvements to the retention ponds. Such maintenance shall not include curb and paved roadway maintenance and repair, signage maintenance and repair, or maintenance of or replacement of landscaping improvements. The County may subcontract with any party for the performance of the maintenance services described herein.

4. Upon completion of construction of the retention ponds and the placement of those ponds into operation, the Board shall determine the estimated non-ad valorem special assessment amount required to pay the expense of maintaining and operating the retention ponds in the MSBU. This non-ad valorem special assessment is levied for the first time as of **November 1, 2017**, and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the non-ad valorem special assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenues generated by the non-ad valorem special assessments. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem special assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem special assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available and a cash reserve for periodic major repairs and improvements to the retention ponds. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby amended and the County will be reimbursed to such extent at such time as such non-ad valorem special assessments have been collected. The estimated annual cost of operating, maintaining, and administering the MSBU, including the establishment and maintenance of

an appropriate reserve for cash balance, is **$19,656.00**, and the estimated annual non-ad valorem special assessment to each freeholder is **$78.00**. Proceeds of collection of such non-ad valorem special assessments as provided hereinafter are to be put into a special fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

5. Upon completion of construction of the retention ponds and the placement of those ponds into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be necessary to pay the estimated expense of the maintenance of the retention ponds and the administration of the MSBU. Such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount toward such maintenance. After the adoption of the non-ad valorem special assessment roll by the Board, the Property Appraiser shall extend the non-ad valorem special assessment upon the non-ad valorem special assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such non-ad valorem special assessment may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, the Board shall certify said non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs of having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, Section 197.3632, Florida Statutes, shall be used.

6. The Board intents that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the non-ad valorem special assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector, as provided by Florida Law. If a contract is signed between a subcontractor for maintenance service and Orange County, the effective date of enactment of the contract will coincide with the receipt of the collection of the MSBU non-ad valorem special assessments.

7. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU non-ad valorem special assessments.

8. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected

property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

9. It is understood and agreed between the County and the Developer that (if applicable) as the Mabel Bridge subdivision expands, the additional Additions, Phases, Sections, Units, and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration.

10. The Board of County Commissioners shall be the governing board of this Municipal Service Benefit Unit.

11. This resolution which amends and restates the Resolution recorded as Document Instrument Number 20140197100, Official Records Book 10733, Pages 5107 through 5111, is controlling and supersedes the Resolution recorded as Document Instrument Number 20140197100, Official Records Book 10733, Pages 5107 through 5111, Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY:_____
ORANGE COUNTY MAYOR

DATE:_____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY:_____
DEPUTY CLERK

Mabel Bridge Area
Exhibit "A"
Subdivisions

| Subdivisions | Plat Book / Page | Section Township Range Subcode | Lots / Blocks / Buildings / Tracts / Units |
|---|---|---|---|
| Mabel Bridge | 75/33-35 | 31-23-28-5235 | Lots 1 through 41<br>Tract A Future Development Deleted and Replatted |
| Mabel Bridge Phase 2 – A Replat | 75/133-135 | 31-23-28-5236 | Lots 42 through 82 |
| Mabel Bridge Phase 3 – A Replat | 77/1-6 | 06-24-28-5115 | Lots 83 through 144 |
| Mabel Bridge Phase 4 – A Replat | 78/34-37 | 06-24-28-5116 | Lots 145 through 193 |
| Mabel Bridge Phase 5 – A Replat | 79/125-128 | 06-24-28-5117 | Lots 194 through 238 |
| **Mabel Bridge Phase 6** | **88/68-69** | **06-24-28-5118** | **Lots 1 through 14** |

Mabel Bridge Area
Exhibit "B"
Retention Ponds / Access Tract

| Subdivisions | Plat Book / Page | Section Township Range Subcode | Access/Retention Tracts |
|---|---|---|---|
| Mabel Bridge | 75/33-35 | 31-23-28-5235 | Tract "I"<br>Tract "M" – access tract to Tract "I" |
| Mabel Bridge Phase 2 – A Replat | 75/133-135 | 31-23-28-5236 | Tract "A" |
| Mabel Bridge Phase 3 – A Replat | 77/1-6 | 06-24-28-5115 | Tract "A" |
| Mabel Bridge Phase 4 – A Replat | 78/34-37 | 06-24-28-5116 | Tract "A" |

**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**AMENDING AND RESTATING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR STREETLIGHTING**
**FOR**

# Mabel Bridge Area 11/2017

WHEREAS, Section 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County, and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board"), is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, by the Resolution dated April 8, 2014, the Board established the Mabel Bridge Area 11/2014 Municipal Service Benefit Unit (hereinafter known as the "MSBU") for streetlighting (hereinafter known as the "Resolution"), said Resolution being recorded as Document Instrument Number 20140197125, Official Records Book 10733, Pages 5144 through 5148, Public Records of Orange County, Florida; and

WHEREAS, the County has now received a request, in writing, from Dan Edwards (hereinafter known as the "Developer") of KB Home Orlando LLC for the amendment of such Resolution to combine and include the subdivisions which are more fully described as shown in Exhibit "A" of this resolution that portion of the unincorporated area of Orange County and to increase the existing streetlighting inventory from 92 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures and 92 - 16 foot single decorative victorian concrete poles to 99 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures and 99 - 16 foot single decorative victorian concrete poles; and

WHEREAS, this Board has determined that the amendment and restatement of the existing MSBU, the purpose of which is to combine and include the subdivisions which are more fully described in and as shown in Exhibit "A" of this resolution and to increase the existing streetlighting inventory as requested by the Developer, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired and in the public interest, and that the properties will be benefited, now and in the future, and that the existing MSBU should be amended and restated to combine said subdivisions and to increase the existing streetlighting inventory; and

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

***RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS***

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. The **Mabel Bridge Area 11/2014** Resolution for streetlighting which is recorded as Document Instrument Number **20140197125**, Official Records Book **10733**, Pages **5144 through 5148**, Public Records of Orange County, Florida, is hereby amended as the **Mabel Bridge Area 11/2017** MSBU, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes. This MSBU is to combine and include said subdivisions, the boundaries of which appear on the recorded plats of **Mabel Bridge** subdivisions, Plat Books, Pages, Sections, Townships, Ranges, and Lots as shown in **Exhibit "A"** of this resolution, Public Records of Orange County, Florida and to increase the streetlighting inventory which is more fully described below. The purpose of such MSBU is to provide for collection and disbursal by the County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSBU, including energy charges, streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, electrical services and current used in their operation, and for payment of administrative costs and appropriate reserves for cash balance. It is the understanding of the County that **Duke Energy Florida, Inc.** is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of Mabel Bridge subdivisions as shown in Exhibit "A" of this resolution and that Duke Energy Florida, Inc. will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such standard maintenance and operation. Such equipment is to include **99 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn)** fixtures at **$13.18** per fixture, per month and **99 - 16 foot single decorative victorian concrete** poles at **$13.07** per pole, per month for a yearly rate of **$31, 979.26**, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern and set the rates for Duke Energy Florida, Inc. for the services described herein. It is further understood by the County that Duke Energy Florida, Inc. may construct such streetlighting equipment only in those portions of the MSBU as may be necessary concurrent with the development of Mabel Bridge subdivisions as shown in Exhibit "A" of this resolution and that the streetlighting district created herein will be operated only in such portions of the MSBU until such construction is completed in other portions of the MSBU; provided that if such construction is only to be in portions of such MSBU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board. After presentation and approval by the Board, it is understood and agreed between the County and the Developer that (if applicable) as Mabel Bridge subdivisions expand the additional Additions, Phases, Sections, Units and/or etc., as the case may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration. **It is further understood that the revised contract between the County and Duke Energy Florida, Inc. for Mabel Bridge subdivisions as shown in Exhibit "A" of this resolution will not be effective until November 1, 2017**. Streetlights installed prior to this date are the responsibility of the developer and not the County. It is further understood that only 99 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures at $13.18 per fixture, per month and 99 - 16 foot single decorative victorian concrete poles at $13.07 per pole, per month are approved for this MSBU. Any additional streetlighting will be the responsibility of the developer.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSBU. This non-ad valorem assessment is levied for the first time as of

**November 1, 2017** and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. The property owners within Mabel Bridge subdivisions as shown in Exhibit "A" of this resolution shall pay any cost exceeding standard operating and maintenance expense as determined by the Board. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment, including the establishment and maintenance of an appropriate reserve for cash balance, is **$32,084.64** and the estimated annual charge to each individual freeholder is **$127.32**. Proceeds of collection of such assessments as provided hereinafter put into a special revenue fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

4. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plats of Mabel Bridge subdivisions, Plat Books, and Pages as shown in Exhibit "A" of this resolution, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district and appropriate reserves for cash balance for paying expenses, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to the Board,

who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by Duke Energy Florida, Inc., related administrative costs, and to the establishment and maintenance of an appropriate reserve for cash balance. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

5. The Board intends that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector as provided by Florida Law.

6. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU assessments.

7. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

8. The Board of County Commissioners shall be the governing board of said Municipal Service Benefit Unit.

9. This resolution which amends and restates the Resolution recorded as Document Instrument Number 20140197125, Official Records Book 10733, Pages 5144 through 5148, is controlling and supersedes the Resolution recorded As Document Instrument Number 20140197125, Official Records Book 10733, Pages 5144 through 5148, Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY: _____
ORANGE COUNTY MAYOR

DATE: _____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

Mabel Bridge Area
Exhibit "A"

| Subdivisions | Plat Book / Page | Section Township Range Subcode | Lots / Blocks / Buildings / Tracts / Units |
|---|---|---|---|
| Mabel Bridge | 75/33-35 | 31-23-28-5235 | Lots 1 through 41<br>Tract A Future Development Deleted and Replatted |
| Mabel Bridge Phase 2 – A Replat | 75/133-135 | 31-23-28-5236 | Lots 42 through 82 |
| Mabel Bridge Phase 3 – A Replat | 77/1-6 | 06-24-28-5115 | Lots 83 through 144 |
| Mabel Bridge Phase 4 – A Replat | 78/34-37 | 06-24-28-5116 | Lots 145 through 193 |
| Mabel Bridge Phase 5 – A Replat | 79/125-128 | 06-24-28-5117 | Lots 194 through 238 |
| **Mabel Bridge Phase 6** | **88/68-69** | **06-24-28-5118** | **Lots 1 through 14** |

**OFFICE OF COMPTROLLER** *INTEROFFICE MEMO*

**ORANGE COUNTY FLORIDA**

**Phil Diamond, CPA**
**County Comptroller**
Finance and Accounting Department
Special Assessments
P O Box 38
Orlando, FL 32802
Telephone: 407-836-5770
Fax: 407-836-5753

Date: March 7, 2017

To: Mayor Teresa Jacobs
and
Board of County Commissioners

From: Margaret A. McGarrity, Chief Deputy Comptroller

Contact: Ann Troutman, 407-836-5770

Re: Public Hearing to Amend the Existing Municipal Service Benefit Unit (MSBU) for Streetlighting

MSBU District: **Orangewood / Westwood Area**

Applicant: Richard R. Haley Oasis at Grande Pines
Picerne Development Corporation of Florida

Jonathan Grebow Westwood Reserve at Grande Pines
Bainbridge Grande Pines and
Ridgewood Real Estate Partners
Developers

District: Commissioner VanderLey, District 1

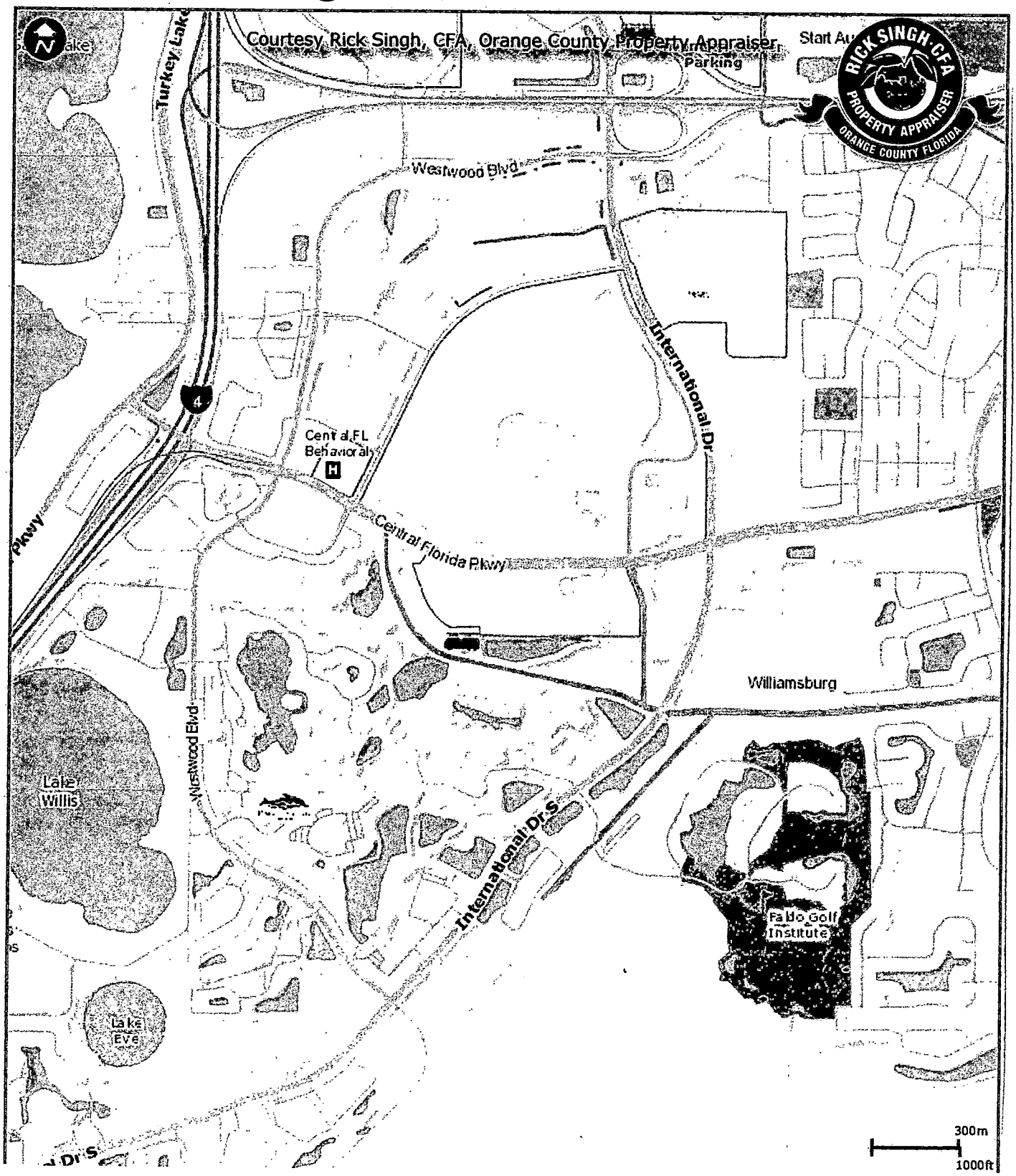
Report: The attached resolution will amend the existing MSBU. The amendment will add Oasis at Grande Pines, Westwood Reserve at Grande Pines and Bainbridge Grande Pines subdivisions and update the exhibit table from the previous amendment prepared for November 2008. This will allow all of the parcels to be assessed for streetlighting.

Streetlighting: The streetlighting inventory will consist of 56 – 100 watt single decorative ocala (acorn) fixtures, 76 – 250 watt single standard grey roadway fixtures, 337 – 250 watt 27,500 HPS single shoebox fixtures, 1 – 213 watt LED standard roadway fixture 56 – 16 foot single decorative victorian concrete poles, 32 – 30/35 foot single standard concrete poles, 171 – 41 foot single bronze fiber glass poles, 1 – 40 foot single fiber glass pole, 129 – 16 foot single decorative fluted fiber glass poles. The estimated assessment for the amending MSBU for streetlighting is $214.00 per acre, per year. Last year's assessment was $207.00 per acre.

Effective Date: The amending MSBU would be effective November 1, 2017.

Action Requested: Approval of attached resolution.

# Orangewood / Westwood Area



**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**AMENDING AND RESTATING A**
**MUNICIPAL SERVICE BENEFIT UNIT FOR**
**STREETLIGHTING FOR**

# Orangewood / Westwood Area 11/2017

WHEREAS, Section 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as "MSBU") for any part of the unincorporated areas of Orange County; and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board"), is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter and,

WHEREAS, by the Resolution dated February 19, 2008, the Board established the amending Orangewood / Westwood Area 11/2008 Municipal Service Benefit Unit (hereinafter known as the "MSBU") for streetlighting (hereinafter known as the "Resolution"), said Resolution being recorded as Document Instrument Number 20080124200 in Official Records Book 09612, Pages 2084 through 2090, Public Records of Orange County, Florida; and

WHEREAS, the Board has now received a request, from Richard Haley with Picerne Development Corporation of Florida for Oasis at Grand Pines, Jonathan Grebow (hereinafter known as the "Developer") with Ridgewood Real Estate Partners for Westwood Reserve at Grande Pines and Jonathan Grebow (hereinafter known as the "Developer") with Ridgewood Real Estate Partners for Bainbridge Grande Pines for the amendment of said Resolution to include the condominiums and subdivisions, which are more fully described as shown in "Exhibit "A" of this resolution and metes and bounds parcel identification numbers which are more fully described as shown in "Exhibit "B" of this resolution and in that portion of unincorporated Orange County, to adjust the existing streetlighting inventory as more fully described as shown in Exhibit "C" of this resolution to the revised streetlighting inventory more fully described as shown in Exhibit "D" of this resolution, and

WHEREAS, this Board has determined that the amendment of the MSBU, the purpose of which is to include the condominiums and subdivisions, which are more fully described as shown in "Exhibit "A" of this resolution and metes and bounds parcel identification numbers which are more fully described as shown in "Exhibit "B" of this resolution, to adjust the existing streetlighting inventory which is more fully described as shown in Exhibit "C" of this resolution and the revised streetlighting inventory which is more fully described as shown in Exhibit "D" of this resolution as requested by the Developer, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired and in the public

***RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS***

interest, and that properties within Orangewood / Westwood Area MSBU will be benefited, now and in the future, and that the MSBU should be amended.

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

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution. The **Orangewood / Westwood Area 11/2008** Resolution for streetlighting, which is recorded as Document Instrument Number **20080124200** in Official Records Book **09612**, Pages **2084 through 2090**, Public Records of Orange County, Florida, is hereby amended as the **Orangewood / Westwood Area MSBU 11/2017**, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes. This MSBU is to include said condominiums and subdivisions, the boundaries of which are more fully described as shown in "Exhibit "A" of this resolution and metes and bounds properties and property legal description parcel identification numbers which are more fully described as shown in "Exhibit "B" of this resolution on numbers which includes parts of Sections **11, 12 13, and 14**, Township **24**, Range **28**, and parts of Sections **7 and 18**, Township **24**, Range **29**, Public Records of Orange County, Florida. The purpose of such MSBU is to provide for collection and disbursal by the County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSBU, including energy charges, streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, electrical services and current used in their operation, and for payment of administrative costs and appropriate reserves for cash balance. It is the understanding of the County that **Duke Energy Florida, Inc.** is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of Orangewood / Westwood Area MSBU and that the Duke Energy Florida, Inc. will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such maintenance and operation. Such equipment is to include **56 – 100 watt 9500 lumen high pressure sodium single decorative ocala (acorn)** fixtures at **$13.20** per fixture, per month, **76 – 250 watt 27,500 lumen high pressure sodium single standard grey roadway** fixtures at **$11.61** per fixture, per month, **337 – 250 watt 27,500 lumen high pressure sodium single shoebox** fixtures at **$19.56** per fixture, per month, **1 – 213 watt LED (light emitting diode) standard roadway** fixture at **$25.94** per fixture, per month, **56 – 16 foot single decorative victorian concrete** poles at **$13.07** per pole, per month, **32 – 30/35 foot single standard concrete** poles at **$5.05** per pole, per month, **171 – 41 foot single bronze fiber glass** poles at **$17.18** per pole, per month, **1 – 40 foot single fiber glass** pole at **$31.54** per pole, per month and **129 – 16 foot single decorative fluted fiber glass** poles at **$19.78** per pole, per month for a yearly rate of **$180,254.90**, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern and set the rates for the Duke Energy Florida, Inc. for the services described herein. It is further understood by the County that the Duke Energy Florida, Inc. may construct such streetlighting equipment only in those portions of the MSBU as may be necessary concurrent with the development of Orangewood / Westwood Area MSBU and that the streetlighting district created herein will be operated only in such portions of the MSBU until such construction is completed in other portions of the MSBU; provided that if such construction is only to be in portions of such MSBU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board. After presentation and approval by the Board, it is understood and agreed between the County and the Developer that (if applicable) as Orangewood / Westwood Area MSBU expands the additional Additions, Phases, Sections, Units and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an

appropriate amendatory resolution to the Board for consideration. **It is further understood that the current inventory between the County and Duke Energy Florida, Inc. for Orangewood / Westwood Area 2008 MSBU remains the same and will be effective upon approval of this resolution**. Streetlights installed prior to this date are the responsibility of the developer and not the County. It is further understood that only **56 – 100 watt 9500 lumen high pressure sodium single decorative ocala (acorn)** fixtures at **$13.20** per fixture, per month, **76 – 250 watt 27,500 lumen high pressure sodium single standard grey roadway** fixtures at **$11.61** per fixture, per month, **337 – 250 watt 27,500 lumen high pressure sodium single shoebox** fixtures at **$19.56** per fixture, per month, **1 – 213 watt LED (light emitting diode) standard roadway** fixture at **$25.94** per fixture, per month, **56 – 16 foot single decorative victorian concrete** poles at **$13.07** per pole, per month, **32 – 30/35 foot single standard concrete** poles at **$5.05** per pole, per month, **171 – 41 foot single bronze fiber glass** poles at **$17.18** per pole, per month, **1 – 40 foot single fiber glass** pole at **$31.54** per pole, per month and **129 – 16 foot single decorative fluted fiber glass** poles at **$19.78** per pole, per month are approved for this MSBU. Any additional streetlighting will be the responsibility of the developer.

2. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSBU. This non-ad valorem assessment is levied **November 1, 2017** and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated, by the assessment. The property owners within the Orangewood / Westwood Area MSBU shall pay any cost exceeding standard operating and maintenance expense as determined by the Board. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain and administer the MSBU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment, including the establishment and maintenance of an appropriate reserve for cash balance, is **$212,606.86** and the estimated annual charge to each individual freeholder is **$214.00 per acre**. Proceeds of collection of such assessments as provided hereinafter put into a special revenue fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment

upon such lots or parcels as may be owned by individual freeholders, according to the recorded condominiums and subdivisions, which are more fully described as shown in "Exhibit "A" of this resolution and metes and bounds parcel identification numbers which are more fully described as shown in "Exhibit "B" of this resolution of the Orangewood / Westwood Area MSBU, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district and appropriate reserves for cash balance for paying expenses, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties and be treated in all respects the same as County ad valorem taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to said Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by Duke Energy Florida, Inc., related administrative costs, and to the establishment and maintenance of an appropriate reserve for cash balance. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

4. The Board intends that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector, as provided by Florida Law.

5. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU assessments.

6. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice,

however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County four times preceding the public hearing.

7. The Board of County Commissioners shall be the governing Board of said Municipal Service Benefit Unit.

8 This resolution which amends and restates the resolution recorded in Document Instrument Number 20080124200 in Official Records Book 09612, Pages 2084 through 2090, is controlling and supersedes the resolution recorded in in Document Instrument Number 20080124200 in Official Records Book 09612; Pages 2084 through 2090, Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY:_____
ORANGE COUNTY CHAIRMAN

DATE:_____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY:_____
DEPUTY CLERK

Orangewood / Westwood Area MSBU
Exhibit "A" Subdivisions - Condominiums

| Subdivision Name | Section Township Range Subcode | Plat Book / Page | Lot Numbers | Number of Parcels | Number of Acres |
|---|---|---|---|---|---|
| ILH Interchange Center | 11-24-28-3829 | 27/96 | Lots 1 through 3 | 8 | 40.07 |
| H B J Headquarters | 12-24-28-3275 | 29/19 | All tracts and lots | 1 | 14.23 |
| H B J Place | 12-24-28-3461 | 27/64 | Lot 1 | 1 | 5.56 |
| Orlando Vacation Suites<br>Phase 1<br>Phase 2<br>12-24-28-6422-99-999 | 12-24-28-6422 | <br>23/58 CB*<br>23/80 CB* | Commercial Units<br>34 Timeshares<br>37 Timeshares | 3<br>1 | 15.62 |

Orangewood / Westwood Area MSBU
Exhibit "A" Subdivisions - Condominiums

| Subdivision Name | Section Township Range Subcode | Plat Book / Page | Lot Numbers | Number of Parcels | Number of Acres |
|---|---|---|---|---|---|
| Park Center | 12-24-28-6652 | 9/62 | Lot 1 | 1 | 28.56 |
| Sea World Theme Park | 12-24-28-7874 | 27/93 | Lot 1 and 2 | 3 | 215.77 |
| Westwood Park Center | 12-24-28-9243 | 25/94 | Lot 1 through 3 | 3 | 6.59 |
| Westwood Unit 2 | 12-24-28-9247 | 27/73 | Lot 1 | 1 | 33.00 |
| Westwood Unit 3 | 12-24-28-9249 | 27/75 | Lot 1 | 4 | 23.63 |
| Westwood Unit 4 | 12-24-28-9251 | 27/77 | Lot 1 | 1 | 4.34 |
| Westwood Extended Stay America | 12-24-28-9252 | 39/68 | Lot 1 | 1 | 2.73 |
| Westwood Studio Plus | 12-24-28-9254 | 43/89 | Lot 1 | 1 | 2.28 |
| Westwood | 12-24-28-9655 | 20/132-133 | Lot 1 and 2 | 6 | 52.11 |
| Cypress Harbour Condominiums Phase 1 through Phase 25 13-24-28-1877-99-9999 | 13-24-28-1877 | 4263/0404 ORB~ | 511 Units | 1 | 43.80 |
| Lexington Place Condominium 14.55 acres divided by 259 units 259 Parcels at .06 acres | 13-24-28-4903 | 8687/2025 ORB~ | All Units | 259 | 15.54 |
| Orangewood Neighborhood 2 | 13-24-28-6283 | 17/81-87 | Parcels 2 through 16 | 30 | 191.29 |
| Orlando Vacation Suites 2 Phase 1 through Phase 9 13-24-28-6424-99-999 | 13-24-28-6424 | 5196/0632 ORB~ | 48 Units | 1 | 16.54 |
| Parc Corniche Condo 10.98 acres divided by 134 units 134 Parcels at .08 acres | 13-24-28-6649 | 16/94 CB* | All Units | 134 | 10.72 |
| Parc Corniche Condo Phase 2 4.76 acres divided by 86 units 84 Parcels at .06 acres | 13-24-28-6655 | 16/138 CB* | All Units | 84 | 5.04 |
| RVS at Orlando Phase 1 through Phase 4 13-24-28-7775-99-999 | 13-24-28-7775 | 5283/4636 ORB~ | 18 Units | 1 | 5.48 |
| RVS at Orlando 2 Timeshare 13-24-28-7781-99-999 | 13-24-28-7781 | 6434/8307 ORB~ | 42 Units | 1 | 1.87 |
| International Commercial Center Not assessed 29.12 Acres BCC | 07-24-29-3847 | 29/113 | Lot 1 | 1 | 0 |
| Shadow Wood | 07-24-29-7959 | 27/71 | Lots 1 and 2 | 10 | 104.58 |
| Orangewood Cove | 18-24-29-6275 | 68/40 | Lot 1 | 1 | 7.41 |
| Orangewood Center | 18-24-29-6277 | 32/95 | Lots 1 and 3 | 2 | 3.81 |
| Orangewood Center Phase 2 | 18-24-29-6279 | 33/88 | Lots 4 and 5 | 2 | 3.64 |
| **Oasis at Grande Pines** | **13-24-28-6195** | **89/59-60** | **Lot 1** | **1** | **16.44** |
| **Westwood Reserve at Grande Pines** | **13-24-28-9253** | **90/2** | **Lot 1** | **1** | **11.92** |
| **Bainbridge Grande Pines** | **13-24-28-0530** | **90/43-47** | **Lots 1 and 2** | **2** | **27.49** |
| | | | | **568** | **910.06** |
| Parcels – Exhibit "B" | | | | 14 | 83.43 |
| | | | **Totals 2017** | **582** | **993.49** |

* CB – Condominium Book
~ Official Records Book / Page(s)

Orangewood / Westwood Area MSBU
Exhibit "B" Parcel Identification Numbers

| Parcel ID Number | Number of Acres | Legal Description |
|---|---|---|
| 12-24-28-0000-00-001 | 3.75 | BEG AT SW COR WESTWOOD BLVD PHASE 2 PB 13/79 RUN ELY 73.34 S 82 DEG E 97.5 FT ELY 132.31 FT S 2 DEG E 269.58 FT N 87 DEG W 600 FT S 34 DEG W 60 FT N 17 DEG W 325.62 FT ELY 29.86 FT ELY 220.6 FT TO POB IN SEC 12-24-28 |
| 12-24-28-0000-00-010 | 27.40 | BEG INT OF WLY LINE OF SEA HARBOR DR WITH ELY EXTENSION OF NLY R/W OF STARWAY DR RUN N 25 DEG E 1033.03 FT NELY 229.98 FT N 64 DEG W 841.06 FT N 83 DEG W 441.07 FT S 10 DEG W 572.22 FT S 70 DEG E 346.4 FT S 19 DEG W 601.97 FT TO NLY R/W STARWAY DR S 63 DEG E 687 FT TO POB IN SEC 12-24-28 SEE 2845/245 & 3868/253 |
| 12-24-28-0000-00-016 | 7.27 | FROM NE COR OF SEC RUN W 621.34 FT S 109.01 FT W 750.64 FT FOR POB TH RUN S 481.88 FT S 74 DEG W 213.42 FT N 200 FT W 34 FT N 22 FT W 166 FT N S 271.14 FT WLY 361 FT N 611.29 FT E 765 FT TO POB (LESS BEG 1778.13 FT W & 695.27 FT S & SWLY 54.90 FT OF NE COR OF SEC TH RUN S 80 DEG W 56.59 FT SWLY 249.51 FT N 230 FT E 304.85 FT S 214.85 FT TO POB) SEC 12-24-28 |
| 12-24-28-0000-00-020 | 1.12 | FROM NE COR OF SEC RUN W 621.34 FT S 109.01 FT W 1156.79 FT S 315.12 FT FOR POB TH RUN E 166 FT S 22 FT E 34 FT S 200 FT TO NLY R/W WESTWOOD BLVD S 76 DEG W 76.81 FT WLY 129.2 FT N 271.14 FT TO POB IN SEC 12-24-28 |
| 12-24-28-0000-00-022 | 16.00 | BEG AT NW COR LOT 1 WESTWOOD UNIT 1 PB 5/133 RUN W 37.5 FT NLY 318 FT E 432.19 FT N 319.33 FT E 587.47 FT SLY 473.97 FT S 10 DEG W 598.24 FT S 87 DEG W 287.32 FT N 28 DEG W 523.72 FT W 330 FT TO POB IN SEC 12-24-28 |
| 12-24-28-0000-00-023 | 7.29 | COMM NE COR SEC 12 RUN W 621.34 FT TH S 109.01 FT FOR POB TH S 406.29 FT W 250 FT SWLY ALONG CURVE 434.59 FT S 74 DEG W 73.50 FT N 481.88 FT TH E 750.64 FT TO POB SEC 12-24-28 |
| 12-24-28-0000-00-028 | 7.14 | BEG 206.5 FT S 25 DEG W OF THE INT OF WLY R/W LINE OF SEA HARBOR DR & SLY R/W LINE OF ACADEMIC DR RUN S 25 DEG W 560.17 FT SWLY & NWLY ALONG CURVE 57.79 FT N 59 DEG W 216.38 FT NWLY 285.97 FT N 26 DEG E 582.57 FT S 63 DEG E 527.01 FT TO POB |
| 12-24-28-0000-00-030 | 4.14 | BEG 687 FT N 63 DEG W OF INT WLY R/W SEA HARBOR DR & NLY R/W ACADEMIC DR RUN N 19 DEG E 601.97 FT N 70 DEG W 346.4 FT S 10 DEG W 572.07 FT SELY 80.45 FT ELY 204.35 FT TO POB IN SEC 12-24-28 |
| 12-24-28-0000-00-038 | 1.07 | FROM SW COR OF WESTWOOD BLVD PHASE II PB 13/79 RUN ELY 73.34 FT E 97.5 FT ELY 132.31 FT FOR A POB TH ELY 40.03 FT S 271.08 FT S 14 DEG E 440 FT W 80.75 FT N 14 DEG W 454.16 FT E 43.86 FT N 269.58 FT TO POB IN SEC 12-24-28 |
| 12-24-28-0000-00-039 Not Assessed 10.60 Acres $106 value | 0.00 | FROM SW COR OF SEC 12-24-28 OF WESTWOOD BLVD R/W PHASE 1 PB 10/69 RUN S 74 DEG W 142.02 FT S 81 DEG W 223.31 FT SWLY 178.34 FT S 271.08 FT FOR A POB TH S 14 DEG E 440 FT S83-20-00W 204.01 FT S06-40-00E 105 FT W 200.73 FT S 47 DEG W 420.14 FT N 44 DEG W 213.95 FT N 685 FT N 34 DEG E 60 FT E 640 FT TO POB (LESS ELY 80 FT) |
| 12-24-28-0000-00-044 | 3.25 | COMM AT SE COR OF LOT 2 OF WESTWOOD SUB 20/132 RUN S TO S LINE OF R/W OF WESTWOOD BLVD TH S 17 DEG W 325.62 FT S 6 DEG W 685 FT S 44 DEG E 30 FT S 45 DEG W 402.95 FT FOR POB TH SWLY 50.87 FT S 19 DEG W 259.5 FT N 83 DEG W 441.07 FT NLY 298.4 FT S 83 DEG W 533.2 FT TO POB SEC 12-24-28 |
| 13-24-28-5844-01-170 | 5.00 | WILLIS R MUNGERS LAND SUB E/22 LOT 117 |

Orangewood / Westwood Area MSBU
Exhibit "B" Parcel Identification Numbers

| Parcel ID Number | Number of Acres | Legal Description |
|---|---|---|
| 07-24-29-5844-00-013 Not assessed 4.19 Acres BCC | 0.00 | WILLIS R MUNGERS LAND SUB E/22 FROM A PT 1313.57 FT E OF NW COR OF SEC 07-24-29 RUN S 455.19 FT FOR POB TH RUN S 223.5 FT W 218.33 FT N 223.5 FT E 218.33 FT TO POB & IN INTERNATIONAL COMMERCIAL CENTER 29/113 BEG AT THE NE COR OF LOT 1 RUN S 372.09 FT W 227.52 FT N 223.50 FT W 218.33 FT S 223.50 FT W 54.01 FT N 428.59 FT TO THE SLY R/W LINE OF BEELINE EXPY ELY ALONG CURVE 155.63 FT THN RUN SLY & ELY ALONG CURVE 419.39 FT N 43 DEG E 5.78 FT NELY 36.73 FT E 0.24 FT TO POB |
| 07-24-29-5844-00-200 Not assessed 2.28 Acres Duke Energy | 0.00 | WILLIS R MUNGERS LAND SUB E/22 FROM NW COR OF SEC 7-24-29 RUN E 1313.57 FT S 1008.34 FT FOR A POB TH S 319 FT W 311.82 FT N 318.99 FT E 310.28 FT TO POB |

Orangewood / Westwood Area
Exhibit "C" – Existing Inventory

| Quantity | Description | Per Unit, Per Month |
|---|---|---|
| 56 | 100 watt 9500 LHPS^ decorative ocala (acorn) fixture | 13.20 |
| 76 | 250 watt 27,500 LHPS^ standard grey roadway fixture | 11.61 |
| 338 | 250 watt 27,500 LHPS^ shoebox fixture | 19.56 |
| 56 | 16 foot decorative single victorian concrete poles | 13.07 |
| 32 | 30/35 foot single standard concrete poles | 5.05 |
| 172 | 41 foot bronze single fiber glass poles | 17.18 |
| 129 | 16 foot decorative single fluted fiber glass poles | 19.78 |
| 1 | 40 foot fiber glass pole | 31.54 |

^ lumen high pressure sodium

Orangewood / Westwood Area
Exhibit "D" – Revised Inventory

| Quantity | Description | Per Unit, Per Month |
|---|---|---|
| 56 | 100 watt 9500 LHPS^ decorative ocala (acorn) fixture | 13.20 |
| 76 | 250 watt 27,500 LHPS^ standard grey roadway fixture | 11.61 |
| 337 | 250 watt 27,500 LHPS^ shoebox fixture | 19.56 |
| 1 | 213 watt LED (light emitting diode) bronze shoebox fixture | 25.94 |
| 56 | 16 foot decorative single victorian concrete poles | 13.07 |
| 32 | 30/35 foot single standard concrete poles | 5.05 |
| 171 | 41 foot single bronze fiber glass poles | 17.18 |
| 129 | 16 foot single decorative fluted fiber glass poles | 19.78 |
| 1 | 40 foot fiber glass pole | 31.54 |

^ lumen high pressure sodium

**OFFICE OF COMPTROLLER** *INTEROFFICE MEMO*

**ORANGE COUNTY FLORIDA**

**Phil Diamond, CPA**
**County Comptroller**
Finance and Accounting Department
Special Assessments
P O Box 38
Orlando, FL 32802
Telephone: 407-836-5770
Fax: 407-836-5753

Date: March 7, 2017

To: Mayor Teresa Jacobs
and
Board of County Commissioners

From: Margaret A. McGarrity, Chief Deputy Comptroller

Contact: Ann Troutman, 407-836-5770

Subject: Public Hearing to Establish a Municipal Service Benefit Unit (MSBU) for Maintenance of Retention Ponds and for Streetlighting

MSBU District: **Royal Vista**

Applicant: Grace L. Shih, President
Union Park Holding, LLC
Developer

District: Commissioner Bonilla, District 5

Report: The attached resolution will establish a MSBU for maintenance of retention ponds and a MSBU for streetlighting for the Royal Vista subdivision, which consists of 18 lots.

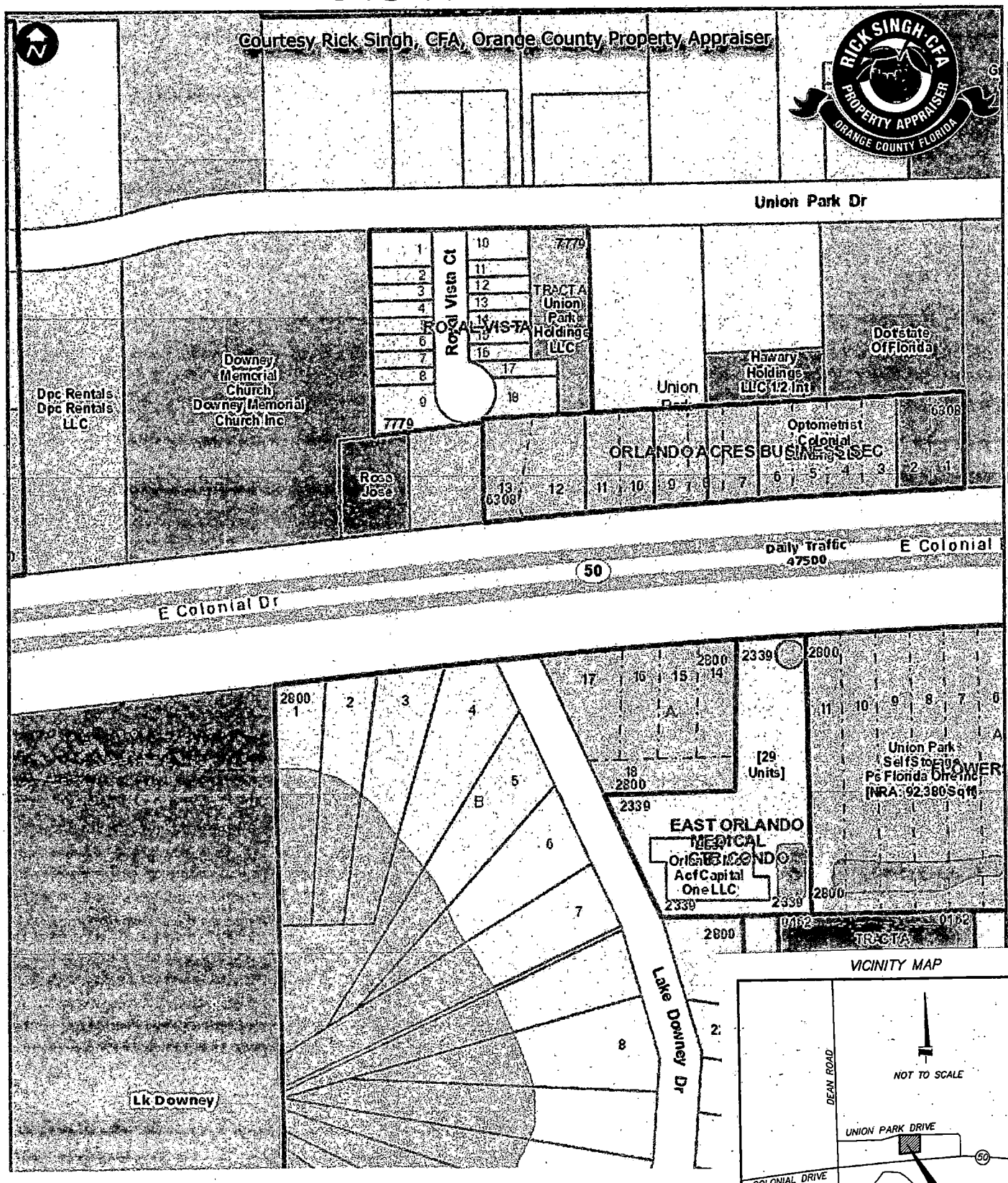
Retention Pond: The estimated assessment for the establishing MSBU for maintenance of retention ponds is $78.00 per lot, per year.

Streetlighting: The streetlighting inventory will consist of 9 - 150 watt standard roadway fixtures with 9 - 30/35 foot single standard concrete poles. The estimated assessment for the establishing MSBU for streetlighting is $135.00 per lot, per year.

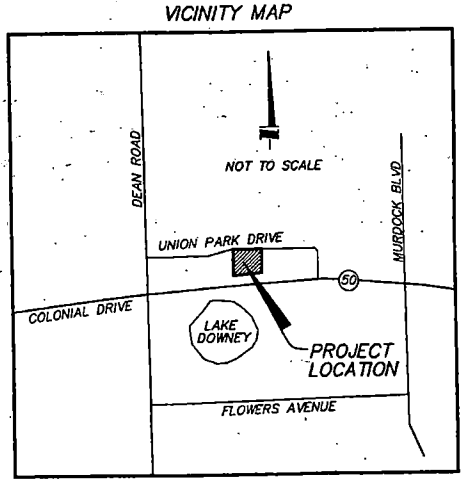
Effective Date: The establishing MSBU's would be effective November 2017.

Action Requested: Approval of attached resolution for maintenance of retention ponds and approval of attached resolution for streetlighting.

# ROYAL VISTA




VICINITY MAP



**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**ESTABLISHING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR MAINTENANCE OF**
**RETENTION PONDS**
**IN**

# Royal Vista
# 11/2017
**with County Dedicated Easements**

WHEREAS, Section 125.01 (01) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County; and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem special assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board") is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, the County has received a request, in writing, from Grace L. Shih, President (hereinafter known as the "Developer") of Union Park Holding, LLC for the establishment of such an MSBU in that portion of the unincorporated area of Orange County to be known as Royal Vista subdivision and which is more fully described below; and

WHEREAS, the Board has determined that the establishment of an MSBU as requested by the Developer, the purpose of which is to provide for minimum maintenance **of the (Royal Vista Townhome Association Inc.) owned retention pond with a drainage easement dedicated to Orange County noted in Plat Book 88, Page 1 in the dedication and Surveyor's Notes "4) Tract "A" retention area is to be owned and maintained by the Royal Vista Townhomes Association, Inc. A public drainage easement over tract "A" is dedicated to Orange County, Florida",** Public Records of Orange County, Florida, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired, and in the public interest, and that the properties within Royal Vista subdivision will be benefited, now and in the future, and that the MSBU should be created; and

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

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. There is hereby established and created the **Royal Vista 11/2017** MSBU, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes, the boundaries of which appear on the recorded plat of **Royal Vista** subdivision, Plat Book **88**, Pages **1 and 2**, Section **17**, Township **22**, Range **31**, and Lots **1 through 18**, Public Records of Orange County, Florida. The

*RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS*

purpose of such MSBU is to provide for collection and disbursal by the County of such funds to be used by the County as may be necessary for the payment of administrative costs and appropriate reserves for cash balance and the minimum maintenance services to be performed on the retention pond located on Tract **"A"** of the **Royal Vista** subdivision, which pond is owned by the Association and has an easement dedicated to Orange County on the plat thereof and constructed in accordance with standards approved by the Orange County Public Works Division. The Developer and the Association understands that this MSBU is created solely for the purpose of maintaining the retention pond located on Tract "A" of Royal Vista subdivision, and that no other ponds or infrastructure improvements located within the Royal Vista subdivision may be maintained, constructed, reconstructed, improved, or repaired with the non-ad valorem special assessments collected from this MSBU and used by the County.

3. The County shall perform or cause to be performed minimum maintenance services in the retention pond area, which maintenance may include but not limited to mowing, weed control, mosquito control, maintenance and repair of the structural integrity of control devices, and periodic major repairs and improvements to the retention area, and/or equipment/tools and their maintenance and replacement needed for services described herein. Such maintenance shall not include curb and paved roadway maintenance and repair, signage maintenance and repair, or maintenance of or replacement of landscaping improvements. The County may subcontract with any party for the performance of the maintenance services described.

4. Upon completion of construction of the retention pond and the placement of the pond into operation, the Board shall determine the estimated non-ad valorem special assessment amount required to pay the expense of maintaining and operating the retention pond in the MSBU. This non-ad valorem special assessment is levied for the first time as of **November 1, 2017**, and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the non-ad valorem special assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenues generated by the non-ad valorem special assessments. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem special assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem special assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available and a cash reserve for periodic major repairs and improvements to the retention pond. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby created and the County will be reimbursed to such extent at such time as such non-ad valorem special assessments have been collected. The estimated annual cost of operating, maintaining, and administering the MSBU, including the establishment and maintenance of an appropriate reserve for cash balance and periodic major repairs and improvements as needed on a rotation basis established by Public Works, is **$1,404.00**, and the estimated annual non-ad valorem special assessment to each freeholder is **$78.00**. Proceeds of collection of such non-ad valorem special assessments as provided hereinafter are to be put into a special revenue fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

5. Upon completion of construction of the retention pond and the placement of the pond into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be necessary to pay the estimated expense of the maintenance of the retention pond and the administration of the MSBU. Such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount toward such maintenance. After the adoption of the non-ad valorem special assessment roll by the Board, the Property Appraiser shall extend the non-ad valorem special assessments upon the non-ad valorem special assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such non-ad valorem special assessment may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify said non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs of having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem special assessments, Section 197.3632, Florida Statutes, shall be used.

6. The Board intends that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the non-ad valorem special assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector, as provided by Florida Law. If a contract is signed between a subcontractor for maintenance service and Orange County, the effective date of enactment of the contract will coincide with the receipt of the collection of the MSBU non-ad valorem special assessments.

7. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU non-ad valorem special assessments.

8. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record

exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

9. It is understood and agreed between the County and the Developer that (if applicable) as the Royal Vista subdivision expands, the additional Additions, Phases, Sections, Units, and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration.

10. The Board of County Commissioners shall be the governing board of this Municipal Service Benefit Unit.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY: _____
ORANGE COUNTY MAYOR

DATE: _____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**ESTABLISHING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR STREETLIGHTING**
**FOR**

# Royal Vista
# 11/2017

WHEREAS, Section 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County; and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County (hereinafter known as the "Board") is the governing board of Orange County, Florida (hereinafter known the "County") pursuant to its charter; and

WHEREAS, the County has received a request, in writing, from Grace L. Shih, President (hereinafter known as the "Developer") of Union Park Holding, LLC for the establishment of such an MSBU in that portion of the unincorporated area of Orange County to be known as Royal Vista subdivision and which is more fully described below; and

WHEREAS, the Board has determined that the establishment of an MSBU, the purpose of which is to provide for streetlighting as requested by the Developer, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired, and in the public interest, and that the properties within Royal Vista subdivision will be benefited, now and in the future, and that the proposed MSBU should be created; and

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

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. There is hereby established and created, the **Royal Vista 11/2017** MSBU, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes, the boundaries of which appear on the recorded plat of **Royal Vista** subdivision, Plat Book **88**, Pages **1 and 2**, Section **17**, Township **22**, Range **31**, Lots **1 through 18,** Public Records of Orange County, Florida. The purpose of such MSBU is to provide for collection and disbursal by Orange County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSBU, including energy charges, streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, electrical services, and currents used in their operations, and for payment of administrative costs and appropriate reserves for cash balance. It is

***RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS***

the understanding of Orange County that **Duke Energy Florida, Inc.** is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of Royal Vista subdivision and that Duke Energy Florida, Inc. will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such standard maintenance and operation. Such equipment is to include **9 - 150 watt 16000 lumen high pressure sodium standard roadway** fixtures at **$12.89** per fixture, per month and **9 - 30/35 foot single standard concrete** poles at **$5.05** per pole, per month for a yearly rate of **$2,000.60**, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern and set the rates for Duke Energy Florida, Inc. for the services described herein. It is further understood by the County that the Duke Energy Florida, Inc. may construct such streetlighting equipment only in those portions of the MSBU as may be necessary concurrent with the development of Royal Vista subdivision and that the streetlighting district created herein will be operated only in such portions of the MSBU until such construction is completed in other portions of the MSBU; provided that if such construction is only to be in portions of such MSBU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board of County Commissioners. After presentation and approval by the Board, it is understood and agreed between the County and the Developer that (if applicable) as Royal Vista subdivision expands the additional Additions, Phases, Sections, Units and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration. **It is further understood that the contract between Orange County and Duke Energy Florida, Inc. will not be effective until November 1, 2017**. Streetlights installed prior to this date are the responsibility of the developer and not the County. It is further understood that only 9 - 150 watt 16000 lumen high pressure sodium standard roadway fixtures at $12.89 per fixture, per month and 9 - 30/35 foot single standard concrete poles at $5.05 per pole, per month are approved for this MSBU. Any additional streetlighting will be the responsibility of the developer.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSBU. This non-ad valorem assessment is levied for the first time as of **November 1, 2017** and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated, by the assessment. The property owners within Royal Vista subdivision shall pay any cost exceeding standard operating and maintenance expense as determined by the Board. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby created and the County will

be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment, including the establishment and maintenance of an appropriate reserve for cash balance, is **$2,484.00** and the estimated annual charge to each individual freeholder is **$138.00**. Proceeds of collection of such assessments as provided hereinafter are to be put into a special revenue fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

4. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plat of Royal Vista subdivision, Plat Book 88, Pages 1 and 2, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district and appropriate reserves for cash balance for paying expenses, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to the Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by Duke Energy Florida, Inc., related administrative costs, and to the establishment and maintenance of an appropriate reserve for cash balance. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

5. The Board intends that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector as provided by Florida Law.

6. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such

newly subdivided or split parcels shall be included in the MSBU assessments.

7. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

8. The Board of County Commissioners shall be the governing board of said Municipal Service Benefit Unit.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY: _____
ORANGE COUNTY MAYOR

DATE: _____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

**OFFICE OF COMPTROLLER** *INTEROFFICE MEMO*

**ORANGE COUNTY FLORIDA**

**Phil Diamond, CPA**
**County Comptroller**
Finance and Accounting Department
Special Assessments
P O Box 38
Orlando, FL 32802
Telephone: 407-836-5770
Fax: 407-836-5753

Date: March 7, 2017

To: Mayor Teresa Jacobs
and
Board of County Commissioners

From: Margaret A. McGarrity, Chief Deputy Comptroller

Contact: Ann Troutman, 407-836-5770

Subject: Public Hearing to Amend the Existing Municipal Service Benefit Unit (MSBU) for Streetlighting

MSBU District: **Tildenville Area**

Applicant: Jason Reynolds with Orange County Neighborhood Preservation and Revitalization Services at the request of the Orange County Sheriff's Office for Citizens and Property Owners

District: Commissioner VanderLey, District 1

Report: The attached resolution will amend the 4 (four) existing streetlighting districts - A And Q, Anderson Manor / Black Lake Area, Siplin Heights and Tilden Estates as 1 (one) streetlighting district to be known as the Tildenville Area, which consists of 198 lots. A total of 198 ballots were mailed to property owners to determine majority opinion. Of the ballots returned, approximately 66.7% were in favor of the amendment of the MSBU. 20% of the property owners responded to the ballot. The ballot results are as follows:

| | |
|---|---|
| In favor of the MSBU | 26 |
| Not in favor of the MSBU | 13 |
| Returned undeliverable | 6 |
| Received after deadline | 0 |
| No ballots submitted | 153 |
| Total ballots distributed | 198 |

Streetlighting: The streetlighting inventory will consist of 65 – 108 watt LED (light emitting diode) standard roadway fixtures with 1 – 30/35 foot standard wood pole and 6 – 30/35 foot standard concrete poles. The estimated assessment for the amending MSBU for streetlighting is $50.00 per lot / per parcel, per year. Last year's assessments ranged from $21.89 to $59.94 per lot / per parcel.

Effective Date: The amending MSBU would be effective **November 1, 2017.**

Action Requested: Approval of attached resolution.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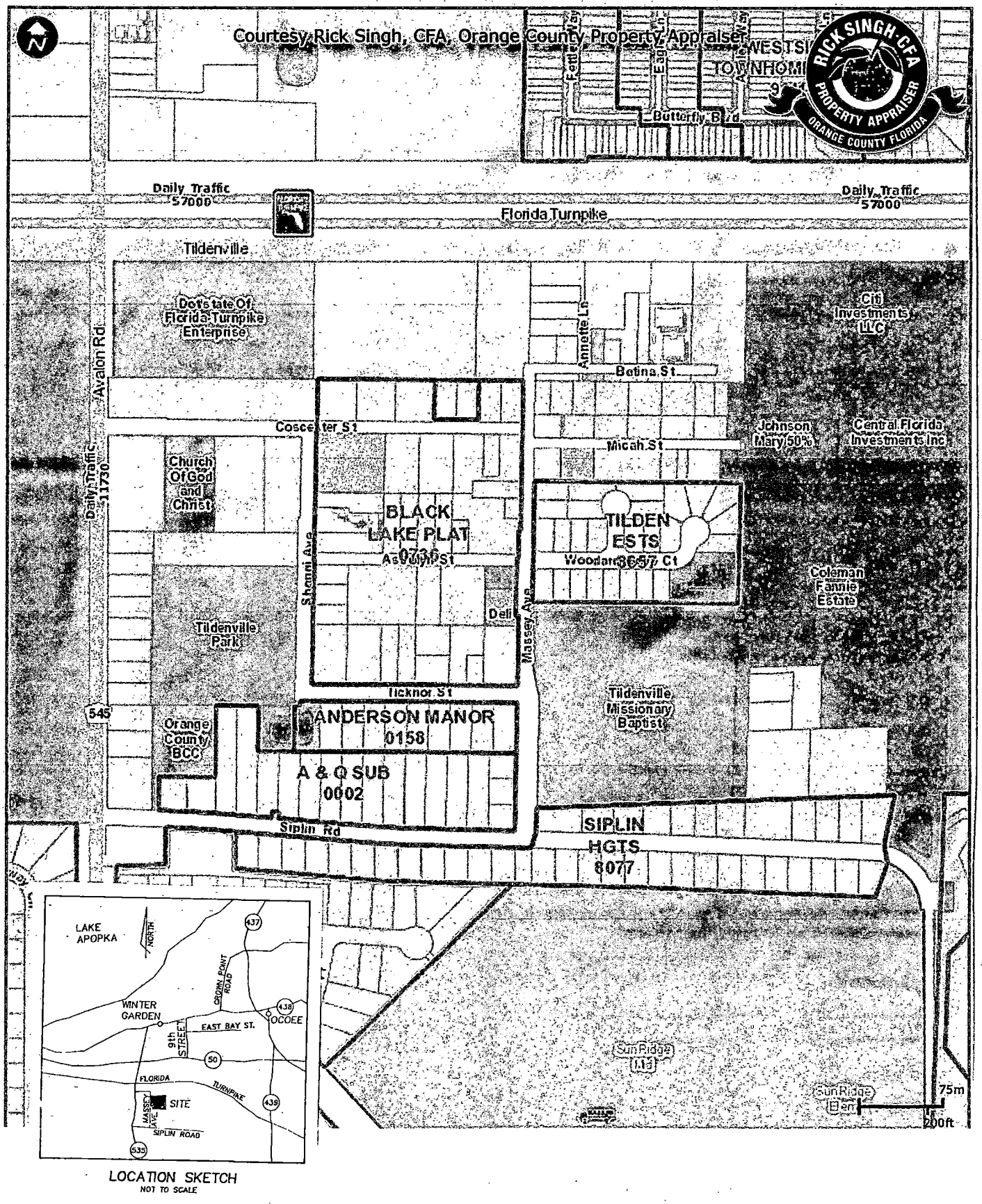
# TILDENVILLE AREA




LOCATION SKETCH
NOT TO SCALE

**RESOLUTION**
**OF THE**
**BOARD OF COUNTY COMMISSIONERS**
**AMENDING AND RESTATING A**
**MUNICIPAL SERVICE BENEFIT UNIT**
**FOR STREETLIGHTING**
**FOR**

# Tildenville Area
# 11/2017

WHEREAS, Section 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated area of Orange County; and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida (hereinafter known as the "Board") is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, by the Resolutions dated November 14, 1988 for Siplin Heights; November 21, 1988 for A And Q; May 5, 1998 for Tilden Estates; and August 25, 1998 for Anderson Manor / Black Lake Area, the Board established the Siplin Heights; A And Q; Tilden Estates; and Anderson Manor / Black Lake Area Municipal Service Taxing Units or Municipal Service Taxing Units / Benefit Units (previously known as either "MSTU" or "MSTU/BU") now known as Municipal Service Benefit Unit (hereinafter known as the "MSBU") for streetlighting (hereinafter known as the "Resolutions"), said Resolutions being recorded in Official Records as Document Instrument Number 19883149456, Book 4038, Pages 4048 through 4052 for Siplin Heights; Document Instrument Number 19883149457, Book 4038, Pages 4053 through 4057 for A And Q; Document Instrument Number 1998-0195082, Book 5485, Pages 4211 through 4214 for Tilden Estates; and Document Instrument Number 1998-0363916, Book 5565, Pages 3159 through 3164 for Anderson Manor / Black Lake Area; Public Records of Orange County, Florida; and

WHEREAS, the County has now received a request in writing from property owners to amend said Resolutions to combine and include the subdivisions which are more fully described below as shown in Exhibit "A" of this Resolution and to combine and include the metes and bounds parcel identification numbers as shown in Exhibit "B" of this Resolution in that portion of the unincorporated area of Orange County and to upgrade the wattage of the existing streetlight inventory from high pressure sodium (HPS) standard roadway fixtures **to** light emitting diode (LED) standard roadway fixtures; and

WHEREAS, this Board has determined that the amendment and restatement of the existing MSBUs, the purpose of which is to combine and include the subdivisions which are more fully described below as shown in Exhibit "A" of this Resolution and to combine and include the metes and bounds parcel identification numbers which are more fully described below as shown in Exhibit "B" of this Resolution and to upgrade the existing streetlighting inventory as requested by the property

*RECORDING DEPARTMENT: RETURN TO FINANCE AND ACCOUNTING SPECIAL ASSESSMENTS*

owners, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired and in the public interest, and that the properties will be benefited, now and in the future, and that the existing MSBUs should be amended and restated to combine said subdivisions which are more fully described below as shown in Exhibit "A" of this Resolution and to combine and include the metes and bounds parcel identification numbers as shown in Exhibit "B" of this Resolution and to upgrade the existing streetlighting inventory; and

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

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. The Resolutions for **Siplin Heights, A and Q, Tilden Estates, and Anderson Manor / Black Lake Area** for streetlighting, which are recorded in Official Records as Document Instrument Number **19883149456**, Book **4038**, Pages **4048 through 4052** for **Siplin Heights**; Document Instrument Number **19883149457**, Book **4038**, Pages **4053 through 4057** for **A and Q**; Document Instrument Number **1998-0195082**, Book **5485**, Pages **4211 through 4214** for **Tilden Estates**; and Document Instrument Number **1998-0363916**, Book **5565**, Pages **3159 through 3164** for **Anderson Manor / Black Lake Area**, Public Records of Orange County, Florida, is hereby amended as the **Tildenville Area 11/2017** MSBU, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes. This MSBU is to combine and include said subdivisions, the boundaries of which appear on the recorded plats of the Subdivisions, Plat Books, Pages, Sections, Townships, Ranges and Lots as shown in **Exhibit "A" of this Resolution** and the metes and bounds Parcel Identification Numbers as shown in **Exhibit "B" of this Resolution**, Public Records of Orange County, Florida. The purpose of such MSBU is to provide for collection and disbursal by the County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSBU, including energy charges, streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, electrical services and current used in their operation, and for payment of administrative costs and appropriate reserves for cash balance. It is the understanding of the County that **Duke Energy Florida, Inc.** is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of the Tildenville Area subdivisions as shown in Exhibit "A" of this resolution and the metes and bounds Parcel Identification Numbers as shown in Exhibit "B" of this resolution and that Duke Energy Florida, Inc. will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such standard maintenance and operation. Such equipment is to include **65 – 108 watt LED (light emitting diode) standard roadway** fixtures, at **$10.52** per fixture, per month, **1 – 30/35 foot standard wood** pole, at **$2.17** per pole, per month and **6 – 30/35 foot standard concrete** poles at **$5.05** per pole, per month for a yearly rate of **$8,824.76**, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern and set the rates for Duke Energy Florida, Inc. for the services described herein. It is further understood by the County that Duke Energy Florida, Inc. may construct such streetlighting equipment only in those portions of the MSBU as may be necessary concurrent with the development of the Tildenville Area subdivisions as shown in Exhibit "A" of this resolution and the metes and bounds Parcel Identification Numbers as shown in Exhibit "B" of this resolution and that the streetlighting district created herein will be operated only in such portions of the MSBU until such construction is completed in other portions of the MSBU; provided that if such construction is only to

be in portions of such MSBU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board. **It is further understood that the revised contract between the County and Duke Energy Florida, Inc. for the Tildenville Area MSBU will be effective immediately**. It is further understood that only **65 – 108 watt LED (light emitting diode) standard roadway** fixtures, at **$10.52** per fixture, per month, **1 – 30/35 foot standard wood** pole, at **$2.17** per pole, per month and **6 – 30/35 foot standard concrete** poles at **$5.05** per pole, per month are approved for this MSBU.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSBU. This non-ad valorem assessment is levied for the first time as of **November 1, 2017** and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. The property owners within the Tildenville Area MSBU shall pay any cost exceeding standard operating and maintenance expense as determined by the Board. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment, including the establishment and maintenance of an appropriate reserve for cash balance, is **$10,250.00** and the estimated annual charge to each individual freeholder is **$50.00**. Proceeds of collection of such assessments as provided hereinafter are to be put into a special revenue fund of the County to the credit of the MSBU, and are to be used only by the district as provided herein.

4. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plats of the Tildenville Area subdivisions, Plat Books and Pages as shown in Exhibit "A" of this resolution and the metes and bounds Parcel Identification Numbers as shown in Exhibit "B" of this resolution, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district and appropriate reserves for cash balance for paying expenses, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of

the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to said Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by Duke Energy Florida, Inc., related administrative costs, and to the establishment and maintenance of an appropriate reserve for cash balance. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

5. The Board intends that non-ad valorem special assessments authorized by this resolution be collected in the manner pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector as provided by Florida Law.

6. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU assessments.

7. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

8. The Board of County Commissioners shall be the governing board of said Municipal Service Benefit Unit.

9. This resolution which amends and restates the resolutions recorded in Official Records as Document Instrument Number 19883149456, Book 4038, Pages 4048 through 4052 for Siplin

Heights; Document Instrument Number 19883149457, Book 4038, Pages 4053 through 4057 for A and Q; Document Instrument Number 1998-0195082, Book 5485, Pages 4211 through 4214 for Tilden Estates; and Document Instrument Number 1998-0363916, Book 5565, Pages 3159 through 3164 for Anderson Manor / Black Lake Area, is controlling and supersedes the resolutions recorded in Official Records as Document Instrument Number 19883149456, Book 4038, Pages 4048 through 4052 for Siplin Heights; Document Instrument Number 19883149457, Book 4038, Pages 4053 through 4057 for A and Q; Document Instrument Number 1998-0195082, Book 5485, Pages 4211 through 4214 for Tilden Estates; and Document Instrument Number 1998-0363916, Book 5565, Pages 3159 through 3164 for Anderson Manor / Black Lake Area, Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2017

ORANGE COUNTY, FLORIDA

BY: _____
ORANGE COUNTY MAYOR

DATE: _____

ATTEST: Phil Diamond, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

Exhibit "A"
Tildenville Area
Subdivisions

| Subdivisions | Plat Book / Page | Section Township Range Subcode | Lots / Blocks / Buildings / Tracts / Units | Lot / Parcel Count |
|---|---|---|---|---|
| Black Lake Plat | 502/133 - *DB | 27-22-27-0736 | Lot 1<br>Lots 3-29 | 2<br>37 |
| Morrison Court | 19/84 | 27-22-27-5753 | Lots 1-2 | 2 |
| A & Q Sub | 21/114 | 27-22-27-0002 | Lots 1-18 | 18 |
| Anderson Manor | 12/11 | 27-22-27-0158 | Lots 1-9 | 9 |
| Tilden Estates | 37/25 | 27-22-27-8657 | Lots 1-26 | 26 |
| Siplin Heights | 21/49 | 27-22-27-8077 | Lots 1-39 | 39 |
| Parcels – Exhibit B | | | | 75 |
| BCC – 2 Parcels | | | | -2 |
| | | | Totals for 2017 | 206 |

*Deed Book

Exhibit "B"
Tildenville Area
Parcel ID Numbers

| Parcel ID Number | Legal Description |
|---|---|
| 27-22-27-0000-00-018 | E1/2 OF SW1/4 OF NW1/4 S OF FLA STATE TURNPIKE (LESS E 160 FT) IN SEC 27-22-27 |
| 27-22-27-0000-00-022 | BEG 667.16 FT W OF NE COR OF NW1/4 OF SW1/4; TH RUN W TO E R/W LINE, THE S 125 FT, TH E TO PT S OF POB, TH N TO POB (LESS RD R/W ON S) IN SEC 27-22-27 DB538/573 |
| 27-22-27-0000-00-023 | THAT PART OF N 375.15 FT OF W1/4 OF SW1/4 OF SE1/4 OF NW1/4 LYING S OF FLA TURNPIKE R/W & E 11.53 FT OF S 284.85 FT OF W1/4 OF SW1/4 OF SE1/4 OF NW1/4 (LESS TURNPIKE R/W ON N) & (LESS R/W ON S & LESS THAT PT LYING S OF BETINA ST) ALL IN SEC 27-22-27 |
| 27-22-27-0000-00-024 | N 50 FT OF S 234.85 FT OF W1/4 OF SW1/4 OF SE1/4 OF NW1/4 (LESS RD ON E) OF SEC 27-22-27 |
| 27-22-27-0000-00-025 | N 50 FT OF S 184.85 FT OF W 1/4 OF SW1/4 OF SE1/4 OF NW1/4 (LESS ROAD ON E) OF SEC 27-22-27 |
| 27-22-27-0000-00-026 | W1/2 OF S 134.85 FT OF W1/4 OF SW 1/4 OF SE1/4 OF NW1/4 (LESS S 23 FT) & (LESS RD R/W PER PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-028 | BEG 41 FT W & 156 FT N OF SE COR OF E1/2 OF W1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 TH RUN W 124 FT N 504 FT E 200 FT S 395 FT W 76 FT S 109 FT TO POB (LESS TURNPIKE R/W) & (LESS THAT PT LYING N OF TURNPIKE) & (LESS RD R/W PB 6/95-97) |
| 27-22-27-0000-00-029 | BEG 100 FT W OF SE COR OF W1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 TH RUN N 156 FT W 65 FT S 156 FT E 65 FT TO POB (LESS RD R/W PB 6/95-97) & (LESS S 53 FT) |
| 27-22-27-0000-00-030 | THAT PART OF W 50 FT OF E 100 FT OF S 125 FT OF W1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 LYING N OF BETINA ST |
| 27-22-27-0000-00-031 | BEG 53 FT N OF SE COR OF W1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 TH RUN N 212 FT W 41 FT S 109 FT W 59 FT S 31 FT E 50 FT S 72 FT E 50 FT TO POB |

Exhibit "B"
Tildenville Area
Parcel ID Numbers

| Parcel ID Number | Legal Description |
|---|---|
| 27-22-27-0000-00-033 | E1/4 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 (LESS TURNPIKE R/W) & (LESS PT LYING N OF TURNPIKE) & (LESS RD R/W PB 6/95-97) |
| 27-22-27-0000-00-034 | W 202 FT OF E 1102 FT OF S 100 FT OF N 330 FT OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-035 | W 60 FT OF E 100 FT OF S 100 FT OF N 107 FT OF W 600 FT OF NW1/4 OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-036 | E 100 FT OF W 500 FT OF S 100 FT OF N 107 FT OF NW1/4 OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-037 | BEG 300 FT E & 7 FT S OF NW COR OF NE1/4 OF SW1/4 RUN E 100 FT S 100 FT W 100 FT N 100 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-038 | N 107 FT OF E 100 FT OF W 300 FT OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-039 | S 34.85 FT OF W1/4 OF SW1/4 OF SE1/4 OF NW1/4 (LESS E 11.53 FT & LESS RD R/W PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-040 | BEG NW COR OF NE1/4 OF SW1/4 RUN E 66 FT S 107 FT W 66 FT N 107 FT TO POB (LESS R/W ON W PB 6/95-97) IN SEC 27-22-27 |
| 27-22-27-0000-00-041 | S 100 FT OF W 100 FT OF N 207 FT OF NE1/4 OF SW1/4 (LESS RD R/W ON S & W PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-042 | E 91 FT OF W 200 FT OF S 100 FT OF N 207 FT OF NE1/4 OF SW1/4 (LESS RD R/W ON S PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-043 | S 100 FT OF N 207 FT OF E 100 FT OF W 300 FT OF NE1/4 OF SW1/4 (LESS RD R/W ON S PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-044 | E 100 FT OF W 400 FT OF S 100 FT OF N 207 FT OF NE1/4 OF SW1/4 (LESS RD R/W ON S PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-045 | E 100 FT OF W 500 FT OF S 100 FT OF N 207 FT OF NW1/4 OF NE1/4 OF SW1/4 (LESS RD R/W ON S PB 6/95) OF SEC 27-22-27 |
| 27-22-27-0000-00-046 | BEG 107 FT S & 500 FT E OF NW COR OF NE1/4 OF SW1/4 OF SEC 27-22-27 TH RUN S 100 FT E 100 FT N 100 FT W 100 FT TO POB (LESS RD R/W ON S PB 6/95) |
| 27-22-27-0000-00-047 | BEG 230 FT S & 100 FT E OF NW COR OF NE1/4 OF SW1/4 RUN S 100 FT E 100 FT N 100 FT W 100 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-048 | 4818/3909 & 4982/4286 ERROR IN LEGAL DESCRIPTION -- S 100 FT OF N 330 FT OF W 100 FT OF NW1/4 OF NE1/4 OF SW1/4 (LESS RD R/W ON W PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-051 | S3/4 OF E1/2 OF NE1/4 OF SW1/4 (LESS BEG 678 FT N 87 DEG E OF SW COR OF NE1/4 OF SW1/4 TH RUN N 04 DEG W 397 FT N 87 DEG E 215 FT S 4 DEG E 190 FT N 87 DEG E 205 FT S 4 DEG E 207 FT S 87 DEG W 420 FT TO POB) SEC 27-22-27 |
| 27-22-27-0000-00-052 | BEG 678 FT E OF SW COR OF NE1/4 OF SW1/4 RUN N 207 FT E 185 FT S 207 FT W 185 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-053 BCC | BEG AT A PT 667.16 FT W & 560.06 FT S OF NE COR OF NW 1/4 OF SW 1/4 RUN W 450 FT M/L S 418 FT E 450 FT M/L N 418 FT TO POB (LESS RD R/W ON E PB 6/95-97) IN SEC 27-22-27 |
| 27-22-27-0000-00-062 | 10561/4859 ERROR IN LEGAL DESC: E1/2 OF S 134.85 FT OF W1/4 OF SW 1/4 OF SE1/4 OF NW1/4 (LESS S 34.85 FT) & (LESS E 11.53 FT) & (LESS RD R/W PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-064 | S 23 FT OF W1/2 OF E1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 (LESS W 35 FT THEREOF) |
| 27-22-27-0000-00-065 | BEG 173 FT S & 30 FT E OF NW COR OF SW1/4 RUN S 287 FT E 170 FT N 287 FT W 170 FT TO POB SEC 27-22-27 |

Exhibit "B"
Tildenville Area
Parcel ID Numbers

| Parcel ID Number | Legal Description |
|---|---|
| 27-22-27-0000-00-067 | BEG 45 FT N OF SE COR OF W1/2 OF SW 1/4 OF SE1/4 OF NW1/4 RUN N 220 FT E 35 FT S 220 FT W 35 FT TO POB IN SEC 27-22-27 (LESS RD R/W ON S) |
| 27-22-27-0000-00-071 | 20160439110, 10155/8500 & 4524/1296 ERROR IN LEGAL DESCRIPTION: S 234.85 FT OF W1/2 OF E1/2 OF SW1/4 OF SE1/4 OF NW1/4 (LESS W 35 FT THEREOF & LESS S 34.85 FT & LESS W 12 FT OF S 64 FT & LESS RD R/W AS PER PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-072 | W 50 FT OF E 900 FT OF S 100 FT OF N 330 FT M/L OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-074 | W1/2 OF E1/2 OF SW1/4 OF SE1/4 OF NW1/4 (LESS W 35 FT & LESS S 234.85 FT) & (LESS TURNPIKE R/W & LESS THAT PT LYING N OF TURNPIKE) OF SEC 27-22-27 |
| 27-22-27-0000-00-075 | S 300 FT OF N 460 FT OF W 150 FT OF E 967.16 FT OF NW1/4 OF SW1/4 (LESS R/W ON N PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-076 | N 50 FT OF S 284.85 FT OF W1/4 OF SW1/4 OF SE1/4 OF NW1/4 (LESS E 11.53 FT) & (LESS RD R/W PB 6/95) OF SEC 27-22-27 |
| 27-22-27-0000-00-078 | S 300 FT OF N 460 FT OF W 150 FT OF E 817.16 FT OF NW1/4 OF SW1/4 (LESS RD R/W ON N & E PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-079 | S 300 FT OF N 460 FT OF W 150 FT OF E 1117.16 FT OF NW1/4 OF SW1/4 (LESS RD R/W ON N PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-080 | S 100.06 FT OF N 560.06 FT OF W 450 FT OF E 1117.16 FT OF NW 1/4 OF SW1/4 (LESS RD R/W ON E PB 6/95-97) OF SEC 27-22-27 |
| 27-22-27-0000-00-081 | BEG SE COR OF N 660 FT OF W1/2 OF NE1/4 OF SW1/4 RUN WLY TO W LINE OF NE1/4 OF SW1/4 TH SLY TO A PT 378 FT N OF SW COR OF NE1/4 OF SW1/4 TH ELY 22 FT SLY TO PT ON S LINE OF NE1/4 OF SW1/4 OF SAID SEC 23 FT E OF SW COR OF NE1/4 OF SW1/4 TH ELY 652 FT N 207 FT TH NLY TO POB (LESS RD R/W ON W) IN SEC 27-22-27 SEE 1929/623 |
| 27-22-27-0000-00-082 | BEG 720 FT W & 230 FT S OF NE COR OF SW1/4 RUN W 100 FT S 100 FT E 100 FT TH N 100 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-083 | S 45 FT OF W 35 FT OF E1/2 OF SW1/4 OF SE1/4 OF NW1/4 (LESS RD R/W) OF SEC 27-22-27 |
| 27-22-27-0000-00-084 | E 40 FT OF S 100 FT OF N 107 FT OF W 600 FT OF NW1/4 OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-086 | FROM SW COR OF NE1/4 OF SW1/4 RUN N 87 DEG E 678 FT TH N 207 FT TH N 87 DEG E 130 FT FOR POB TH N 87 DEG E 85 FT N 4 DEG W 190 FT S 87 DEG W 215 FT S 4 DEG E 20 FT N 87 DEG E 130 FT S 4 DEG E 170 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-087 | FROM SW COR OF NE1/4 OF SW1/4 RUN N 87 DEG E 678 FT N 207 FT N 4 DEG W 85 FT FOR A POB TH N 4 DEG W 85 FT N 87 DEG E 130 FT S 4 DEG E 85 FT TH S 87 DEG W 130 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-088 | FROM SW COR OF NE1/4 OF SW1/4 RUN N 87 DEG E 678 FT N 207 FT FOR POB RUN N 87 DEG E 130 FT N 4 DEG W 85 FT S 87 DEG W 130 FT S 4 DEG E 85 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-089 | S 64.76 FT OF N 719.04 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT & LESS W 33 FT FOR RD R/W) IN SEC 27-22-27 |
| 27-22-27-0000-00-091 | BEG NE COR OF SW1/4 RUN S 330 FT W 720 FT N 330 FT E 720 FT TO POB (LESS E 360 FT) & (LESS RD R/W ON W PB 6/95-97) IN SEC 27-22-27 |
| 27-22-27-0000-00-094 | N 107 FT OF E 67 FT OF W 200 FT OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-097 | BEG NE COR OF NE1/4 OF SW1/4 RUN W 360 FT S 330 FT E 360 FT N 330 FT TO POB IN SEC 27-22-27 |

Exhibit "B"
Tildenville Area
Parcel ID Numbers

| Parcel ID Number | Legal Description |
|---|---|
| 27-22-27-0000-00-098 | BEG 863 FT E OF SW COR OF NE1/4 OF SW1/4 RUN N 207 FT E 235 FT S 207 FT W 235 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-099 | S 64.76 FT OF N 524.76 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT & LESS W 33 FT FOR RD R/W) OF SEC 27-22-27 |
| 27-22-27-0000-00-100 | S 64.75 FT OF N 978.06 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT & LESS W 33 FT FOR RD R/W) OF SEC 27-22-27 |
| 27-22-27-0000-00-101 | S 64.75 FT OF N 913.31 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT LESS W 33 FT FOR RD R/W) OF SEC 27-22-27 |
| 27-22-27-0000-00-102 | 20160239026 INCOMPLETE DESC-BEG NW COR OF NE1/4 OF SW1/4 RUN E 133 FT FOR A POB TH S 107 FT W 67 FT N 107 FT E 67 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-103 | S 64.76 FT OF N 589.52 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT & LESS W 33 FT FOR RD R/W) SEC 27-22-27 |
| 27-22-27-0000-00-104 | S 64.76 FT OF N 654.28 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT & LESS W 33 FT FOR RD R/W) OF SEC 27-22-27 |
| 27-22-27-0000-00-105 | S 64.76 FT N 783.80 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT & LESS W 33 FT FOR RD R/W) OF SEC 27-22-27 |
| 27-22-27-0000-00-106 | S 64.76 FT OF N 848.56 FT OF NW1/4 OF SW1/4 (LESS E 1117.16 FT & LESS W 33 FT FOR RD R/W) OF SEC 27-22-27 |
| 27-22-27-0000-00-107 | E 160 FT OF E1/2 OF SW1/4 OF NW1/4 LYING S OF SUNSHINE ST PARKWAY IN SEC 27-22-27 (LESS RD R/W) |
| 27-22-27-0000-00-109 | COMM AT SW COR OF NW1/4 OF SW1/4 N 46.02 FT S 88 DEG E 33.02 FT FOR POB TH N 155.02 E 135.4 FT S 157.15 FT W 135.33 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-115 | BEG AT NE COR OF S1/2 OF SW1/4 RUN S 1 DEG W 348.53 FT W 10.46 FT NWLY 272.14 FT N 12 DEG E 151.69 FT N 87 DEG E 150.07 FT TO POB SEC 27-22-27 (RETENTION PER 3878/2312) & (LESS BEG AT THE SE CONER OF SAID PARCEL TH RUN N01-56-00E 82.61 FT TH N88-04-00W 31.04 FT TO A PT ON A NON-TAN CURVE CONCAVE NWLY HAVING A RADIUS 200 FT CHORD BRG S11-59-50E DELTA 24-38-14 AN ARC LENGTH 86 FT TO THE POB PT TAKEN FOR R/W PER 10761/0786) |
| 27-22-27-0000-00-116 BCC | BEG 46.23 FT N & 168.42 FT E OF SW COR OF NW1/4 OF SW1/4 RUN N 313.75 FT E 190 FT S 213.75 FT W 170 FT S 100.54 FT W 20.01 FT TO POB IN SEC 27-22-27 (RETENTION PER 3874/4635) |
| 27-22-27-0000-00-121 | THE S1/2 OF THE FOLLOWING DESC AS: COMM AT SW COR OF NW1/4 OF SW1/4 N 46.02 FT S 88 DEG E 33.02 FT ON E R/W OF SR 545 TH N 155.02 FT FOR POB TH CONT N 155.02 FT E 135.33 FT S 156.87 FT W 135.36 FT TO POB IN SEC 27-22-27 |
| 27-22-27-0000-00-127 | W 9 FT OF E 100 FT OF W 200 FT OF S 100 FT OF N 207 FT OF NE1/4 OF SW1/4 OF SEC 27-22-27 (LESS RD R/W ON S) |
| 27-22-27-0000-00-128 | BEG 100 FT W OF SE COR OF W1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 TH RUN N 23 FT W 65 FT S 23 FT E 65 FT TO POB |
| 27-22-27-0000-00-129 | THAT PART OF E 11.53 FT OF W1/4 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 LYING S OF BETINA ST |
| 27-22-27-0000-00-130 | THAT PART OF W 50 FT OF E 100 FT OF S 125 FT OF W1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 LYING S OF BETINA ST |
| 27-22-27-0000-00-131 | BEG SE COR OF W1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 TH RUN N 23 FT W 50 FT S 23 FT E 50 FT TO POB |
| 27-22-27-0000-00-132 | W 30 FT OF E 850 FT OF S 100 FT OF N 330 FT OF NE1/4 OF SW1/4 OF SEC 27-22-27 |
| 27-22-27-0000-00-135 | THAT PART OF W 47 FT OF S 64 FT (LESS W 35 FT) OF W1/2 OF E1/2 OF SW1/4 OF SE1/4 OF NW1/4 OF SEC 27-22-27 LYING N OF BETINA ST |

Exhibit "B"
Tildenville Area
Parcel ID Numbers

| Parcel ID Number | Legal Description |
|---|---|
| 27-22-27-0000-00-142 | COMM AT SW COR OF NW1/4 OF SW1/4 N 46.02 FT S 88 DEG E 33.02 FT ON E R/W OF SR 545 TH N 155.02 FT FOR POB TH CONT N 155.02 FT E 135.33 FT S 156.87 FT W 135.36 FT TO POB (LESS S1/2 THEREOF) IN SEC 27-22-27 |
| 27-22-27-0000-00-143 | COMM NW COR OF SW1/4 OF SW1/4 OF SEC 27-22-27 RUN S00-07-58W 616.91 FT S89-52-02E 369.95 FT TO PT ON CURVE CONCAVE SWLY RAD 430 FT CHORD BEARING OF S67-09-09E RUN SELY ALONG ARC CENT ANG 45-25-45 FOR 340.94 FT TO POB TH CONT SELY ALONG ARC CHORD BEARING S43-42-18E CENT ANG 01-27-57 FT FOR 11 FT TH RUN S42-58-20E 619.75 FT TO PT ON CURVE CONCAVE NELY RAD 370 CHORD BEARING S66-20-36E RUN NELY ALONG ARC CEN ANG 46-44-32 FOR 301.85 FT TH RUN S89-42-52E ALONG LINE PARALLEL WITH & 30 FT NELY OF S LINE DESC IN 7743/4158 FOR 1128.72 FT TH RUN N01-18-30W 201.20 FT S85-21-34W 7.03 FT N00-19-41W 873.47 FT S89-40-19W 10 FT TO PT ON NON-TANG CURVE CONCAVE SWLY RAD 150 FT TANG BEARING N00-19-41W RUN NWLY ALONG ARC CENT ANG 69-58-49 FOR 183.21 FT S19-41-30W 108.35 FT N87-37-16W 665.65 FT N88-35-49W 423.41 FT S45-33-44W 807.72 FT TO POB & COMM NW COR OF SW1/4 OF SW1/4 OF SEC 27-22-27 RUN S00-07-58W 616.91 FT S89-52-02E 369.95 FT TO PT ON CURVE CONCAVE SWLY RAD 430 FT CHORD BEARING S66-25-11E RUN SELY ALONG ARC CENT ANG 46-53-42 FOR 351.94 FT TH RUN S42-58-20E 619.75 FT TO PT ON CURVE CONCAVE NELY RAD 370 FT CHORD BEARING S56-45-53E RUN SELY ALONG ARC CENT ANG 27-38-07 FOR 178.14 FT TO POB TH CONT SELY ALONG ARC CHORD BEARING S80-08-10E CENT ANG 19-09-25 FOR 123.71 FT RUN S89-42-52E 1128.72 FT S01-18-30E 30.01 FT N89-42-52W 1250.09 FT N00-43-04W 50.50 FT TO POB (LESS COM AT NW COR OF SW1/4 OF SW1/4 TH ALONG W LINE OF SW1/4 OF SW1/4 RUN S00-08-05W 616.91 FT TH S89-51-55E 369.95 FT TO PT ON CURV CONCV SWLY HAVING A RAD OF 430 FT A CENTR ANG OF 45-25-45 A CHORD BEARING & DIST OF S67-09-03E 332.08 FT & AN ARC DIST OF 340.94 FT FOR POB TH N45-32-55E 20 FT TO PT ON A CURV CONCV SWLY HAVING A RAD OF 450 FT A CENT ANG OF 01-28-02 A CHORD BEARING & DIST OF S43-42-14E 11.52 FT & AN ARC DIST OF 11-52 FT TH S42-58-13E 550.59 FT TO PT ON A CURV CONCV NELY HAVING A RAD OF 350 FT A CENTR ANG OF 46-44-56 A CHORD BEARING & DIST OF S66-20-41E 277.72 FT & AN ARC DIST OF 285.57 FT TH S89-43-09E 1174.86 FT TH S01-40-28E 100.06 FT TH N89-43-09W 1251.11 FT TH N00-54-31W 50.33 FT TO PT ON A CURV CONCV NELY HAVING A RAD OF 370 FT A CENT ANG OF 27-40-26 A CHORD BEARING & DIST N56-48-26W 176.98 FT & AN ARC DIST OF 178.71 FT TH N42-58-13W 619.24 FT TO PT ON CURV CONCV SWLY HAVING A RAD OF 430 FT A CENTR ANG OF 01-27-57 A CHORD BEARING & DIST OF N43-42-12W 11 FT & AN ARC DIST OF 11 FT TO POB) |

ORANGE COUNTY GOVERNMENT FLORIDA

Interoffice Memorandum

DATE: March 21, 2017

TO: Teresa Jacobs, Orange County Mayor and Board of County Commissioners

FROM: Joseph C. Kunkel, P.E., Deputy Director, Public Works Department

SUBJECT: **PETITION TO VACATE PTV-17-01-001 - Sheila Cichra on behalf of Richard Fender**

**Reason For Vacation**

The petitioner requests that Orange County vacate a 7 ft wide portion of a 15 ft wide drainage easement containing approximately 264 square feet. The petitioner commenced construction on the remodeling and expansion of his home without the knowledge of the existing 15 ft wide drainage easement, and the northeast corner of the expansion encroaches approximately 7 ft into the drainage easement. A "Hold Harmless and Indemnification Agreement for Home Addition" has been recorded in Orange County, Florida Public Records as document number 20170016044. The purpose of this Agreement is to hold harmless, indemnify and protect the County from any damages or claims associated with any repairs or maintenance work within the County's drainage easement. The petitioner wishes to vacate in order to clear the title to the property.

**Location of Property/Legal Description**

The property lies south of W Michigan Street and east of Interstate 4. Public interest was created per a "Drainage Easement" recorded in O.R. Book 1401, Page 401 of the Public Records of Orange County, Florida. The parcel address is 500 29th Street and lies in District 3.

**Statement of No Objection**

The Real Estate Management, Roads and Drainage and Environmental Protection Divisions have consented to the request. The Legal Department has also consented. The Relationship Disclosure and Specific Expenditure forms have been submitted.

**Staff Findings**

County staff visited the site. There is an existing 60" diameter stormwater drain pipe within the drainage easement. There appears to be no other visible improvements within the portion of the easement requested for vacation.

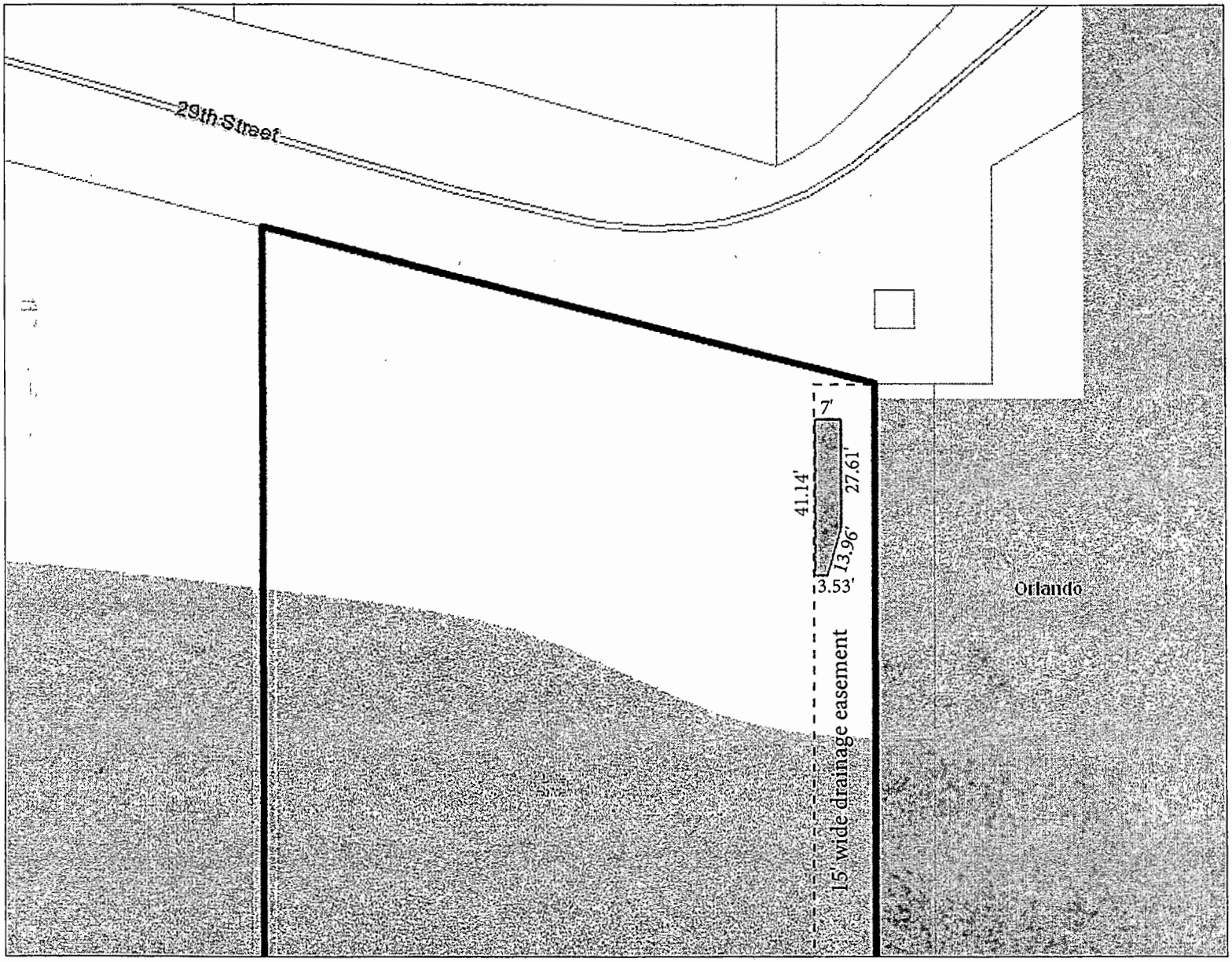
**Staff Recommendations**

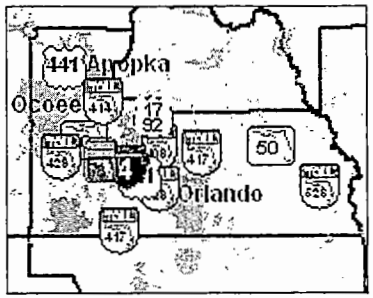
Approval of this request will have no adverse effect on Orange County. Staff has no objection to this request.

**ACTION REQUESTED: APPROVAL OF PTV-17-01-001 – DISTRICT 3**

Geocortex® Essentials for ArcGIS Server

# PTV-17-01-001




**Legend**

- Petitioner's property
- Portion of drainage easement to be vacated
- 15' wide drainage easement

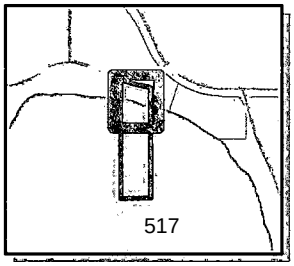
1: 450

0.0 0 0.01 0.0 Miles

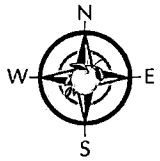
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

**Notes**




# PTV # 17-01-001
## Sheila Cichra, on behalf of Richard Fender




Subject Property | 15 ft wide drainage easement | Portion of 30 ft wide right-of-way to be vacated

0 15 30
Feet
1 in = 30 ft

ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memorandum**

February 21, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development Services Department

**CONTACT PERSON:** **Lori Cunniff, CEP, CHMM, Deputy Director**
**Community, Environmental and Development Services Department**
**407-836-1405**

SUBJECT: March 21, 2017 – Public Hearing
Shoreline Alteration/Dredge and Fill Permit Application for Evan Landis (SADF-16-10-011)

The applicant, Evan Landis, is requesting a Shoreline Alteration/Dredge and Fill Permit to place rip rap along the shoreline of the subject property on Lake Jennie Jewel. The property is located at 436 Jennie Jewel Drive, in Orange County Commission District 3. The Parcel ID for the project site is 12-23-29-4530-04-010.

Notification of the public hearing was sent to the property owners within five hundred (500) feet of the project site.

On October 4, 2016, Mr. Landis submitted a Shoreline Alteration/Dredge and Fill permit application. The applicant is proposing to place eighty-five (85) linear feet of rip rap along his shoreline in order to reduce erosion. In addition to the rip rap, the applicant will also place native plantings along the shoreline outside of the exempt access corridor. There is an existing seawall on the adjacent property to the west.

Pursuant to Orange County Code, Chapter 15, Article VI, Environmental Protection Division (EPD) staff has evaluated the proposed Shoreline Alteration/Dredge and Fill application and required documents.

There has been no enforcement action taken by EPD on the subject property.

**Staff Recommendation**

Approval of the Shoreline Alteration/Dredge and Fill Permit, subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.

2. Construction activities shall be completed in accordance with the Construction Plans submitted by Pages Lakescaping & Aquatic Solutions, dated as received on December 29, 2016 and January 27, 2017 by the Environmental Protection Division (EPD). The permitted work must be commenced within six (6) months and completed within one year from the date of issuance of the permit. In the event that project has not commenced within six (6) months or completed within a year this permit is void.

3. Any permit extensions for the approved construction may be approved by way of Consent Agenda if there are no changes.

4. The riprap must be a minimum size of 6-inches and installed at a 2 (Horizontal): 1 (Vertical) slope.

5. The planting must be implemented in accordance with the Planting Plan submitted by Pages Lakescaping & Aquatic Solutions, dated as received on December 14, 2016, by EPD.

6. New plantings must be initiated within thirty (30) days of completion of the rip rap. After one year, if eighty (80) percent coverage of native species is not established, additional replanting will be required.

7. The permittee may maintain a clear access corridor below the Normal High Water Elevation (NHWE), not to exceed thirty (30) feet in width, of sufficient length waterward from the shoreline, to allow access to open water. Any structures such as a boat dock must be located within this corridor.

8. Native vegetation may not be removed from the shoreline outside of the specified access corridor, specific to project.

9. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Orange County (OC) Zoning Division at 201 South Rosalind Avenue. The rip rap may require an Orange County Building permit. For further information, please contact the OC Zoning Division at (407) 836-5525 or OC Division of Building Safety at (407) 836-5550.

General Conditions:

10. Subject to the terms and conditions herein, the permittees are hereby authorized to perform or cause to be performed the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.

11. Prior to construction, the permittees shall clearly designate the limits of construction on-site. The permittees shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.

12. The permittees shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittees shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.

13. Issuance of this permit does not warrant in any way that the permittees have riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittees. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittees agree to either obtain written consent or to remove the offending structure or encroachment within sixty (60) days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.

14. This permit does not release the permittees from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittees or create in the permit any property rights, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittees, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VI of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittees shall comply with the most stringent conditions. Permittees shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.

15. The permittees are hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittees are responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

16. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittees shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.

17. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.

18. The permittees shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.

19. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.

20. The permittees shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.

21. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittees.

22. Permittees agree that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.

23. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittees shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.

24. Pursuant to Section 125.022, Florida Statues, issuance of this permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

25. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

**ACTION REQUESTED: Approval of Shoreline Alteration/Dredge and Fill Permit (SADF-16-10-011) for Evan Landis subject to the conditions listed in the staff report. District 3**

JW/LC: mg

Attachments

# Shoreline Alteration/Dredge & Fill Permit Request

Shoreline Alteration/Dredge & Fill Permit Request

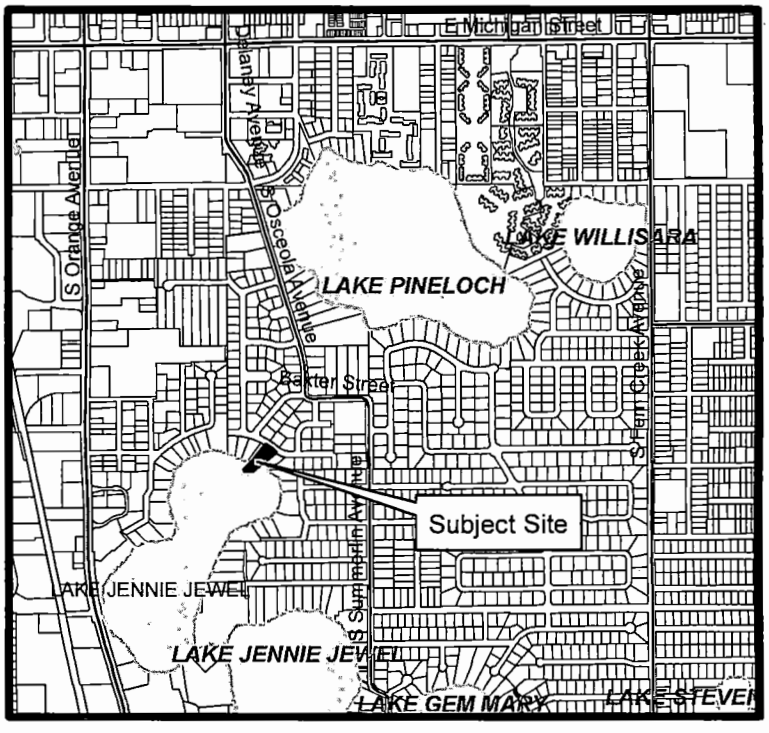
District #3

**Applicant:** Evan Landis

**Parcel ID:** 12-23-29-4530-04-010

**Project Site**

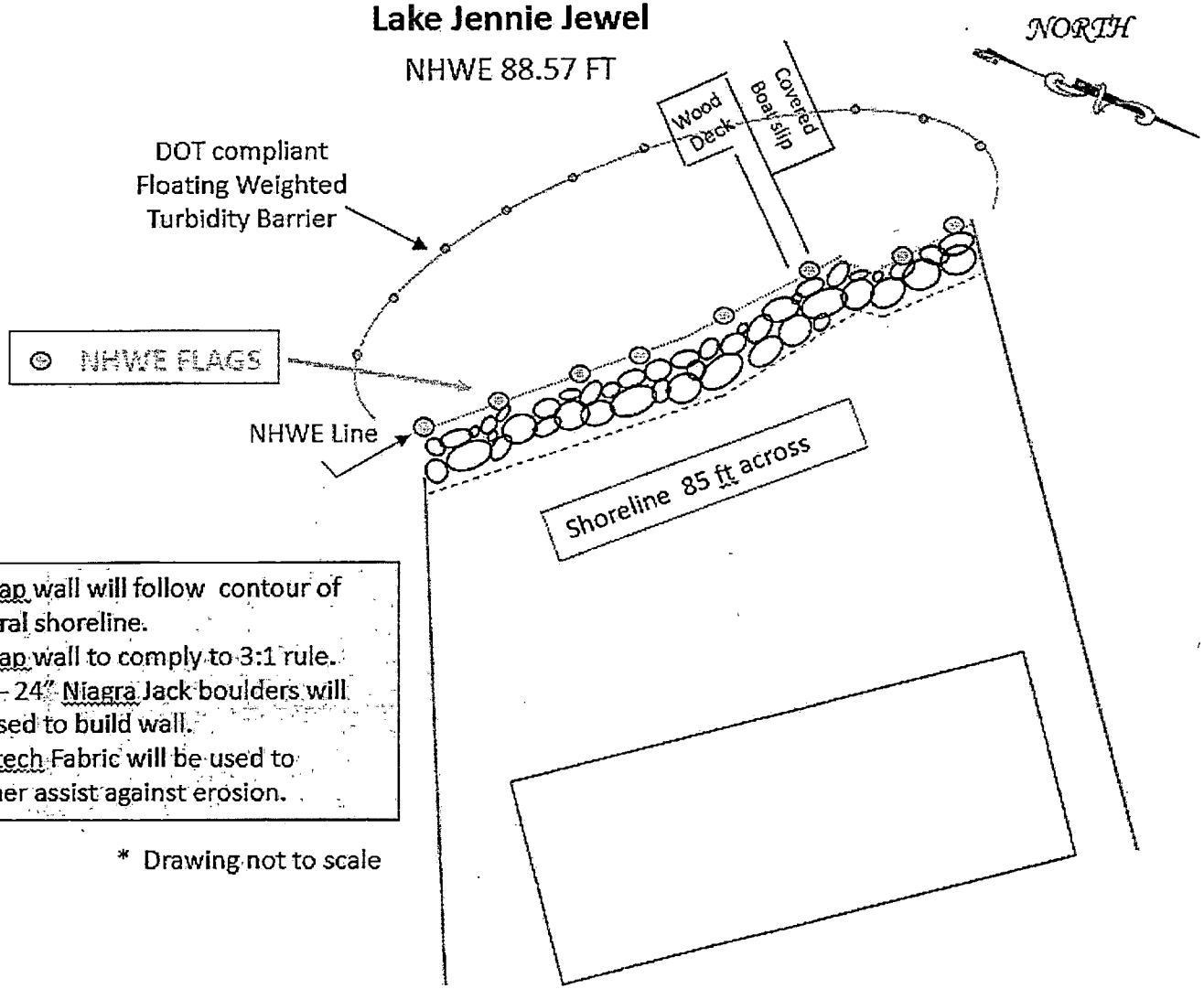
**Property Location**



**Evan Landis**
436 Jennie Jewel Drive
Orlando, FL. 32806
Parcel 12-23-29-4530-04-101

# Lake Jennie Jewel

NHWE 88.57 FT




- RipRap wall will follow contour of natural shoreline.
- RipRap wall to comply to 3:1 rule.
- 12" – 24" Niagra Jack boulders will be used to build wall.
- Geotech Fabric will be used to further assist against erosion.

* Drawing not to scale

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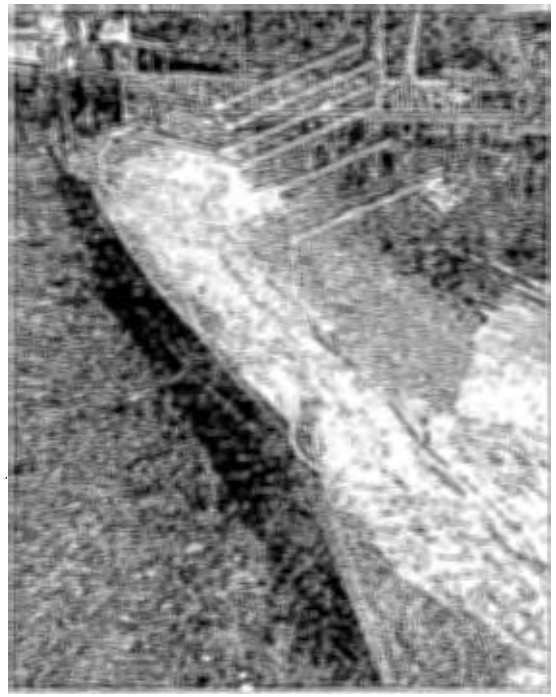
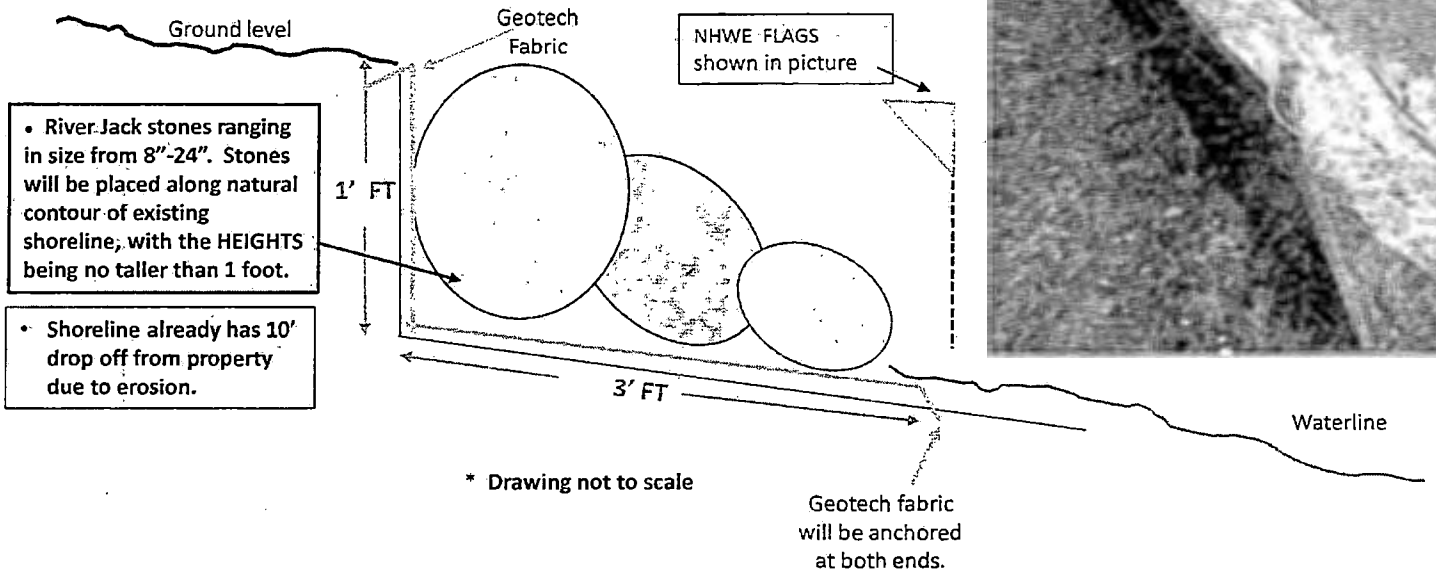
**Evan Landis**
436 Jennie Jewel Drive
Orlando, FL. 32806

## Cross Section
RipRap Seawall
NHWE 88.57



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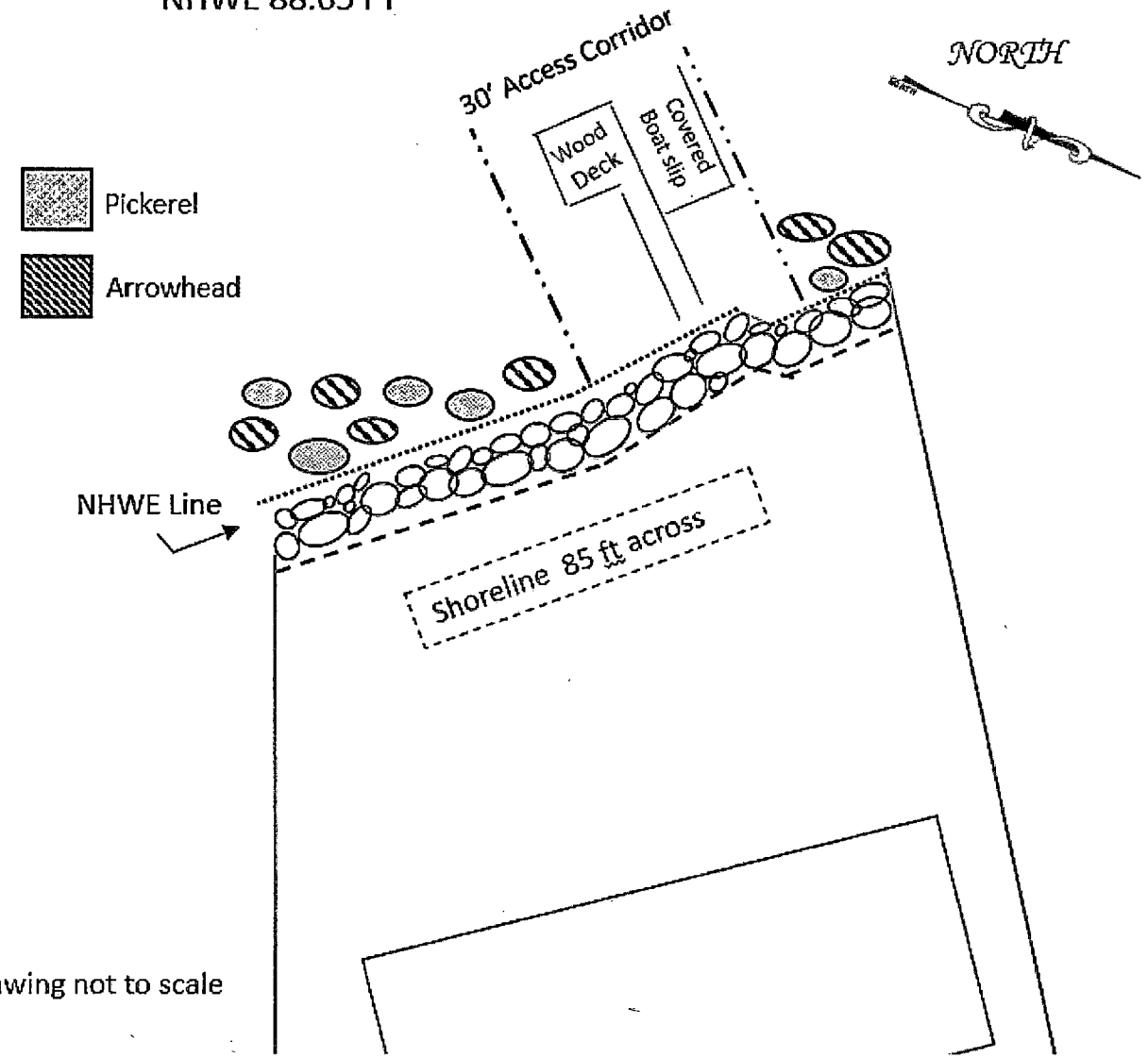
# Replanting Plan

Lake Jennie Jewel

NHWE 88.65 FT

**Evan Landis**
436 Jennie Jewel Drive
Orlando, FL. 32806
Parcel 12-23-29-4530-04-101




* Drawing not to scale

ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memorandum**

February 21, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development Services Department

**CONTACT PERSON:** **Lori Cunniff, CEP, CHMM, Deputy Director**
**Community, Environmental and Development Services Department**
**407-836-1405**

SUBJECT: March 21, 2017 – Public Hearing
Shoreline Alteration/Dredge and Fill Permit Application for George Douglas Ross and Sunset Lakes of Windermere Homeowner's Association, Inc. (SADF-16-12-016)

The applicants, George Douglas Ross and Sunset Lakes of Windermere Homeowner's Association, Inc., are requesting a Shoreline Alteration/Dredge and Fill Permit to place rip rap along the shoreline behind Mr. Ross's property on Lake Roper. The property is located at 13596 Sunset Lakes Circle, in Orange County Commission District 1. The Parcel IDs for the project site are 02-23-27-8455-00-530 and 02-23-27-8455-00-005.

Notification of the public hearing was sent to the property owners within five-hundred (500) feet of the project site.

On December 9, 2016, Mr. Ross submitted a Shoreline Alteration/Dredge and Fill Permit Application to place rip rap along his shoreline in order to reduce erosion. During the review, the Environmental Protection Division (EPD) discovered that Sunset Lakes of Windermere Homeowner's Association, Inc. (HOA) was the riparian owner of the portion of Lake Roper waterward of the Normal High Water Elevation (NHWE) where the rip rap was being proposed; therefore, EPD informed Mr. Ross that the HOA would need to be a co-applicant for the project. On January 13, 2017, EPD received a Shoreline Alteration/Dredge and Fill Permit Application signed by the HOA.

Pursuant to Orange County Code, Chapter 33, Article IV, EPD staff has evaluated the proposed Shoreline Alteration application and required documents. The applicants are proposing to place ninety (90) linear feet of rip rap along the NHWE of Lake Roper. EPD is not requiring the installation of additional native aquatic plantings since the shoreline is already heavily vegetated.

There has been no enforcement action taken by EPD on the subject property.

**Staff Recommendation**

Approval of the Shoreline Alteration/Dredge and Fill Permit, subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.

2. Construction activities shall be completed in accordance with the 'Construction Plan' submitted by Streamline Permitting, dated as received on December 29, 2016 and January 9, 2017, by the Environmental Protection Division (EPD). The permitted work must be commenced within six (6) months and completed within one year from the date of issuance of the permit. In the event that project has not commenced within six (6) months or completed within a year this permit is void.

3. Any permit extensions for the approved construction may be approved by way of Consent Agenda if there are no changes.

4. The riprap must be a minimum size of 6-inches and installed at a 2 (Horizontal): 1 (Vertical) slope.

5. The permittees may maintain a clear access corridor below the NHWE, not to exceed thirty (30) feet in width, of sufficient length waterward from the shoreline, to allow access to open water. Any structures such as a boat dock must be located within this corridor.

6. Native vegetation may not be removed from the shoreline outside of the specified access corridor, specific to project.

7. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Orange County (OC) Zoning Division at 201 South Rosalind Avenue. The rip rap may require an Orange County Building permit. For further information, please contact the OC Zoning Division at (407) 836-5525 or OC Division of Building Safety at (407) 836-5550.

General Conditions:

8. Subject to the terms and conditions herein, the permittees are hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittees binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked

immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.

9. Prior to construction, the permittees shall clearly designate the limits of construction on-site. The permittees shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.

10. The permittees shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittees shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.

11. Issuance of this permit does not warrant in any way that the permittees have riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittees. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittees agree to either obtain written consent or to remove the offending structure or encroachment within sixty (60) days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.

12. This permit does not release the permittees from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittees or create in the permit any property rights, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittees, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VI of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittees shall comply with the most stringent conditions. Permittees shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.

13. The permittees are hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittees are responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

14. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittees shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.

15. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.

16. The permittees shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate.

17. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.

18. The permittees shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.

19. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittees.

20. Permittees agree that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.

21. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittees shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.

**ACTION REQUESTED: Approval of Shoreline Alteration/Dredge and Fill Permit (SADF-16-12-016) for George Douglas Ross and Sunset Lakes of Windermere Homeowner's Association, Inc., subject to the conditions listed in the staff report. District 1**

JW/LC: mg

Attachments

# Shoreline Alteration/Dredge and Fill Permit Request

## Shoreline Alteration/ Dredge and Fill Permit Request

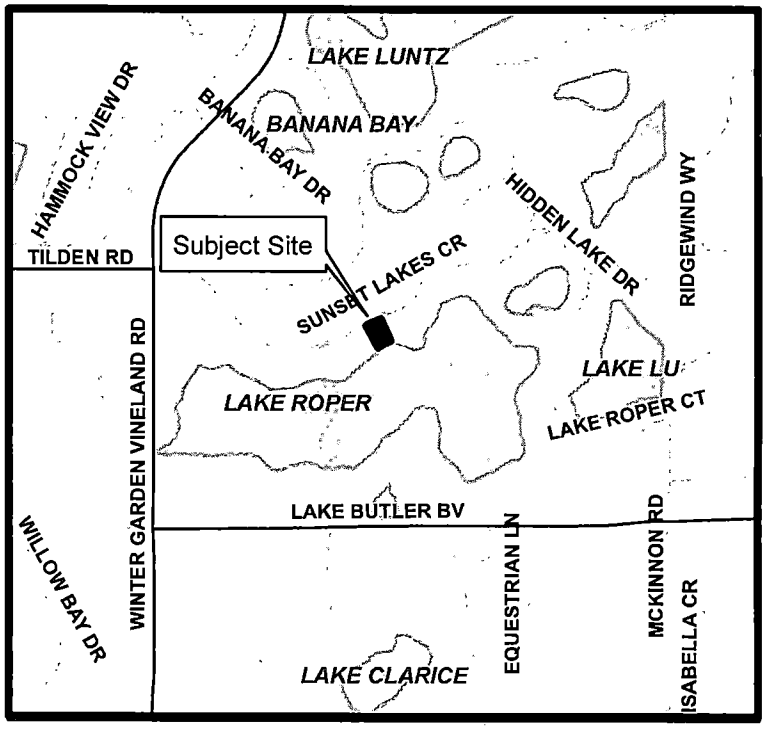
District #1

**Applicants:** George Douglas Ross
Sunset Lakes HOA

**Parcel IDs:** 02-23-27-8455-00-530
02-23-27-8455-00-005

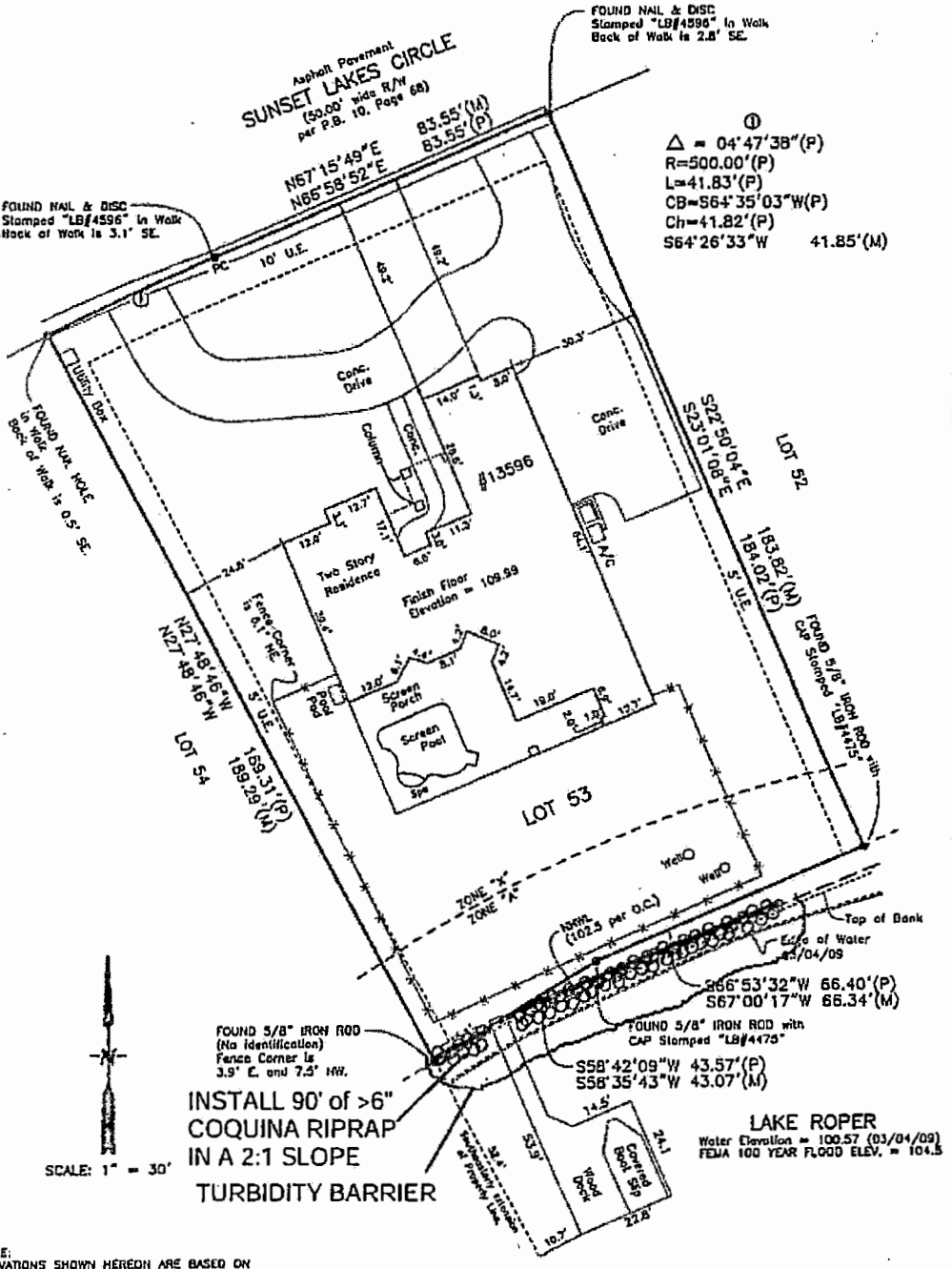
**Project Site**

**Property Location**



# PLAT OF BOUNDARY SURVEY

ROSS SITE PLAN
13596 SUNSET LAKES CIRCLE
WINTER GARDEN




NOTE:
ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY BENCHMARK NUMBER "S-053-010", NAVD 1988.

NOTE:
THE LINE DELINEATING FLOOD ZONES "X" AND "A", SHOWN HEREON, IS SCALED FROM THE FEMA FLOOD INSURANCE RATE MAP, AND DOES NOT CONSTITUTE A FIELD SURVEYED LINE.

DOCK ELEVATIONS:
Finish Elevation of Wood Dock = 102.6
Finish Elevation of Wood Walk Landside = 102.5
Peak Elevation of Covered Boat Slip = 117.5

FEMA 100 YEAR FLOOD ELEVATION = 104.5 (per Orange County Lake Index, dated January 2005. Note, vertical datum for said elevation not stated in Lake Index.)
EXISTING FINISH FLOOR ELEVATION: 109.99
FEMA 100 YEAR FLOOD ELEVATION: 104.5
DIFFERENCE = 5.49 FEET.

SEE SHEET 1 FOR LEGAL DESCRIPTION, NOTES AND LEGEND


HARRISON SURVEYING AND MAPPING, INC.
HSM INC
PROFESSIONAL SURVEYORS AND MAPPERS
Certificate of Authorization #LB 6948
32529 Okaloosa Trail
Sorrento, Florida 32776
Phone: (352) 735-1263

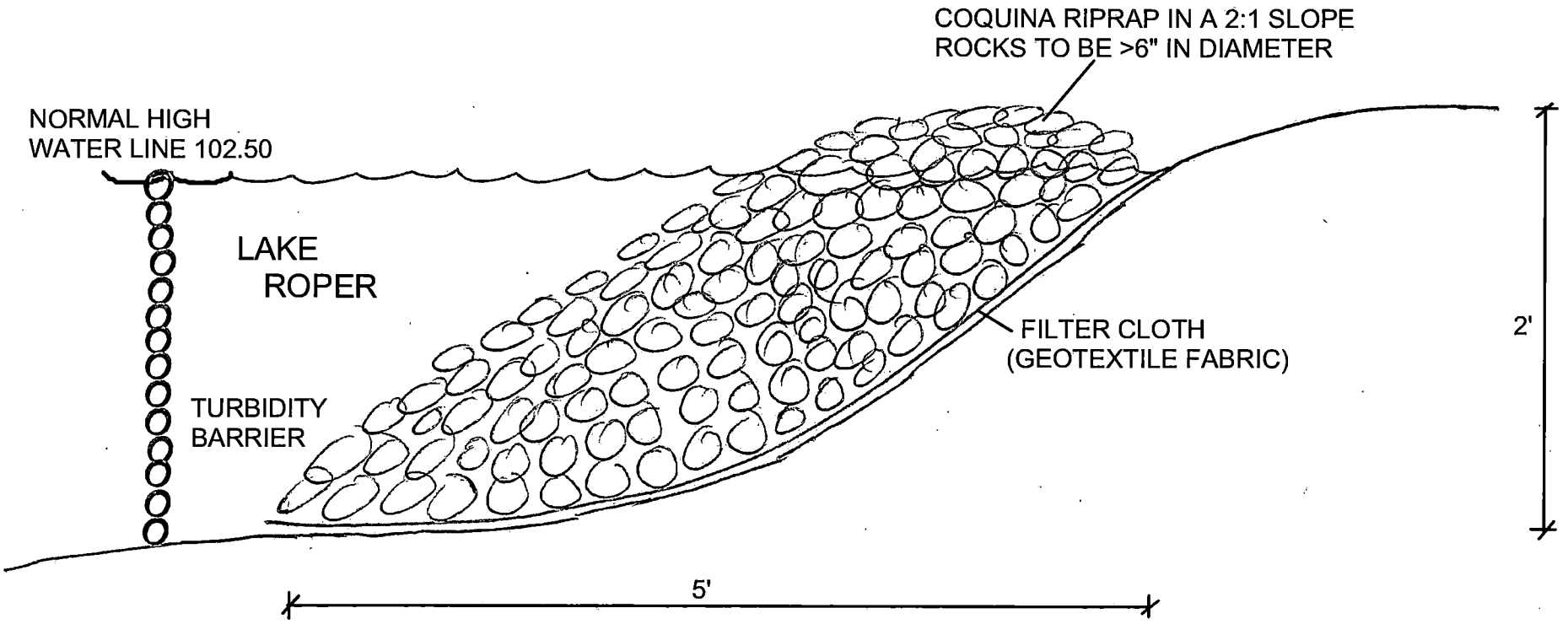
JOB NO. 04-1522T Sheet 2 of 2

JM 8/16 NOTE Survey

OCEPD DEC292016PM4:16

# ROSS RIPRAP CROSS SECTION - 13596 SUNSET LAKES CIRCLE, WINTER GARDEN

## PURPOSE: TO REDUCE EROSION BY DISSIPATING WAVE ENERY




ANY AQUATIC VEGETATION THAT EXISTS IN THE LOCATION OF THE PROPOSED RIPRAP REVETMENT WILL BE CAREFULLY RELOCATED WATERWARD OF THE RIPRAP AND ANCHORED UNTIL THE ROOTS ARE RE-ESTABLISHED.

**Interoffice Memorandum**

DATE: March 8, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON:** **John Smogor, Chairman**
**Development Review Committee**
**Planning Division**
**(407) 836-5616**

SUBJECT: March 21, 2017 – Public Hearing
Applicant: Larry Poliner, Landsmart Consultants, LLC
Lakeside Village Center South PD / Lakeside Village Center South PSP / Sweetwater Car Wash Development Plan - Case # DP-16-06-217

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to construct a 6,234 square foot car wash building and accessory structures on a total of 1.789 acres.

In addition, the following waiver from Orange County Code is being requested:

1. A waiver from Orange County Code Section 38-1389(c)(10) is requested to allow a sidewalk less than ten (10) feet in width, in lieu of a ten (10) foot wide sidewalk, to be placed in the right of way in lieu of a utility easement.

The subject property is adjacent to the Silverlake Park Drive, which has an existing eight (8) foot sidewalk within the public right-of-way.

The application for this request is subject to the requirements of Ordinance 2008-14, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy will be available upon request in the DRC Office.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation, including an 11" x 17" plan, is in the top drawer of the BCC file cabinet in the supply room adjacent to District 4 Commissioner's office.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan (CP) and approve the Lakeside Village Center South PD / Lakeside Village Center South PSP / Sweetwater Car Wash Development Plan dated "Received January 11, 2017", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

JVW/JS/lme
Attachments

# CASE # DP-16-06-217

Commission District # 1

## 1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to construct a 6,234 square foot car wash building and accessory structures on a total of 1.789 acres.

In addition, the following waiver from Orange County Code is being requested:

1. A waiver from Orange County Code Section 38-1389(c)(10) is requested to allow a sidewalk less than ten (10) feet in width, in lieu of a ten (10) foot wide sidewalk, to be placed in the right of way in lieu of a utility easement.

The subject property is adjacent to the Silverlake Park Drive, which has an existing eight (8) foot sidewalk within the public right-of-way.

## 2. PROJECT ANALYSIS

| | |
|---|---|
| A. Location: | North side of Silver Park Drive / Southwest of Winter Garden Vineland Road |
| B. Parcel ID: | 36-23-27-5452-01-002 (a portion of) |
| C. Total Acres: | 1.789 acres |
| D. Water Supply: | Orange County Utilities |
| E. Sewer System: | Orange County Utilities |
| F. Schools: | N/A |
| G. School Population: | N/A |
| H. Parks: | N/A |
| I. Proposed Use: | 6,234 square foot car wash building and accessory structures |
| J. Site Data: | Maximum Building Height: 50'<br>Building Setbacks:<br>10' Front<br>0' Side<br>6' Side Street<br>0' Rear |
| K. Fire Station: | 34 – 7435 Winter Garden Vineland Road |

L. Transportation: There project is covered under capacity reservation certificate (CRC) #04-059, which includes 187,000 square feet of retail uses, 434 single-family units and 1,032 multi-family units. This certificate expires March 3, 2018.

## 3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of V (Village) and a Lakeside Village Specific Area Plan (SAP) designation of Village Center District (VCD). The proposed use is consistent with the Comprehensive Plan.

## 4. ZONING

PD (Lakeside Village Center South Planned Development)

## 5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Lakeside Village Center South Planned Development; Orange County Board of County Commissioners (BCC) approvals; Lakeside Village Center South Preliminary Subdivision Plan; BCC approvals; Sweetwater Car Wash Development Plan dated "Received January 11, 2017" and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this development plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Development plan (DP) approval by the DRC (or BCC, as applicable), shall automatically expire if construction plans are required and have not been submitted and approved within two (2) years from DP approval; if construction plans are not required, such DP shall expire two (2) years from approval unless a building permit has been obtained within such two-year period. The foregoing notwithstanding, the DRC may, upon good cause shown, grant successive one (1) year extensions to the expiration date of a DP if the developer makes written request to the DRC chair prior to the expiration date.

7. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved Master Drainage Plan (MDP) for this PD.

8. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.

9. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

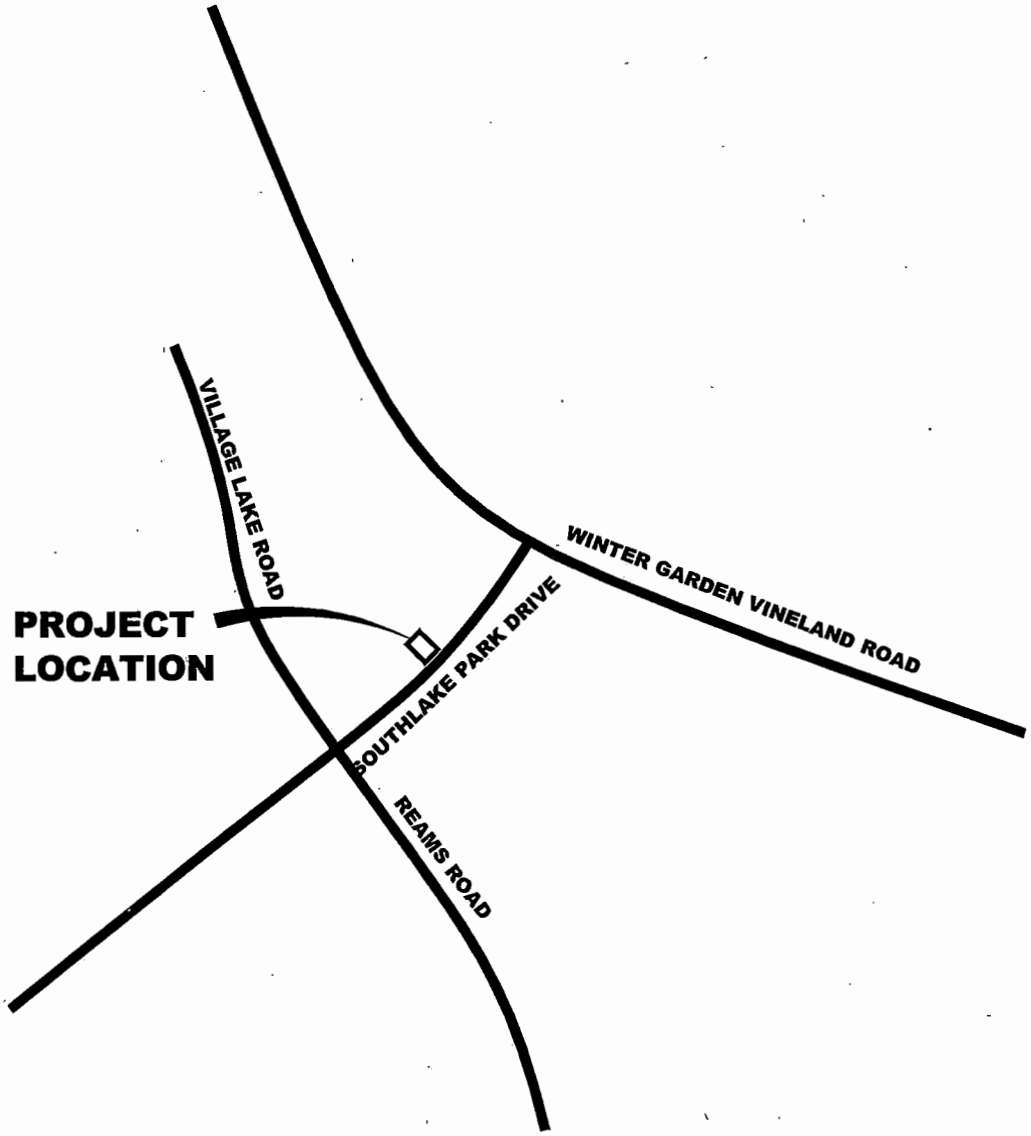
10. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.

11. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water, wastewater, and reclaimed water systems have been designed to support all development within the DP, and that construction plans are consistent with an approved Master Utility Plan for the PD.

12. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with the Master Sign Plan.

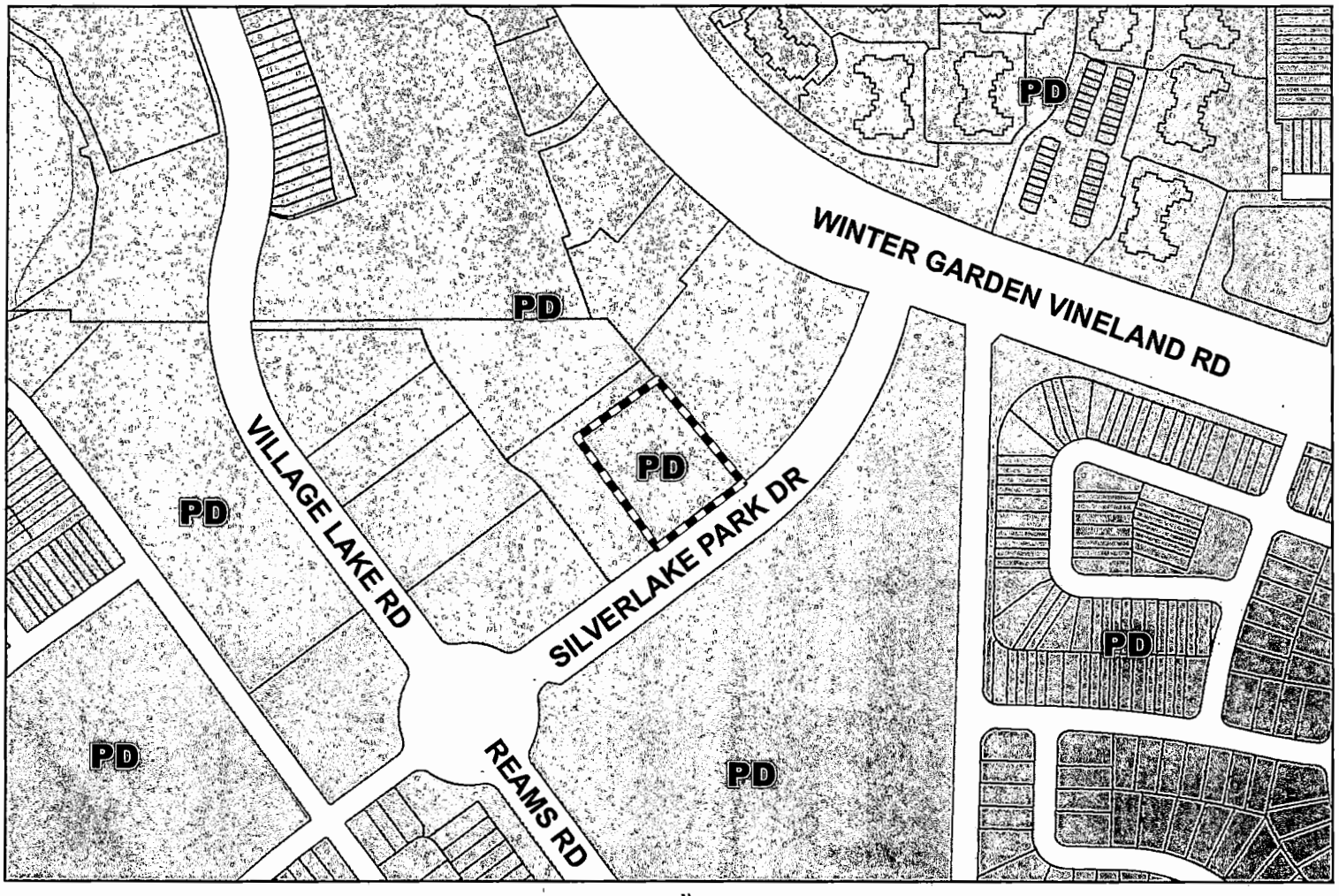
13. A waiver from Orange County Code Section 38-1389(c)(10) is granted to allow a sidewalk less than ten feet (10') in width, in lieu of a ten foot (10') wide sidewalk, to be placed in the right of way in lieu of a utility easement.

14. Approval of this DP shall constitute a lot split approval.




| | | | |
|---|---|---|---|
| LANDSMART CONSULTANTS, LLC | Scale: NTS<br>Date: JAN 2017<br>Job No.:<br>COA No. 29307 | LOCATION MAP<br>SWEETWATER CAR WASH<br>ORANGE COUNTY, FLORIDA | FIGURE 1 |

# DP-16-06-217




Subject Property

N
W
E
S

★ Subject Property

## Zoning

**ZONING:** PD (Planned Development District)
(Lakeside Village Center South PD)

**APPLICANT:** Larry Poliner,
Landsmart Consultants, LLC

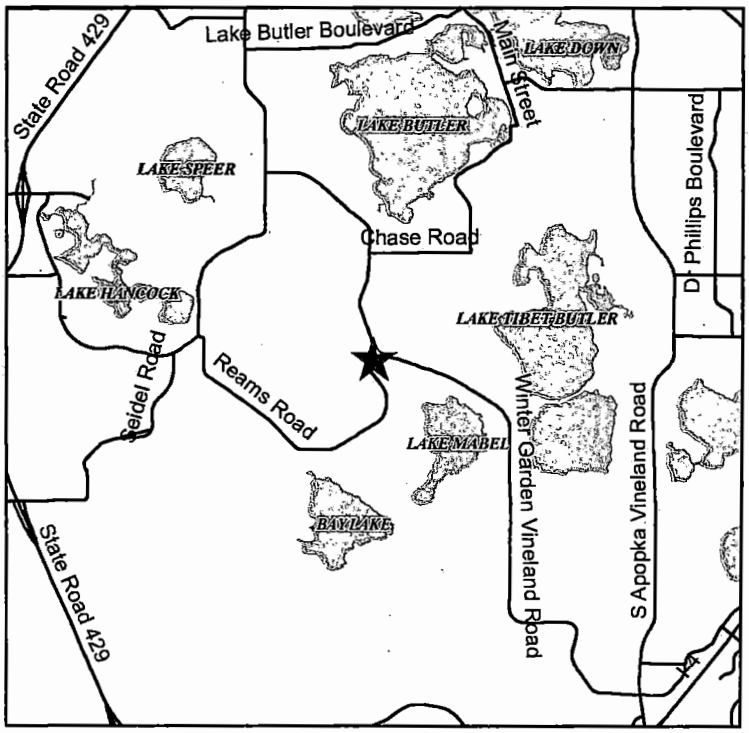
**LOCATION:** North side of Silver Park Drive / Southwest of Winter Garden Vineland Road

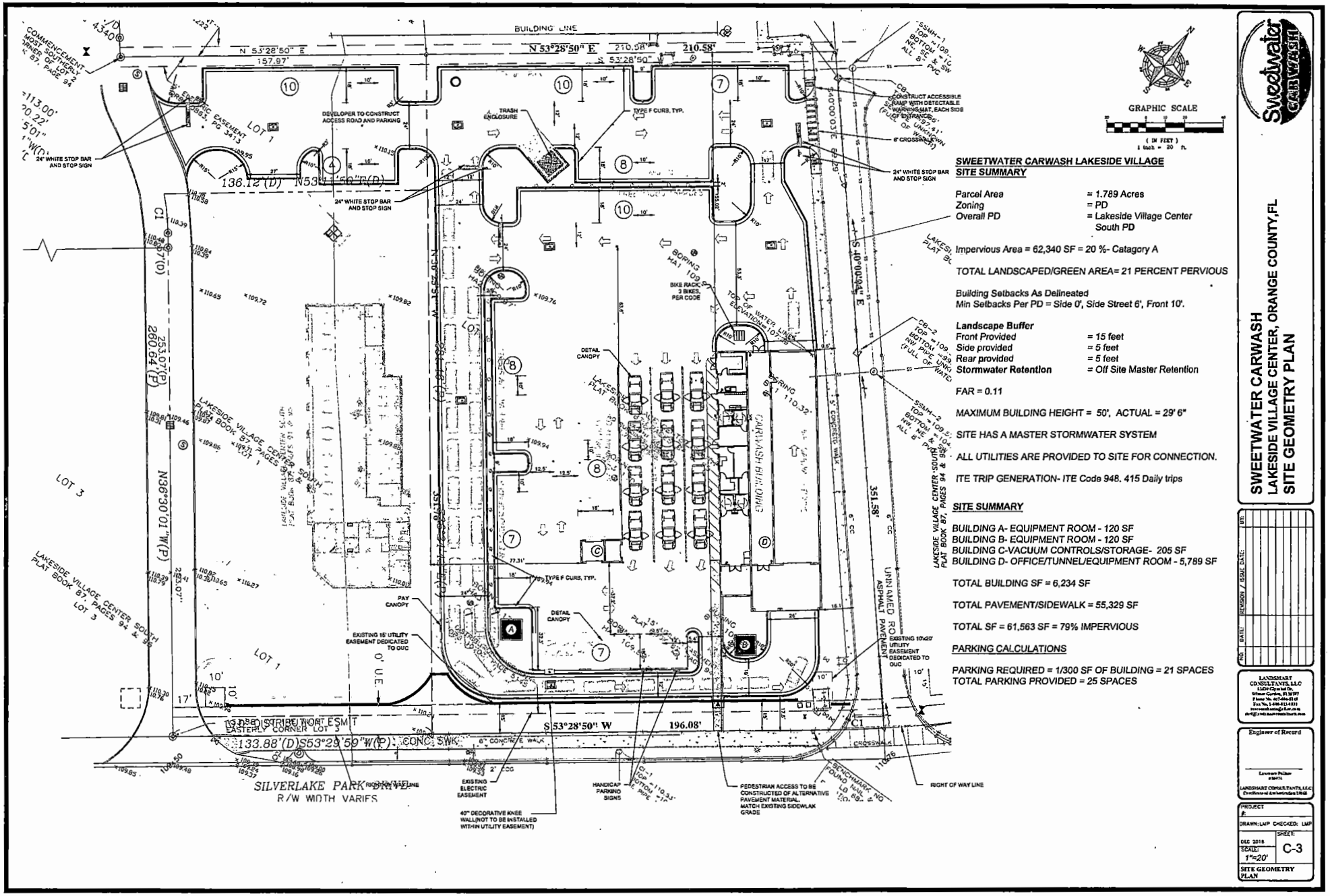
**TRACT SIZE:** 1.79 gross acres

**DISTRICT:** #1

**S/T/R:** 36/23/27

**1 inch = 375 feet**






**SWEETWATER CARWASH LAKESIDE VILLAGE**
**SITE SUMMARY**

| | |
|---|---|
| Parcel Area | = 1.789 Acres |
| Zoning | = PD |
| Overall PD | = Lakeside Village Center South PD |

Impervious Area = 62,340 SF = 20 %- Catagory A

TOTAL LANDSCAPED/GREEN AREA= 21 PERCENT PERVIOUS

Building Setbacks As Delineated
Min Setbacks Per PD = Side 0', Side Street 6', Front 10'.

**Landscape Buffer**

| | |
|---|---|
| Front Provided | = 15 feet |
| Side provided | = 5 feet |
| Rear provided | = 5 feet |
| Stormwater Retention | = Off Site Master Retention |

FAR = 0.11

MAXIMUM BUILDING HEIGHT = 50', ACTUAL = 29' 6"

SITE HAS A MASTER STORMWATER SYSTEM

ALL UTILITIES ARE PROVIDED TO SITE FOR CONNECTION.

ITE TRIP GENERATION- ITE Code 948. 415 Daily trips

**SITE SUMMARY**

BUILDING A- EQUIPMENT ROOM - 120 SF
BUILDING B- EQUIPMENT ROOM - 120 SF
BUILDING C-VACUUM CONTROLS/STORAGE- 205 SF
BUILDING D- OFFICE/TUNNEL/EQUIPMENT ROOM - 5,789 SF

TOTAL BUILDING SF = 6,234 SF

TOTAL PAVEMENT/SIDEWALK = 55,329 SF

TOTAL SF = 61,563 SF = 79% IMPERVIOUS

**PARKING CALCULATIONS**

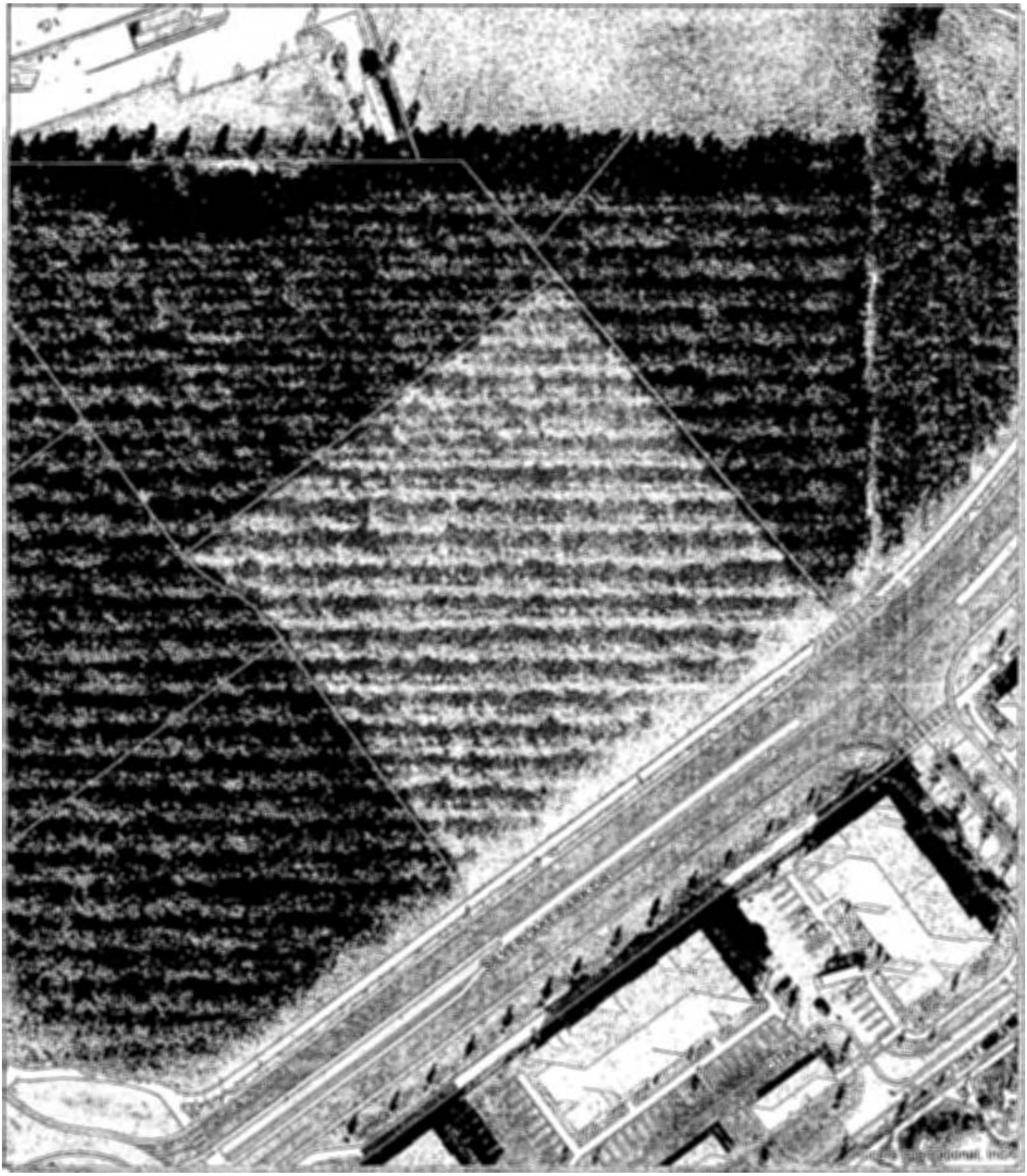
PARKING REQUIRED = 1/300 SF OF BUILDING = 21 SPACES
TOTAL PARKING PROVIDED = 25 SPACES

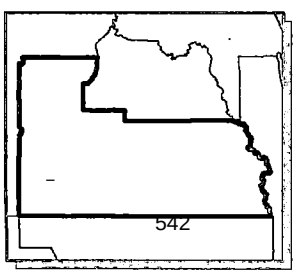
Sweetwater CAR WASH

**SWEETWATER CARWASH**
**LAKESIDE VILLAGE CENTER, ORANGE COUNTY,FL**
**SITE GEOMETRY PLAN**

| NO. | DATE: | REVISION / ISSUE | DATE: |
|---|---|---|---|
| | | | |

LANDSMART CONSULTANTS, LLC
Engineer of Record
PROJECT #:
DRAWN: LMP CHECKED: LMP
DEC 2018
SCALE: 1"=20'
SHEET: C-3
SITE GEOMETRY PLAN






# Lakeside Village Center South PD
# Lakeside Village Center South PSP
# Sweetwater Car Wash DP

Parcels
Jurisdiction
Subject Property
Hydrology

N
W
E
S

0 50 100
Feet
1 in = 100 ft

**Interoffice Memorandum**

DATE: March 8, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development Services Department

**CONTACT PERSON:** **John Smogor, Chairman**
**Development Review Committee**
**Planning Division**
**(407) 836-5616**

SUBJECT: March 21, 2017 – Public Hearing
Marc Stehli, Poulos & Bennett, LLC
Hickory Nut Estates Planned Development (PD) / Hickory Nut Estates Preliminary Subdivision Plan (PSP)
Case # PSP-16-06-222 / District 1

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 11, 2017 to recommend approval of the Hickory Nut Estates PD / Hickory Nut Estates Preliminary Subdivision Plan to subdivide 99.9 gross acres in order to construct forty (40) single-family residential dwelling units.

The request also includes the following waiver from Orange County Code:

1. A waiver from Orange County Code Section 38-1384(i)(4) is requested to not require vehicular access to garages or other off street parking surfaces on all lots greater than (50) feet in width that face neighborhood squares and parks be provided from a rear alley easement or from a front driveway where the garages are located at or beyond the rear wall of the primary structure for Lots 17 – 21.

The application for this request is subject to the requirements of Ordinance 2008-14, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy will be available upon request in the DRC Office.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation, including an 11" x 17" plan, is in the top drawer of the BCC file cabinet in the supply room adjacent to District 4 Commissioner's office.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan (CP) and approve the Hickory Nut Estates Planned Development (PD) / Hickory Nut Estates Preliminary Subdivision Plan (PSP) dated "Received January 9, 2017", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1**

JVW/JS/lme
Attachments

# CASE # PSP-16-06-222

Commission District # 1

## 1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 11, 2017 to recommend approval of the Hickory Nut Estates PD / Hickory Nut Estates Preliminary Subdivision Plan to subdivide 99.9 gross acres in order to construct forty (40) single-family residential dwelling units.

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## 2. PROJECT ANALYSIS

| | |
|---|---|
| A. Location: | East of the Lake County – Orange County line / South of Old YMCA Road |
| B. Parcel ID: | 06-24-27-0000-00-002; 06-24-27-0000-00-014; 06-24-27-0000-00-016; 06-24-27-0000-00-017 |
| C. Total Acres: | 99.9 |
| D. Water Supply: | Orange County Utilities |
| E. Sewer System: | Orange County Utilities |
| F. Schools: | Keene's Crossing ES Capacity: 859 / Enrolled: 893<br>Bridgewater MS Capacity: 1,176 / Enrolled: 1,559<br>West Orange HS Capacity: 3,276 / Enrolled: 4,161 |
| G. School Population: | 17 |
| H. Parks: | Summerport Park – 6.8 Miles |
| I. Proposed Use: | 40 Single-Family Residential Dwelling Units |
| J. Site Data: | Maximum Building Height:<br>45' (3-stories)<br><br>Minimum Living Area:<br>1,500 Square Feet |

Building Setbacks:
10' Front Porch
20' Front
10' Side
25' Rear
10' Side Street

K. Fire Station: 32 – 14932 East Orange Lake Boulevard

L. Transportation: Based on the Concurrency Management System database dated July 6, 2016, capacity is available to be encumbered for this project. This information is dated and subject to change. An approved Capacity Encumbrance Letter is required prior to obtaining a building permit.

Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in the decision to approve this preliminary subdivision plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

## 3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of Village (V) and is designated as Estate Rural District within the Village H SAP of Horizon West. The project is consistent with the Comprehensive Plan.

## 4. ZONING

PD (Planned Development) (Hickory Nut Estates PD)

## 5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Hickory Nut Estates PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Hickory Nut Estates Preliminary Subdivision Plan dated "Received January 9, 2017," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of

approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received January 9, 2017," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this preliminary plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full

costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Prior to issuance of any certificate of completion, all storm drain inlets shall have metal medallion inlet markers installed. Text on the marker shall read "No Dumping, Drains to Waterway." Specification detail will be provided within all plan sets. Contact the National Pollutant Discharge Elimination System (NPDES) Supervisor at the Orange County Environmental Protection Division for details.

7. The applicant / owner has an affirmative obligation to expressly notify potential purchasers and / or tenants, through the appropriate mechanism, including a restrictive covenant and / or a conspicuous note on the plat, of the proximity of the West Orange & 545 solid waste disposal facilities that are located northeast of this site.

8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

9. Unless a Conservation Area Impact (CAI) permit is approved by Orange County consistent with Orange County Code Chapter 15, Article X, "Wetland Conservation Areas", prior to Construction Plan approval, no conservation area or buffer encroachments shall be permitted. Approval of this plan does not authorize any direct or indirect conservation area impacts.

10. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.

11. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any

excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.

12. The site shall be stabilized following grubbing, clearing, earth work or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.

13. All home designs / types proposed for this PSP shall be submitted to the County for setback & architectural review a minimum of 90 days prior to model home requests and / or permitting.

14. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.

15. Any new street which is an extension of or in alignment with an existing street shall bear the same name as that borne by such existing street.

16. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

17. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.

18. A mandatory pre-application / sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application / sufficiency review meeting prior to formal submittal of the plat to the County.

19. The stormwater management system shall be designed to retain the 100-year / 24-hour storm event onsite, unless documentation with supporting calculations is

submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year / 24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.

20. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.

21. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.

22. Infrastructure for P-1, R-1, UG-1 (Phase 1), and UG-2 (Phase 2), shall be completed with initial construction prior to Certificate of Completion.

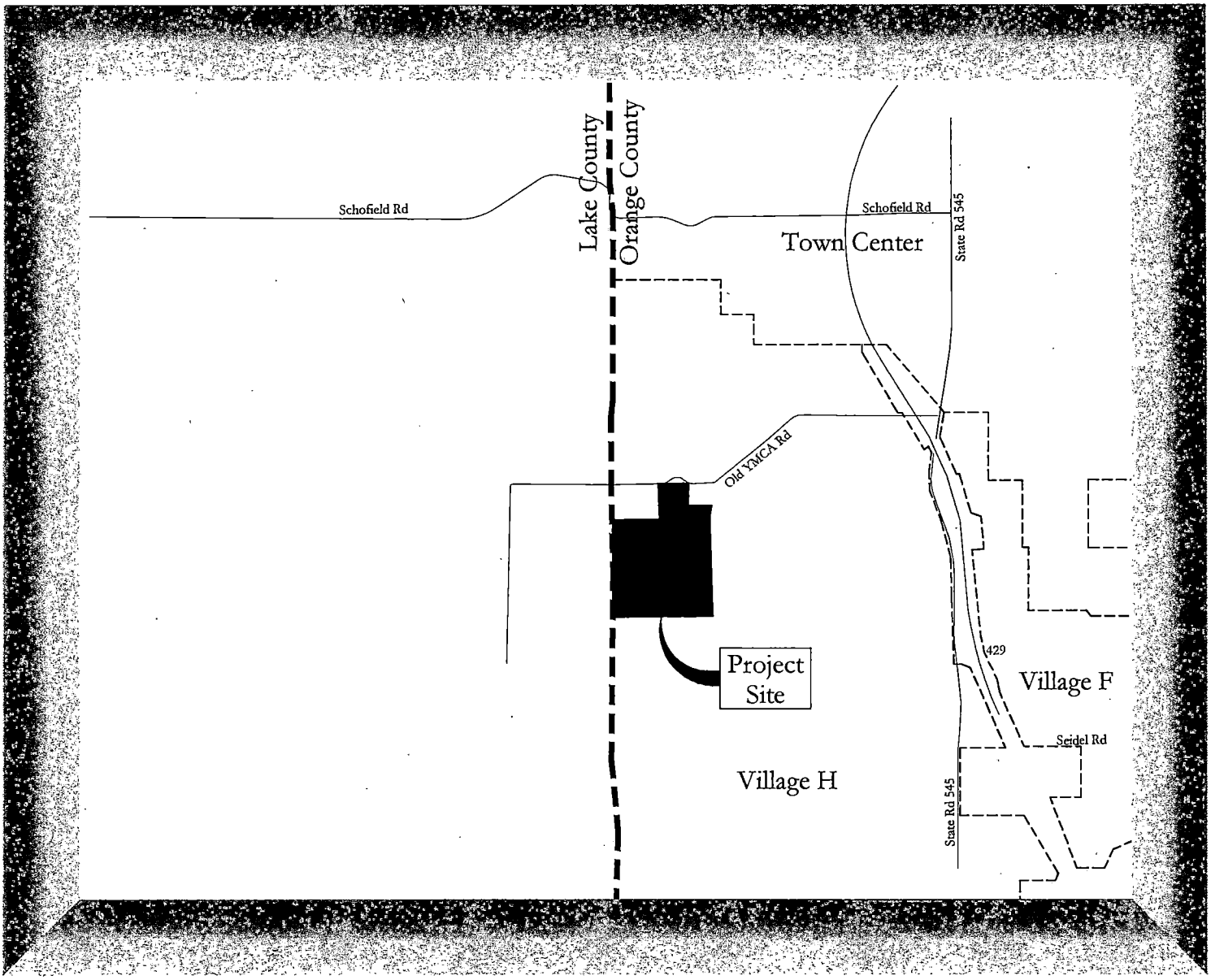
23. A Development Plan for the Recreational and Public Open Space Tracts shall be submitted for DRC review and approval and shall be constructed prior to plat approval.

24. A waiver from Orange County Code Section 38-1384(i)(4) is granted to not require vehicular access to garages or other off street parking surfaces on all lots greater than (50) feet in width that face neighborhood squares and parks be provided from a rear alley easement or from a front driveway where the garages are located at or beyond the rear wall of the primary structure for Lots 17-21.

25. Construction of certain offsite improvements (the Old YMCA Road reconstruction and multi-use trail) shall be completed prior to or concurrently with issuance of a Certificate of Completion for the project infrastructure.

26. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PSP, including hydraulically dependent parcels outside the PSP boundaries; such MUP shall include supporting calculations showing that the PSP-level MUP is consistent with the approved MUP for the Village, or shall include an update to the Village MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.

# Hickory Nut Estates (PSP-16-06-222)

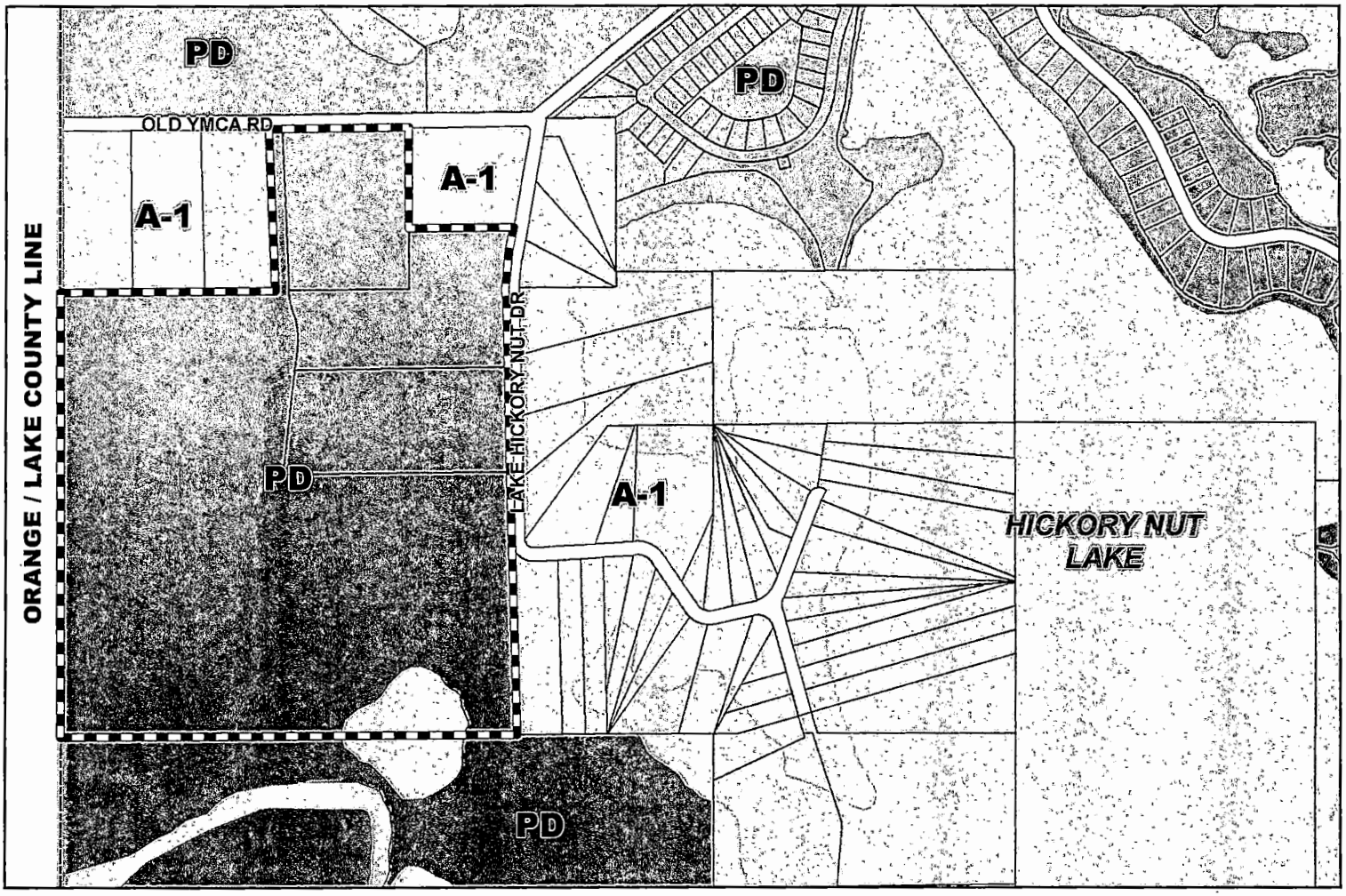



## Vicinity Map

Scale: 1" = 3,000'

POULOS & BENNETT
2602 E. Livingston Street, Orlando, FL 32803
Tel. 407.487.2594 www.poulosandbennett.com
Eng. Bus. No. 28567
P&B Job No.: 14-073

# PSP-16-06-222




Subject Property

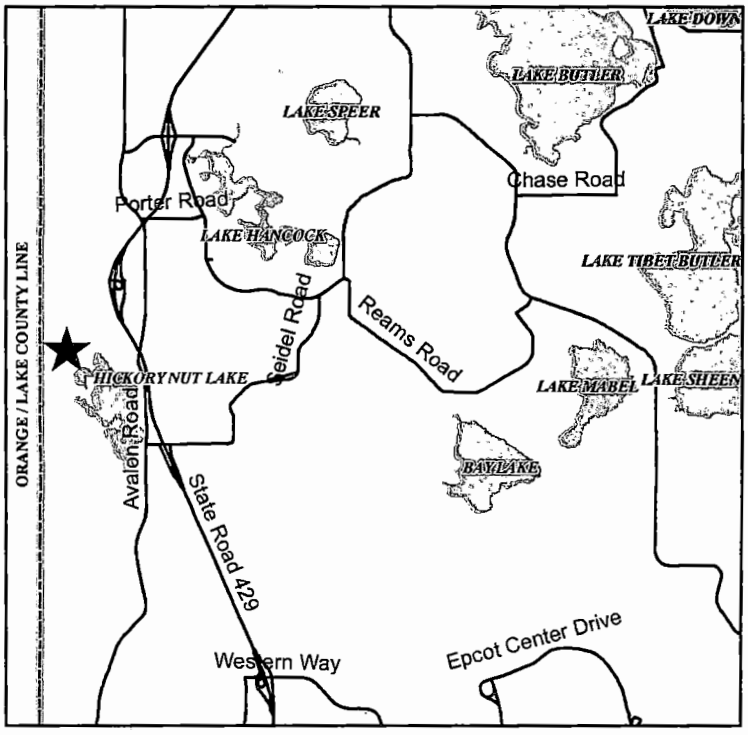
N
W
E
S

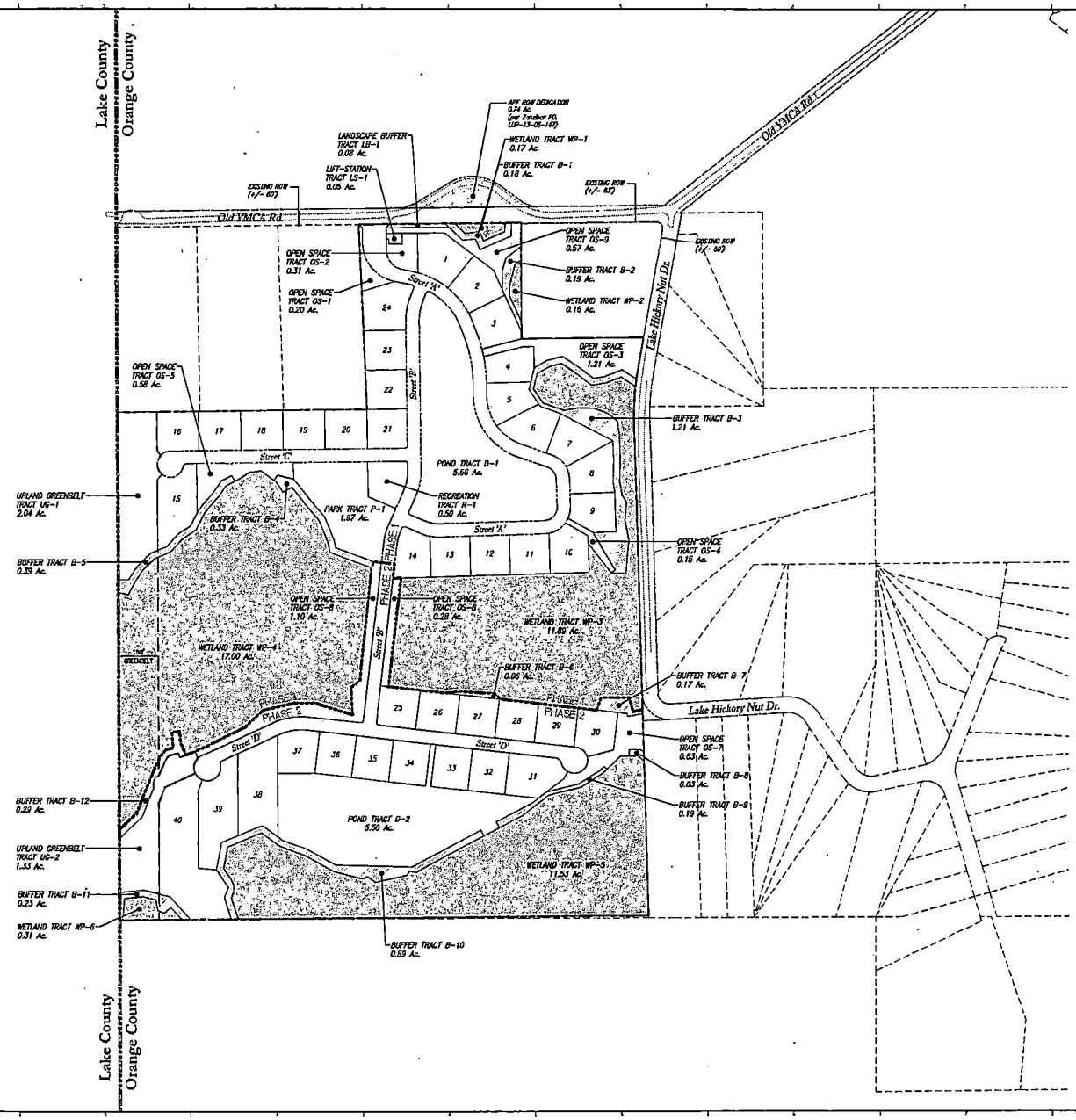
★ Subject Property

## Zoning

| | |
|---|---|
| ZONING: | PD (Planned Development District) (Hickory Nut Estates PD) |
| APPLICANT: | Marc Stehli, Poulos & Bennett, LLC |
| LOCATION: | East of the Lake County - Orange County Line / South of Old YMCA Road |
| TRACT SIZE: | 99.9 gross acres |
| DISTRICT: | #1 |
| S/T/R: | 06/24/27 |

1 inch = 750 feet






100' 0 200' 400'
SCALE IN FEET

TRACT IDENTIFICATION TABLE

| TRACT | USE | PHASE | AREA (ACREAGE) | OWNERSHIP & MAINTENANCE [1] |
|---|---|---|---|---|
| B-1 | UPLAND BUFFER [2] | 1 | 0.18 | HOA |
| B-2 | UPLAND BUFFER [2] | 1 | 0.19 | HOA |
| B-3 | UPLAND BUFFER [2] | 1 | 1.21 | HOA |
| B-4 | UPLAND BUFFER [2] | 1 | 0.33 | HOA |
| B-5 | UPLAND BUFFER [2] | 1 | 0.39 | HOA |
| B-6 | UPLAND BUFFER [2] | 2 | 0.06 | HOA |
| B-7 | UPLAND BUFFER [2] | 2 | 0.17 | HOA |
| B-8 | UPLAND BUFFER [2] | 2 | 0.03 | HOA |
| B-9 | UPLAND BUFFER [2] | 2 | 0.19 | HOA |
| B-10 | UPLAND BUFFER [2] | 2 | 0.89 | HOA |
| B-11 | UPLAND BUFFER [2] | 2 | 0.23 | HOA |
| B-12 | UPLAND BUFFER [2] | 2 | 0.29 | HOA |
| D-1 | POND | 1 | 5.66 | ORANGE COUNTY |
| D-2 | POND | 2 | 5.50 | ORANGE COUNTY |
| LB-1 | LANDSCAPE BUFFER | 1 | 0.08 | HOA |
| LS-1 | LIFT-STATION | 1 | 0.05 | ORANGE COUNTY |
| OS-1 | OPEN SPACE | 1 | 0.20 | HOA |
| OS-2 | OPEN SPACE | 1 | 0.31 | HOA |
| OS-3 | OPEN SPACE [2] | 1 | 1.21 | HOA |
| OS-4 | OPEN SPACE | 1 | 0.15 | HOA |
| OS-5 | OPEN SPACE | 1 | 0.58 | HOA |
| OS-6 | OPEN SPACE | 2 | 0.28 | HOA |
| OS-7 | OPEN SPACE [2] | 2 | 0.63 | HOA |
| OS-8 | OPEN SPACE | 2 | 1.10 | HOA |
| OS-9 | OPEN SPACE [2] | 1 | 0.57 | HOA |
| P-1 | PUBLIC PARK | 1 | 1.67 | HOA |
| R-1 | RECREATION | 1 | 0.50 | HOA |
| UG-1 | UPLAND GREENBELT | 1 | 2.04 | HOA |
| UG-2 | UPLAND GREENBELT | 2 | 1.33 | HOA |
| WP-1 | WETLAND [2] | 1 | 0.17 | HOA |
| WP-2 | WETLAND [2] | 1 | 0.16 | HOA |
| WP-3 | WETLAND [2] | 1 | 11.89 | HOA |
| WP-4 | WETLAND [2] | 1 | 17.00 | HOA |
| WP-5 | WETLAND [2] | 2 | 11.51 | HOA |
| WP-6 | WETLAND [2] | 2 | 0.31 | HOA |
| | SUBTOTAL: | | 67.38 | - |
| RESIDENTIAL LOTS | | 1 | 13.63 | HOA |
| RIGHTS-OF-WAY | | 1 | 4.94 | ORANGE COUNTY |
| RESIDENTIAL LOTS | | 2 | 11.79 | HOA |
| RIGHTS-OF-WAY | | 2 | 2.62 | ORANGE COUNTY |
| | SUBTOTAL: | | 32.48 | - |
| | TOTAL: | | 99.86 | - |

[1] SEE OWNERSHIP AND MAINTENACE TABLE ON SHEET C2.02 FOR ADDITIONAL DETAILS
[2] DEVELOPMENT RIGHTS DEDICATED TO ORANGE COUNTY

SINGLE-FAMILY LOT AREA TABLE

| LOT NUMBER | USE | PHASE | AREA (>6,534, 1/2 ACRE) | AREA (MIN. 21,780 SF) |
|---|---|---|---|---|
| 1 | SINGLE-FAMILY - DETACHED | 1 | 0.65 | 28,406 |
| 2 | SINGLE-FAMILY - DETACHED | 1 | 0.50 | 21,988 |
| 3 | SINGLE-FAMILY - DETACHED | 1 | 0.46 | 20,171 |
| 4 | SINGLE-FAMILY - DETACHED | 1 | 0.57 | 25,000 |
| 5 | SINGLE-FAMILY - DETACHED | 1 | 0.52 | 22,704 |
| 6 | SINGLE-FAMILY - DETACHED | 1 | 0.51 | 22,567 |
| 7 | SINGLE-FAMILY - DETACHED | 1 | 0.46 | 20,332 |
| 8 | SINGLE-FAMILY - DETACHED | 1 | 0.58 | 25,295 |
| 9 | SINGLE-FAMILY - DETACHED | 1 | 0.54 | 23,443 |
| 10 | SINGLE-FAMILY - DETACHED | 1 | 0.53 | 23,307 |
| 11 | SINGLE-FAMILY - DETACHED | 1 | 0.52 | 22,589 |
| 12 | SINGLE-FAMILY - DETACHED | 1 | 0.52 | 22,500 |
| 13 | SINGLE-FAMILY - DETACHED | 1 | 0.53 | 23,567 |
| 14 | SINGLE-FAMILY - DETACHED | 1 | 0.52 | 23,005 |
| 15 | SINGLE-FAMILY - DETACHED | 1 | 0.84 | 36,700 |
| 16 | SINGLE-FAMILY - DETACHED | 1 | 0.55 | 24,223 |
| 17 | SINGLE-FAMILY - DETACHED | 1 | 0.55 | 23,775 |
| 18 | SINGLE-FAMILY - DETACHED | 1 | 0.55 | 23,775 |
| 19 | SINGLE-FAMILY - DETACHED | 1 | 0.55 | 23,775 |
| 20 | SINGLE-FAMILY - DETACHED | 1 | 0.60 | 26,197 |
| 21 | SINGLE-FAMILY - DETACHED | 1 | 0.52 | 22,670 |
| 22 | SINGLE-FAMILY - DETACHED | 1 | 0.54 | 23,652 |
| 23 | SINGLE-FAMILY - DETACHED | 1 | 0.54 | 23,506 |
| 24 | SINGLE-FAMILY - DETACHED | 1 | 0.68 | 29,437 |
| 25 | SINGLE-FAMILY - DETACHED | 2 | 0.52 | 22,679 |
| 26 | SINGLE-FAMILY - DETACHED | 2 | 0.52 | 22,500 |
| 27 | SINGLE-FAMILY - DETACHED | 2 | 0.53 | 23,100 |
| 28 | SINGLE-FAMILY - DETACHED | 2 | 0.52 | 22,500 |
| 29 | SINGLE-FAMILY - DETACHED | 2 | 0.52 | 22,500 |
| 30 | SINGLE-FAMILY - DETACHED | 2 | 0.55 | 23,954 |
| 31 | SINGLE-FAMILY - DETACHED | 2 | 0.70 | 30,349 |
| 32 | SINGLE-FAMILY - DETACHED | 2 | 0.51 | 22,400 |
| 33 | SINGLE-FAMILY - DETACHED | 2 | 0.51 | 22,400 |
| 34 | SINGLE-FAMILY - DETACHED | 2 | 0.51 | 22,400 |
| 35 | SINGLE-FAMILY - DETACHED | 2 | 0.51 | 22,400 |
| 36 | SINGLE-FAMILY - DETACHED | 2 | 0.51 | 22,400 |
| 37 | SINGLE-FAMILY - DETACHED | 2 | 0.55 | 24,050 |
| 38 | SINGLE-FAMILY - DETACHED | 2 | 1.14 | 49,528 |
| 39 | SINGLE-FAMILY - DETACHED | 2 | 1.11 | 48,443 |
| 40 | SINGLE-FAMILY - DETACHED | 2 | 2.07 | 89,908 |

Key Map:

Consultant:

| | | |
|---|---|---|
| 5 | 01/05/2017 | SUBMIT TO ORANGE COUNTY |
| 4 | 12/19/2016 | SUBMIT TO ORANGE COUNTY |
| 3 | 11/15/2016 | SUBMIT TO ORANGE COUNTY |
| 2 | 10/20/2016 | SUBMIT TO ORANGE COUNTY |
| 1 | 09/21/2016 | SUBMIT TO ORANGE COUNTY |
| NO. | DATE | DESCRIPTION |

SUBMISSIONS/REVISIONS

| | |
|---|---|
| VERTICAL DATUM: | NGVD 29 |
| JOB NO.: | 14-073 |
| DESIGNED BY: | BW |
| DRAWN BY: | BW |
| CHECKED BY: | MDS |
| APPROVED BY: | MDS |
| SCALE IN FEET: | 1" = 200' |

Project Name:
**HICKORY NUT ESTATES**

**PSP-16-06-222**

Submittal To:
ORANGE COUNTY, FL

Sheet Title:
**TRACT IDENTIFICATION PLAN**

Sheet No.:
**C2.01**

DATE: January 5, 2017


POULOS & BENNETT
Poulos & Bennett, LLC
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Tel. 407.487.2594 www.poulosandbennett.com
Reg. Bus. No. 28567


Z:\2014\14-073 HICKORY NUT SUBDIVISION\CAD\PRELIMINARY\PSP\14073.DP

## DEVELOPMENT INFORMATION

| GENERAL | |
|---|---|
| ZONING | PD |
| PROPOSED UNITS FOR THIS PSP | 40 |
| NET DENSITY | 0.96 |

| WETLAND SUMMARY [1] | |
|---|---|
| TOTAL WETLAND AREA | 46.84 |
| WETLANDS PRESERVED IN CONSERVATION | 41.06 |
| WETLANDS IMPACTED | 5.78 |

| DEVELOPABLE LAND SUMMARY [1] | |
|---|---|
| TOTAL SITE AREA | 99.86 |
| WETLANDS PRESERVED IN CONSERVATION | 41.06 |
| DEVELOPABLE LAND AREA | 58.80 |

| NET DEVELOPABLE LAND SUMMARY [1] | |
|---|---|
| DEVELOPABLE LAND AREA | 58.80 |
| APF RIGHT-OF-WAY PROVIDED | 0.00 |
| PUBLIC OPEN SPACE AREA [2] | 1.97 |
| STORMWATER AREA | 11.16 |
| GREENBELT AREA [3] | 3.81 |
| NET DEVELOPABLE LAND AREA | 41.86 |

[1] Areages are approximate until conservation area impact permits obtained.
[2] Includes Park Tract P-1 Area.
[3] Area includes Upland Greenbelt Tracts and 0.44 Acres of Upland Buffers located within the 150' Greenbelt Area.

### SITE / LOT DATA - PHASE 1

| ESTATE RURAL DISTRICT, SINGLE-FAMILY - DETACHED (1) | |
|---|---|
| TOTAL PHASE AREA (Acres) | 63.38 |
| PHASE WETLANDS PRESERVED IN CONSERVATION (Acres) | 29.22 |
| PHASE DEVELOPABLE LAND AREA (Acres) | 34.15 |
| NUMBER OF UNITS | 24 |
| MAX BUILDING HEIGHT | 45' (3 STORIES) |
| MAX. GARAGE HEIGHT | 22', 30' W/ LIVING AREA OVER GARAGE |
| MIN. LOT SIZE | 21,780 SF (1/2 ACRE) |
| MIN. LOT WIDTH | 90' |
| MIN. LOT DEPTH | 110' |
| MIN. LIVING AREA | 1,500 SF (2) |
| MAX. LOT COVERAGE | 65% (3) |
| SETBACKS (feet) | |
| FRONT PRIMARY | 20' |
| FRONT PORCH | 10' |
| REAR PRIMARY | 75' |
| SIDE | 10' |
| SIDE STREET | 10' |
| DRIVEWAYS SIDE LOT LINE | 10' (FIRST 10' FROM ROW) / 5' |

1. DEVELOPMENT STANDARDS TO COMPLY WITH HICKORY NUT ESTATES PD, LAND USE PLAN (LUP-15-07-204) AS APPROVED BY ORANGE COUNTY BCC ON FEBRUARY 9, 2016.
2. LIVING AREA IS DEFINED AS THE AREA THAT IS HEATED AND COOLED.
3. THE AREA OF THE FRONT PORCH IS NOT INCLUDED IN THE CALCULATION OF LOT COVERAGE.

### SITE / LOT DATA - PHASE 2

| ESTATE RURAL DISTRICT, SINGLE-FAMILY - DETACHED (1) | |
|---|---|
| TOTAL PHASE AREA (Acres) | 36.48 |
| PHASE WETLANDS PRESERVED IN CONSERVATION (Acres) | 11.84 |
| PHASE DEVELOPABLE LAND AREA (Acres) | 24.64 |
| NUMBER OF UNITS | 16 |
| MAX BUILDING HEIGHT | 45' (3 STORIES) |
| MAX. GARAGE HEIGHT | 22', 30' W/ LIVING AREA OVER GARAGE |
| MIN. LOT SIZE | 21,780 SF (1/2 ACRE) |
| MIN. LOT WIDTH | 90' |
| MIN. LOT DEPTH | 110' |
| MIN. LIVING AREA | 1,500 SF (2) |
| MAX. LOT COVERAGE | 65% (3) |
| SETBACKS (feet) | |
| FRONT PRIMARY | 20' |
| FRONT PORCH | 10' |
| REAR PRIMARY | 75' |
| SIDE | 10' |
| SIDE STREET | 10' |
| DRIVEWAYS SIDE LOT LINE | 10' (FIRST 10' FROM ROW) / 5' |

1. DEVELOPMENT STANDARDS TO COMPLY WITH HICKORY NUT ESTATES PD, LAND USE PLAN (LUP-15-07-204) AS APPROVED BY ORANGE COUNTY BCC ON FEBRUARY 9, 2016.
2. LIVING AREA IS DEFINED AS THE AREA THAT IS HEATED AND COOLED.
3. THE AREA OF THE FRONT PORCH IS NOT INCLUDED IN THE CALCULATION OF LOT COVERAGE.

### TRAFFIC GENERATION, BASED ON ITE TRIP GENERATION 9TH EDITION

| Phase | Land Use | Quantity | Units | PM Peak Hour Trips Per Unit | Total Generated PM Hour Trips | Weekday Trips Per Unit | Total Generated Daily Trips |
|---|---|---|---|---|---|---|---|
| 1 | Single Family (Detached) | 24 | du | 1.00 | 24 | 9.52 | 228 |
| 2 | Single Family (Detached) | 16 | du | 1.00 | 16 | 9.52 | 152 |
| | Totals: | 40 | - | - | 40 | - | 381 |

### SCHOOL DEMAND

| Student Population per O.C. | | | | |
|---|---|---|---|---|
| Phase | School Type | Residential Units | Multiplier per OCSB | Student Population |
| 1 | Elementary Students | 24 | 0.196 | 5 |
| | Middle School Students | 24 | 0.100 | 2 |
| | High School Students | 24 | 0.134 | 3 |
| | *Phase 1, Sub-Total Students:* | | | *10* |
| 2 | Elementary Students | 16 | 0.196 | 3 |
| | Middle School Students | 16 | 0.100 | 2 |
| | High School Students | 16 | 0.134 | 2 |
| | *Phase 2, Sub-Total Students:* | | | *7* |
| | | | Total Students: | 17 |

### OWNERSHIP / MAINTENANCE

| | | |
|---|---|---|
| ROADWAYS | PUBLIC | TO BE OWNED AND MAINTAINED BY ORANGE COUNTY |
| POND TRACTS | PUBLIC | TO BE OWNED AND MAINTAINED BY ORANGE COUNTY WITH A USE AGREEMENT TO ALLOW H.O.A. ABILITY TO MAINTAIN FOR AESTHETIC PURPOSES |
| DRAINAGE EASEMENTS | PUBLIC | TO BE DEDICATED TO ORANGE COUNTY. DRAINAGE FACILITIES WITHIN THE EASEMENTS ARE TO BE OWNED AND MAINTAINED BY ORANGE COUNTY |
| REAR YARD SWALE EASEMENTS | PRIVATE | TO BE DEDICATED TO HOMEOWNERS ASSOCIATION. DRAINAGE FACILITIES WITHIN THE EASEMENTS ARE TO BE MAINTAINED BY THE HOA. |
| UTILITY EASEMENTS | PUBLIC | TO BE DEDICATED TO ORANGE COUNTY. UTILITIES WITHIN THE EASEMENTS ARE TO BE OWNED AND MAINTAINED BY ORANGE COUNTY |
| WATER, RECLAIMED WATER AND SANITARY SEWER | PUBLIC | TO BE OWNED AND MAINTAINED BY ORANGE COUNTY |
| LIFT STATION TRACTS | PUBLIC | TO BE OWNED AND MAINTAINED BY ORANGE COUNTY |
| RECREATION TRACTS | PRIVATE | TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION |
| PARK TRACTS | PRIVATE | TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION |
| OPEN SPACE TRACTS | PRIVATE | TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION. DEVELOPMENT RIGHTS FOR OS-3, OS-7 & OS-9 ARE DEDICATED TO ORANGE COUNTY |
| SIDEWALKS IN PUBLIC RIGHT OF WAY | PUBLIC | TO BE OWNED AND MAINTAINED BY ORANGE COUNTY |
| WETLAND AND BUFFER AREAS (CONSERVATION EASEMENTS) | PRIVATE | TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION WITH DEVELOPMENT RIGHTS DEDICATED TO ORANGE COUNTY |
| LANDSCAPE TRACTS | PRIVATE | TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION |
| UPLAND GREENBELT TRACTS | PRIVATE | TO BE OWNED AND MAINTAINED BY HOMEOWNERS ASSOCIATION |

### MISCELLANEOUS

| | |
|---|---|
| POTABLE WATER SERVICE | ORANGE COUNTY UTILITIES |
| RECLAIMED WATER SERVICE | ORANGE COUNTY UTILITIES |
| WASTEWATER SERVICE | ORANGE COUNTY UTILITIES |
| FIRE PROTECTION | ORANGE COUNTY FIRE RESCUE |
| SCHOOLS | ORANGE COUNTY PUBLIC SCHOOLS |

### PHASING
THE PROJECT WILL BE CONSTRUCTED IN TWO (2) PHASES

### SIGNAGE
SIGNAGE SHALL COMPLY WITH CHAPETER 31.5 OF THE ORANGE COUNTY CODE. BILLBOARD AND POLE SIGNS SHALL BE PROHIBITED

### LIGHTING
LIGHTING SHALL COMPLY WITH ARTICLE XVII OF THE ORANGE COUNTY CODE

### LANDSCAPE
1. FINAL LANDSCAPE PLANS ARE REQUIRED TO BE SUBMITTED FOR REVIEW AND APPROVAL AT THE TIME OF PRELIMINARY SUBDIVISION PLAN REVIEW. LANDSCAPE PLANS TO BE IN ACCORDANCE WITH ORANGE COUNTY ZONING, ARTICLE VIII P-D PLANNED DEVELOPMENT DISTRICT, DIVISION 8, VILLAGE PLANNED DEVELOPMENT CODE.
2. ALL LANDSCAPING SHALL BE PER SECTON 24-4 & 24-5 AT ALL ENTRANCES

### GARBAGE PICKUP
FRONT LOADED SINGLE FAMILY UNITS TO BE PICKED UP AT FRONT RIGHT OF WAY.

### WETLANDS
CONSERVATION AREA DETERMINATION CAD-07-075 DELINEATING THE WETLANDS WAS ISSUED ON 10/10/2008 RESPECTIVELY. NO WETLAND OR BUFFER ENCROACHMENTS SHALL BE PERMITTED UNTIL AN IMPACT PERMIT IS APPROVED CONSISTENT WITH ORANGE COUNTY CODE CHAPTER 15.

### FIRE
1. FIRE HYDRANTS SHALL BE INSTALLED SO THAT THE DESIGN AND CALCULATION MEET THE REQUIREMENTS IN THE ORANGE COUNTY SUBDIVISION REGULATIONS AND FLORIDA FIRE PREVENTION CODE 2010 EDITION.
2. FIRE ACCESS SHALL BE FROM THE FRONT OF THE PROPOSED DWELLING UNITS. ACCESS SHALL BE IN ACCORDANCE WITH CHAPTER 18 OF THE NFPA 1, 2009 EDITION (FFPC 2010 EDITION).
3. FIRE HYDRANTS SHALL BE PLACED NO FURTHER THAN 1,000 FEET APART, MEASURED ALONG THE ROADWAY, NO BUILDING INTENDED FOR OCCUPANCY SHALL EXCEED 500 FEET FROM THE NEAREST FIRE HYDRANT.
4. NEEDED FIRE FLOW FOR SINGLE FAMILY DWELLINGS SHALL BE AS FOLLOWS: HOMES 3,000 S.F. OR LESS 1,000 GPM; HOMES EXCEEDING 3,000 S.F. SHALL PROVIDE FIRE FLOW IN ACCORDANCE WITH TABLE 18.4.5.1.2 OF NFPA 1, 2009 EDITION (FFPC 2010 EDITION). REDUCTION OF FIRE FLOW MAY BE PERMITTED IF DWELLING IS EQUIPPED WITH AN AUTOMATIC SPRINKLER SYSTEM OR SEPARATED FROM OTHER STRUCTURES BY 30 FEET BUILT IN. NO CASE SHALL THE FIRE FLOW BE LESS THAN 500 GPM PER 18.4.5 NFPA 1, 2009 EDITION (FFPC 2010 EDITION) (OCFR). NEEDED FIRE FLOW FOR ANY OTHER STRUCTURES WILL BE DETERMINED AT DEVELOPMENT PLAN SUBMITTAL IF APPLICABLE.
5. ANY COMMERCIAL STRUCTURE OR RESIDENTIAL BUILDING OF THREE OR MORE STORIES MAY BE REQUIRED TO HAVE AN AUTOMATIC FIRE SPRINKLER PROTECTION DEPENDING UPON THE BUILDING CONSTRUCTION TYPE, OCCUPANCY CLASSIFICATION, AND ADDITIONAL BUILDING AND/OR FIRE CODE

### UTILITIES
1. THE SIZE, LOCATION AND POINTS OF CONNECTION FOR WATER, WASTEWATER AND RECLAIMED WATER MAINS SHALL BE FINALIZED AT TIME OF CONSTRUCTION PLAN REVIEW.
2. THERE ARE NO CONSERVATION FACILITIES LOCATED WITHIN THIS PSP

### PUBLIC WORKS STREETS AND DRAINAGE
1. ALL CONSTRUCTION DETAILS ARE CONCEPTUAL AND SUBJECT TO REVIEW AND MODIFICATION DURING THE APPROVAL OF FINAL CONSTRUCTION PLANS.
2. FINISHED GRADES FOR LOTS AT THE PERIMETER OF THE PROPERTY MAY VARY MORE THAN ONE FOOT ABOVE OR BELOW EXISTING GRADES.
3. PURSUANT TO AN APPROVED COUNTY RIGHT-OF-WAY AGREEMENT, THE FOLLOWING STREET DESIGNS AND USE MAY BE PERMITTED IN STREET RIGHTS-OF-WAY, WHETHER PUBLIC OR PRIVATE:
   I. ROAD SURFACES MAY BE CONSTRUCTED WITH ALTERNATE HARDSCAPE MATERIALS THAT REINFORCE THE DESIGN AND CHARACTER OF THE AREA THROUGH WHICH IT PASSES.
   II. STREETS MAY INCORPORATE STREETSCAPE FEATURES AND MATERIALS THAT REINFORCE THE DESIGN AND CHARACTER OF THE AREA FOR WHICH IT PASSES, INCLUDING, BUT NOT LIMITED TO, LANDSCAPING, IRRIGATION, HARDSCAPING, FENCING, STREET LIGHTING AND SIGNAGE.
   III. ALL IMPROVEMENTS / FEATURES PERMITTED PURSUANT TO AN APPROVED RIGHT-OF-WAY USE AGREEMENT WILL BE PRIVATELY MAINTAINED.

### CONCURRENCY
1. A CAPACITY ENCUMBRANCE LETTER (CEL No. 15-07-054) FOR 40 SINGLE FAMILY RESIDENTIAL UNITS HAS BEEN ISSUED FOR THIS PROJECT.

### SCHOOLS
1. A CAPACITY ENHANCEMENT AGREEMENT (CEA OC-15-026) HAS BEEN ISSUED FOR THE PROJECT.

### RECREATION AND PARKS
1. DETAILED PLANS FOR ALL RECREATION AND PARK TRACTS WILL BE SHOWN ON THE DEVELOPMENT PLAN, WHICH WILL BE SUBMITTED UNDER A SEPARATE

### MISCELLANEOUS
1. ANY EXISTING SEPTIC TANKS OR WELLS SHALL BE PROPERLY ABANDONED PRIOR TO EARTHWORK OR CONSTRUCTION. PERMITS SHALL BE APPLIED FOR AND
2. ALL ACREAGES ARE SUBJECT TO CHANGE WITH FINAL ENGINEERING AND FINAL PLAT REVIEW AND APPROVAL.
3. OBSTRUCTIONS SUCH AS SIGNS, TREES, ETC. WITHIN THE SIGHT DISTANCE TRIANGLE NOT MEETING FDOT STANDARDS SHALL BE REMOVED OR RELOCATED.

Key Map:

Consultant:

| | |
|---|---|
| 5 | 01/05/2017 SUBMIT TO ORANGE COUNTY |
| 4 | 12/19/2016 SUBMIT TO ORANGE COUNTY |
| 3 | 11/15/2016 SUBMIT TO ORANGE COUNTY |
| 2 | 10/20/2016 SUBMIT TO ORANGE COUNTY |
| 1 | 08/31/2016 SUBMIT TO ORANGE COUNTY |
| NO. | DATE: DESCRIPTION |

SUBMISSIONS/REVISIONS

| | |
|---|---|
| VERTICAL DATUM: | NGVD 29 |
| JOB NO.: | 14-073 |
| DESIGNED BY: | BW |
| DRAWN BY: | BW |
| CHECKED BY: | MDS |
| APPROVED BY: | MDS |
| SCALE IN FEET: | N.T.S. |

Project Name:
**HICKORY NUT ESTATES**

**PSP-16-06-222**

Submitted To:
ORANGE COUNTY, FL

Sheet Title:
**LAND USE TABLES**

Sheet No.:
**C2.02**

DATE: January 5, 2017

POULOS & BENNETT

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2602 E. Livingston St., Orlando, FL 32803
Tel. 407.487.2594 www.poulosandbennett.com
Eng. Bus. No. 28567

Z:\2014\14-073 HICKORY NUT SUBDIVISION\DWG\PRELIMINARY\PSP\14073_LUT

## PUBLIC OPEN SPACE AND PUBLIC TRACTS CALCULATIONS [1][2][3]

| PUBLIC PARK AREA REQUIRED = 7.5% OF TOTAL DEVELOPABLE ACRES | | | | |
|---|---|---|---|---|
| PHASE | DEVELOPABLE ACRES | 7.5% (MULTIPLIER) | AREA REQUIRED | - |
| 1 | 34.16 | * 0.075 = | 2.56 | - |
| 2 | 24.64 | * 0.075 = | 1.85 | - |
| TOTAL | 58.80 | * 0.075 = | 4.41 | - |

| PUBLIC PARK AREA PROVIDED | | | | | |
|---|---|---|---|---|---|
| PHASE | TRACT ID | DEVELOPABLE AREA | AREA REQUIRED | AREA PROVIDED | GROUP CATEGORY |
| 1 | PARK P-1 | - | - | 1.97 | GROUP C |
| | GREENBELT UG-1 | - | - | 2.04 | GROUP C |
| | *PHASE 1, SUBTOTAL:* | *34.16* | *2.56* | *4.01* | - |
| 2 | GREENBELT UG-2 | - | - | 1.33 | GROUP C |
| | *PHASE 2, SUBTOTAL:* | *24.64* | *1.85* | *1.33* | - |
| TOTAL: *(cumulative →)* | | *58.80* | *4.41* | *5.34* | - |

1. ALL UNITS ARE ACRES.
2. PARKS WILL BE OPEN TO THE GENERAL PUBLIC. THE HOA COVENENTS AND RESTRICTIONS SHALL STATE THAT THESE PARK AREAS ARE OPEN TO THE PUBLIC AND A CHANGE PROHIBITING PUBLIC ACCESS WILL REQUIRE BCC APPROVAL.
3. ASSTHETICALLY DESIGNED PONDS MAY COUNT TOWARD NO MORE THAN 50% OF THE 7.5% REQUIREMENT PER ORANGE COUNTY VILLAGE PLANNED DEVELOPMENT CODE, SECTION 38-1382 (i).

## PARK TRACTS[1]

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | P-1 | 1.97 |
| | TOTAL: | 1.97 |

1. PARK AND UPLAND GREENBELT TRACTS TO BE DESIGNATED AS PUBLIC PARK AREAS.

## RECREATION TRACTS

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | R-1 | 0.50 |
| | TOTAL: | 0.50 |

## DRAINAGE TRACTS

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | D-1 | 5.66 |
| | *PHASE 1, SUBTOTAL:* | *5.66* |
| 2 | D-2 | 5.50 |
| | *PHASE 2, SUBTOTAL:* | *5.50* |
| | TOTAL: | 11.16 |

## LANDSCAPE BUFFER TRACTS

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | LB-1 | 0.08 |
| | TOTAL: | 0.08 |

## UPLAND GREENBELT TRACTS [1]

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | UG-1 | 2.04 |
| | *PHASE 1, SUBTOTAL:* | *2.04* |
| 2 | UG-2 | 1.33 |
| | *PHASE 2, SUBTOTAL:* | *1.33* |
| | TOTAL: | 3.37 |

1. PARK AND UPLAND GEENBELT TRACTS TO BE DESIGNATED AS PUBLIC PARK AREAS.

## LIFT STATION TRACTS

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | LS-1 | 0.05 |
| | TOTAL: | 0.05 |

## RECREATION AREA CALCULATIONS [1]

| RECREATION AREA REQUIRED | | | |
|---|---|---|---|
| RECREATION AREA REQUIRED = 2.5 ACRES PER 1,000 POPULATION | | | |
| UNITS X 0.0031 PEOPLE PER UNIT X 2.5 ACRES = REQUIRED RECREATION AREA | | | |
| PHASE | PROPOSED UNITS | AREA REQUIRED | - |
| 1 | 24 | 0.19 | - |
| 2 | 16 | 0.12 | - |
| TOTAL | 40 | 0.31 | - |

| RECREATION AREA PROVIDED | | | | | |
|---|---|---|---|---|---|
| PHASE | TRACT ID | PROPOSED UNITS | AREA REQUIRED | AREA PROVIDED | GROUP CATEGORY |
| 1 | PARK P-1 [2] | - | - | 1.97 | GROUP C |
| | GREENBELT UG-1 [2] | - | - | 2.04 | GROUP C |
| | RECREATION R-1 [2][3] | - | - | 0.50 | GROUP D |
| | *PHASE 1, SUBTOTAL:* | *24* | *0.19* | *4.51* | - |
| 2 | GREENBELT UG 2 [2] | - | - | 1.33 | GROUP C |
| | *PHASE 2, SUBTOTAL:* | *16* | *0.12* | *1.33* | - |
| TOTAL: *(cumulative →)* | | *40* | *0.31* | *5.84* | - |

1. ALL UNITS ARE ACRES.
2. PARKS WILL BE OPEN TO THE GENERAL PUBLIC. THE HOA COVENENTS AND RESTRICTIONS SHALL STATE THAT THESE PARK AREAS ARE OPEN TO THE PUBLIC AND THAT A CHANGE THAT WOULD PROHIBIT PUBLIC ACCESS WILL REQUIRE BCC APPROVAL.
3. RECREATION TRACT R-1 TO BE PRIVATELY OWNED FOR THE EXCLUSIVE USE OF COMMUNITY RESIDENTS.
4. AT LEAST 50% OF THE REQUIRED RECREATION SHALL BE ACTIVE RECREATION.

## OPEN SPACE TRACTS

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | OS-1 | 0.20 |
| | OS-2 | 0.51 |
| | OS-3 | 1.21 |
| | OS-4 | 0.15 |
| | OS-5 | 0.58 |
| | OS-9 | 0.57 |
| | *PHASE 1, SUBTOTAL:* | *3.02* |
| 2 | OS-6 | 0.28 |
| | OS-7 | 0.63 |
| | OS-8 | 1.10 |
| | *PHASE 2, SUBTOTAL:* | *2.01* |
| | TOTAL: | 5.03 |

## WETLAND PRESERVATION TRACTS

| TRACT ID | WETLAND CLASS | ACREAGE |
|---|---|---|
| WP-1 | III | 0.17 |
| WP-2 | III | 0.16 |
| WP-3 * | II | 11.89 |
| WP-4 | I | 17.00 |
| WP-5 | I | 11.53 |
| WP-6 | I | 0.31 |
| | TOTAL: | 41.06 |

* INCLUDES ACREAGE OF ADJACENT SECONDARY IMPACTS TO WETLANDS

## UPLAND BUFFER TRACTS

| PHASE | TRACT ID | ACREAGE |
|---|---|---|
| 1 | B-1 | 0.18 |
| | B-2 | 0.19 |
| | B-3 | 1.21 |
| | B-4 | 0.33 |
| | B-5 | 0.39 |
| | *PHASE 1, SUBTOTAL:* | *2.30* |
| 2 | B-6 | 0.06 |
| | B-7 | 0.17 |
| | B-8 | 0.03 |
| | B-9 | 0.19 |
| | B-10 | 0.69 |
| | B-11 | 0.23 |
| | B-17 | 0.79 |
| | *PHASE 2, SUBTOTAL:* | *1.86* |
| | TOTAL: | 4.16 |

Key Map:

Consultant:

| | | |
|---|---|---|
| 5 | 01/04/2017 | SUBMIT TO ORANGE COUNTY |
| 4 | 12/19/2016 | SUBMIT TO ORANGE COUNTY |
| 3 | 11/15/2016 | SUBMIT TO ORANGE COUNTY |
| 2 | 10/20/2016 | SUBMIT TO ORANGE COUNTY |
| 1 | 08/31/2016 | SUBMIT TO ORANGE COUNTY |
| NO. | DATE: | DESCRIPTION: |

SUBMISSIONS/REVISIONS

VERTICAL DATUM: NGVD
JOB NO.: 14
DESIGNED BY:
DRAWN BY:
CHECKED BY:
APPROVED BY:
SCALE IN FEET: N

Project Name:
**HICKORY NUT ESTATES**

**PSP-16-06-222**

Submittal To:
ORANGE COUNTY, FL

Sheet Title:
**LAND USE TABLES**

Sheet No.:
**C2.03**

POULOS & BENNETT

Poulos & Bennett, LLC
2602 E. Livingston St., Orlando, FL 32803
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**Interoffice Memorandum**

DATE: March 8, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development Services Department

**CONTACT PERSON:** **John Smogor, Chairman**
**Development Review Committee**
**Planning Division**
**(407) 836-5616**

SUBJECT: March 21, 2017 – Public Hearing
Applicant: Tina Lee, Ashton Residential Orlando, LLC
Sweetwater Golf & Country Club PD / The Reserve Preliminary Subdivision Plan / Development Plan - Case # PSP-15-11-339

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to recommend approval of the Sweetwater Golf & Country Club PD / The Reserve Preliminary Subdivision Plan / Development Plan to subdivide 12.47 acres in order to construct 72 single-family attached residential dwelling units.

This project is proposed to be a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.

The application for this request is subject to the requirements of Ordinance 2008-14, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy will be available upon request in the DRC Office.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation, including an 11" x 17" plan, is in the top drawer of the BCC file cabinet in the supply room adjacent to District 4 Commissioner's office.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan (CP) and approve the Sweetwater Golf & Country Club PD / The Reserve PSP / DP dated "Received January 30, 2017", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 2**

JVW/JS/lme
Attachments

# CASE # PSP-15-11-339

Commission District # 2

## 1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to recommend approval of the Sweetwater Golf and Country Club PD / The Reserve Preliminary Subdivision Plan / Development Plan to subdivide 12.47 acres in order to construct 72 single-family attached residential dwelling units.

This project is proposed to be a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.

## 2. PROJECT ANALYSIS

| | |
|---|---|
| A. Location: | South of Sweetwater Country Club Drive / West of the Orange County / Seminole County Line |
| B. Parcel ID: | 36-20-28-0000-00-030; 36-20-28-8466-00-003; 36-20-28-8466-00-004; 36-20-28-8466-00-005; 36-20-28-8466-04-000 |
| C. Total Acres: | 12.47 acres (including off-site work areas)<br>7.164 acres (excluding off-site work areas) |
| D. Water Supply: | Orange County Utilities |
| E. Sewer System: | Orange County Utilities |
| F. Schools: | Clay Springs ES Capacity: 832 / Enrolled: 7665<br>Piedmont Lakes MS Capacity: 1,113 / Enrolled: 1,144<br>Wekiva HS Capacity: 2,797 / Enrolled: 2,351 |
| G. School Population: | 19 |
| H. Parks: | Kelly Park – 7.2 Miles |
| I. Proposed Use: | 72 Single-Family Attached Residential Dwelling Units |
| J. Site Data: | Maximum Building Height:<br>35' (2-stories)<br><br>Minimum Living Area:<br>2,000 Square Feet |

Building Setbacks:
25' PD Boundary
15' Front
0' Side
20' Rear

K. Fire Station: 27 – 2248 Novella Eliza Lane

L. Transportation: Based on the concurrency management system database dated November 20, 2015, there is one failing roadway segment within a one mile radius of this project. Wekiwa Springs Road from Canter Club Trail to Orchard Drive is currently operating below the adopted level of service standard. This information is dated and subject to change. A traffic study may be required prior to obtaining an approved capacity encumbrance letter.

Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in the decision to approve this preliminary subdivision plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

## 3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of Public Recreation / Open Space (PR-OS). The Sweetwater Golf and Country Club PD was originally approved in 1973, which pre-dates the adoption of the County's 1991 Future Land Use Map. Per CP policy FLU8.1.5, the project is consistent with the Comprehensive Plan.

## 4. ZONING

PD (Planned Development) (Sweetwater Golf and Country Club PD)

## 5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Sweetwater Golf and Country Club PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; The Reserve Preliminary Subdivision Plan dated "Received January 30, 2017," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received January 30, 2017," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and/or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this preliminary subdivision plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Any tree mitigation requirements shall be paid prior to plat approval.

7. Short term rental shall be prohibited. Length of stay shall be for 180 days or greater.

8. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and / or Development Plan (DP) submittal.

9. A mandatory pre-application / sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application / sufficiency review meeting prior to formal submittal of the plat to the County.

10. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.

11. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.

12. The stormwater management system shall be designed to retain the 100-year / 24-hour storm event onsite, unless documentation with supporting calculations is submitted which demonstrates that a positive outfall is available. If the applicant can show the existence of a positive outfall for the subject basin, then in lieu of designing for the 100-year / 24-hour storm event, the developer shall comply with all applicable state and local stormwater requirements and regulations. An emergency high water relief outfall shall be provided to assure overflow does not cause flooding of surrounding areas.

13. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

14. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.

15. Construction plans within this PD shall be consistent with an approved and up-to-date Master Utility Plan (MUP). MUP updates shall be submitted to Orange County Utilities at least thirty (30) days prior to the corresponding construction plan submittal. The updated MUP must be approved prior to construction plan approval.

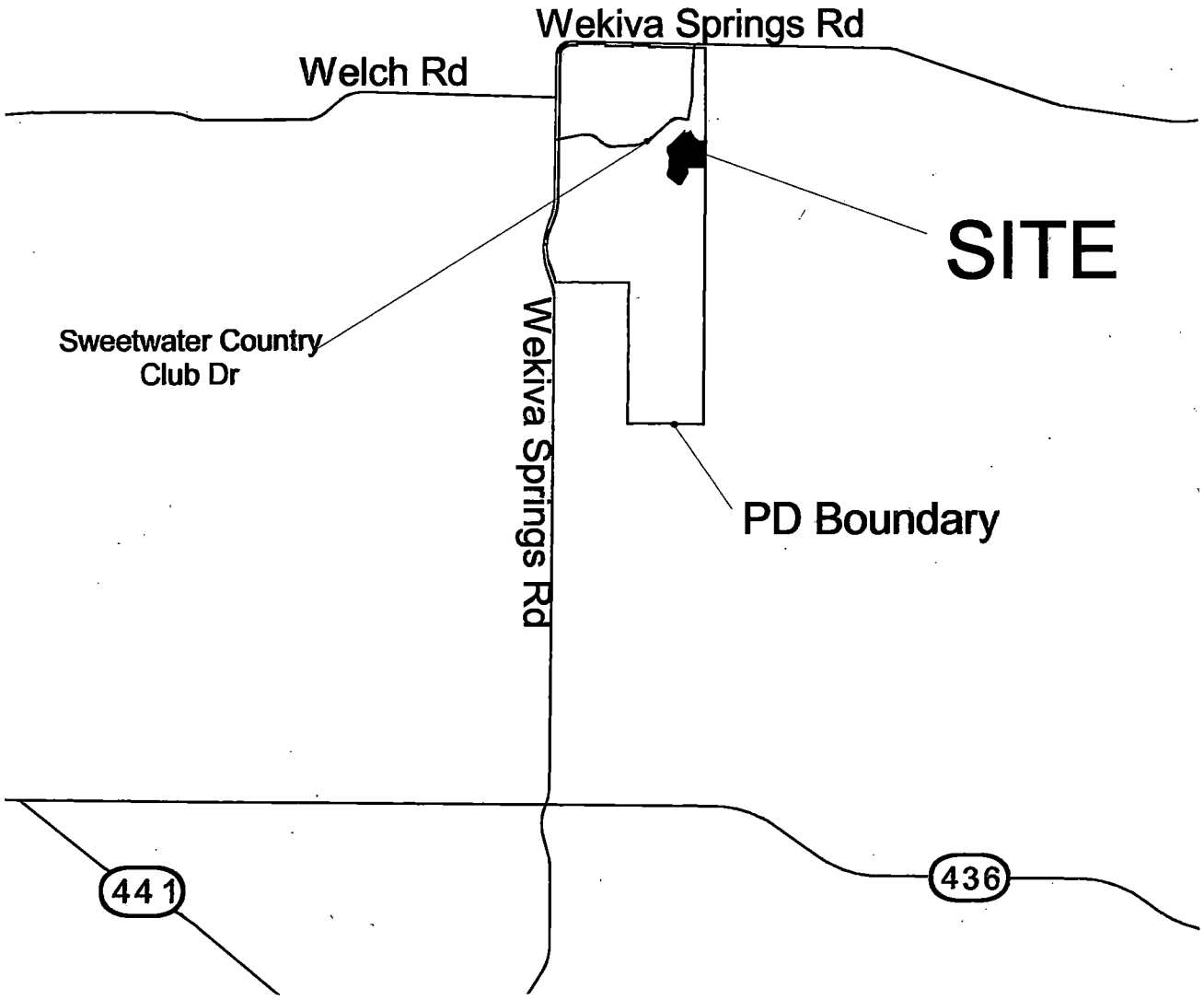
16. Subdivision landscaping shall be installed and inspected prior to the plat Certificate of Completion.

17. This project shall be a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.

N

1:3000

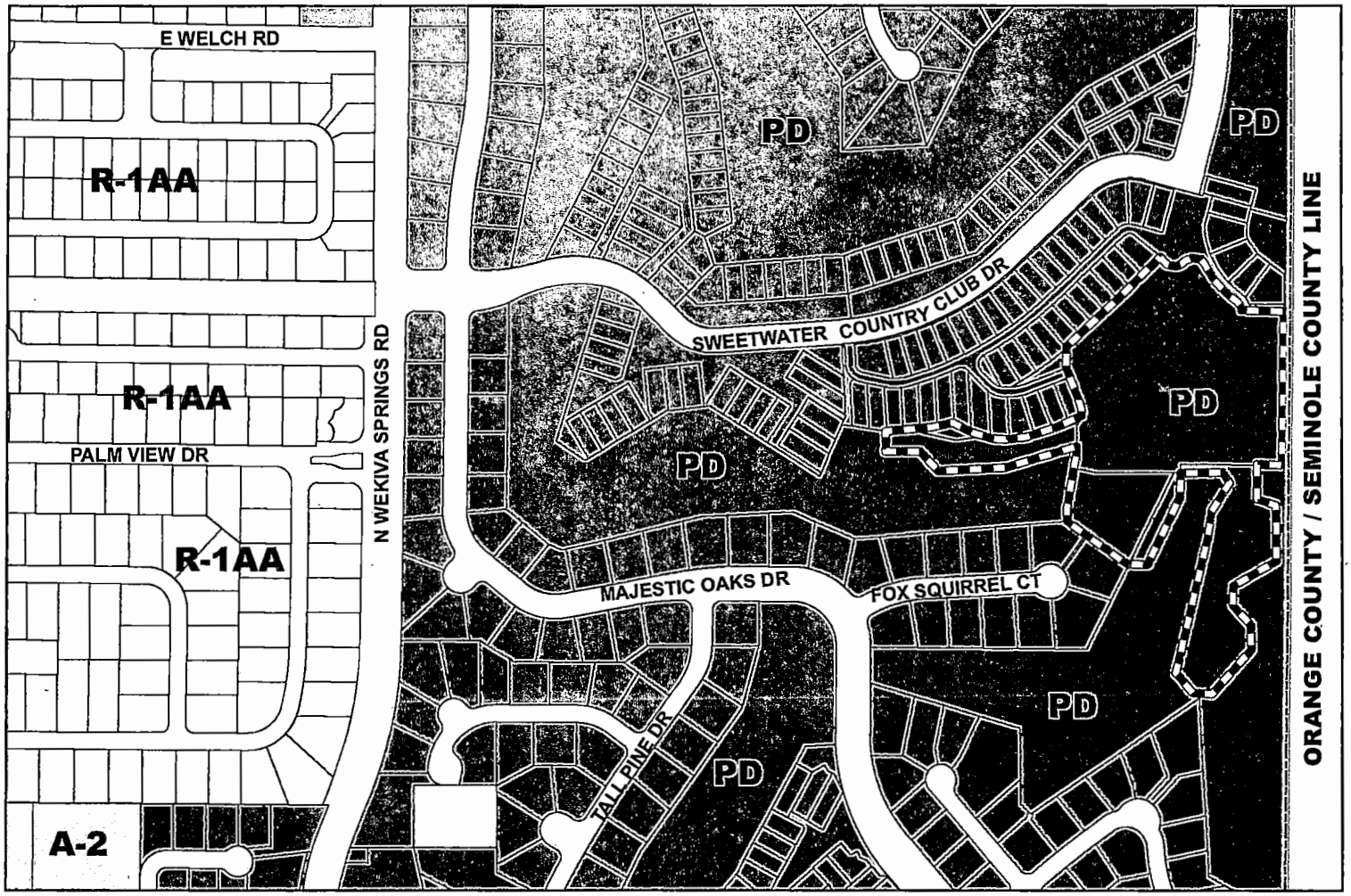
THE RESERVE AT
SWEETWATER GOLF AND COUNTRY CLUB
SECTION 36; TOWNSHIP 20 SOUTH; RANGE 28 EAST
ORANGE COUNTY, FLORIDA




# VICINITY MAP

DONALD W. MCINTOSH
ASSOCIATES, INC.
CIVIL ENGINEERS - LAND PLANNERS - SURVEYORS

# PSP-15-11-339




Subject Property

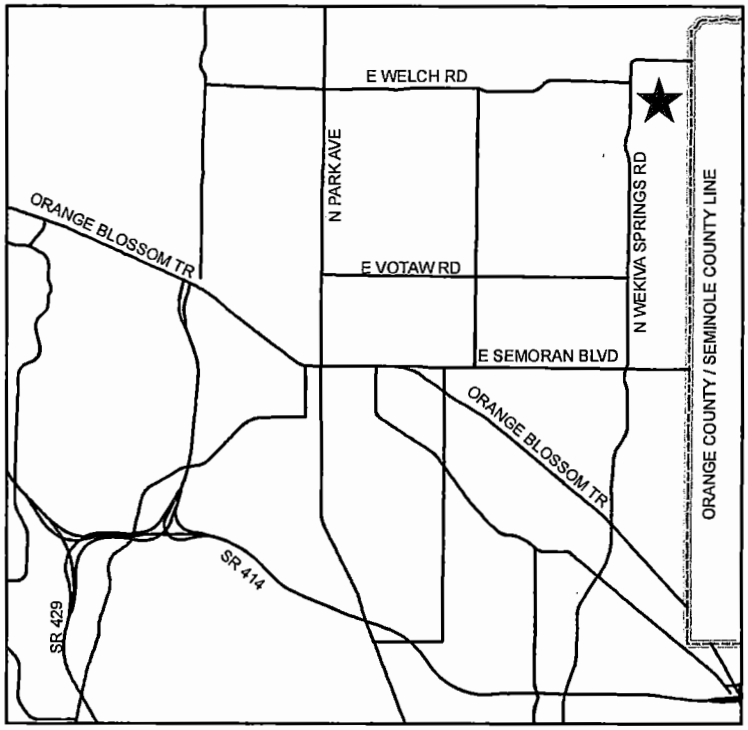
N
W E
S

Subject Property

## Zoning

| | |
|---|---|
| **ZONING:** | **PD (Planned Development District) (Sweetwater Golf and Country Club PD)** |
| **APPLICANT:** | **Tina Lee, Ashton Residential Orlando, LLC** |
| **LOCATION:** | **South of Sweetwater Country Club Drive / West of the Orange County - Seminole County Line** |
| **TRACT SIZE:** | **12.47 acres** |
| **DISTRICT:** | **#2** |
| **S/T/R:** | **36/20/28** |

**1 inch = 500 feet**



# DEVELOPMENT NOTES:

| | | |
|---|---|---|
| 1) | Tract Size: | 12.470 Acres (inclusive of off-site work areas)<br>7.164 Acres (Subdivision area exclusive of off-site work areas)<br>Net Acreage 7.164 AC<br>Net Density 72 units/7.164 AC = 10.05 DU/AC |
| 2) | Tax Parcel ID Numbers: | 36-20-28-0000-00-030<br>36-20-28-8466-00-003<br>36-20-28-8466-00-004<br>36-20-28-8466-00-005 |
| 3) | Existing Zoning: | Site: PD<br>Surrounding Area: PD (Sweetwater Golf and Country Club PD) |
| 4) | Existing Future Land Use: | Low Density Residential (LDR)<br>Parks/Recreation (P/R) |
| 5) | Proposed Future Land Use: | No Change |

6) Proposed Development Program:

| Land Use | Acreage | Density | Units |
|---|---|---|---|
| Single-Family Residential (Attached) | 7.164 | 10.05 DU/AC | 72 Residential Lots/Units |

| Tract | Use | Ownership | Maintenance Responsibility | Acreage |
|---|---|---|---|---|
| A | Access and Utilities | HOA | HOA | 2.257 AC |
| B | Open Space | HOA | HOA | 0.281 AC |
| C | Open Space | HOA | HOA | 0.342 AC |
| D | Open Space | HOA | HOA | 0.024 AC |
| E | Open Space | HOA | HOA | 0.032 AC |
| F | Open Space | HOA | HOA | 0.082 AC |
| G | Open Space | HOA | HOA | 0.061 AC |
| H | Open Space | HOA | HOA | 0.041 AC |
| I | Open Space | HOA | HOA | 0.038 AC |
| J | Open Space | HOA | HOA | 0.037 AC |

Total Open Space Tracts = 0.988 AC: 13.79%

7) Development Standards: Townhome SF Residential (Attached)

| | |
|---|---|
| Min. Lot Size: | 2,300 S.F. |
| Typ. Lot Dimensions: | 26' x 89' (2,314 S.F.) |
| Min. Living Area:(H/A) | 2,000 S.F. |
| Max. Bldg. Height: | 2-story/35 ft. |
| Max. Bldg. Coverage: | 30% (Measured across PSP/DP) |
| Max. Impervious Coverage: | 80% (Measured across PSP/DP) |

8) Building Setbacks:

| | |
|---|---|
| Front/Street | 15 ft. (20 ft. from back of adjacent sidewalk)* |
| Side/Street | 0' (10 ft. from back of adjacent curb)* |
| Rear | 20 ft. (including project perimeter)* |
| PD Boundary | 25 ft. |

Building Separation:

| | |
|---|---|
| Front to Front | 60 ft. |
| Rear to Rear | 40 ft.* |
| Side to Side | 20 ft. |

9) Support Services:

| | |
|---|---|
| Sewer: | Orange County |
| Water: | Orange County |
| Reclaimed Water: | Not Available |

10) Access: All streets shown hereon are to be private, and will be owned and maintained by the HOA. The project will be an extension of and a part of a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290 and 34-291, as they may be amended from time to time. The Townhome parcel will be accessed via cross-access easements extending from Sweetwater Country Club Drive to the PSP property over private roadways currently being developed within The Estates at Sweetwater Golf and Country Club project to the north and will also be subject to cross-parking and access easements with the Clubhouse parcel to the south. Easement documentation will be provided prior to recording of final plat for this PSP.

11) Refuse Collection: Refuse collection will be provided by Orange County with pick-up at each individual residence.

12) Trip Generation: Trip generation is 418 ADT (72 TH Units at 5.81 TPUD; ITE 9th Ed. Code 230).

13) Phasing: The project is to be developed in a single phase.

14) Intentionally omitted.

15) School Age Population:

| Land Use | Units x Children/Household | Total School Age Population |
|---|---|---|
| MFR (per OCPS) | 72 x 0.259 | 19 |

16) Open Space: Required Open Space within the PD is provided by the golf course (see PD Land Use Plan).

17) Stormwater: Stormwater management shall be designed in accordance with Orange County and SJRWMD criteria. An off-site stormwater pond/water feature located within the golf course will be used to support the townhome subdivision. The off-site golf course pond to be modified to accommodate this project is shown in these drawings. The system will be designed to retain the 100-year design storm with no discharge from the PD.

18) 100-year Flood: The project area is mapped in FEMA Zone X, not within the 100-year flood hazard area, as depicted on FIRM Panel No. 12095C0150F, dated September 25, 2009.

19) Waivers:

A. A waiver is requested to Section 34-152 to allow corner lots for single-family attached townhomes the same width as interior lots in lieu of 10 feet wider in order to accommodate a more compact development, maximize open space and minimize impact to the existing golf course.

B. A waiver is requested to Sections 34-171(1) and 34-290(d) to allow minimum private right-of-way width of 44.5 feet only in the area adjacent to Lot 32 in the Estates at Sweetwater Golf & Country Club, where a 5.5-foot drainage easement is provided. All other private rights-of-way shall be at least 50 feet wide.

C. A waiver is requested to Section 34-266(i) to allow the use of FDOT Type V gutter inlets and Types 5 & 6 curb inlets where appropriate due to the close spacing of townhome driveways and the narrow available utility corridor.

D. Additional waivers have been requested on the LUP for the Sweetwater Golf & Country Club PD.

20) Tree Survey/Arbor Review: A certified tree survey was submitted with the prior Venetian del Mar PSP (S040152) and DP of the property to be subdivided, which is valid through 9/16/2016.

21) Contiguous Ownership: The owners of the property to be subdivided (Ashton Orlando Residential, LLC) own the northerly adjacent property, currently named The Estates at Sweetwater Golf and Country Club and which is under development. They do not own any other property that is contiguous to or within 1 mile of Sweetwater Golf and Country Club PD.

22) R.O.W. Vacations: There are no R.O.W. vacations within the project.

23) School Capacity: School Capacity for the project is addressed in the Approved Capacity Encumbrance Letter (CEL 15-09-070).

24) Finished Grades: Finished floor elevations shall be consistent with Orange County criteria. Finished grades adjacent to the perimeter boundary of this PSP may vary more than 1 foot above or below existing grade.

25) Lighting: Exterior lighting shall comply with Chapter 9 Article XVI of the Orange County Code.

26) Signage: Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.

27) Parking: Parallel parking on streets will not be allowed. No Parking signage will be placed in accordance with County regulations. Required parking for each unit will be met within the 2-car garage. Guest parking (36 spaces) will be met in driveways (8'X20' spaces) and shared surface parking spaces.

28) Hydrants: Hydrants will be installed so the design and calculations meet the requirements of Annex H and Annex I of NFPA1, 2007 Edition (FFPC 2010 Edition).

29) Lotting: The lot lines shown hereon are approximate and subject to change with Orange County staff approval at the time of detailed Construction Plan approval.

30) Wetlands: There are no wetlands or water features within the Townhome parcel. One golf course water feature/stormwater management area lying within the off-site drainage easement area will be reconfigured and expanded to serve the Townhome project.

31) Easements: Existing and proposed easements for utilities, stormwater management, drainage and/or landscaping are shown on the plans. Minimum size of easements will be determined based on Orange County standards at the time of final engineering. Utility easements are to be dedicated to Orange County while all other easements will be dedicated to the HOA, the adjacent property, or lot owners.

Drainage easements in favor of HOA and lot owners to be placed over all open space tracts.

Drainage, utility and access easements to be placed over Tract A.

32) Code Requirements: In accordance with Section 38-1227, any variations from county code minimum standards represented on this plan that have not been expressly approved by the BCC are invalid.

33) Fire Protection: Since individual townhome units are to be separated by a 2-hour firewall extending from the building slab to the underside of the roof, required fire flow shall be a minimum of 1,000 gpm for 1 hour in accordance with NFPA 1 Section 18.4.5.1.

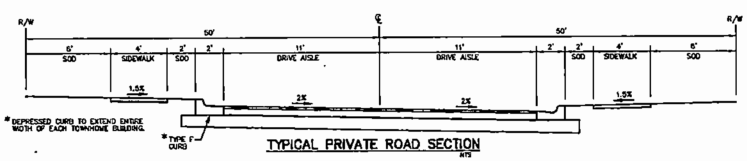
34) Wekiva River Protection: This site is located within the geographical limits of the Wekiva River Protection Ordinance. Basin-wide regulations may apply. Reference Orange County Code Chapter 15, Article XIII, for requirements and applicability.

35) Fences: No fences shall be allowed within the front yards.

36) Construction Details: All construction details are conceptual and subject to review and modification during the approval of final construction plans.

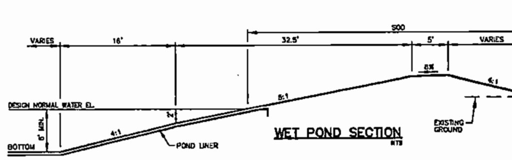
37) Fire Access: Stabilized fire access roads shall be designed to accommodate a 41 ton vehicle and shall be delineated with striping and/or signage to ensure fire lanes remain clear at all times.

* Variation from code requirement in accordance with waiver request shown on LUP for Sweetwater Golf & Country Club PD.




TYPICAL PRIVATE ROAD SECTION

NTS




WET POND SECTION

NTS

# LEGAL DESCRIPTION

(SEE SHEET 3 FOR BEARINGS & DISTANCES)

GOLF VILLAS/SINGLE-FAMILY ATTACHED/TOWNHOMES (PSP & DP AREA)

DESCRIPTION:

That part of Tract "C", Tract "D" and Tract "E", SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, according to the plat thereof, as recorded in Plat Book 12, Pages 54 through 56, of the Public Records of Orange County, Florida, and that part of Section 36, Township 20 South, Range 28 East, Orange County, Florida, described as follows:

Commence at the Northwest corner of said Tract "E"; thence S03°08'11"E along the West line of said Tract "E" for a distance of 208.88 feet to the Southwest corner of said Tract "E"; thence S23°09'31"W along the Northerly line of the aforesaid Tract "C" for a distance of 27.30 feet; thence departing said Northerly line run S81°54'08"E, 127.03 feet; thence N86°51'49"E, 105.00 feet; thence N79°38'33"E, 100.80 feet; thence S60°28'59"E, 56.90 feet; thence S72°28'12"E, 67.13 feet; thence S89°18'03"E, 49.41 feet; thence N83°18'30"E, 53.42 feet; thence N71°03'13"E, 32.45 feet; thence N68°56'16"E, 137.11 feet to the POINT OF BEGINNING; thence S35°49'44"W, 28.58 feet; thence S00°34'04"W, 95.66 feet; thence S11°11'15"W, 31.27 feet; thence S78°48'45"E, 58.79 feet; thence S89°25'56"E, 251.02 feet; thence N00°34'04"E, 25.03 feet; thence S89°25'56"E, 301.80 feet; thence N00°34'04"E, 444.44 feet; thence N89°25'56"W, 127.80 feet; thence N00°34'04"E, 3.38 feet to the point of curvature of a curve concave Southwesterly having a radius of 26.00 feet and a chord bearing of N27°43'09"W; thence Northwesterly along the arc of said curve through a central angle of 56°34'26" for a distance of 25.67 feet to the point of reverse curvature of a curve concave Northeasterly having a radius of 286.00 feet and a chord bearing of N41°43'43"W; thence Northwesterly along the arc of said curve through a central angle of 28°29'15" for a distance of 142.20 feet to the point of reverse curvature of a curve concave Southerly having a radius of 38.00 feet and a chord bearing of N79°57'17"W; thence Westerly along the arc of said curve through a central angle of 104°52'21" for a distance of 69.55 feet to the point of reverse curvature of a curve concave Northerly having a radius of 46.00 feet and a chord bearing of N79°37'44"W; thence Westerly along the arc of said curve through a central angle of 105°31'28" for a distance of 84.72 feet to a non-tangent line; thence S46°07'57"W, 323.77 feet; thence S48°12'48"W, 54.98 feet; thence S00°42'13"E, 57.72 feet; thence S21°03'44"E, 127.17 feet; thence S00°34'04"W, 22.41 feet to the POINT OF BEGINNING.

Containing 7.164 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

OFF-SITE UTILITY, DRAINAGE & CROSS ACCESS EASEMENT AREA (CLUBHOUSE SITE) (DP AREA)

DESCRIPTION:

That part of Tract "C", SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, according to the plat thereof, as recorded in Plat Book 12, Pages 54 through 56, of the Public Records of Orange County, Florida, and that part of Section 36, Township 20 South, Range 28 East, Orange County, Florida, described as follows:

Commence at the Northwest corner of Tract "E" of said plat of SWEETWATER COUNTRY CLUB, SECTION C, PHASE I; thence S03°08'11"E along the West line of said Tract "E" for a distance of 208.88 feet to the Southwest corner of said Tract "E"; thence S23°09'31"W along the Northerly line of the aforesaid Tract "C" for a distance of 27.30 feet; thence departing said Northerly line run S81°54'08"E, 127.03 feet; thence N86°51'49"E, 105.00 feet; thence N79°38'33"E, 100.80 feet; thence S60°28'59"E, 56.90 feet; thence S72°28'12"E, 67.13 feet; thence S89°18'03"E, 49.41 feet; thence N83°16'30"E, 53.42 feet; thence N71°03'13"E 32.45 feet; thence N68°56'16"E, 137.11 feet; thence S35°49'44"W, 28.58 feet; thence S00°34'04"W, 95.66 feet; thence S11°11'15"W, 31.27 feet to the POINT OF BEGINNING; thence S78°48'45"E, 58.79 feet; thence S89°25'56"E, 251.02 feet; thence S00°34'04"W, 83.29 feet; thence S31°02'20"W, 219.08 feet; thence N88°42'11"W, 41.37 feet to the Southeast corner of said Tract "C"; thence N52°50'47"W along the Southerly line of said "C" for a distance of 216.58 feet; thence departing said Southerly line run N04°39'27"W, 40.33 feet; thence N11°11'15"E, 115.16 feet to the POINT OF BEGINNING.

Containing 1.533 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

OFF-SITE DRAINAGE EASEMENT AREA (EASEMENT B) (DP AREA)

DESCRIPTION:

That part of Tract "C" and Tract "E", SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, according to the plat thereof, as recorded in Plat Book 12, Pages 54 through 56, of the Public Records of Orange County, Florida, described as follows:

Commence at the Northwest corner of said Tract "E"; thence S03°08'11"E along the West line of said Tract "E" for a distance of 208.88 feet to the Southwest corner of said Tract "E"; thence S23°09'31"W along the Northerly line of the aforesaid Tract "C" for a distance of 27.30 feet; thence departing said Northerly line run S81°54'08"E, 127.03 feet; thence N86°51'49"E, 5.00 feet to the POINT OF BEGINNING; thence continue N86°51'49"E, 100.00 feet; thence N79°38'33"E, 100.80 feet; thence S60°28'59"E, 56.90 feet; thence S72°28'12"E, 67.13 feet; thence S89°18'03"E, 49.41 feet; thence N83°16'30"E, 53.42 feet; thence N71°03'13"E, 32.45 feet; thence N68°56'16"E, 137.11 feet; thence S35°49'44"W, 28.58 feet; thence S00°34'04"W, 70.04 feet; thence S72°35'07"W, 174.70 feet; thence S84°07'53"W, 144.31 feet; thence S89°44'06"W, 78.03 feet; thence N42°25'06"W, 79.19 feet; thence S86°51'49"W, 112.24 feet; thence N03°08'11"W, 65.99 feet to the POINT OF BEGINNING.

Containing 1.144 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

OFF-SITE DRAINAGE EASEMENT AREA (EASEMENT C) (DP AREA)

DESCRIPTION:

That part of Section 36, Township 20 South, Range 28 East, Orange County, Florida, described as follows:

Commence at the Northwest corner of Tract "E", SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, according to the plat thereof, as recorded in Plat Book 12, Pages 54 through 56, of the Public Records of Orange County, Florida; thence S03°08'11"E along the West line of said Tract "E" for a distance of 208.88 feet to the Southwest corner of said Tract "E"; thence S23°09'31"W along the Northerly line of Tract "C" of said plat of SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, for a distance of 27.30 feet; thence departing said Northerly line run S81°54'08"E, 127.03 feet; thence N86°51'49"E, 105.00 feet; thence N79°38'33"E, 100.80 feet; thence S60°28'59"E, 56.90 feet; thence S72°28'12"E, 67.13 feet; thence S89°18'03"E, 49.41 feet; thence N83°16'30"E, 53.42 feet; thence N71°03'13"E 32.45 feet; thence N68°56'16"E, 137.11 feet; thence S35°49'44"W, 28.58 feet; thence S00°34'04"W, 95.66 feet; thence S11°11'15"W, 31.27 feet; thence S78°48'45"E, 58.79 feet; thence S89°25'56"E, 251.02 feet to the POINT OF BEGINNING; thence N00°34'04"E, 25.03 feet; thence S89°25'56"E, 232.02 feet; thence S00°34'04"W, 114.09 feet; thence S68°43'48"E, 67.08 feet; thence S00°34'34"W, 133.15 feet; thence S58°37'44"W, 122.43 feet; thence S00°00'00"E, 40.94 feet; thence S37°05'16"E, 58.17 feet; thence S00°00'00"E, 64.21 feet; thence S39°09'05"W, 177.83 feet; thence N90°00'00"W, 65.94 feet; thence N42°00'41"W, 67.05 feet; thence N14°02'52"E, 314.99 feet; thence N05°49'19"E, 133.34 feet; thence N32°20'11"E, 88.97 feet; thence N00°00'00"E, 16.34 feet; thence N27°12'14"W, 23.87 feet; thence N89°25'56"W, 126.41 feet to the POINT OF BEGINNING

Containing 2.400 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

OFF-SITE ACCESS, LANDSCAPE & DRAINAGE EASEMENT AREA (DP AREA)

DESCRIPTION:

That part of Tract "D", SWEETWATER COUNTRY CLUB, SECTION C, PHASE I, according to the plat thereof, as recorded in Plat Book 12, Pages 54 through 56, of the Public Records of Orange County, Florida, and that part of Section 36, Township 20 South, Range 28 East, Orange County, Florida, described as follows:

Commence at the Southwest corner of Tract "B" of said plat of SWEETWATER COUNTRY CLUB, SECTION C, PHASE I; thence N15°00'46"E along the Westerly line of said Tract "B" for a distance of 58.02 feet; thence departing said Westerly line run S74°59'14"E, 159.61 feet; thence S15°00'46"W, 100.00 feet; thence S01°24'52"W, 34.35 feet; thence S21°30'14"E, 20.00 feet; thence S34°27'16"E, 42.33 feet; thence S53°08'46"E, 96.84 feet; thence S89°25'26"E, 2.53 feet to the POINT OF BEGINNING; thence S00°34'04"W, 553.41 feet; thence S89°25'56"E, 17.98 feet to the East Line of the Southeast 1/4 of the aforesaid Section 36; thence N00°34'34"E along said East line and the East line of the aforesaid Tract D' for a distance of 553.40 feet; thence departing said East of line of Tract 'D' run N89°25'26"W, 18.06 feet to the POINT OF BEGINNING.

Containing 0.229 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.

THE RESERVE AT SWEETWATER GOLF AND COUNTRY CLUB

PRELIMINARY SUBDIVISION PLAN/DEVELOPMENT PLAN

ORANGE COUNTY, FLORIDA

NOTES, DETAILS, LEGAL DESC. & CONDITIONS

DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

| DRAWN BY | DESIGNED BY | CHECKED BY | DATE | SCALE | JOB NUMBER |
|---|---|---|---|---|---|
| CWG | JSW | JSW | 11/4/15 | NTS | 14189/15038 |

| NO. | DATE | DESCRIPTION | CHK. |
|---|---|---|---|
| 1 | 4/21/16 | REVISED PER 12/9/15 TRC | |
| 2 | 11/15/16 | REVISED PER 5/10/16 TRC | |

DRAWING 14189-PNOTES

SHEET 2 OF 6

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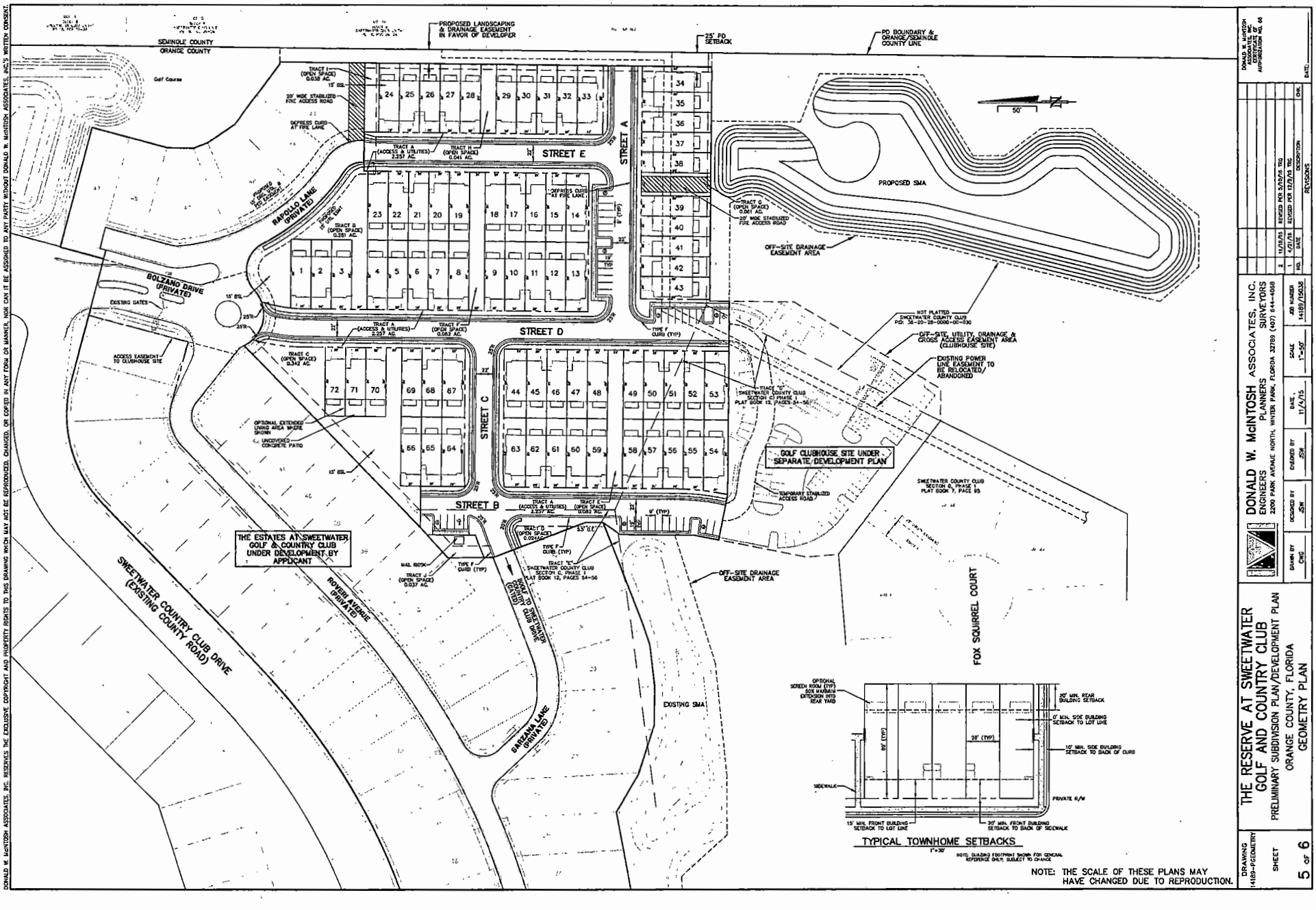
PROJECT: SWEETWATER COUNTY CLUB PSP
SHEET TITLE: SITE DATA NOTES
DWG FILE NAME: F:\Proj2014\14189\DWG\PSP\14189-PNotes.dwg




DONALD W. McINTOSH ASSOCIATES, INC.
ENGINEERS PLANNERS SURVEYORS
2200 PARK AVENUE NORTH, WINTER PARK, FLORIDA 32789 (407) 644-4068

| NO. | DATE | DESCRIPTION | CHK. |
|---|---|---|---|
| 2 | 11/18/15 | REVISED PER 5/10/15 TRG | |
| 1 | 4/21/15 | REVISED PER 12/9/15 TRG | |

REVISIONS

DONALD W. McINTOSH ASSOCIATES, INC. CERTIFICATE OF AUTHORIZATION NO. 68

DATE:

DRAWN BY CWG | DESIGNED BY JSW | CHECKED BY JSW | DATE 11/4/15 | SCALE 1"=50' | JOB NUMBER 14189/15038

# THE RESERVE AT SWEETWATER GOLF AND COUNTRY CLUB

PRELIMINARY SUBDIVISION PLAN/DEVELOPMENT PLAN
ORANGE COUNTY, FLORIDA
GEOMETRY PLAN

DRAWING 14189-PGEOMETRY

SHEET 5 OF 6

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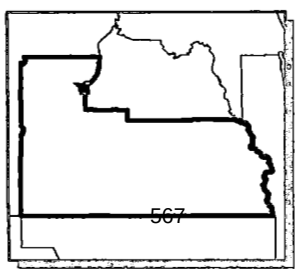
SHT 3 OF 5 PROJECT: SWEETWATER COUNTY CLUB LUP
SHEET TITLE: AERIAL W/ FLUCCS
DWG FILE NAME: F:\Proj2014\14189\PDWG\PSP\14189-PGeometry.dwg
XREF FILE NAME: 14189-PBASE.DWG




# Sweetwater Golf & Country Club PD
# The Reserve PSP - DP

Parcels
Jurisdiction
Subject Property
Hydrology

N
W
E
S

0 250 500
Feet
1 in = 500 ft

**Interoffice Memorandum**

March 8, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON:** **John Smogor, Chairman**
**Development Review Committee**
**Planning Division**
**(407) 836-5616**

SUBJECT: March 21, 2017 – Public Hearing
Larry Poliner, RCE Consultants, LLC
Rainbow Ridge Planned Development (PD)
Case # LUP-15-12-388 / District 2

The Rainbow Ridge PD is located at the terminus of McGuire Road, approximately 1,200 feet south of Haas Road, and 2,150 feet east of Plymouth Sorrento Road. The applicant is seeking to rezone the 43.99-acre subject property from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct up to twenty (20) single-family detached residential dwelling units on minimum 0.70-acre lots. Given the substantial amount of dedicated open space as required by the Wekiva Study Area regulations, the applicant is also seeking a waiver from Orange County Code to eliminate the standard PD requirement that all PDs provide additional active and passive recreation areas.

On January 19, 2017, the Planning and Zoning Commission (PZC) recommended approval of the request, subject to conditions. A community meeting was not required for this application.

Finally, the required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Ordinance 2008-14, and copies of these and the PD/LUP may be found in the Planning Division for further reference.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Rainbow Ridge Planned Development / Land Use Plan (PD/LUP) dated "Received January 11, 2017", subject to the conditions listed under the PZC Recommendation in the Staff Report. District 2**

Attachments

## GENERAL INFORMATION

| | |
|---|---|
| **APPLICANT** | Larry Poliner, RCE Consultants, LLC |
| **OWNER** | William R. Henry, Jr. |
| **PROJECT NAME** | Rainbow Ridge Planned Development (PD) |
| **HEARING TYPE** | Planned Development / Land Use Plan (PD / LUP) |
| **REQUEST** | **A-1** (Citrus Rural District) ***to*** **PD** (Planned Development District)<br><br>*A request to rezone two (2) parcels containing 43.99 gross acres from A-1 to PD, in order to construct up to twenty (20) single-family detached residential dwelling units on minimum 0.70-acre lots. The request also includes the following waiver from Orange County Code:*<br><br>1. A waiver from Orange County Code Section 38-1253 to eliminate the requirement to provide recreation facilities. |
| **LOCATION** | Generally located at the terminus of McGuire Road, approximately 1,200 feet south of Haas Road, and 2,150 feet east of Plymouth Sorrento Road. |
| **PARCEL ID NUMBERS** | 07-20-28-0000-00-007 and 07-20-28-0000-00-072 |
| **TRACT SIZE** | 43.99 gross acres |
| **PUBLIC NOTIFICATION** | The notification area for this public hearing extended beyond 1,500 feet [*Chapter 30-40(c)(3)(a) of Orange County Code requires 300 feet*]. Ninety-six (96) notices were mailed to those property owners in the mailing area. |
| **PROPOSED USE** | Twenty (20) single-family detached residential dwelling units on minimum 0.70-acre lots. |

## STAFF RECOMMENDATION

**Development Review Committee – (December 21, 2016)**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Rainbow Ridge Planned Development / Land Use Plan (PD/LUP), dated "Received January 11, 2017", subject to the following conditions:**

1. Development shall conform to the Rainbow Ridge Planned Development / Land Use Plan (PD/LUP) dated "Received January 11, 2017," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received January 11, 2017," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and/or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and

understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance.

   As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.

7. Ground signs shall comply with Chapter 31.5 of the Orange County Code.

8. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal.

9. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

10. The following Education Condition of Approval shall apply:

    a. Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of February 8, 2017.

    b. Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for

any residential units in excess of the 3 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

c. Developer, and its successor(s) and / or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.

d. Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

e. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.

11. A waiver from Orange County Code Section 38-1253 is granted to eliminate the requirement to provide recreation facilities.

## IMPACT ANALYSIS

### Land Use Compatibility

The applicant is seeking to rezone the subject parcels from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct up to twenty (20) single-family detached residential dwelling units on minimum 0.70-acre lots. Given the substantial amount of dedicated open space as required by the Wekiva Study Area regulations (50%), the applicant is also seeking a waiver from Orange County Code to eliminate the standard PD requirement that all PDs provide additional active and passive recreation areas.

The proposed development program is compatible with existing development in the area, and would not adversely impact any adjacent properties.

### Comprehensive Plan (CP) Consistency

The subject property is located within the Rainbow Ridge Rural Settlement and has an underlying Future Land Use Map (FLUM) designation of Rural Settlement 1/2 (RS 1/2) which allows for a maximum residential density of one (1) dwelling unit per two (2) net developable acres. The proposed PD zoning district and development program is consistent with RS 1/2 FLUM designation and the following CP provisions:

**FLU1.1.4** states that Rural Settlement related Future Land Use Map designations recognize and preserve existing development patterns, provide for a rural residential lifestyle, and manage the transition of rural areas near the Urban Service Area.

**OBJ FLU6.2** states that Rural Settlements provide for a rural residential lifestyle, allow a transition of rural areas adjacent to the Urban Service Area, and were intended to recognize and preserve existing development patterns at the time the CP was adopted in 1991.

**FLU6.2.3** states that development proposals consisting of greater than 25 residential units within a Rural Settlement shall have final approval as a Planned Development. The Planned Development shall reflect the intended rural character consistent with the criteria listed in Future Land Use Policies FLU6.2.4 and FLU6.2.5.

**FLU6.2.4** states that the County may use the PD designation and include criteria to ensure new development within the Rural Settlement contributes to the community's sense of place, to include:

Designs for new roads, and alterations to existing roads, should ensure the physical impact on the natural and historic environment is kept to a minimum;

New roads or road improvements shall be designed to accommodate the anticipated volume and nature of traffic, but pavement shall be kept as narrow as safety allows while encouraging equestrian, bicycle, pedestrian, and other non-motorized, alternative means of transportation, preservation of wildlife corridors and habitat, and aesthetically pleasing landscape treatment;

New buildings and structures shall be located where their construction or access does not cause substantial modification to the topography and natural resources; and,

Provide for increased setbacks along roadways to preserve views, open space, and rural character; and provide guidelines for lot layout and cluster development for residential development to maintain open space and rural character.

**FLU6.2.5** states that the permitted densities and intensities of land use within the Rural Settlements shall maintain their rural character, and consider factors including lot size, open space and views, tree canopy, building location and orientation, and compatibility with existing land uses.

**FLU6.2.6** states that the Future Land Use Map shall reflect the permitted densities of development within the Rural Settlements. Clustering of units with dedicated open space shall be allowed so long as the overall density does not exceed that specified on the Future Land Use Map.

Clustering shall be supported to maintain the rural character through preservation of open space and lot layout and design. Generally recognized and accepted conservation subdivisions can be used where they minimize impacts on areas with rural character provided their use is consistent with the overall intent of Rural Settlement boundaries.

Clustering, with permanent protection of open space, shall be encourage or required for all new development and redevelopment within the Wekiva Study Area, based on location, i.e., Urban Service Area, Rural Service Area, Rural Settlement, Growth Center and overall project acreage.

**OBJ FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

**FLU8.2.1** states that land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

**OS1.3.6** states that for the portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats.

All areas shown as High Recharge Areas identified in the Data and Analysis of this element on Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type "A" Hydrologic Soil Group identifying the most effective recharge areas. During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps. To maximize open space and preserve the natural environment, all development shall conform to the following requirements.

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms.

The following text describes areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

**Residential land uses in existing Rural Settlements.**
Within all areas in the Wekiva Study Area designated as Rural Settlement, minimum lot size shall be determined by the availability of water and sewer services. Within any such development, any sensitive resource elements shall be permanently protected. The following standards shall apply:

Development with densities less than or equal to one unit per acre (1du/ac) – open space shall equal 50% or greater;

Development with densities greater than one unit per acre (1du/ac) in a development with an overall size of less than or equal to 100 acres – open space shall be 60% or greater;

Development with densities greater than one unit per acre (1du/ac) in a development with an overall size greater than 100 acres – open space shall be 70% or greater.

**Community Meeting Summary**

A community meeting was not required for this request.

## SITE DATA

| | | |
|---|---|---|
| **Existing Use** | Undeveloped Land / Farm Land | |
| **Adjacent Zoning** | N: | A-1 (Citrus Rural District) *(1957)*<br>A-1 (City of Apopka Zoning) |
| | E: | A-1 (Citrus Rural District) *(1957)* |
| | W: | A-1 (Citrus Rural District) *(1957)* |
| | S: | A-1 (Citrus Rural District) *(1957)*<br>R-CE (Country Estate District) *(1972)* |
| **Adjacent Land Uses** | N: | Single Family Residential / Farm Land |
| | E: | Undeveloped Land / Farm Land |
| | W: | Single Family Residential / Farm Land |
| | S: | Single Family Residential / Farm Land |

## APPLICABLE PD DEVELOPMENT STANDARDS

| | |
|---|---|
| PD Perimeter Setback: | 25 feet |
| Maximum Building Height: | 35 feet |
| Minimum Lot Size: | 0.70-acre |
| Minimum Lot Width: | 150 feet |
| Minimum Living Area: | 2,000 Square Feet (under HVAC) |

*Minimum Building Setbacks*

| | |
|---|---|
| Front Setback: | 25 feet |
| Rear Setback: | 50 feet |
| Side Setback: | 10 feet |

Minimum Open Space: 50% (per Wekiva Study Area regulations)

## SPECIAL INFORMATION

**Subject Property Analysis**

The applicant is seeking to rezone the 43.99-acre subject property from A-1 (Citrus Rural District) to PD (Planned Development District) in order to construct up to twenty (20) single-family detached residential dwelling units on minimum 0.70-acre lots. The applicant is also seeking approval of a waiver to eliminate the recreational facility requirement due to the amount of open space as otherwise provided per the Wekiva Study Area regulations.

**Comprehensive Plan (CP) Amendment**

The property has an underlying Future Land Use Map (FLUM) designation of Rural Settlement 1/2 (RS 1/2). The proposed use is consistent with this designation and all applicable CP provisions; therefore, a CP amendment is not necessary.

**Rural Settlement**

The subject property is located within the Rainbow Ridge Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Overlay District Ordinance**

The subject property is located within the Wekiva Study Area. Per Open Space Element Policy OS1.3.6, residential development within an existing Rural Settlement is required to provide a minimum of 50% open space. The purpose of this requirement is to ensure protection of identified sensitive resources, including recharge areas, sensitive uplands, wetlands, Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub.

**Airport Noise Zone**

This property is not located within an Airport Noise Zone.

**Environmental**

This site is located within the geographical limits of the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 of the Florida Statutes (F.S.) Additional environmental regulations apply, as noted. These requirements may reduce the total net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030 Destination 2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

If a septic system is required or in use, the applicant is required to notify the Florida Department of Health (FDOH), Environmental Health Division, about the septic system permit application, modification or abandonment. Residential lots are also required to be configured to accommodate the requirements of the Individual On-Site Sewage Disposal Ordinance in Orange County Code Chapter 37, Article XVII, regarding setbacks, lot size, soils, distance to potable water supply wells, and elevations.

This project site has a prior agricultural land use that may have resulted in spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection and Development Engineering Divisions.

This property is also located within an ethylene dibromide (EDB, a soil fumigant) groundwater contamination zone delineated by the Florida Department of Environmental Protection (FDEP). Any new potable water wells will require special permitting per Florida Administrative Code FAC 62-524.

Finally, this site is located in close proximity to three publicly managed properties: the Sandhill Preserve, the Wekiva Springs State Park and the Lake Lucie Conservation Area. The covenants, conditions, and restrictions (CC&Rs) shall contain notification to potential purchasers, builders or tenants of this development that the adjacent land use includes publicly managed property. The notice shall indicate that the adjacent property will require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices will include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

**Transportation / Concurrency**

Based on the 9th Edition of the ITE trip generation manual, the proposed request to develop up to 20 single-family residential dwelling units will generate 239 daily and 25 pm peak hour trips. According to the concurrency management system database dated 01/20/17 there are no failing roadways within the project impact area and capacity is available to be encumbered. This information is dated and is subject to change.

Final permitting or approval of any development on this site will be subject to further review and approval through the County's Concurrency Management System and the applicant will be required to address any projected deficiencies in accordance with Orange County Code. In addition, Pursuant to Section 30-552(3) of the County's Code of Ordinances, any application for Planned Development (PD) zoning is also required to conduct a traffic study to assess the traffic and capacity impacts of the proposed development. The applicant is required to submit a traffic analysis for the proposed PD to the Transportation Planning Division for review and approval prior to obtaining an approved Capacity Encumbrance Letter (CEL).

**Water / Wastewater / Reclaim**

| | *Existing service or provider* |
|---|---|
| Water: | Private Wells |
| Wastewater: | Septic |
| Reclaimed: | N/A |

**Schools**

A Capacity Enhancement Agreement (CEA) addressing public school capacity issues is required for this project. A final Board County Commissioners (BCC) public hearing for this rezoning cannot be requested until notice of final approval of the CEA by Orange County Public Schools (OCPS) has been received.

**Parks and Recreation**

Orange County Parks and Recreation staff reviewed the request but did not identify any issues or concerns.

**Code Enforcement**

No code enforcement, special magistrate or lot cleaning issues on the subject property have been identified.

**Specific Project Expenditure Report and Relationship Disclosure Forms**

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

## ACTION REQUESTED

**Planning and Zoning Commission (PZC) Recommendation** – (January 19, 2017)

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Rainbow Ridge Planned Development / Land Use Plan (PD/LUP), dated "Received January 11, 2017", subject to the following conditions:**

1. Development shall conform to the Rainbow Ridge Planned Development / Land Use Plan (PD/LUP) dated "Received January 11, 2017," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any

obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received January 11, 2017," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and/or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any

encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance.

As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.

7. Ground signs shall comply with Chapter 31.5 of the Orange County Code.

8. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal.

9. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

10. The following Education Condition of Approval shall apply:

    a. Developer shall comply with all provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board as of February 8, 2017.

    b. Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 3 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

    c. Developer, and its successor(s) and / or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.

d. Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

e. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.

11. A waiver from Orange County Code Section 38-1253 is granted to eliminate the requirement to provide recreation facilities.

## PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend approval of the requested PD (Planned Development District) zoning, subject to eleven (11) conditions.

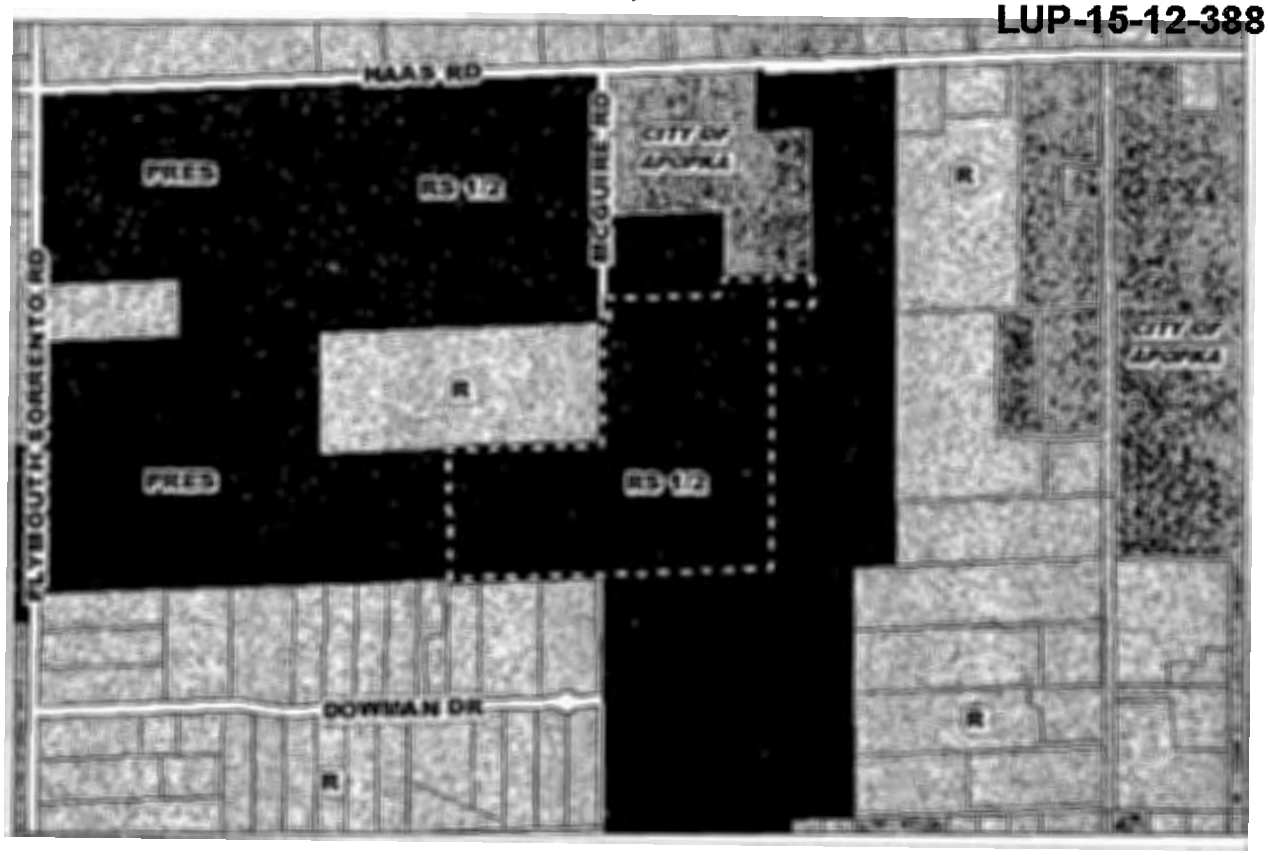
Staff indicated that ninety-six (69) notices were sent to an area extending beyond 1,500 feet from the subject property, with three (3) responses in favor and two (2) in opposition received. Those in opposition expressed concern with perceived impacts to rural character. Larry Poliner, applicant, was present and agreed with the staff recommendation.

During PZC discussion, Commissioner Spears expressed concern with the increase in density within the spring-shed of the Wekiva Springs and Rock Springs as well as the proposed septic tanks. Commissioner Spears proposed a condition to require connection to sewer when it becomes available. The applicant stated that the residents out there do not want water and sewer because it would cause more development. The applicant also stated it would be very difficult and expensive for the home owners to connect to a sewer line in the future. Staff stated that it would not be possible to make the homeowners connect at a future date.

Following lengthy discussion, a motion was made by Commissioner Cantero to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the Rainbow Ridge Planned Development / Land Use Plan (PD/LUP) dated "Received January 11, 2017", subject to the eleven (11) conditions listed in the staff report. Commissioner DiVecchio seconded the motion, which was then carried on a 6-1 vote, with Commissioner Spears voting in the negative.

| | |
|---|---|
| **Motion / Second** | *Jose Cantero / Pat DiVecchio* |
| **Voting in Favor** | *Pat DiVecchio, Jose Cantero, Paul Wean, Tina Demostene, JaJa Wade, and James Dunn* |
| **Voting in Opposition** | *Gordon Spears* |
| **Absent** | *Yog Melwani (Note: The District 2 PZC seat was vacant)* |

**LUP-15-12-388**




Subject Property

Subject Property

## Future Land Use Map

FLUM: Rural Settlement 1/2 (RS 1/2)

APPLICANT: Larry Poliner, RCE Consultants, LLC

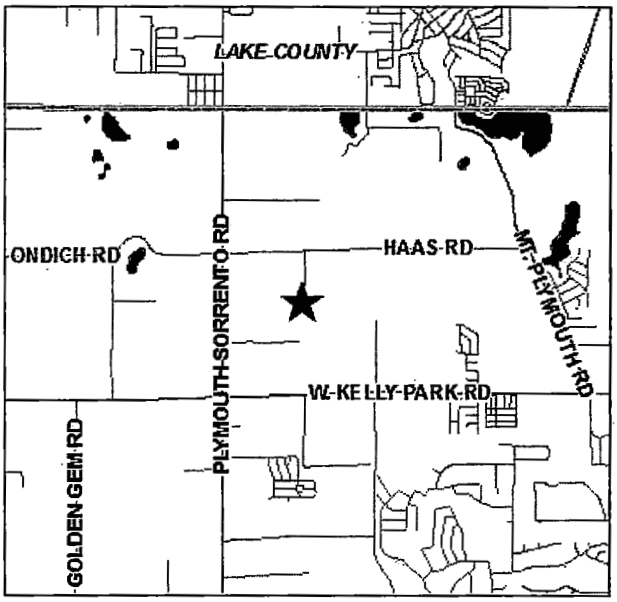
LOCATION: South of Haas Road / East of McGuire Road

TRACT SIZE: 43.99 gross acres

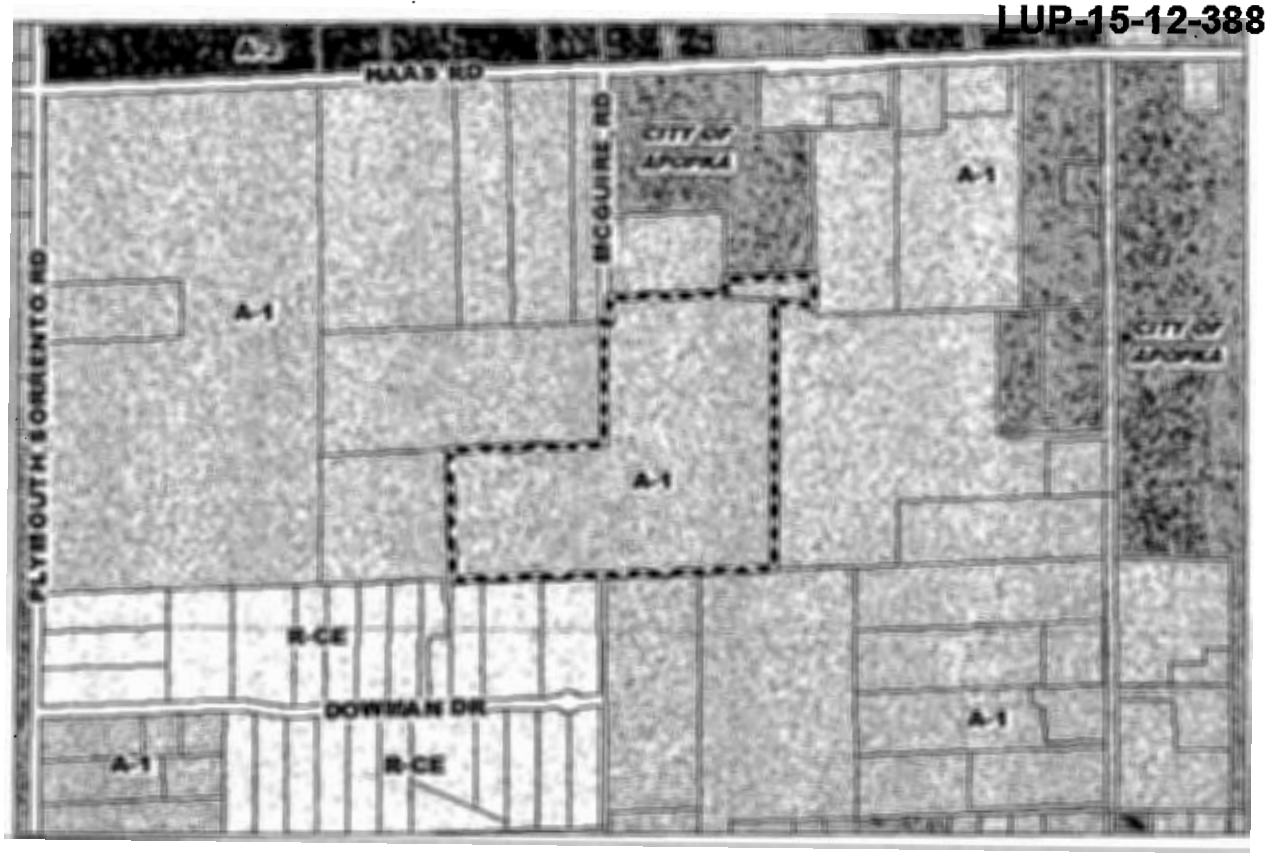
DISTRICT: # 2

S/T/R: 07/20/28

1 inch = 833 feet



**LUP-15-12-388**




**Subject Property** **Subject Property**

## Zoning Map

ZONING: A-1 (Citrus Rural District) to PD (Planned Development District)

APPLICANT: Larry Poliner, RCE Consultants, LLC

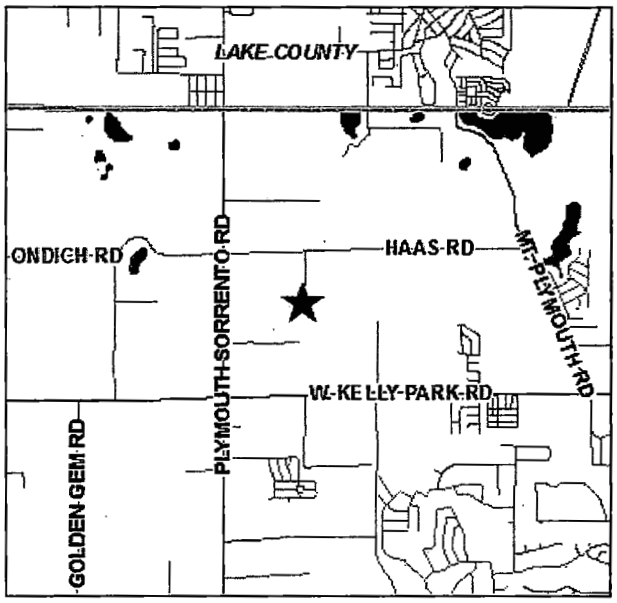
LOCATION: South of Haas Road / East of McGuire Road

TRACT SIZE: 43.99 gross acres

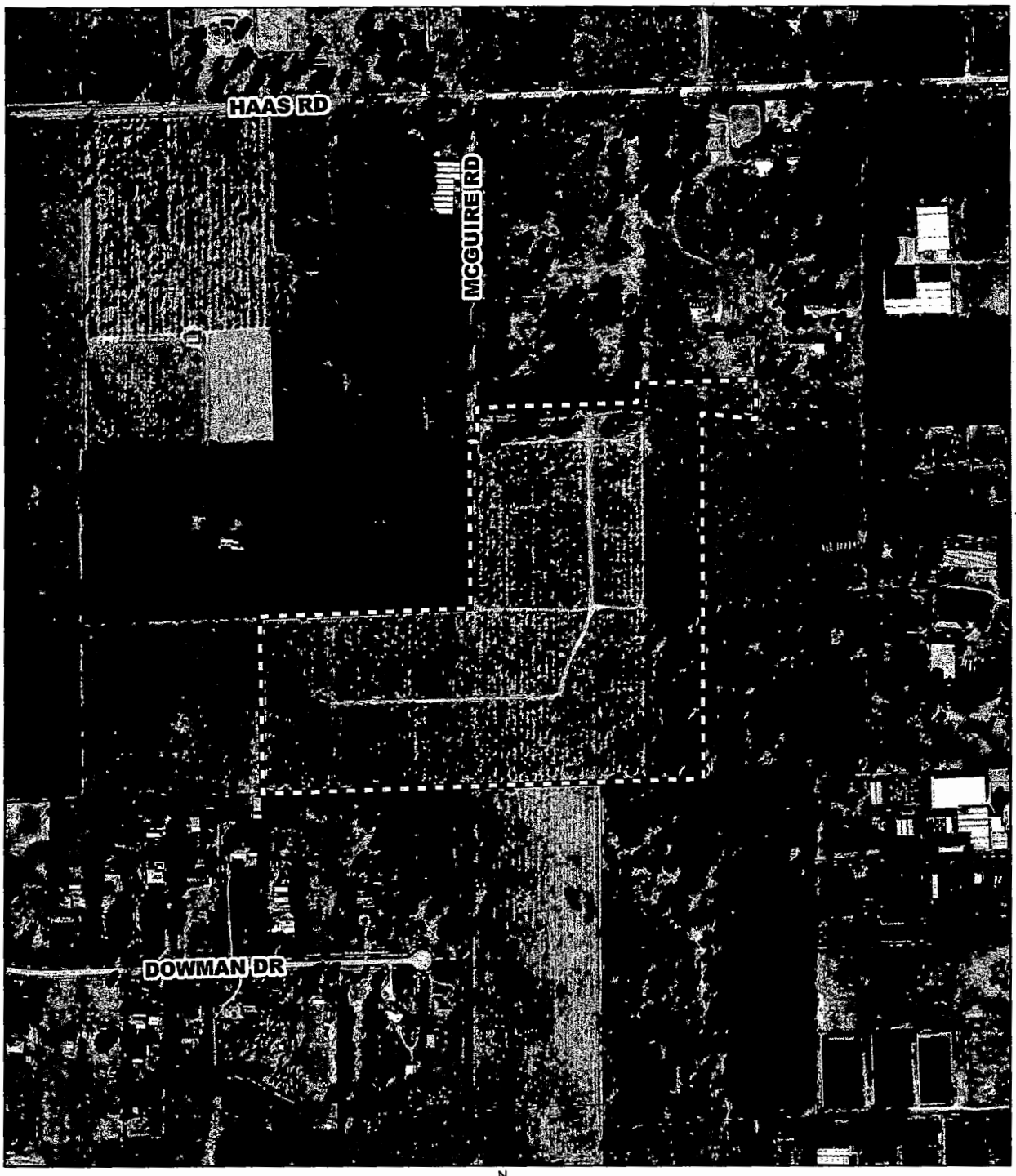
DISTRICT: # 2

S/T/R: 07/20/28

**1 inch = 833 feet**



## LUP-15-12-388




**Subject Property**

N
W E
S

**1 inch = 500 feet**

# RAINBOW RIDGE, P.D.
# LAND USE PLAN
# APOPKA, FLORIDA

**PARCELS 07-20-28-0000-00-007 & 07-20-28-0000-00-072**

**ORANGE COUNTY CASE NUMBER LUP-15-12-388**

**APRIL 2016**

## SHEET INDEX

1 COVER SHEET
2 SITE PLAN
SURVEY

DESCRIPTION OF NEW REALIGNMENT OF TAX PARCEL #07-20-28-0000-00-007, TAX PARCEL #07-20-28-0000-00-0[illegible] AND A PORTION OF TAX PARCEL #07-20-28-0000-00-0[illegible]

DESCRIPTION

PARCEL ID# 07-20-28-0000-00-007 BEING
[illegible] SE corner of NE 1/4 of SW 1/4 Run North [illegible] feet, then West 820.2[illegible] feet, then South [illegible] feet, then East [illegible] feet to Point of Beginning, Section 07-20-28, Orange County, Florida

Together with
PARCEL ID# 07-20-28-0000-00-0[illegible] BEING
West 1/2 of SW 1/4 of NE 1/4, Section 07-20-28, Orange County, Florida

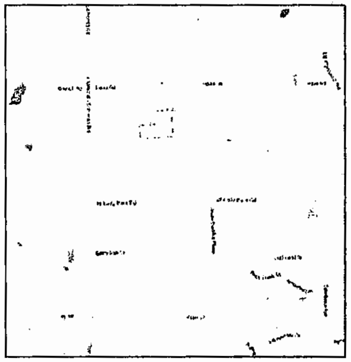
Together with
A PORTION OF TAX PARCEL ID# 07-20-28-0000-00-0[illegible] BEING

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 28 EAST, ORANGE COUNTY FLORIDA, RUN THENCE N [illegible] E ALONG THE SOUTH LINE OF SAID NORTHEAST 1/4 OF SECTION 7 FOR A DISTANCE OF [illegible] FEET FOR THE POINT OF BEGINNING; THENCE RUN [illegible] W FOR A DISTANCE OF [illegible] FEET TO THE SOUTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK [illegible] PAGE [illegible] PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN N [illegible] E ALONG SAID SOUTH LINE FOR [illegible] FEET; THENCE S [illegible] E FOR [illegible] FEET; THENCE S [illegible] FOR [illegible] FEET TO THE AFORE SAID NORTHEAST 1/4 OF SAID SECTION 7; THENCE RUN S [illegible] W ALONG SAID SOUTH LINE FOR 244.[illegible] FEET TO THE POINT OF BEGINNING
MORE PARTICULARLY DESCRIBED AS FOLLOWS

DESCRIPTION

Beginning at the Southwest corner of the Northeast 1/4 of Section 7, Township 20 South, Range 28 East, Orange County, Florida, thence run [illegible] along the South line of North 1/2 of said Section 7, for a distance of [illegible] feet, thence run [illegible] for a distance of [illegible] feet [illegible] [illegible] feet to the West line of the aforementioned Northeast 1/4 of Section 7 [illegible] [illegible] Northerly line, for a distance of [illegible] feet to the Westerly line of said lands; thence run S [illegible] E, along said Westerly line, for a distance of [illegible] feet to the South line of the aforementioned Northeast 1/4 of Section 7, thence run [illegible] along said South line, for a distance of 404.[illegible] feet to the Point of Beginning

Having an area of [illegible] square feet, [illegible] acres more or less

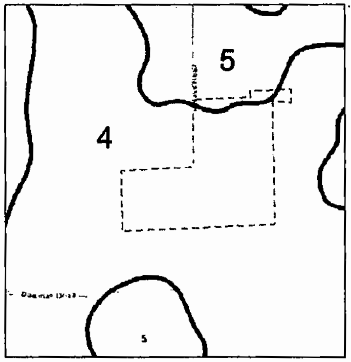


VICINITY MAP

NOT TO SCALE

AERIAL MAP

1"=500'




SOILS MAP

1"=[illegible]

SOILS

(4) (5) CANDLER/APOPKA FINE SAND-SOIL HYDROLOGIC TYPE A

SOILS DATA FROM THE ORANGE COUNTY SOIL SURVEY B

### PROJECT CONTACTS

**OWNER:**
WILLIAM HENRY JR
35 W. LAUREL STREET
APOPKA, FL 32703
407 595 0952

**CIVIL ENGINEER:**
KCE CONSULTANTS, LLC
LAURENCE POLINER, P.E.
677 ANVERN DRIVE
ALTAMONTE SPRINGS, FL 32[illegible]
407 452.56[illegible]

### UTILITIES:

**ELECTRIC:** DUKE ENERGY
3300 EXCHANGE PLACE, NP4B
LAKE MARY, FL 32746
PHONE: 407-942-9453

**TELEPHONE:** CENTURYLINK

**CABLE:** BRIGHTHOUSE NETWORKS
844 MCGUIRE ROAD
OCOEE, FLORIDA 34761
PHONE: (407) 532-8509

**WATER:** WELL

**SEWER** SEPTIC

In accordance with Section 38-1227, any variations from county code minimum standards represented on this plan that have not been expressly approved by the BCC are invalid.

FLOOD PLAIN

BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, THE STRUCTURE SHOWN HEREON DOES NOT LIE WITHIN THE 100 YEAR FLOOD HAZARD AREA. THIS STRUCTURE LIES IN UNSHADED ZONE "X" COMMUNITY PANEL NO. 12095C0[illegible]F EFFECTIVE DATE: SEPTEMBER 25, 2009 (SUBJECT TO CHANGE)

RECEIVED By [illegible] at 4:01 pm, Jan 14, 2017

COVER SHEET

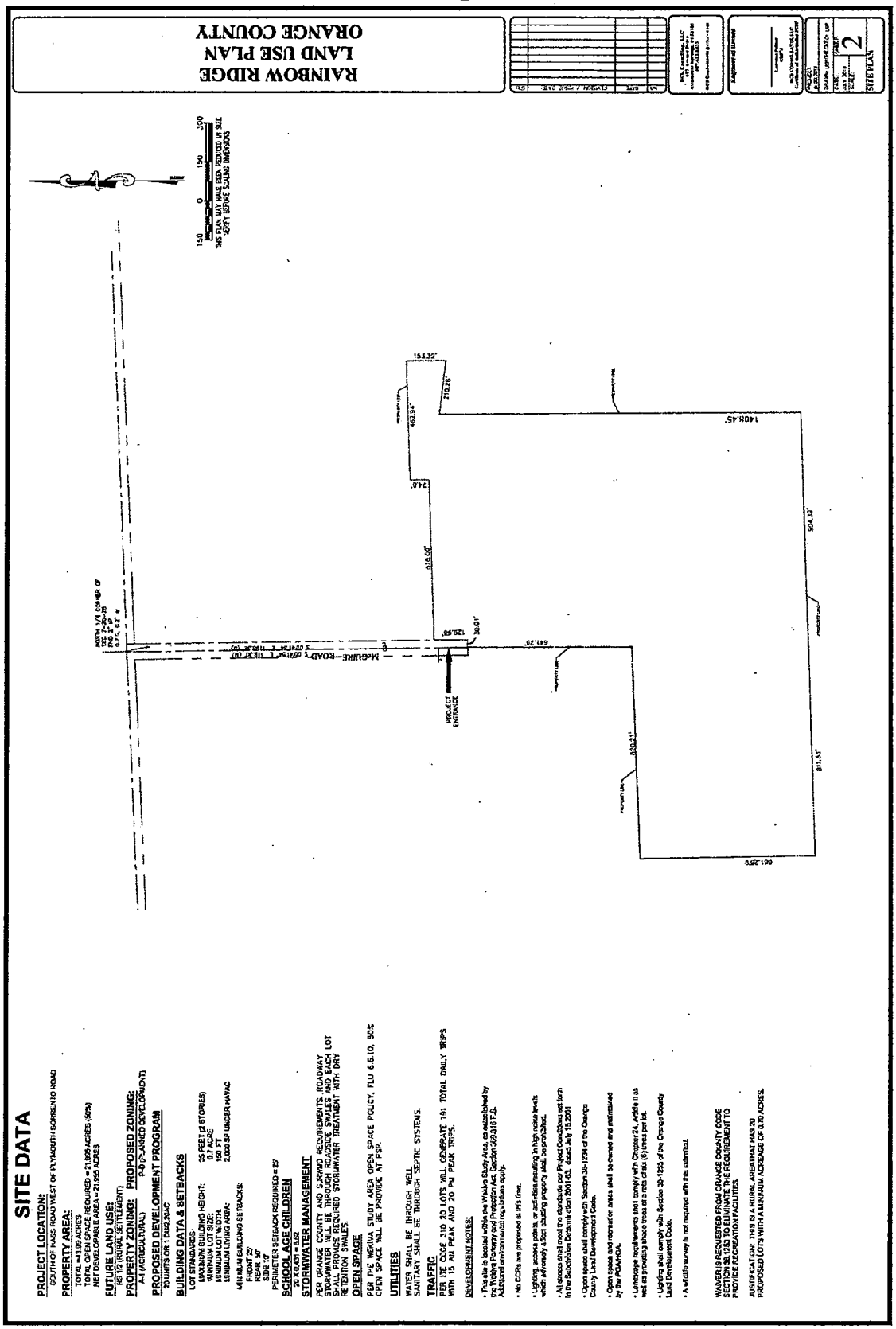
1

Rainbow Ridge PD / LUP (Cover Sheet)

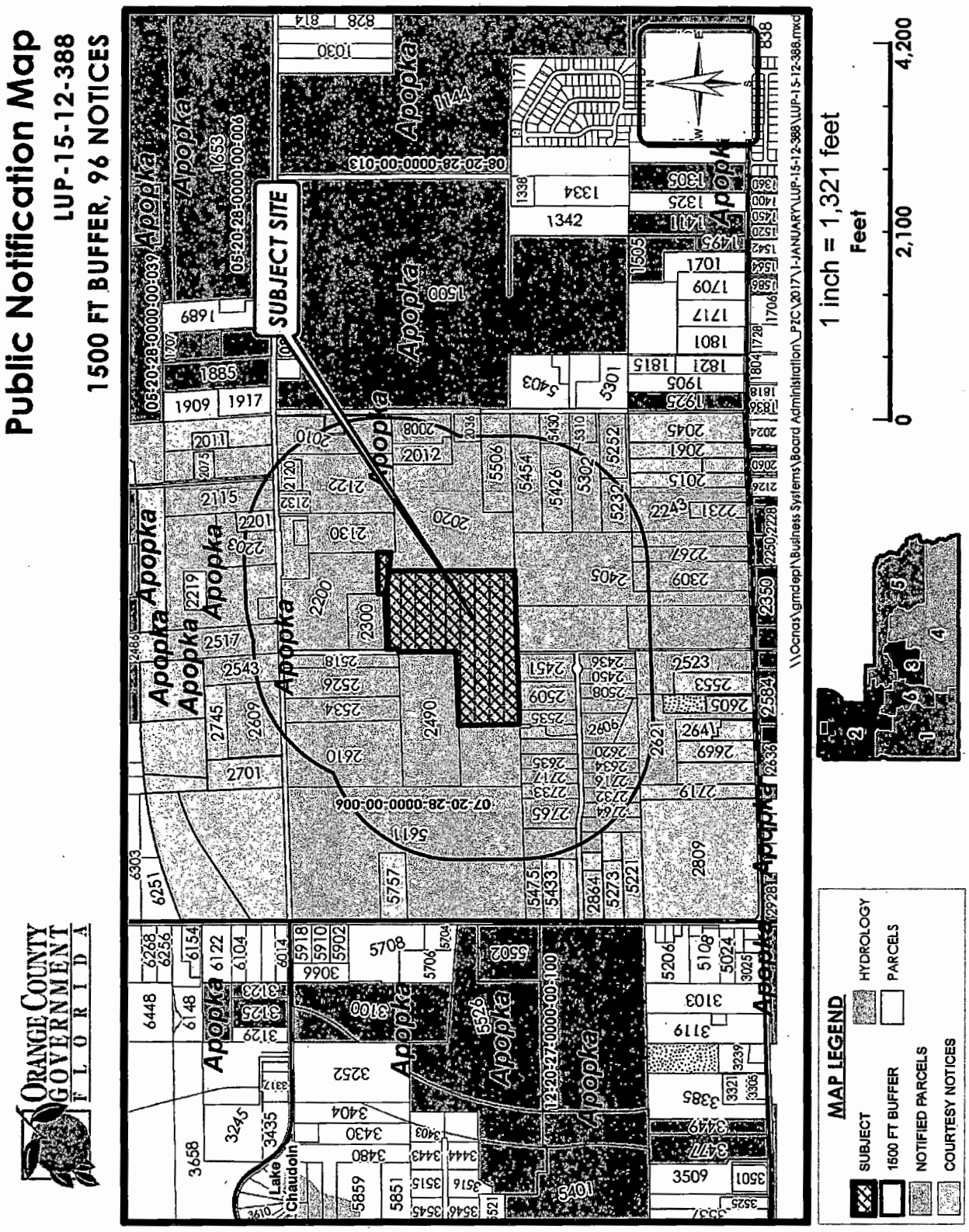
Rezoning Staff Report
Case # LUP-15-12-388
BCC Hearing Date: March 21, 2017

PZC Recommendation Book
17
January 19, 2017

# Rainbow Ridge PD / LUP



# Notification Map



ORANGE COUNTY GOVERNMENT FLORIDA

**Interoffice Memorandum**

DATE February 24, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development Services Department

**CONTACT PERSON:** **Carol Knox, Manager, Zoning Division**
**407-836-5585**

SUBJECT: March 21, 2017 – BCC Called Public Hearing
Applicant: Our Lady of Fatima Catholic Church
BZA Case #SE-17-01-179, January 5, 2017; District #2

Case #SE-17-01-179, located at 7401 Mott Avenue, in District #2, is a BCC called public hearing to be heard on March 21, 2017. The applicant is requesting special exceptions and a variance to construct a new 6,000 sq. ft. sanctuary, to convert the existing residence into office/administrative use and to partially pave the parking lot. All driving aisles will be paved.

The subject property is located on the east side of Mott Avenue, ¼ mile north of Edgewater Drive.

On January 24, 2017, the BCC called a hearing on this request for the purpose of conducting a proper community meeting. It was discovered that notices were not sent out for the community meeting held on December 6, 2016.

During the January 5, 2017 BZA public hearing, 2 neighbors spoke in opposition to this request. They had concerns about non-notification of the community meeting and outdoor events and noise impacts. The BZA amended the conditions of approval and added new conditions to address the neighbors' concerns to the greatest extent possible. The BZA recommended approval with conditions as amended. The vote was unanimous (5-0; 2 vacancies).

The application for this request is subject to the requirements of Ordinance 2008-14, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy is available upon request in the Zoning Division.

If you have any questions regarding this matter, please contact Carol Hossfield at 6-5585 or Rocco Relvini at 6-5386.

**ACTION REQUESTED:** **Uphold the BZA's recommendation of approval of January 5, 2017. District #2.**

# COMMUNITY ENVIRONMENTAL DEVELOPMENT SERVICES DEPARTMENT
# ZONING DIVISION PUBLIC HEARING REPORT
# March 21, 2016

The following is a board called public hearing before the Board of County Commissioners on March 21, 2017 at 2:00 p.m.

**APPELLANT/APPLICANT:** OUR LADY OF FATIMA CATHOLIC CHURCH

**REQUEST:** Special Exceptions and Variance in the R-1 zoning district for religious use as follows:

1) Special Exception: To construct new 6,000 sq. ft. church use building;
2) Special Exception: To convert existing residence into church office use; and
3) Variance: To allow grassed parking spaces and driving aisles in lieu of paved.

**LOCATION:** East side of Mott Avenue, 1/4 mile north of Edgewater Drive

**TRACT SIZE:** 5.73 acres

**ZONING:** R-1

**DISTRICT:** #2

**PROPERTIES NOTIFIED:** 127

**BOARD OF ZONING ADJUSTMENT (BZA) HEARING SYNOPSIS ON REQUEST:**

The applicant is proposing a 6000 sq. ft. sanctuary at the center of the site. The eastern half of the site will be preserved in its natural state.

The applicant indicated that this building will allow for many events to occur indoors. Previously, many events were held outdoors. With the construction of this new building, many events would occur inside this building.

Two (2) adjacent neighbors spoke in opposition. They had concerns about outdoor events and noise.

Staff advised the BZA that this church is located directly across from One Accord Ministries Church. So staff's intent is to grant this religious facility similar land use rights. Also, staff incorporated many of the citizens concerns which were noise, limitation on outdoor events, fencing and social service use restrictions. Specifically, the use of amplified sound is prohibited.

The applicant agreed to the additional conditions of approval. However, with regard to outdoor events, the applicant wanted the same treatment that other religious use approvals received. Staff agreed.

The BZA approved the request with additional conditions.

**BZA HEARING DECISION:**

A motion was made by Gregory A. Jackson, seconded by Jose A. Rivas, Jr. and unanimously carried to APPROVE the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions (unanimous 5-0; 2 vacancies):

1. Development in accordance with site plan dated November 29, 2016 and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. No more than four (4) outdoor special events per calendar year between the hours of 8:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall be reviewed by the Orange County Fire Marshal's Office;

5. Parking shall be provided as shown on plan dated November 29, 2016. Handicapped parking shall be provided in accordance with all applicable regulations;

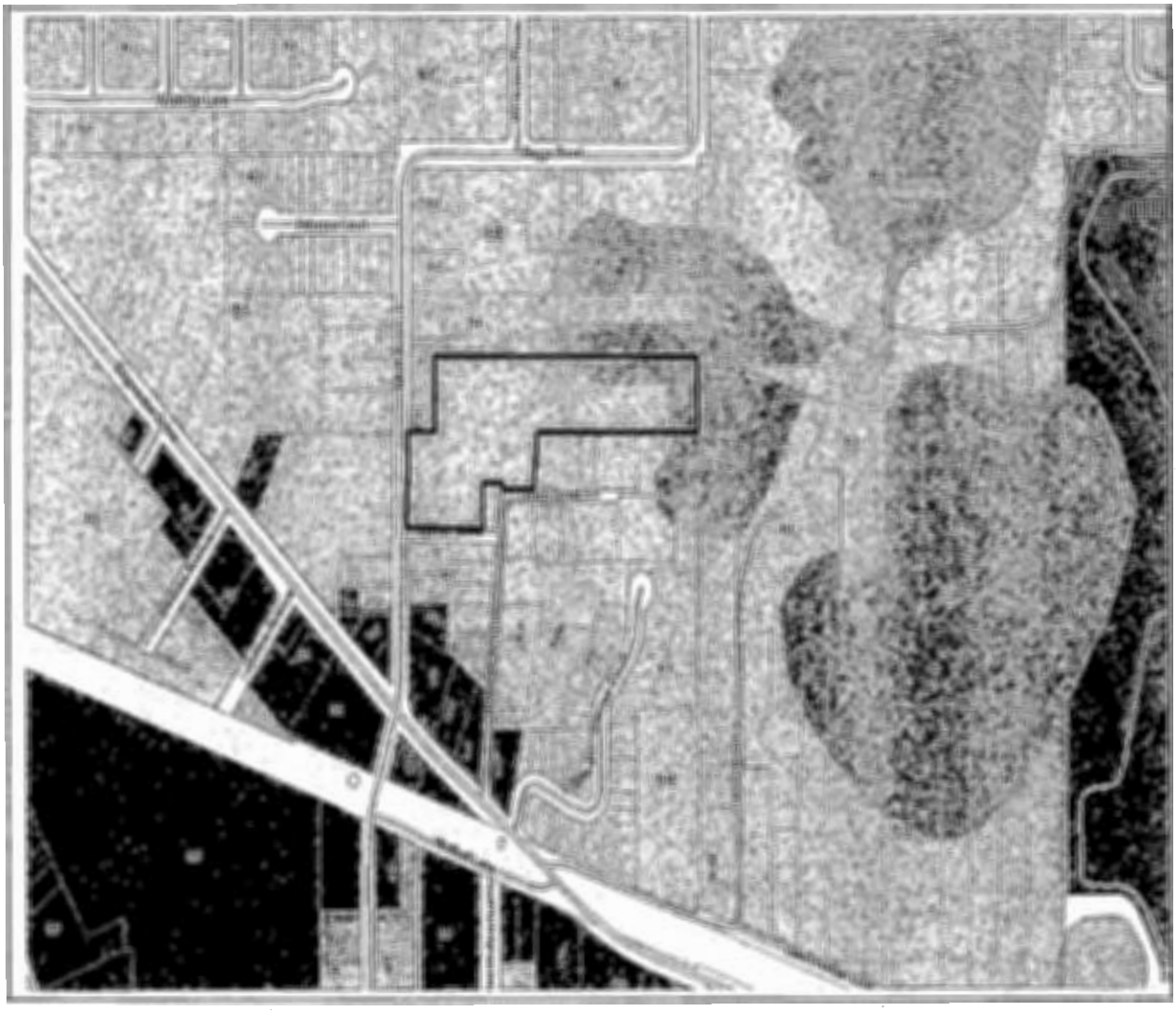
6. Landscaping shall be in accordance with Chapter 24, Orange County Code;

7. Construction plans shall be submitted within 2 years of Orange County approval or this approval is null and void;

8. The 2 trees adjacent to 7101 Cornet Street shall be removed prior to the issuance of any building permits in accordance with photos dated Received December 29, 2016;

9. A 6 ft. vinyl PVC fence shall be erected as shown on the site plan dated November 29, 2016. Said fence shall be constructed prior to the issuance of a certificate of occupancy for the new church building; and,

10. Soup kitchen, homeless shelter, private school, day care or substance abuse rehabilitation uses shall be prohibited.



**Applicant:** Our Lady of Fatima Catholic Church

**BZA Number:** SE-17-01-179

**BZA Date:** 01/05/2017

**District:** 2

**Sec/Twn/Rge:** 32-21-29-NW-B

**Tract Size:** 5.73 acres

**Address**: 7401 Mott Avenue, Orlando FL 32810

**Location:** East side of Mott Avenue, 1/4 mile north of Edgewater Drive

pka
orlando, inc.

Mr. Rocco Relvini

Orange County Zoning Division

201 S. Rosalind Ave

Post Office Box 2687

Orlando, Florida 32802-2687

Subject: Special Exception Submittal for Our Lady of Fatima Catholic Mission

Dear Rocco,

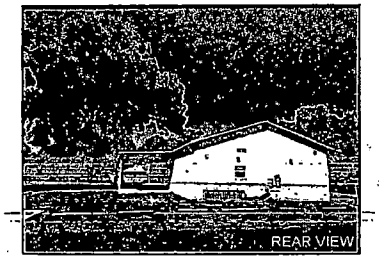
Please find attached the Application to Board of Zoning Adjustment, Site Plan and submittal check for Our Lady of Fatima Catholic Mission on Mott. Ave. I have contacted the One Accord Ministries Church across the street and they are confirming some days in early December to provide a meeting space for the Community meeting. I will let you know as soon as they give me the dates.

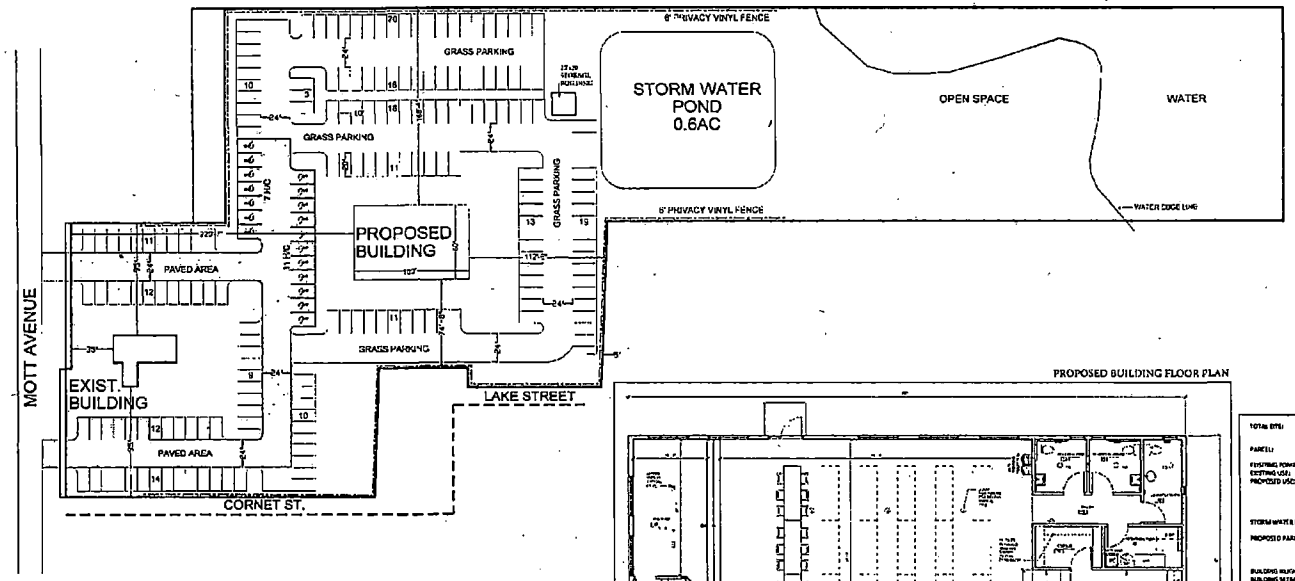
We appreciate your assistance in guiding us through the process. If you need any further information please give me a call.

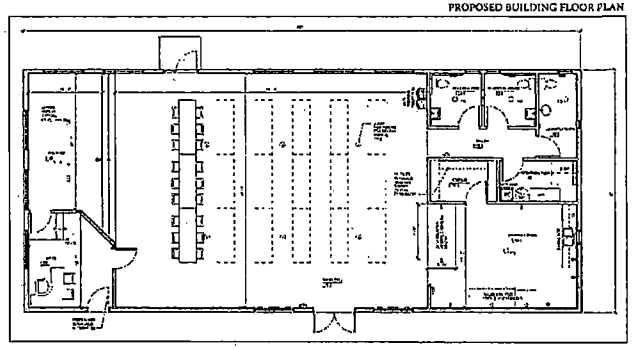
Regards,

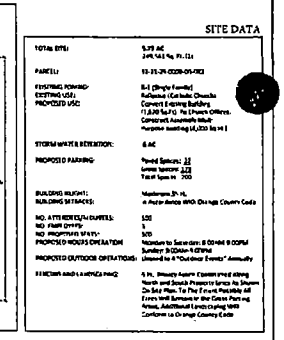
Raymond Bradick

529 Versailles Dr., Suite 210 • Maitland, FL 32751 • 407-644-1905






# OUR LADY OF FATIMA MISSION

ORANGE COUNTY, FLORIDA

*SITE PLAN*

| OWNER | APPLICANT | APPLICANT REP: PLANNING | REVISIONS | DATE |
|---|---|---|---|---|
| Diocese of Orlando<br>50 E. Robinson Street<br>P.O. Box 1800 Orlando, FL 32801<br>Contact: Darryl Podunavac<br>Office: 407-246-4871<br>dpodunavac@orlandodiocese.org | PKA Orlando, Inc.<br>528 Versailles Dr., Suite 210<br>Maitland, FL 32751 Contact: Ray Bradick Office: 407-644-1905<br>Cell: 407-719-8368<br>rbradick@pkaorlando.com | Hahn and Hahn Team, Inc.<br>Bob Hahn<br>Cell 407.719.5543<br>BOB@HahnandHahnTeam.com | | NOVEMBER 14, 2016<br>SCALE<br>1"=40' |

ORANGE COUNTY GOVERNMENT
FLORIDA

# STAFF REPORT
# CASE #SE-17-01-179

Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
January 5, 2017
Commission District: 2

GENERAL INFORMATION:

| | |
|---|---|
| APPLICANT: | Our Lady of Fatima Catholic Church |
| HEARING TYPE: | Board of Zoning Adjustment |
| REQUEST: | Special Exceptions and Variance in the R-1 zoning district for religious use as follows:<br><br>1) Special Exception: To construct new 6,000 sq. ft. church use building;<br>2) Special Exception: To convert existing residence into church office use; and,<br>3) Variance: To allow grassed parking spaces and driving aisles in lieu of paved. |
| LOCATION: | East side of Mott Avenue, 1/4 mile north of Edgewater Drive |
| PROPERTY ADDRESS: | 7401 Mott Avenue |
| PARCEL ID: | 32-21-29-0000-00-082 |
| PUBLIC NOTIFICATION: | 127 |
| TRACT SIZE: | 5.73 acres |
| DISTRICT #: | 2 |
| ZONING: | R-1 |
| EXISTING USE(S): | Single family residence |
| PROPOSED USE(S): | 6,000 sq. ft. sanctuary church office |
| SURROUNDING USES: | The site is surrounded by single family homes. There is a church use to the west. |

STAFF FINDINGS AND ANALYSIS:

1. The applicant is proposing a 6,000 sq. ft. sanctuary and multipurpose building at the center of the site. It will be located 229 feet from Mott Avenue.

2. The existing residence will remain and be used for office purposes related to the religious use.

3. The site complies with the required number of parking spaces. Twenty-two (22) spaces will be paved and 178 spaces will be grassed. It is not anticipated that this sanctuary will reach capacity. Staff does not object to the unpaved spaces because numerous other non-residential land uses in the area also have unpaved parking. The unpaved parking spaces blend in the area and retains the area's rural appearance.

4. The applicant is proposing a six (6) foot high vinyl fence around the parking lot along the north and south property lines.

5. Applicant is advised that landscaping is required around the entire site including along Mott Avenue. This may cause a minor shift in the parking aisles and spaces.

6. Staff supports this request as the proposed church will blend in the area.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated November 29, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;

4. No more than four (4) special outdoor events per calendar year between the hours of 8:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited;

5. Parking shall be provided as shown on plan dated November 29, 2016;

6. Landscaping shall be in accordance with Chapter 24, Orange County Code; and,

7. Construction plans shall be submitted within two (2) years of Orange County approval or this approval is null and void.

cc: Raymond R. Bradick, Applicant's Representative
529 Versailles Drive, Suite 210
Maitland, Florida 32751

**Interoffice Memorandum**

DATE: February 20, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON:** **John Smogor, Chairman**
**Development Review Committee**
**Planning Division**
**(407) 836-5616**

SUBJECT: March 21, 2017 – Public Hearing
Robert Grassman, Bowman Consulting
South Park Planned Development (PD) / Sand Lake Corners Preliminary Sudivision Plan (PSP) / Development Plan (DP)
Case # CDR-16-07-238 / District 6

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to approve a substantial change to the South Park PD / Sand Lake Corners Preliminary Subdivision Plan to add a 2,200 square foot coffee shop with drive through on 1.02 acres.

The application for this request is subject to the requirements of Ordinance 2008-14, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy will be available upon request in the DRC Office.

A file labeled "BCC Agenda Backup" containing a copy of this agenda item and all supporting documentation, including an 11" x 17" plan, is in the top drawer of the BCC file cabinet in the supply room adjacent to District 4 Commissioner's office.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the South Park Planned Development (PD) / Sand Lake Corners Preliminary Subdivision Plan (PSP) / Development Plan (DP) dated "Received December 29, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 6**

JVW/JS/lme
Attachments

# CASE # CDR-16-07-238

Commission District # 6

## 1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to approve a substantial change to the South Park PD / Sand Lake Corners Preliminary Subdivision Plan to add a 2,200 square foot coffee shop with drive through on 1.02 acres.

## 2. PROJECT ANALYSIS

| | |
|---|---|
| A. Location: | South of Sand Lake Road / East of South John Young Parkway |
| B. Parcel ID: | 33-23-29-7457-04-001 |
| C. Total Acres: | 53.34 (entire PSP) / 1.02 (affected area) |
| D. Water Supply: | Orlando Utilities Commission |
| E. Sewer System: | Orange County Utilities |
| F. Schools: | N/A |
| G. School Population: | N/A |
| H. Parks: | N/A |
| I. Proposed Use: | 2,200 Square Foot Coffee Shop with Drive-Through |
| J. Site Data: | Maximum Building Height: 19'<br>Building Setbacks:<br>50' Front<br>10' Side<br>10' Rear |
| K. Fire Station: | 52 – 4765 West Sand Lake Road |
| L. Transportation: | Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat.<br><br>Nothing in the decision to approve this preliminary subdivision plan / development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate. |

## 3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of Industrial (IND). This project was initially approved as a part of the Orlando Central Park PD, which was issued a State "Binding Letter of Interpretation" that recognized commercial as a permitted use. Therefore, the proposed request is consistent with the Comprehensive Plan.

## 4. ZONING

PD (Planned Development) (South Park PD)

## 5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the South Park Planned Development; Orange County Board of County Commissioners (BCC) approvals; Sand Lake Corners Preliminary Subdivision Plan; BCC approvals; Starbucks - Sand Lake Development Plan dated "Received December 29, 2016" and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this development plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.

7. Prior to construction plan approval, documentation must be provided certifying that this project has the legal right to tie into the master drainage system.

8. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to issuance of the initial certificate of occupancy. Nothing in this condition and nothing in the decision to approve this development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

9. Prior to commencement of any earth work or construction, if one acre or more of land will be disturbed, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOI) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection by the developer.

10. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater systems have been designed to support all development within the PD.

11. Signage shall comply with the Master Sign Plan (MSP). New billboards and pole signs shall be prohibited.

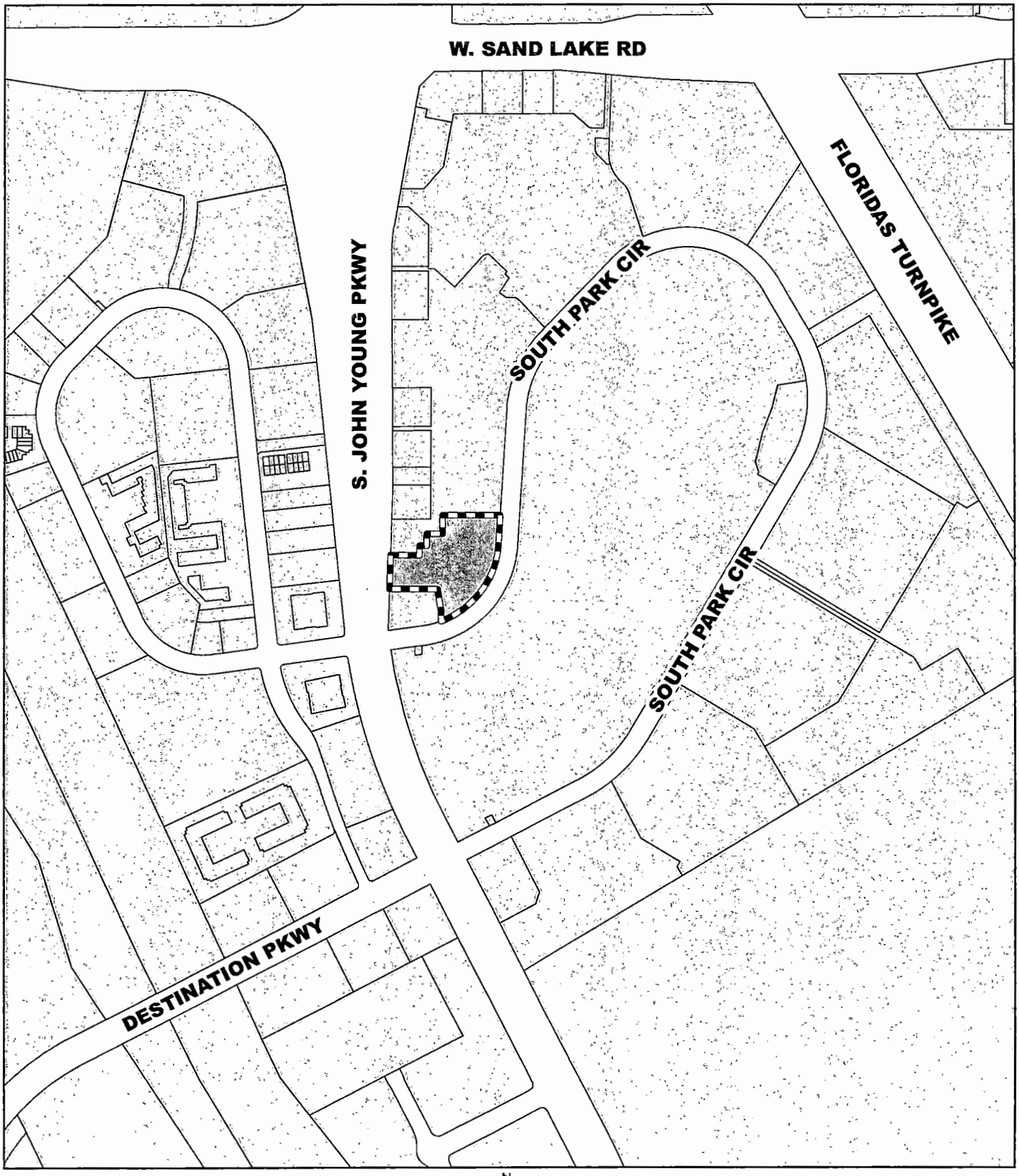
12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated October 28, 2007, shall apply:

    a. Orange County will not own, operate, or maintain on-site wastewater systems.

    b. Section 34-152 (a) (c) concerning lot size and access are waived to allow Tracts B-1 and D-1 as freestanding unoccupied automatic teller machines.

    c. Waiver of Section 38-1772 to allow a zero-foot side yard setback in lieu of ten feet (10') between Tract B and D is granted. Waiver is granted to facilitate ownership pattern and will not affect adjacent property owners.

CDR-16-07-238

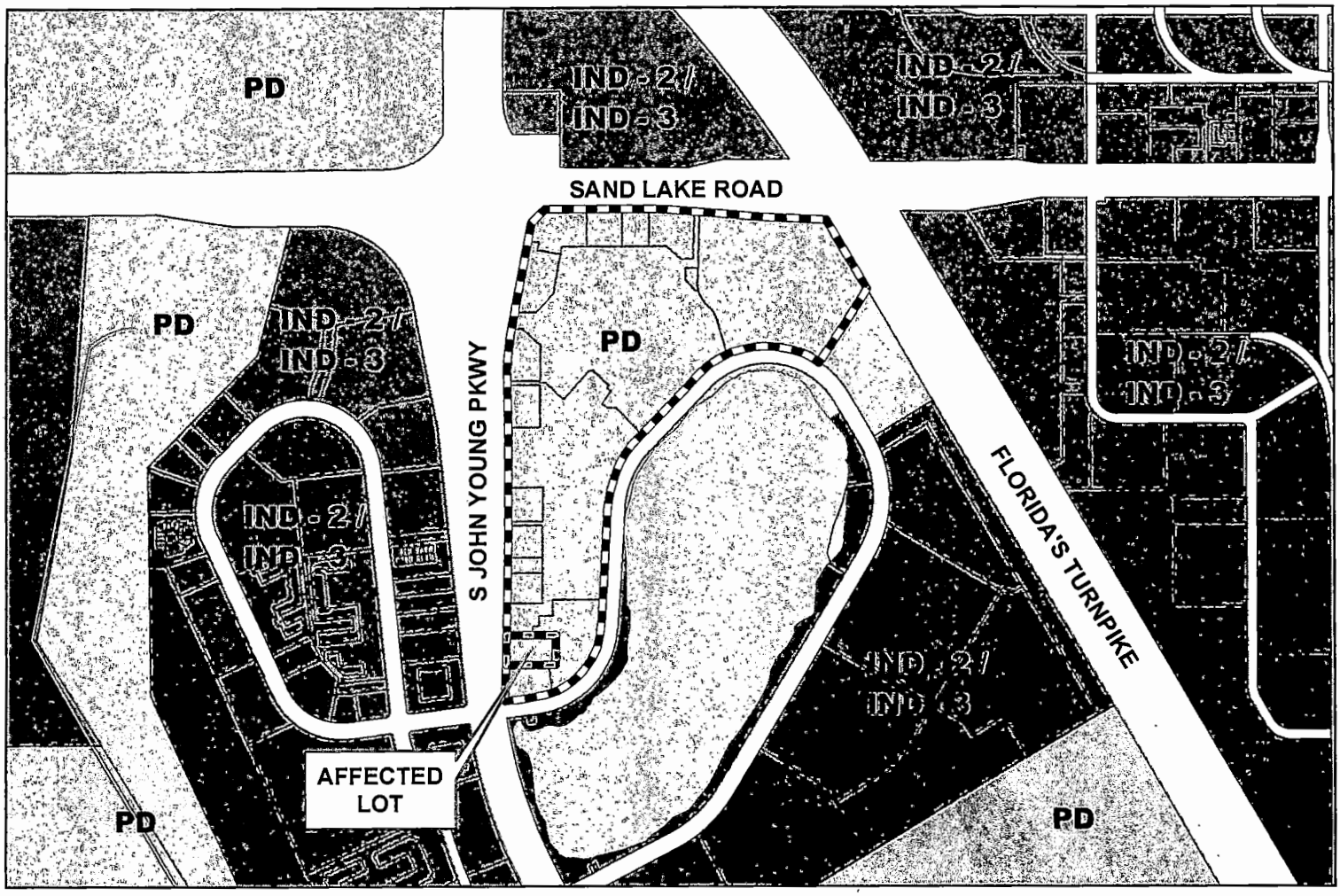



Subject Property

N
W E
S

1 inch = 667 feet

# CDR-16-07-238



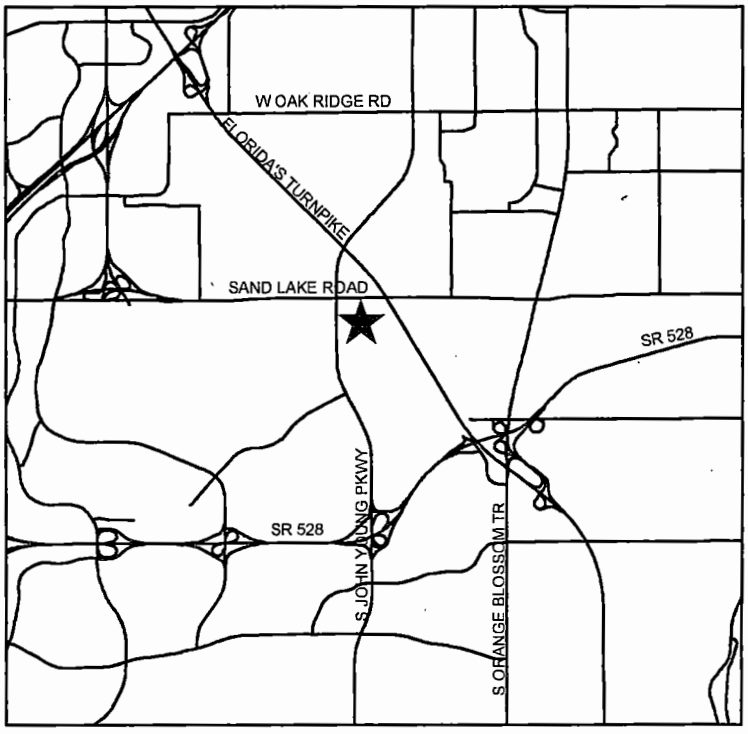

Subject Property

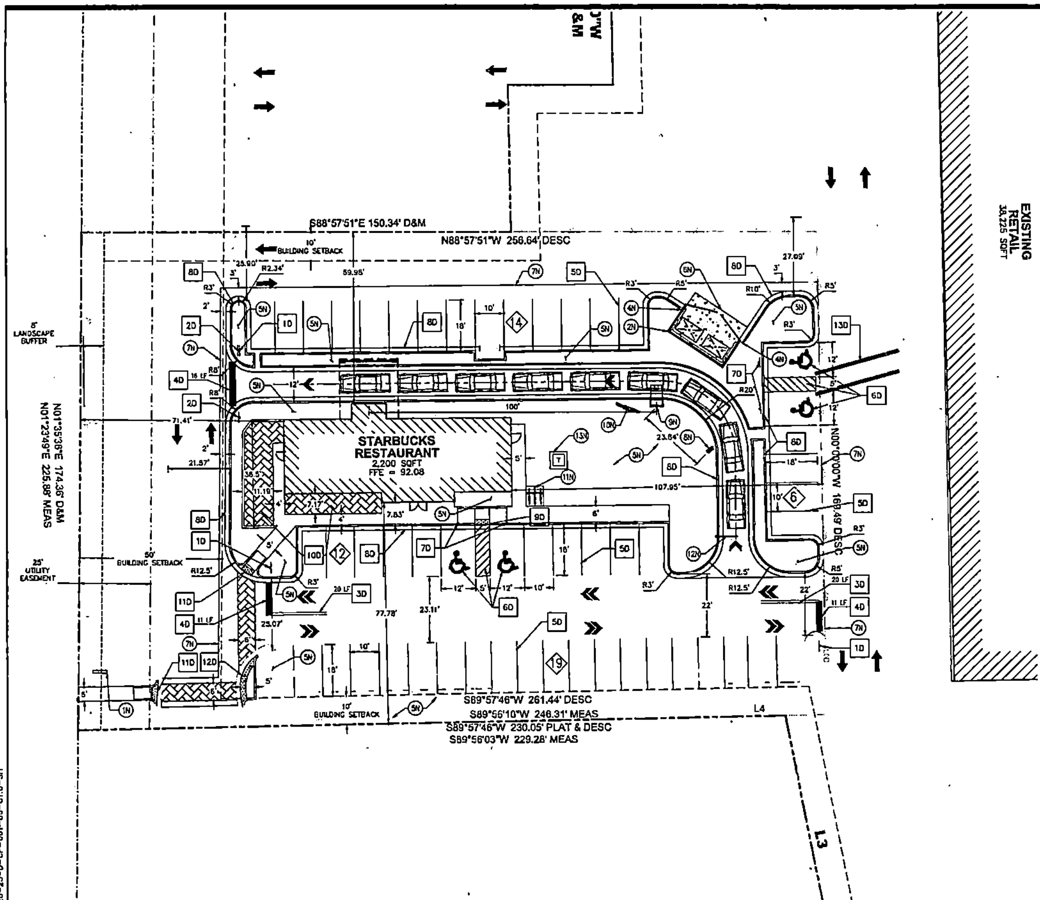
★ Subject Property

## Zoning

| | |
|---|---|
| **ZONING:** | PD (Planned Development District) (South Park PD) |
| **APPLICANT:** | Robert Grassman, Bowman Consulting |
| **LOCATION:** | South of Sand Lake Road / East of South John Young Parkway |
| **TRACT SIZE:** | 1.02 (affected lot only) |
| **DISTRICT:** | #6 |
| **S/T/R:** | 33/23/29 |

**1 inch = 1,000 feet**






## GENERAL SITE NOTES

1. ALL PARKING DIMENSIONS SHOWN ARE TO THE FACE OF CURB.
2. ALL EXISTING EASEMENTS, RIGHTS-OF-WAY, AND LOT LINES MAY NOT BE SHOWN. REFER TO THE ALTA/ACSM LAND TITLE SURVEY PREPARED BY ACCURIGHT SURVEYS OF ORLANDO INC., JOB NUMBER 45030, CURRENT VERSION FOR COMPLETE BOUNDARY INFORMATION AND ASSOCIATED ENCUMBRANCES.
3. A PRE-CONSTRUCTION MEETING WITH COUNTY ENGINEER SHALL BE HELD PRIOR TO CONSTRUCTION COMMENCEMENT.
4. THIS PROJECT IS COMPRISED OF MULTIPLE LAND DONATIONS, DEDICATIONS, AND EASEMENTS WHICH HAVE BEEN OMITTED FROM THIS PLAN FOR CLARITY. REFER TO THE SURVEY PREPARED BY ACCURIGHT SURVEYS OF ORLANDO INC., BOUNDARY AND TOPOGRAPHIC SURVEY, JOB NUMBER 45030
5. ORANGE COUNTY SHALL BE GIVEN AT LEAST 48 HOURS NOTICE PRIOR TO PERFORMING ANY INSPECTIONS.
6. TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE PROJECT PLANS, THE CURRENT EDITION OF THE FDOT DESIGN STANDARDS (600 SERIES) AND THE LATEST OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
7. ALL MECHANICAL EQUIPMENT TO BE ROOF MOUNTED AND SCREENED FROM VIEW.
8. CONTRACTOR TO PROVIDE AS-BUILTS OF ALL IMPROVEMENTS TO THE SITE, PERFORMED BY A LICENSED SURVEYOR IN THE STATE OF FLORIDA. AS-BUILTS TO INCLUDE HORIZONTAL AND VERTICAL LOCATIONS OF ALL UNDERGROUND UTILITIES INCLUDING, BUT NOT LIMITED TO, PIPES, FITTINGS, STRUCTURES, AND OTHER APPURTENANCES. ELEVATIONS OF PIPES AT CROSSING POINTS MUST BE SUFFICIENT TO IDENTIFY MINIMUM SEPARATION OF UTILITIES AS DEFINED BY F.A.C. RULE 62-555.314. IN ADDITION TO THE AFOREMENTIONED CRITERIA AS-BUILTS MUST MEET ALL LOCAL AND JURISDICTIONAL REQUIREMENTS FOR CERTIFICATION OF CONSTRUCTION.
9. SURROUNDING DEVELOPMENT AND ELEVATIONS WERE DETERMINED FROM DESIGN DRAWINGS BY OTHERS. CONTRACTOR TO FIELD VERIFY ALL ELEVATIONS AND DIMENSIONS PRIOR TO CONSTRUCTION AND CONTACT THE ENGINEER, IF DIFFERENT.
10. SIGNS WILL BE REVIEWED SEPARATELY.
11. ADDITIONAL MONUMENT SIGN IS TO BE LOCATED ON PARCEL "A".
12. APPROPRIATE FLOOR AREA RATIOS: .05
13. IN COMPLIANCE WITH THE COMMERCIAL DESIGN STANDARDS SET FORTH IN ARTICLE XIII OF CHAPTER 9 OF THE ORANGE COUNTY CODE.
14. LIGHTING SHALL COMPLY WITH ARTICLE XIV OF CHAPTER 9 OF THE ORANGE COUNTY CODE ON THE PLANS IN ADDITION TO INCLUDING THE LIGHTING PLAN.
15. SIGNAGE TO COMPLY WITH CHAPTER 31.5 ON THE PLAN.
16. ALL CONSTRUCTION DETAILS ARE CONCEPTUAL AND SUBJECT TO REVIEW AND MODIFICATION DURING THE APPROVAL OF FINAL CONSTRUCTION PLANS.
17. PARCEL IS SUBJECT TO RESTRICTIONS, COVENANTS, CONDITIONS AND EASEMENTS (INCLUDING CROSS ACCESS), WHICH INCLUDE PROVISIONS FOR A PRIVATE CHARGE OR ASSESSMENT, AS CONTAINED IN THE AMENDED AND RESTATED DECLARATION OF COVENANTS AND RESTRICTIONS FOR SOUTHPARK RECORDED IN OFFICIAL RECORDS BOOK 5355, PAGE 4260; AS AMENDED IN OFFICIAL RECORDS BOOK 5638, PAGE 3503; AND OFFICIAL RECORDS BOOK 5899, PAGE 4502; AS ASSIGNED TO SOUTHPARK PROPERTY OWNER'S ASSOCIATION BY ASSIGNMENT OF DECLARATION OF RESTRICTIVE COVENANTS, LAND USE AND DEVELOPMENT APPROVAL OFFICIAL RECORDS BOOK 10069, PAGE 2030; AND AS AMENDED IN OFFICIAL RECORDS BOOK 10224, PAGE 8414.

## REQUIRED PD/STARBUCKS PARKING SPACES

| | |
|---|---|
| PD APPROVED BUILDING SF | 672,236 SF |
| PROPOSED STARBUCKS BUILDING SF | 2,220 SF |
| TOTAL BUILDING SF | 674,436 |

BUILD-OUT PARKING RATIOS:

PRE-ADDITION

| | |
|---|---|
| PD APPROVED BUILDING SF | 672,236 SF |
| PARKING REQUIRED: (4 SPACES/1,000 SF) | 2,689 SPACES |
| TOTAL EXISTING PARKING PROVIDED: (EXCLUDING CART CORRALS) | 2,769 SPACES |
| TOTAL SPACES REMOVED: | 96 SEATS |
| TOTAL SPACES PROPOSED: | 51 SEATS |

POST ADDITION:

| | |
|---|---|
| PD APPROVED BUILDING SF | 674,436 SF |
| PARKING REQUIRED: | 2,719 SPACES |
| TOTAL PROPOSED PARKING PROVIDED: | 2,724 SPACES |

## PROPOSED PARKING DATA

REQUIRED PARKING SPACES:
1ST CRITERIA FOR NUMBER OF STALLS: 1 PER 4 FIXED SEATS
STARBUCK'S DRIVE THRU 40 SEATS
PATIO AREA 20 SEATS
2ND CRITERIA FOR NUMBER OF STALLS: 1 SPACE FOR EACH 75 SF OF FLOOR AREA
TOTAL REQUIRED PARKING: 60 SEATS / 4 = 15 SPACES
1,100 SF / 750 SF PER SPACE = 15 SPACES

| | |
|---|---|
| TOTAL REQUIRED PARKING SPACES | 30 SPACES |
| PROPOSED PARKING SPACES: STANDARD SPACES 10'x18' | 47 SPACES |
| ACCESSIBLE SPACES 12'x18' | 4 SPACES |
| TOTAL PROVIDED PARKING SPACES | 51 SPACES |

## SITE AREA CALCULATIONS

| | |
|---|---|
| TOTAL SITE AREA | 44,529 SF (1.02 AC.±) (100%) |
| IMPERVIOUS AREA BUILDING | 2,200 SF (0.05 AC.±) (4.9%) |
| SIDEWALK/PAVEMENT | 32,570 SF (0.75 AC.±) (73.2%) |
| PERVIOUS AREA OPEN SPACE (TYPE A) | 9,750 SF (0.22 AC) (21.9%) |

## SITE DATA

| | |
|---|---|
| CURRENT LAND USE CLASSIFICATION: | INDUSTRIAL |
| CURRENT ZONING CLASSIFICATION: | (P-D) PLANNED DEVELOPMENT |
| SUBUSE AREA ZONING: | N/A |
| FUTURE LAND USE: | INDUSTRIAL |
| CURRENT LOCAL JURISDICTION: | ORANGE COUNTY – UNINCORPORATED |
| OVERLAY DISTRICT: | NONE |
| FLOOD ZONE CLASSIFICATION: | ZONE X |

| DIRECTION | PROPERTY USE | CURRENT LAND USE AND ZONING | | FUTURE LAND USE AND ZONING | |
|---|---|---|---|---|---|
| EAST | RETAIL | INDUSTRIAL | IND | INDUSTRIAL | IND |
| SOUTH | RETAIL | INDUSTRIAL | IND | INDUSTRIAL | IND |
| WEST | VACANT | INDUSTRIAL | IND | INDUSTRIAL | IND |
| NORTH | RETAIL | PLANNED DEVELOPMENT | P-D | INDUSTRIAL | IND |

## DRAINAGE STATEMENT

PROPOSED PROJECT WILL MODIFY EXISTING STORM WATER MANAGEMENT SYSTEM TO ACCOMMODATE NEW DEVELOPMENT.

MODIFICATION WILL BE DONE IN ACCORDANCE WITH SFWMD AND COUNTY CRITERIA, EXISTING SFWMD PERMIT WILL BE MODIFIED.

## PARKING NOTES

PARKING SHOWN CONTAINS 90° PARKING SPACES.
TYPICAL 90° DIMENSIONS:
PROPOSED DIMENSION: 10' X 18'
ORANGE COUNTY REQUIRED DIMENSION: 9' X 20' OR 10' X 18'
PROPOSED TWO WAY AISLES: 24'
ORANGE COUNTY REQUIRED TWO WAY AISLES: 24' MIN
PROPOSED ENTRANCE DRIVE AISLES: 22'
ORANGE COUNTY REQUIRED DRIVE AISLES: 22' MIN

## TRAFFIC STATEMENT

BASED ON THE ITE GENERATION MANUAL, 9TH EDITION, THE PROPOSED DEVELOPMENT OF A COFFEE SHOP WITH DRIVE THRU (ITE CODE 937) IS ESTIMATED TO GENERATE 1,801 DAILY, 221 AM AND 94 PM TRIPS.

## REQUIRED PERMITS

BUILDING PERMIT
SITE PERMIT
SFWMD ERP PERMIT MOD.

## BUILDING DATA

GROSS BUILDING AREA: 2,200 S.F.
BUILDING SETBACKS REQUIRED:

| DIRECTION | REQUIRED BUILDING SETBACK | PROVIDED BUILDING SETBACK |
|---|---|---|
| FRONT (NORTH) | 50' | 59.98' |
| REAR (SOUTH) | 10' | 77.78' |
| SIDE (EAST) | 10' | 107.95' |
| SIDE (WEST) | 10' | 71.41' |

| | |
|---|---|
| BUILDING HEIGHT: STARBUCKS RESTAURANT | 18'-6" |
| NUMBER OF STORIES | 1 |
| BUILDING COVERAGE: | 4.9% |
| F.A.R.: | .05 |

## LEGEND - EXISTING

## PROPOSED LEGEND

PROPERTY LINE
LIMITS OF DISTURBANCE
PROPOSED CURB AND GUTTER
HEAVY DUTY CONCRETE PAVEMENT
ARCHITECTURAL (STAMPED AND COLORED) CONCRETE PAVEMENT
CONCRETE SIDEWALK
BLACK INTEGRATED CONCRETE
STANDARD DUTY ASPHALT PAVEMENT
DIRECTIONAL ARROWS
DIRECTIONAL ARROWS
PROPOSED MONUMENT SIGN
SIGN
ACCESSIBLE SPACES
PARKING SPACE COUNT
SITE LIGHTING

## NOTES

1N MONUMENT SIGN (PER SIGN PLANS)
2N DUMPSTER ENCLOSURE, PER ARCH PLANS, COLOR & FINISH SHALL MATCH BUILDING. REFER TO DUMPSTER DETAIL ON SHEET D3.0
3N TRANSITION CURB TO MATCH EXISTING
4N END CURB
5N LANDSCAPE AREA (SEE LANDSCAPE PLANS)
6N LIMIT OF PROPOSED HEAVY DUTY CONCRETE PAVEMENT
7N LIMIT OF PROPOSED STANDARD DUTY ASPHALT PAVEMENT
8N PRE-ORDER BOARD
9N ORDER SCREEN
10N MENU BOARD
11N BICYCLE PARKING CONSISTENT WITH ORANGE COUNTY CODE ORDINANCE
12N CLEARANCE BAR
13N 6'x6' CONCRETE ELECTRIC TRANSFORMER PAD

## DETAILS

1D 30" X 30" STOP SIGN, PER FDOT STANDARD INDEX 11860 AND MUTCD STANDARD R1-1
2D DO NOT ENTER SIGN, PER FDOT STANDARD INDEX 11860 AND MUTCD STANDARD R5-1
3D DOUBLE SOLID YELLOW LANE STRIPE, PER FDOT STANDARD INDEX 17346, SEE LENGTH INDICATED AT SYMBOL
4D 24" WIDE WHITE THERMO PLASTIC STOP BAR, PER FDOT STANDARD INDEX 17346, SEE LENGTH INDICATED AT SYMBOL
5D WHITE PARKING LOT STRIPING, PER FDOT STANDARD INDEX 17346
6D ADA PARKING STRIPING, PER ORANGE COUNTY DETAIL
7D ADA SIGN PER FDOT STANDARD INDEX 17355
8D TYPE "F" CURB, PER FDOT STANDARD INDEX 300
9D TYPE CR-C SIDEWALK CURB RAMP, PER FDOT INDEX 304
10D 670 SF OF PATIO AREA (20 SEATS)
11D TYPE CR-E SIDEWALK CURB RAMP, PER FDOT INDEX 304
12D TYPE CR-G SIDEWALK CURB RAMP, PER FDOT INDEX 304
13D WHITE THERMOPLASTIC CROSSWALK STRIPING, PER FDOT INDEX 17346

GRAPHIC SCALE
0 10 20 40
( IN FEET )
SCALE: 1" = 20'

ENGINEER OF RECORD
ANDREW J. PETERSEN
LICENSE NO. 75493
12/28/16

STARBUCKS COFFEE COMPANY
2401 UTAH AVENUE SOUTH
SEATTLE, WASHINGTON 98134
(206) 318-1575

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ENGINEER OF RECORD
Bowman CONSULTING

Date and Issue Description

| Rev | Date | By | Description |
|---|---|---|---|

PROJECT NAME: STARBUCKS - SAND LAKE
PROJECT ADDRESS: 8421 S. JOHN YOUNG PARKWAY
ORLANDO, FLORIDA 32819
ORLANDO, FLORIDA
ORANGE COUNTY, FLORIDA

STORE #: ---
PROJECT #: 010028-25-001
CONCEPT:
PALETTE:
ISSUE DATE: 12/28/16
DESIGN MANAGER:
LEED®AP:
PRODUCTION DESIGNER:
CHECKED BY:

SHEET TITLE: SITE PLAN
SCALE: 1" = 20'
SHEET NUMBER: C1.1

DP-16-07-238

Created 6/14/2016 8:06 AM, Last Saved 12/28/2016 9:44 AM by Dperez, Last Printed 12/28/2016 11:55 AM by Don Perez on ARCH full bleed D (24.00 x 36.00 inches) File Saved at: P:\010028 - Starbucks\010028-25-001 (ENG) - Starbucks - Sand Lake - S John Young Parkway\Engineering\Engineering Plans\010028-25-D-CP-001-08-C1.0-ST

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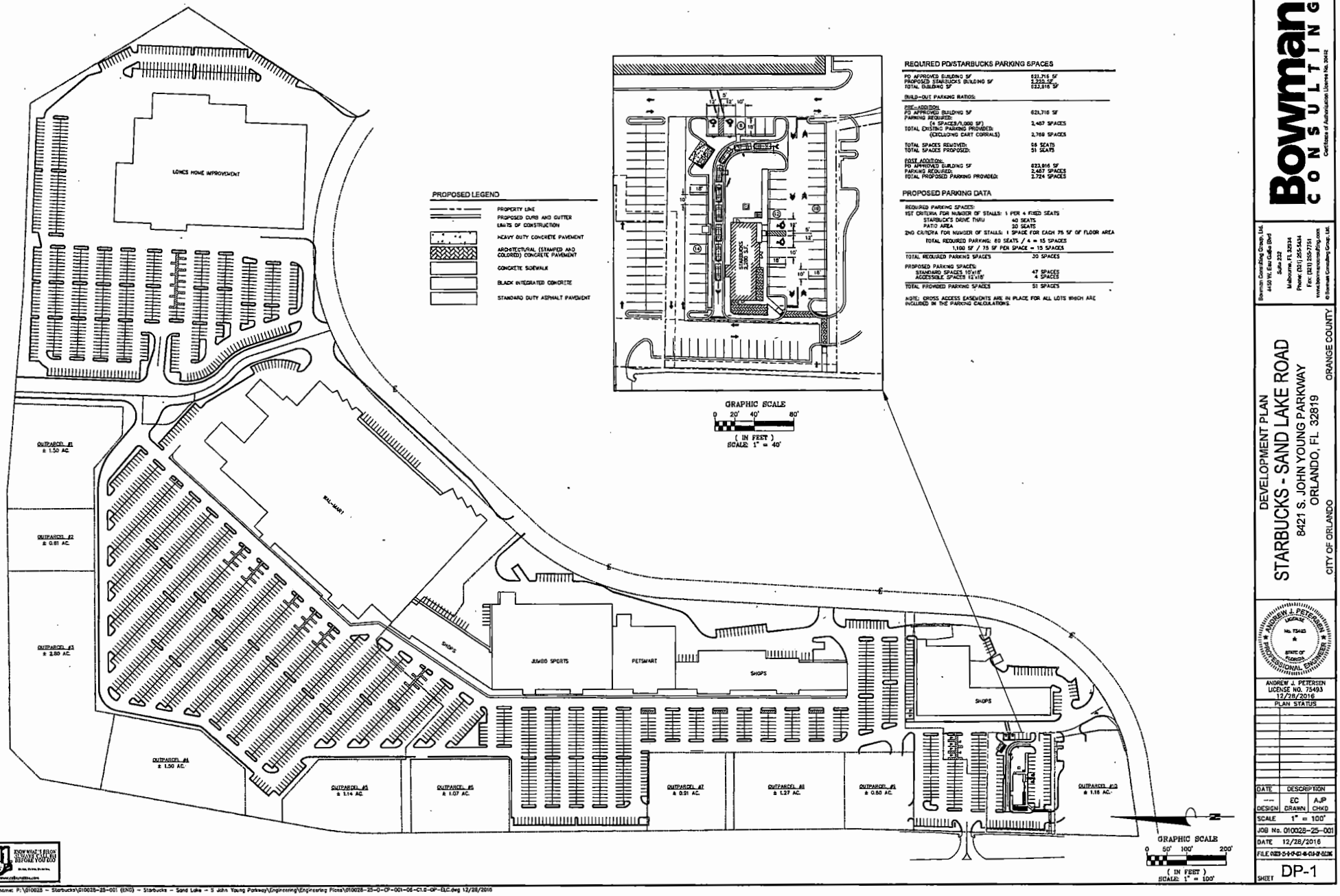


## PROPOSED LEGEND

- PROPERTY LINE
- PROPOSED CURB AND GUTTER
- LIMITS OF CONSTRUCTION
- HEAVY DUTY CONCRETE PAVEMENT
- ARCHITECTURAL (STAMPED AND COLORED) CONCRETE PAVEMENT
- CONCRETE SIDEWALK
- BLACK INTEGRATED CONCRETE
- STANDARD DUTY ASPHALT PAVEMENT

## REQUIRED PD/STARBUCKS PARKING SPACES

| | |
|---|---|
| PD APPROVED BUILDING SF | 621,716 SF |
| PROPOSED STARBUCKS BUILDING SF | 2,220 SF |
| TOTAL BUILDING SF | 623,916 SF |

BUILD-OUT PARKING RATIOS:

| | |
|---|---|
| PRE-ADDITION | |
| PD APPROVED BUILDING SF | 621,716 SF |
| PARKING REQUIRED: (4 SPACES/1,000 SF) | 2,487 SPACES |
| TOTAL EXISTING PARKING PROVIDED: (EXCLUDING CART CORRALS) | 2,769 SPACES |
| TOTAL SPACES REMOVED: | 96 SEATS |
| TOTAL SPACES PROPOSED: | 51 SEATS |
| POST ADDITION: | |
| PD APPROVED BUILDING SF | 623,916 SF |
| PARKING REQUIRED: | 2,487 SPACES |
| TOTAL PROPOSED PARKING PROVIDED: | 2,724 SPACES |

## PROPOSED PARKING DATA

REQUIRED PARKING SPACES:

1ST CRITERIA FOR NUMBER OF STALLS: 1 PER 4 FIXED SEATS

| | |
|---|---|
| STARBUCK'S DRIVE THRU | 40 SEATS |
| PATIO AREA | 20 SEATS |

2ND CRITERIA FOR NUMBER OF STALLS: 1 SPACE FOR EACH 75 SF OF FLOOR AREA

TOTAL REQUIRED PARKING: 60 SEATS / 4 = 15 SPACES

1,100 SF / 75 SF PER SPACE = 15 SPACES

| | |
|---|---|
| TOTAL REQUIRED PARKING SPACES | 30 SPACES |
| PROPOSED PARKING SPACES: | |
| STANDARD SPACES 10'x18' | 47 SPACES |
| ACCESSIBLE SPACES 12'x18' | 4 SPACES |
| TOTAL PROVIDED PARKING SPACES | 51 SPACES |

NOTE: CROSS ACCESS EASEMENTS ARE IN PLACE FOR ALL LOTS WHICH ARE INCLUDED IN THE PARKING CALCULATIONS.

**Bowman CONSULTING**
Certificate of Authorization License No. 30412

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www.bowmanconsulting.com
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# DEVELOPMENT PLAN
# STARBUCKS - SAND LAKE ROAD
8421 S. JOHN YOUNG PARKWAY
ORLANDO, FL 32819
CITY OF ORLANDO ORANGE COUNTY

ANDREW J. PETERSEN LICENSE No. 75493 STATE OF FLORIDA PROFESSIONAL ENGINEER

ANDREW J. PETERSEN
LICENSE NO. 75493
12/28/2016

PLAN STATUS

| DATE | DESCRIPTION | |
|---|---|---|
| --- | EC | AJP |
| DESIGN | DRAWN | CHKD |

SCALE 1" = 100'
JOB No. 010028-25-001
DATE 12/28/2016
FILE 010028-25-0-CP-001-06-C1.0-DP-ELC.dwg
SHEET DP-1

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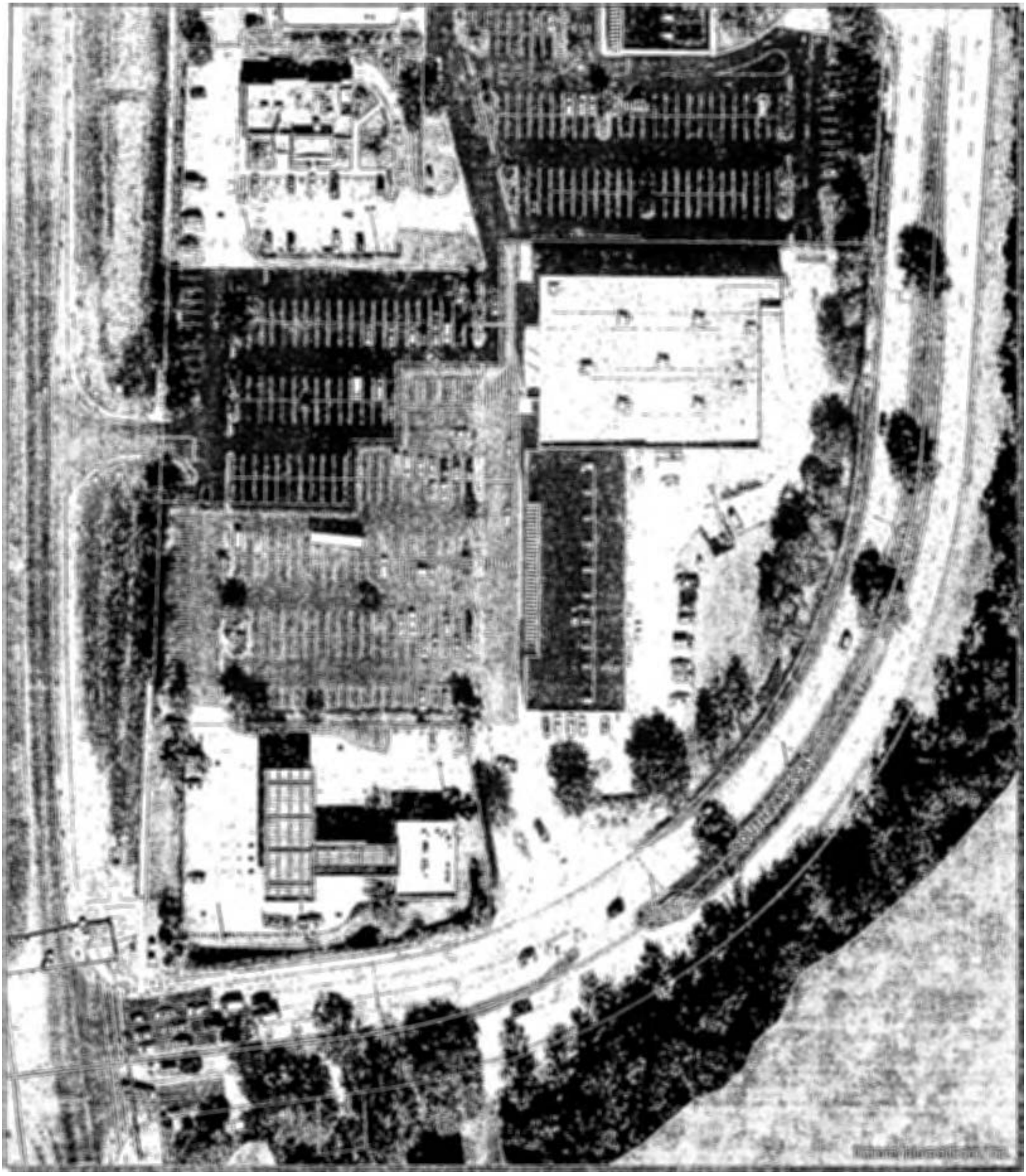
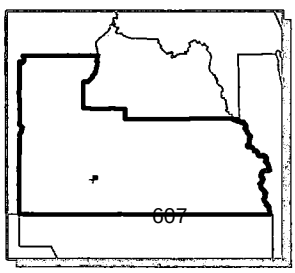
CAD file name: P:\010028 - Starbucks\010028-25-001 (END) - Starbucks - Sand Lake - S John Young Parkway\Engineering\Engineering Plans\010028-25-0-CP-001-06-C1.0-DP-ELC.dwg 12/28/2016






# South Park PD / Sand Lake Corners PSP / DP

Parcels
Jurisdiction
Subject Property
Hydrology

N
W
E
S

0 50 100
Feet
1 in = 100 ft

**Interoffice Memorandum**

March 8, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON: John Smogor, Chairman**
**Development Review Committee**
**Planning Division**
**(407) 836-5616**

SUBJECT: March 21, 2017 – Public Hearing
Ryan Von Weller, Hawthorne Park Developer, LLC
Silver Pines Planned Development (PD)
Case # CDR-17-01-005 / District 6

The Silver Pines PD is located at 5200 Silver Star Road, or generally west of N. Pine Hills Road, south of Silver Star Road. The existing PD development program allows for up to 150,000 square feet of non-residential uses; 1,500 residential units; and a golf course.

Through this PD substantial change, the applicant is seeking to allow senior multi-family residential as a permitted use on a portion of "Parcel A" and convert 33,486 square feet of commercial use to 120 senior adult multi-family units. In addition, the applicant has requested two (2) waivers from Orange County Code that would apply to PD Parcel A only. The first waiver would increase maximum building height from three stories or forty feet (40') to four stories or fifty-five feet (55'). Given the vehicular characteristics of senior multi-family residential use, the second waiver would decrease required parking from 1.5 parking spaces for 1 bedroom dwelling units and 2 spaces for 2 or 3 bedroom dwelling units to one (1) parking space for each apartment dwelling unit.

On March 8, 2017, the Development Review Committee (DRC) recommended approval of the request, subject to conditions. As summarized in the staff report, a community meeting was also held on March 13, 2017 at Pinewood Elementary School.

Finally, the required Specific Project Expenditure Report and Relationship Disclosure Forms have been completed in accordance with the requirements of Ordinance 2008-

14, and copies of these and the PD/LUP may be found in the Planning Division for further reference.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Silver Pines Planned Development / Land Use Plan (PD/LUP) dated "Received February 24, 2017", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 6**

Attachments

# CASE # CDR-17-01-005

Commission District: # 6

## GENERAL INFORMATION

| | |
|---|---|
| **APPLICANT** | Ryan Von Weller, Hawthorne Park Developer, LLC |
| **OWNER** | Silver Star Shopping Center, LLC |
| **PROJECT NAME** | Silver Pines Planned Development (PD) |
| **PARCEL ID NUMBER** | 18-22-29-8052-00-010 (affected parcel only) |
| **TRACT SIZE** | 157.30 gross acres *(overall PD)*<br>15.80 gross acres *(affected parcel only)* |
| **LOCATION** | 5300 Silver Star Road, or generally west of N. Pine Hills Road, south of Silver Star Road. |
| **REQUEST** | A PD substantial change to allow senior multi-family residential as a permitted use on a portion of "Parcel A" and convert 33,486 square feet of commercial use to 120 senior adult multi-family units. In addition, and applicable to PD Parcel A only, the applicant has requested the following waivers from Orange County Code:<br><br>1. *A waiver from Section 38-1258(d) to allow a maximum building height of four stories or fifty-five feet (55'), in lieu of a maximum building height of three stories or forty feet (40').*<br><br>2. *A waiver from Section 38-1476(a) to allow one (1) parking space for each apartment dwelling unit, in lieu of the requirement for 1.5 parking spaces for 1 bedroom dwelling units and 2 spaces for 2 or 3 bedroom dwelling units.* |
| **PUBLIC NOTIFICATION** | A notification area extending beyond five hundred (500) feet was used for this application [*Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet*]. Four hundred fifty-one (451) notices were mailed to those property owners in the notification buffer area. A community meeting was held on March 13, 2017 at Pinewood Elementary School. |

## IMPACT ANALYSIS

**Special Information**

The Silver Pines PD is located at 5200 Silver Star Road, or generally west of N. Pine Hills Road, south of Silver Star Road. The PD was originally approved May 25, 1971 and its existing development program allows for up to 150,000 square feet of non-

residential uses; 1,500 residential units; and a golf course.

Through this PD substantial change, the applicant is seeking to allow senior multi-family residential as a permitted use on a portion of "Parcel A" and convert 33,486 square feet of commercial use to 120 senior adult multi-family units.

In addition, the applicant has requested two (2) waivers from Orange County Code that would apply to PD Parcel A only. The first waiver would increase maximum building height from three stories or forty feet (40') to four stories or fifty-five feet (55'). Given the vehicular characteristics of senior multi-family residential use, the second waiver would decrease required parking from 1.5 parking spaces for 1 bedroom dwelling units and 2 spaces for 2 or 3 bedroom dwelling units to one (1) parking space for each apartment dwelling unit.

**Land Use Compatibility**

The proposed PD substantial change would not adversely impact any adjacent properties or result in an incompatible land use pattern.

**Comprehensive Plan (CP) Consistency**

The subject property has an underlying Future Land Use Map (FLUM) designation of Commercial (C). The Silver Pines PD was approved in 1971 and includes uses such as multi-family, single-family and commercial. The proposed PD substantial change is consistent with this designation and all applicable CP provisions; therefore, the request is consistent with the Comprehensive Plan.

**Overlay District Ordinance**

The subject property is not located within an Overlay District.

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Environmental**

Portions of this PD site, including the entire area affected by this change determination request and areas outside of this PD, are included in a Orange County Board of County Commissioners approved Resolution #2013-M-14 of April 23, 2013 regarding designating certain land as the Pine Hills ROCC (Redeveloping Orange County Communities) as a "Brownfield Area" for the purpose of environmental remediation, rehabilitation, economic development pursuant to criteria set forth in Section 376.80(2)(a), Florida Statutes. At the PSP or DP stage of development, the required Environmental Site Assessment will have to address related on-site, or adjacent sources, of soil or groundwater contamination and updated documentation of completed remediation activity or on-going assessments.

**Transportation / Concurrency**

This parcel is in the alternative mobility area and development should be in accordance with Objective T2.3 and related policies of the Comprehensive Plan. A mobility analysis will be required prior to obtaining a building permit.

**Community Meeting Summary**

A community meeting was held on March 13, 2017 at Pinewood Elementary School.

**Schools**

Because the project includes approval for senior housing, prior to Development Plan/PSP approval, the developer shall submit to the DRC, for its review and approval, conditions, covenants, and/or restrictions (CC&Rs) that restrict occupancy to senior adults and that comply with the requirements of the Housing for Older Persons Act [42 U.S.C. §3607(b).] Such CC&Rs shall be recorded in the public records of Orange County, Florida and shall run with the land. The CC&Rs shall include language that at least one owner/resident shall be at least 55 years of age and in no case shall there be any residents aged 18 years or under. No permanent residency by school-aged children shall be generated as a result of any development on this Development Plan. Any proposed future conversion of the senior housing to unrestricted housing or any proposal to add permanent residency by school-aged children shall constitute a substantial change that must be approved by the BCC at a public hearing. If the substantial change is approved, school impact fees in effect at that time shall be paid and the project shall comply with any school capacity and school concurrency regulations in effect at that time.

**Parks and Recreation**

Orange County Parks and Recreation staff reviewed the PD substantial change request, but did not identify any issues or concerns.

**Specific Project Expenditure Report and Relationship Disclosure Forms**

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

## ACTION REQUESTED

**Development Review Committee (DRC) Recommendation** – (March 8, 2017)

**Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Silver Pines Planned Development / Land Use Plan (PD/LUP) dated "Received February 24, 2017", subject to the following conditions:**

1. Development shall conform to the Silver Pines Planned Development / Land Use Plan (PD/LUP) dated "Received February 24, 2017," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to

achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval of this land use plan and the land use plan dated "Received February 24, 2017," the condition of approval shall control to the extent of such conflict or inconsistency.

2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and/or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this Land Use Plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.

5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such

relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD/LUP shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.

7. This parcel is in the alternative mobility area. A mobility analysis will be required prior to obtaining a building permit.

8. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing wastewater systems have been designed to support all development within the PD.

9. The Developer shall obtain wastewater service from Orange County Utilities.

10. The following four (4) Conditions shall apply to PD Parcel A only:

    a. Because the project includes approval for senior housing, prior to Development Plan/PSP approval, the developer shall submit to the DRC, for its review and approval, conditions, covenants, and/or restrictions (CC&Rs) that restrict occupancy to senior adults and that comply with the requirements of the Housing for Older Persons Act [42 U.S.C. §3607(b).] Such CC&Rs shall be recorded in the public records of Orange County, Florida and shall run with the land. The CC&Rs shall include language that at least one owner/resident shall be at least 55 years of age and in no case shall there be any residents aged 18 years or under. No permanent residency by school-aged children shall be generated as a result of any development on this Development Plan. Any proposed future conversion of the senior housing to unrestricted housing or any proposal to add permanent residency by school-aged children shall constitute a substantial change that must be approved by the BCC at a public hearing. If the substantial change is approved, school impact fees in effect at that time shall be paid and the project shall comply with any school capacity and school concurrency regulations in effect at that time.

    b. A waiver from Orange County Code, Section 38-1258(d) is granted to allow a maximum building height of four stories or fifty-five feet (55'), in lieu of a maximum building height of three stories or forty feet (40').

    c. A waiver from Orange County Code, Section 38-1476(a) is granted to allow one (1) parking space for each apartment dwelling unit in lieu of the requirement of

1.5 parking spaces for 1 bedroom dwelling units and 2 spaces for 2 or 3 bedroom dwelling units.

d. Should the occupancy change from age-restricted, the new use or non-age restricted occupancy shall be required to meet then-current parking standards. In the alternative, a parking study acceptable to Orange County may be submitted which substantiates the waiver to County's satisfaction.

11. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 3, 1989, shall apply:

    a. Development Plans for the open space / recreation tracts shall be submitted concurrently with the first residential parcel Development Plan along with a proposed construction schedule for recreation facilities.

    b. Access for each parcel shall be determined at the Development Plan stage. The proposed internal road system is not approved with the Land Use Plan.

    c. A detailed landscape plan shall be submitted with the Development Plan for the multi-family parcel that provides adequate landscaping for the 40-foot buffer (adjacent to the 19 units per acre multi-family portion).

    d. There are additional recorded drainage and utility easements through this site which are not shown on the plan. These shall be accommodated at construction plan approval stage.

12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated May 25, 1971, shall apply:

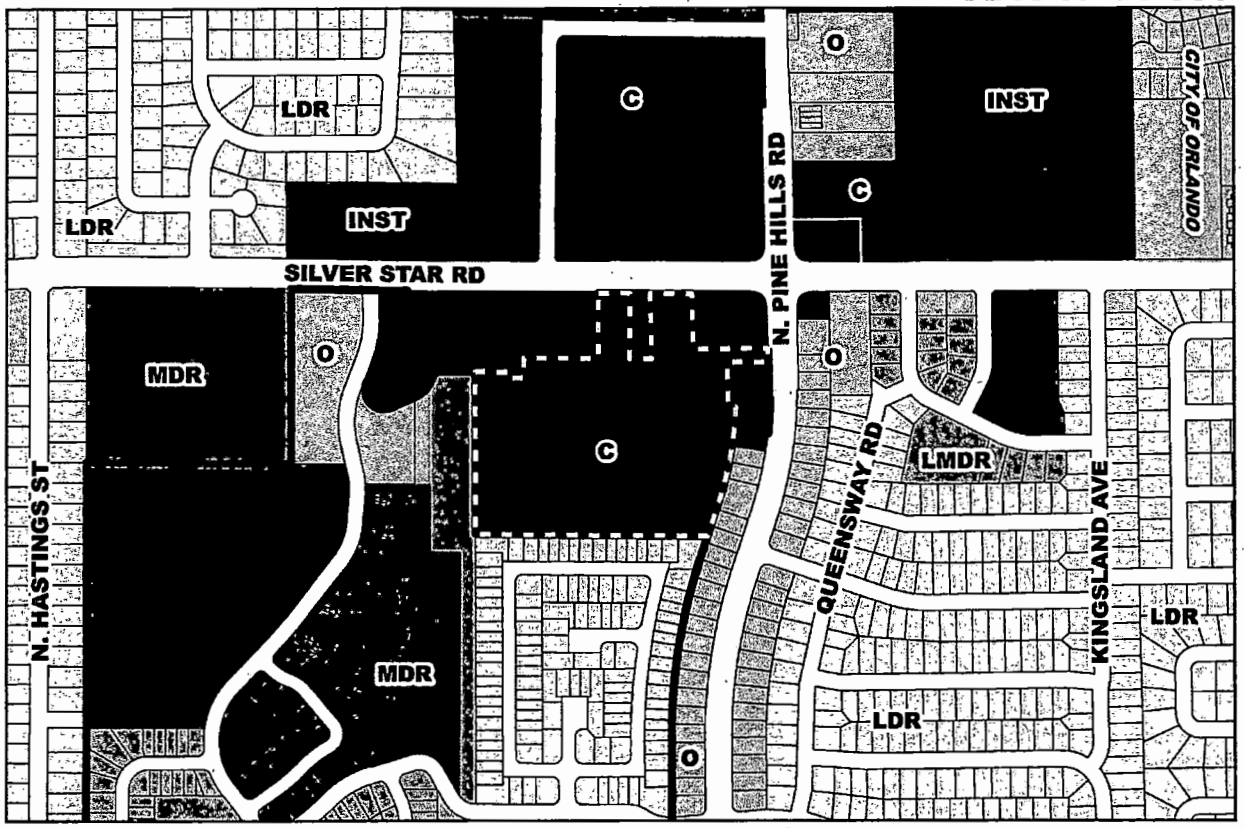
    a. All buildings within 100 feet of single-family residential areas be limited to single-story.

    b. All access streets presently maintained by Orange County be upgraded and resurfaced by the Developer as deemed necessary by the Superintendent of the Road and Bridge Department.

## PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION *(August 3, 2004)*

Upon a motion by Commissioner Hartage, seconded by Commissioner Johnson, and carried with all present members and voting AYE by voice vote, the Board made a finding of consistency with the Comprehensive Plan; and further, approved the rezoning request by Ilene Wilkins, United Cerebral Palsy of Central Florida, Silver Pines Planned Development / Land Use Plan (PD / LUP), to amend the LUP to allow a charter pre-school for United Cerebral Palsy as a permitted use within the Professional Office zoned portion of the Silver Pines Planned Development; which constitutes a substantial change to the development on the above-described property; subject to conditions.

**CDR-17-01-005**




Subject Property
PD Boundary

N
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★ Subject Property

## Future Land Use Map

**FLUM:** Commercial (C)

**APPLICANT:** Ryan Von Weller, Hawthorne Park Developer, LLC

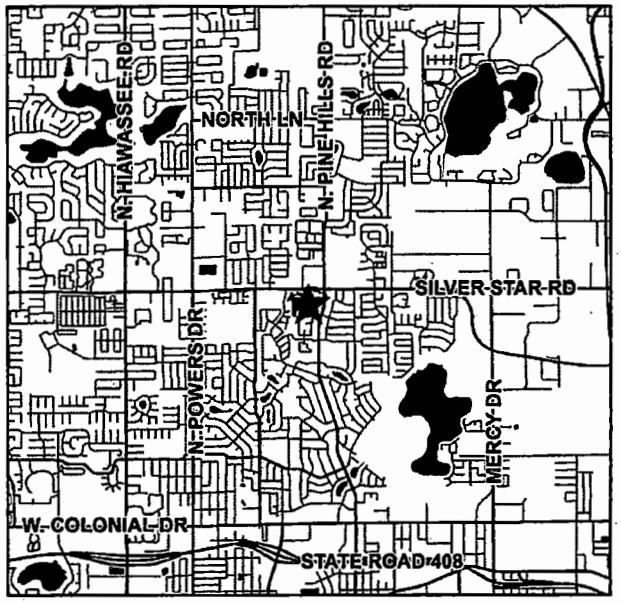
**LOCATION:** 5300 Silver Star Road, or generally west of N. Pine Hills Road, south of Silver Star Road

**TRACT SIZE:** 157.30 gross acres (overall PD)
15.80 gross acres (affected parcel only)

**DISTRICT:** # 6

**S/T/R:** 18/22/29

**1 inch = 583 feet**



**CDR-17-01-005**

## Zoning Map

**ZONING:** PD (Planned Development District)

**APPLICANT:** Ryan Von Weller, Hawthorne Park Developer, LLC

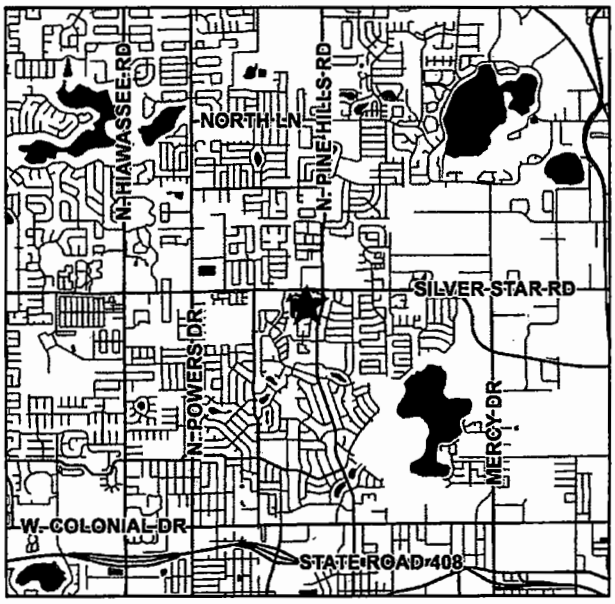
**LOCATION:** 5300 Silver Star Road, or generally west of N. Pine Hills Road, south of Silver Star Road

**TRACT SIZE:** 157.30 gross acres (overall PD)
15.80 gross acres (affected parcel only)

**DISTRICT:** # 6

**S/T/R:** 18/22/29

**1 inch = 583 feet**



# SILVER PINES PD

**PARCEL ID# 18-22-29-8052-00-010**

**CDR-17-01-005**

**ORLANDO, FL**

**FEBRUARY 22, 2017**

## LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ORANGE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

A PORTION OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE AFOREMENTIONED SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 22 SOUTH, RANGE 29 EAST, ORANGE COUNTY, FLORIDA; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, ALONG THE NORTH LINE OF THAT SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND ALONG THE CENTERLINE OF SILVER STAR ROAD, 330.0 FEET; THENCE RUN SOUTH 2 DEGREES 21 MINUTES 37 SECONDS EAST, 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SILVER STAR ROAD AND THE POINT OF BEGINNING; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 344.71 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST, 240.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 375.0 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST, 72.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 425.0 FEET; THENCE RUN NORTH 0 DEGREES 19 MINUTES 11 SECONDS WEST, 20.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 122.75 FEET TO A POINT ON THE EASTERLY LINE OF FLORIDA POWER CORPORATION EASEMENT; THENCE RUN SOUTH 1 DEGREES 1 MINUTE 53 SECONDS EAST, ALONG THE SAID EASTERLY EASEMENT LINE, 969.73 FEET; THENCE RUN NORTH 89 DEGREES 37 MINUTES 40 SECONDS EAST, 953.79 FEET TO A POINT ON THE WESTERLY LINE OF BLOCK M, PINE HILLS MANOR NO. 3, AS RECORDED IN PLAT BOOK R, PAGE 89, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 17 DEGREES 34 MINUTES 45 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID BLOCK M, 1,256.93 FEET TO THE P.C. OF A CURVE CONCAVE NORTHWESTERLY; THENCE CONTINUE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID BLOCK M, AND ALONG THE AFOREMENTIONED CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1257.69 FEET A CENTRAL ANGLE OF 12 DEGREES 15 MINUTES 53 SECONDS AND A CHORD BEARING OF NORTH 11 DEGREES 49 MINUTES 48 SECONDS EAST FOR AN ARC DISTANCE OF 269.15 FEET; THENCE LEAVING THE SAID WESTERLY LINE OF BLOCK M, RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS EAST, 150.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS EAST, 150.0 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE PINE HILLS ROAD; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS EAST ALONG SAID WESTERLY RIGHT OF WAY LINE, 50.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 144.72 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST, 10.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 310.0 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST, 140.0 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE LYING AND BEING IN ORANGE COUNTY, FLORIDA.

ALSO DESCRIBED AS:

A PORTION OF LOT 1, SILVER PINES SHOPPING CENTER, AS RECORDED IN PLAT BOOK 6, PAGE 89, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

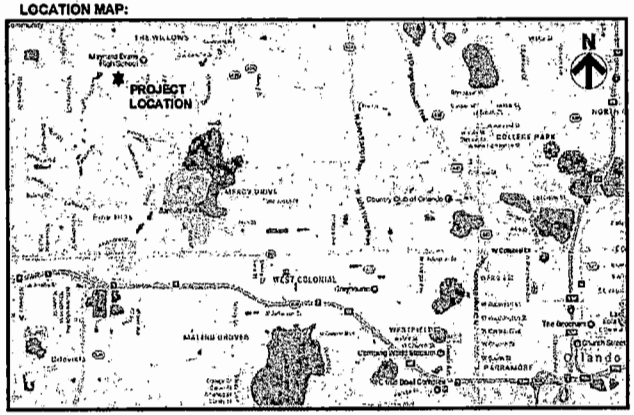
BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1, RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST ALONG THE NORTH OF ANY LINE OF SILVER STAR ROAD, 344.71 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST, 240.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 279.0 FEET; THENCE RUN SOUTH 0 DEGREES 19 MINUTES 11 SECONDS EAST, 23.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 62.0 FEET; THENCE RUN NORTH 0 DEGREES 19 MINUTES 11 SECONDS WEST, 20.0 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 122.75 FEET TO A POINT ON THE EASTERLY LINE OF A FLORIDA POWER CORPORATION EASEMENT; THENCE RUN SOUTH 1 DEGREE 1 MINUTE 53 SECONDS EAST, ALONG THE SAID EASTERLY EASEMENT LINE, 969.73 FEET; THENCE RUN NORTH 89 DEGREES 37 MINUTES 40 SECONDS EAST, 953.79 FEET TO A POINT ON THE WESTERLY LINE OF BLOCK M, PINE HILLS MANOR NO. 3, AS RECORDED IN PLAT BOOK R, PAGE 89, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; THENCE RUN NORTH 17 DEGREES 34 MINUTES 45 SECONDS EAST ALONG THE WESTERLY LINE OF SAID BLOCK M, 1256.93 FEET TO THE P.C. OF A CURVE CONCAVE NORTHWESTERLY; THENCE CONTINUE NORTHEASTERLY ALONG THE WESTERLY LINE OF SAID BLOCK M, AND ALONG THE AFOREMENTIONED CURVE HAVING FOR ITS ELEMENTS A RADIUS OF 1257.69 FEET A CENTRAL ANGLE OF 12 DEGREES 15 MINUTES 53 SECONDS AND A CHORD BEARING OF NORTH 11 DEGREES 49 MINUTES 48 SECONDS EAST FOR AN ARC DISTANCE OF 269.15 FEET; THENCE LEAVING THE SAID WESTERLY LINE OF BLOCK M, RUN NORTH 89 DEGREES 40 MINUTES 49 SECONDS EAST 150.0 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST 163.18 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 49 SECONDS EAST 150.0 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE PINE HILLS ROAD; THENCE RUN SOUTH 2 DEGREES 21 MINUTES 37 SECONDS WEST ALONG SAID WESTERLY RIGHT OF WAY LINE, 90.0 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST 144.72 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST 930 FEET; THENCE RUN SOUTH 89 DEGREES 40 MINUTES 49 SECONDS WEST, 130.0 FEET; THENCE RUN NORTH 2 DEGREES 21 MINUTES 37 SECONDS WEST, 250.0 FEET TO THE POINT OF BEGINNING. SAID LANDS SITUATE LYING AND BEING IN ORANGE COUNTY, FLORIDA.

LESS AND EXCEPT FROM THE ABOVE DESCRIBED PARCEL OF LAND THAT PORTION OF SUBJECT PROPERTY CONVEYED TO JONATHAN NOBLES AND NORRISA NOBLES, HUSBAND AND WIFE, BY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 9443, PAGE 4783, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT FOR PEDESTRIAN AND MOTOR VEHICLES FOR THE PURPOSE OF INGRESS AND EGRESS AND PARKING THEREON OVER ALL ROADS AND DRIVEWAYS LOCATED ON THE ADJACENT PROPERTY, AS PROVIDED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3401, AT PAGE 512, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

THE LANDS SHOWN ON, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-692080-ORT2, DATED SEPTEMBER 19, 2014.

**LOCATION MAP:**




| Sheet List Table | |
|---|---|
| Sheet Number | Sheet Title |
| C0.0 | Cover Sheet |
| C1.0 | Land Use Plan |
| C2.0 | Previous Conditions of Approval |
| C3.0 | Previous 1989 & 2004 Ammendments |

| AVCON PROJECT NO. | 2017.PW |
|---|---|
| DATE | 02/01/2017 |

**REVISIONS**

| NO. | DATE | DESCRIPTION |
|---|---|---|
| 1 | 02-01-17 | ADDING MULTI-FAMILY |
| 2 | 02-10-17 | O.C. COMMENTS |
| 3 | 02-22-17 | DRC COMMENTS |
| | | |

AVCON, INC.
ENGINEERS & PLANNERS
5339 EAST MICHIGAN ST., SUITE 200 - ORLANDO, FL 32822
OFFICE (407) 599-1122 - FAX (407) 599-1132
CORPORATE CERTIFICATE OF AUTHORIZATION NO. 5457
WWW.AVCONINC.COM

RICK V. BALDOCCHI, P.E.
FL P.E. #50232

**PROJECT TEAM:**

**ARCHITECT**
SLOCUM PLATTS ARCHITECTS
670 NORTH ORLANDO AVENUE, SUITE 1001
MAITLAND, FL 32751
(407) 645-3019

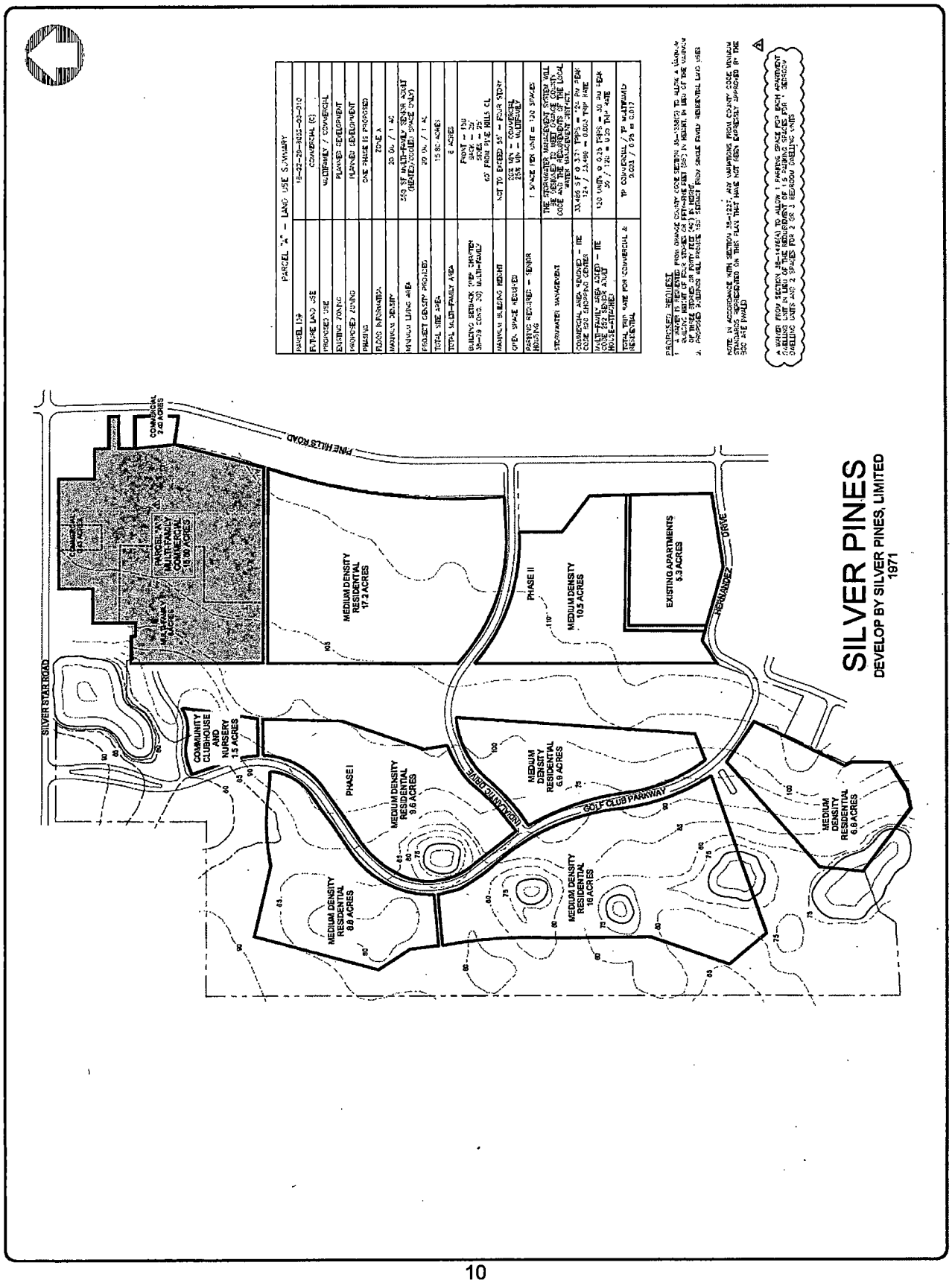
**CIVIL ENGINEER**
AVCON, INC.
5555 EAST MICHIGAN STREET, SUITE 200
ORLANDO, FL 32822
(407) 599-1122

**SURVEYOR**
BOCK & CLARK'S NATIONAL SURVEYOR NETWORK
3555 W. MARKET STREET, SUITE 200
AKRON, OH 44333
(330) 787-8397

RECEIVED
By Lisette Espinoza at 4:49 pm, Feb 24, 2017

**LUP**

# Silver Pines PD / LUP

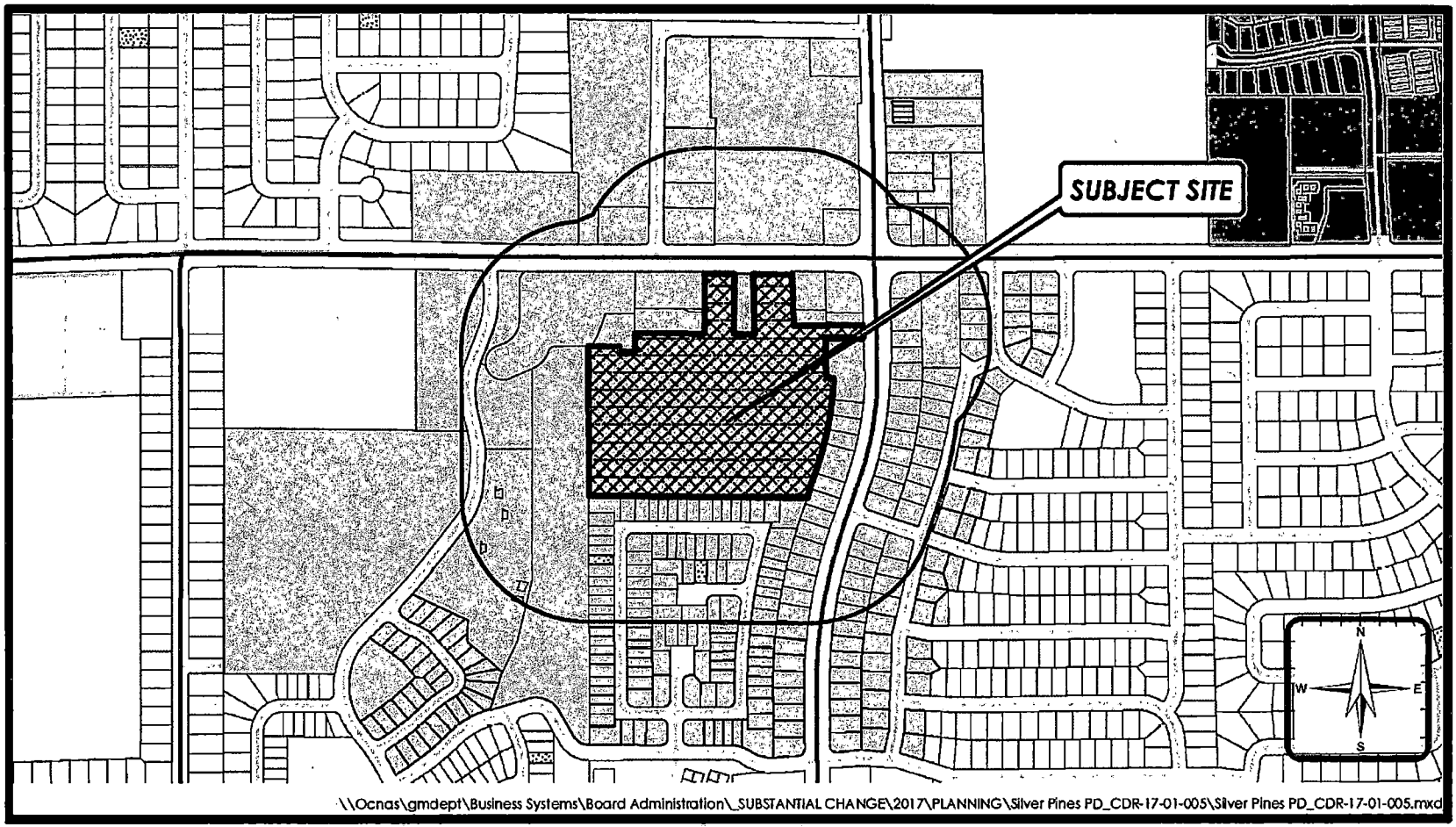


ORANGE COUNTY GOVERNMENT
FLORIDA

# Public Notification Map

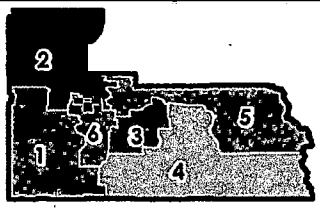
## Silver Pines PD_CDR-17-01-005

## 500 FT BUFFER, 451 NOTICES




**MAP LEGEND**

- SUBJECT
- 500 FT BUFFER
- NOTIFIED PARCELS
- HYDROLOGY
- COURTESY SELECTION
- PARCELS




1 inch = 556 feet

Feet

0 875 1,750

Notification Map

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: March 21, 2017

**Interoffice Memorandum**

March 9, 2017

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director
Community, Environmental and Development
Services Department

**CONTACT PERSON:** **John Smogor, Chairman**
**Development Review Committee**
**Planning Division**
**(407) 836-5616**

SUBJECT: March 21, 2017 - Public Hearing
Kelly Miller Levine
Conventional Rezoning Case # RZ-16-07-019
*(Pulled from the July 21, 2016 PZC Recommendations Book)*

This request is to rezone a 1.03-acre parcel located at 1050 E. Wallace Street, from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District), in order to subdivide the property into three (3) lots for conventional single-family detached residential dwelling units.

On July 21 2016, the Planning and Zoning Commission (PZC) made a finding of consistency with the Comprehensive Plan, and recommended approval of the request, subject to two (2) restrictions. The request has also been continued twice by the BCC, on December 13, 2016; and on February 7, 2017. As summarized in the staff report, a community meeting was held at Pine Castle Elementary School on September 14, 2016 and March 8, 2017.

Finally, the Specific Project Expenditure Report and Relationship Disclosure Form have been completed in accordance with the requirements of Ordinance 2008-14. Copies of these forms may be obtained in the Planning Division for further reference.

**ACTION REQUESTED:** **Make a finding of consistency with the Comprehensive Plan and APPROVE the requested R-1 (Single-Family Dwelling District) zoning, subject to the restrictions listed under the PZC Recommendation in the Staff Report. District 3**

Attachment

## GENERAL INFORMATION

| | |
|---|---|
| **APPLICANT** | Kelly Miller Levine |
| **OWNER** | Nascosto Investments, LLC |
| **HEARING TYPE** | Planning and Zoning Commission |
| **REQUEST** | **R-1A** (Single-Family Dwelling District) ***to*** **R-1** (Single-Family Dwelling District) |
| **LOCATION** | 1050 E. Wallace Street; or generally on the south side of E. Wallace Street, and immediately east of the E. Fillmore Avenue terminus and the E. Pierce Avenue terminus |
| **PARCEL ID NUMBER** | 24-23-29-3400-00-178 |
| **PUBLIC NOTIFICATION** | The notification area for this public hearing extended beyond 900 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two-hundred fifty-two (252) notices were mailed to those property owners in the mailing area.<br><br>Community meetings were held for this application on September 14, 2016 and March 8, 2017 at Pine Castle Elementary School *(refer to meeting summary on page 2)*. |
| **TRACT SIZE** | 1.03 gross acres |
| **PROPOSED USE** | Three (3) lots with single-family detached dwelling units |

## STAFF RECOMMENDATION

### PLANNING

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the R-1 (Single-Family Dwelling District) zoning, subject to the following two (2) restrictions:**

1. The subject property shall be limited to a maximum of three (3) single-family detached residential lots / dwelling units; and

2. Issuance of subsequent development permits shall be contingent upon meeting all applicable R-1 development standards and/or variances as may be issued by the Board of Zoning Adjustment (BZA).

## IMPACT ANALYSIS

### Land Use Compatibility

The R-1 (Single-Family Dwelling District) zoning would allow for residential development that is compatible with the character and development style of the surrounding area, and would not adversely impact adjacent properties.

### Comprehensive Plan (CP) Consistency

The underlying CP Future Land Use Map (FLUM) designation of the subject property is Low Density Residential (LDR). The R-1 (Single-Family Dwelling District) zoning is consistent with the LDR FLUM designation and the following Comprehensive Plan provisions:

**FLU1.1.5** states that Orange County shall encourage mixed-use development, infill development and transit-oriented development to promote compact urban form and efficiently use land and infrastructure in the Urban Service Area.

**FLU1.4.1** states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

**GOAL FLU2** states that Orange County will encourage urban strategies such as infill development, coordinated land use and transportation planning, and mixed-use development, which promote efficient use of infrastructure, compact development and an urban experience with a range of choices and living options.

**OBJ FLU2.1** states that Orange County shall promote and encourage infill development through incentives identified in the Land Development Code for relatively small vacant and underutilized parcels within the County's established core areas in the Urban Service Area.

**OBJ FLU8.2** states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

**FLU8.2.1** states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

**FLU8.2.11** states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

### Community Meeting Summaries

The first community meeting was held on September 14, 2016 at Pine Castle Elementary School. Excluding the applicant and various Orange County staff, six (6)

residents were in attendance. Community residents were opposed to the request due to potential impacts to existing drainage patterns, doubt that onsite sewage disposal systems could be accommodated on-site, and elimination of perceived prescriptive access to through the privately-owned parcel by adjacent property owners.

A second community meeting was held on March 8, 2017 at Pine Castle Elementary School. Excluding the applicant and various Orange County staff, seventeen (17) residents were in attendance. Based on input received by the Board of County Commissioners (BCC) at a public hearing on March 7, 2017, staff presented a three-dimensional PowerPoint of the subject site with conceptual lot and home renderings to help visualize the intended use within the context of the surrounding neighborhood. Despite efforts by staff to assure residents that drainage impacts and onsite sewage disposal systems would be fully addressed at the time of building permit review, a majority of those residents in attendance remained opposed. A couple of residents continued to claim they had prescriptive access rights to the property and that approval of the request would result in private lawsuits against the County.

## SITE DATA

| | | |
|---|---|---|
| **Existing Use** | Undeveloped Residential | |
| **Adjacent Zoning** | N: | C-2 (General Commercial District) *(1975)* |
| | E: | R-1A (Single-Family Dwelling District) *(1957)* |
| | W: | R-1 (Single-Family Dwelling District) *(2016)*<br>R-1A (Single-Family Dwelling District) *(1957)* |
| | S: | R-1A (Single-Family Dwelling District) *(1957)* |
| **Adjacent Land Uses** | N: | Fire Station |
| | E: | Single-Family Residential |
| | W: | Single-Family Residential |
| | S: | Church |

### R-1 (SINGLE-FAMILY DWELLING DISTRICT) DEVELOPMENT STANDARDS*

| | |
|---|---|
| Min. Lot Area: | 5,000 sq. ft. |
| Min. Lot Width: | 50 ft. |
| Max. Height: | 35 ft. |
| Min. Floor Area: | 1,000 sq. ft. |
| Building Setbacks: | |
| *Front:* | 20 ft. |
| *Rear:* | 20 ft. |
| *Side:* | 5 ft. |

* *These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.*

**Permitted Uses**

Per Section 38-276 of the Orange County Code, the intent and purpose of the R-1 zoning district is provide residential development similar in general character to the R-1A and R-1AA zoning districts, but with smaller minimum lots and yards, and a corresponding increase in population density.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

## SPECIAL INFORMATION

**Subject Property Analysis**

The subject 1.03-acre parcel is generally located on the south side of E. Wallace Street, and immediately east of the E. Fillmore Avenue terminus and the E. Pierce Avenue terminus. The subject property also falls within the Pine Castle neighborhood, which is primarily developed with a mixture of single family and two-family dwelling units, and commercial activity along the Orange Avenue corridor. The property owner is seeking to rezone the 60' x 750' parcel with the intent to create a maximum of three (3) single family lots with detached dwelling units.

It should be noted that there are two (2) contiguous 15-foot wide Orange County drainage easements along and within the length of the western half of the property boundary, resulting in a 30-foot wide linear strip of developable property along the eastern half.

**Comprehensive Plan (CP) Amendment**

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Low Density Residential (LDR) Future Land Use Map (FLUM) designation.

**State of Florida Notice**

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

**Rural Settlement**

The subject property is not located within a Rural Settlement.

**Preservation District**

The subject property is located within the Pine Castle Preservation District

**Joint Planning Area (JPA)**

The subject property is not located within a JPA.

**Overlay District Ordinance**
The subject property is not located within an overlay district.

**Airport Noise Zone**
The subject property is not located within an Airport Noise Zone.

**Environmental**
The Orange County Environmental Protection Division had no comments regarding the proposed rezoning.

**Transportation / Access**
This parcel is in the designated Alternative Mobility Area (AMA) and is therefore exempt from transportation concurrency. However, transit is available along Orange Avenue which is within a quarter mile walking distance of this parcel. The area is currently served by Lynx Links # 7, 11, and 18, which provide connections to the Lynx Central Station and the Sunrail Station. Based on the 9th Edition of the trip generation manual, the proposed development will generate 4 PM peak hour trips.

**Code Enforcement**
There are no active Code Enforcement violations on the subject property.

**Water / Wastewater / Reclaim**

| | *Existing service or provider* | |
|---|---|---|
| Water: | Orlando Utilities Commission | |
| Wastewater: | Orange County Utilities | The nearest gravity main is located on E. Wallace St. approximately 700 feet from this property. The nearest force main is located on E. Wallace St. at a distance of approximately 500 feet. |
| Reclaim Water: | Orange County Utilities | There are no reclaimed water mains in the vicinity of this site. |

**Schools**
Orange County Public Schools (OCPS) considers the impact to affected public schools to be "de minimus"; therefore a Capacity Enhancement Agreement (CEA) is not required.

**Parks and Recreation**
Orange County Parks and Recreation did not provide any objections to the rezoning request.

**Specific Project Expenditure Report and Relationship Disclosure Form**
The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

## ACTION REQUESTED

**PZC Recommendation** – (July 21, 2016)

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the R-1 (Single-Family Dwelling District) zoning, subject to the following two (2) restrictions:**

1. The subject property shall be limited to a maximum of three (3) single-family detached residential lots / dwelling units; and

2. Issuance of subsequent development permits shall be contingent upon meeting all applicable R-1 development standards and/or variances as may be issued by the Board of Zoning Adjustment (BZA).

## PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

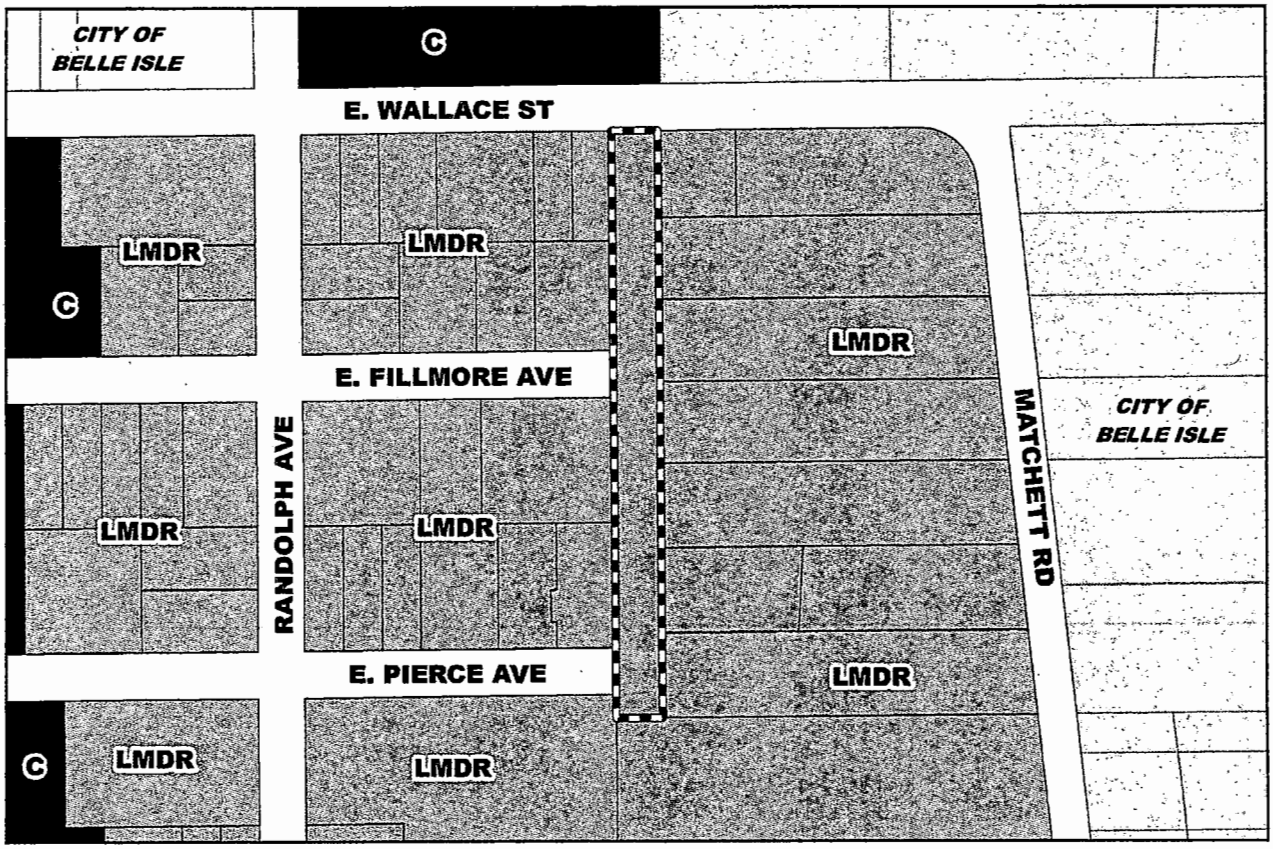
The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend approval of the requested R-1 (Single-Family Dwelling District) zoning, subject to two (2) restrictions.

Staff indicated that two hundred fifty-two (252) notices were mailed to surrounding property owners within a buffer extending beyond 900 feet from the subject property, with seven (7) responses in opposition to the request received. The applicant was present and agreed with the staff recommendation. Two (2) members of the surrounding community were also present to express opposition to the request. Reasons for opposition were general incompatibility with the neighborhood, fear of increased crime, and potential elimination of secondary access to adjacent properties.

Following lengthy discussion among the PZC and staff, a motion was made by Commissioner Demostene to find the request to be consistent with the Comprehensive Plan and to recommend **APPROVAL** of the R-1 (Single-Family Residential District) zoning, subject to two (2) restrictions. Commissioner DiVecchio seconded the motion, which was then carried on a 7-1 vote.

| | |
|---|---|
| **Motion / Second** | *Tina Demostene / Pat DiVecchio* |
| **Voting in Favor** | *Tina Demostene, Pat DiVecchio, Paul Wean, JaJa Wade, Jimmy Dunn, Jose Cantero, and Yog Melwani* |
| **Voting in Opposition** | *Rick Baldocchi* |
| **Absent** | *Marvin Barrett* |

**RZ-16-07-019**




Subject Property

★ Subject Property

## Future Land Use Map

**FLUM:** Low Medium Density Residential (LMDR)

**APPLICANT:** Kelly M. Levine

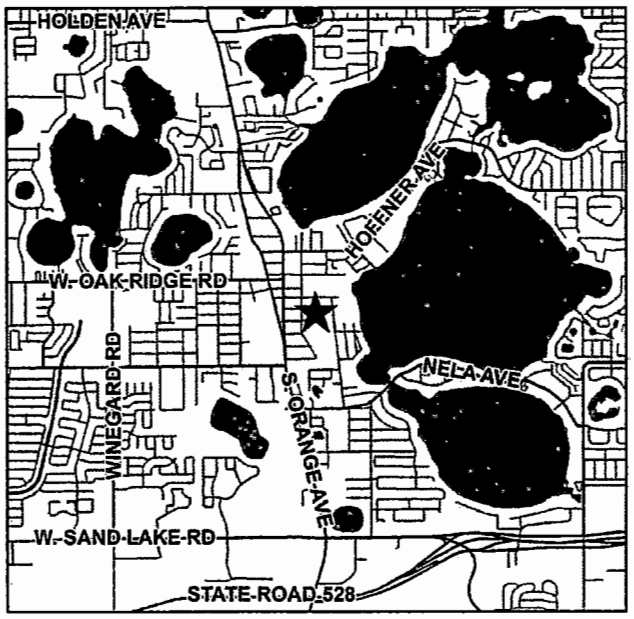
**LOCATION:** 1050 E. Wallace Street; or generally on the south side of E. Wallace Street, and immediately east of the E. Fillmore Avenue terminus and the E. Pierce Avenue terminus

**TRACT SIZE:** 1.032 gross acres

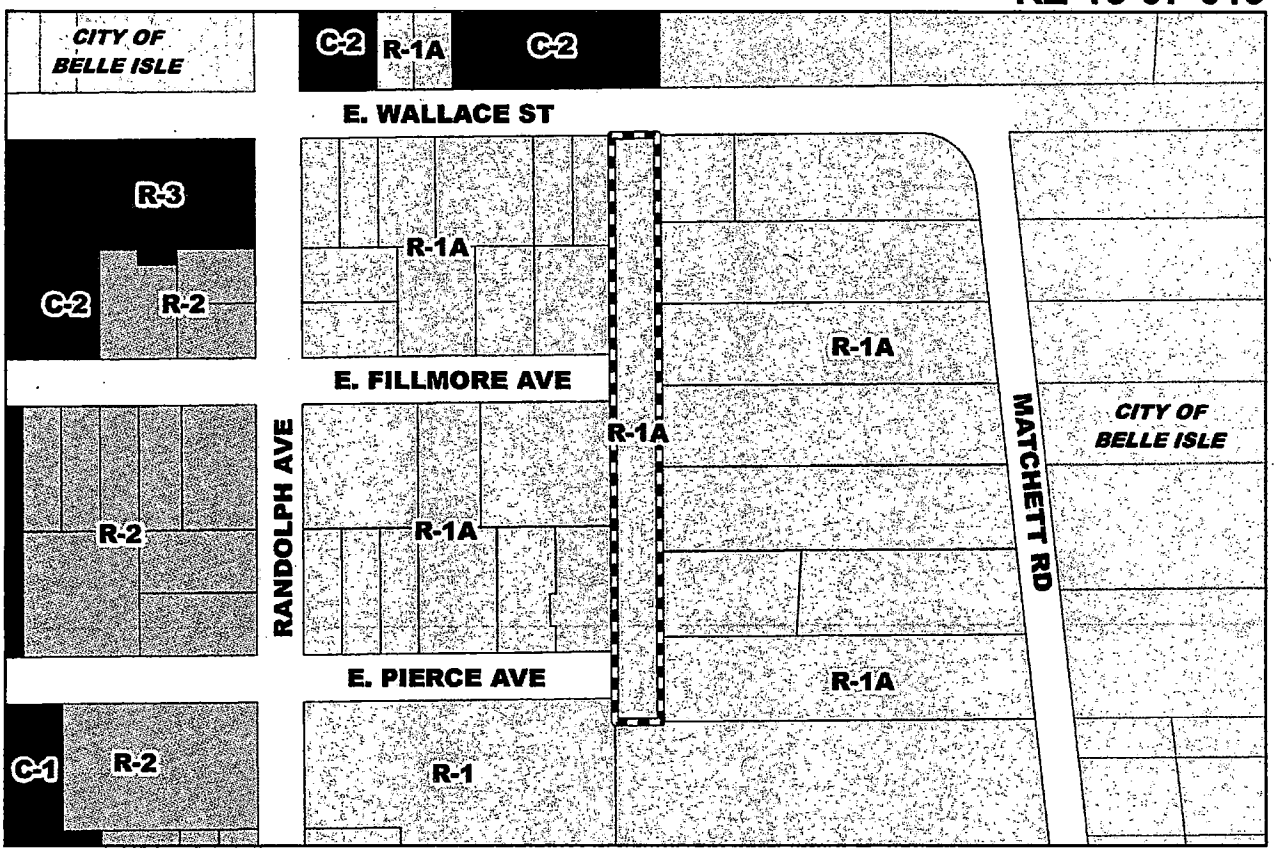
**DISTRICT:** # 3

**S/T/R:** 24/23/29

**1 inch = 208 feet**



**RZ-16-07-019**




Subject Property

N W E S

★ Subject Property

## Zoning Map

**ZONING:** R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)

**APPLICANT:** Kelly M. Levine

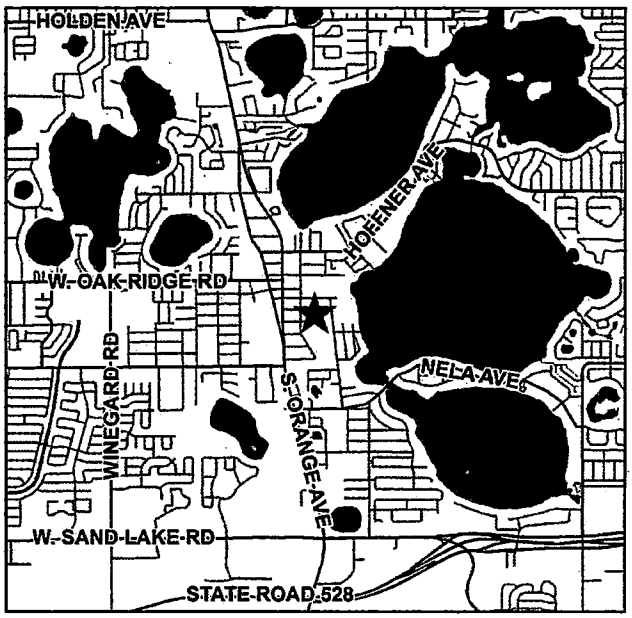
**LOCATION:** 1050 E. Wallace Street; or generally on the south side of E. Wallace Street, and immediately east of the E. Fillmore Avenue terminus and the E. Pierce Avenue terminus

**TRACT SIZE:** 1.03 gross acres

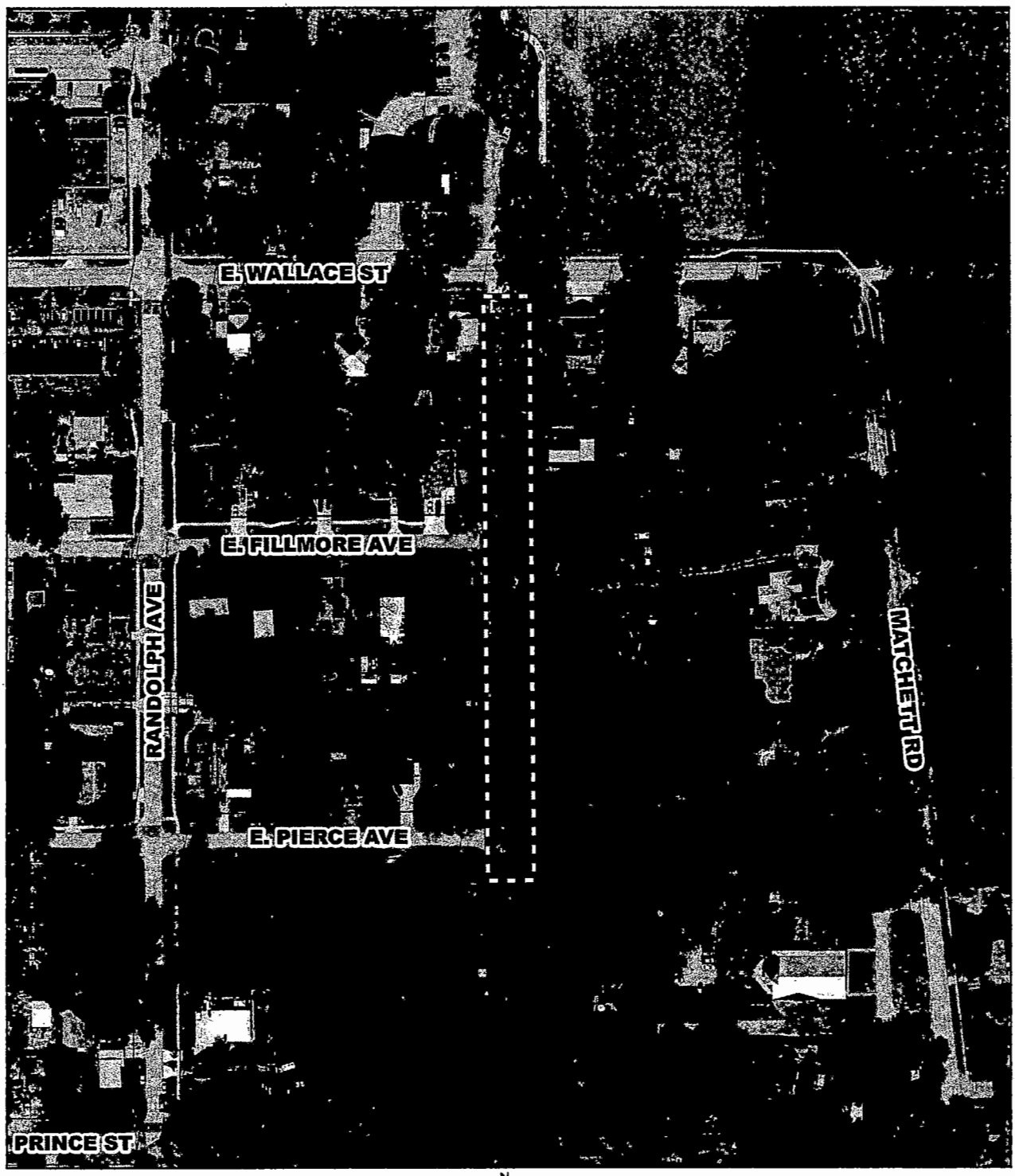
**DISTRICT:** # 3

**S/T/R:** 24/23/29

**1 inch = 208 feet**



# RZ-16-07-019

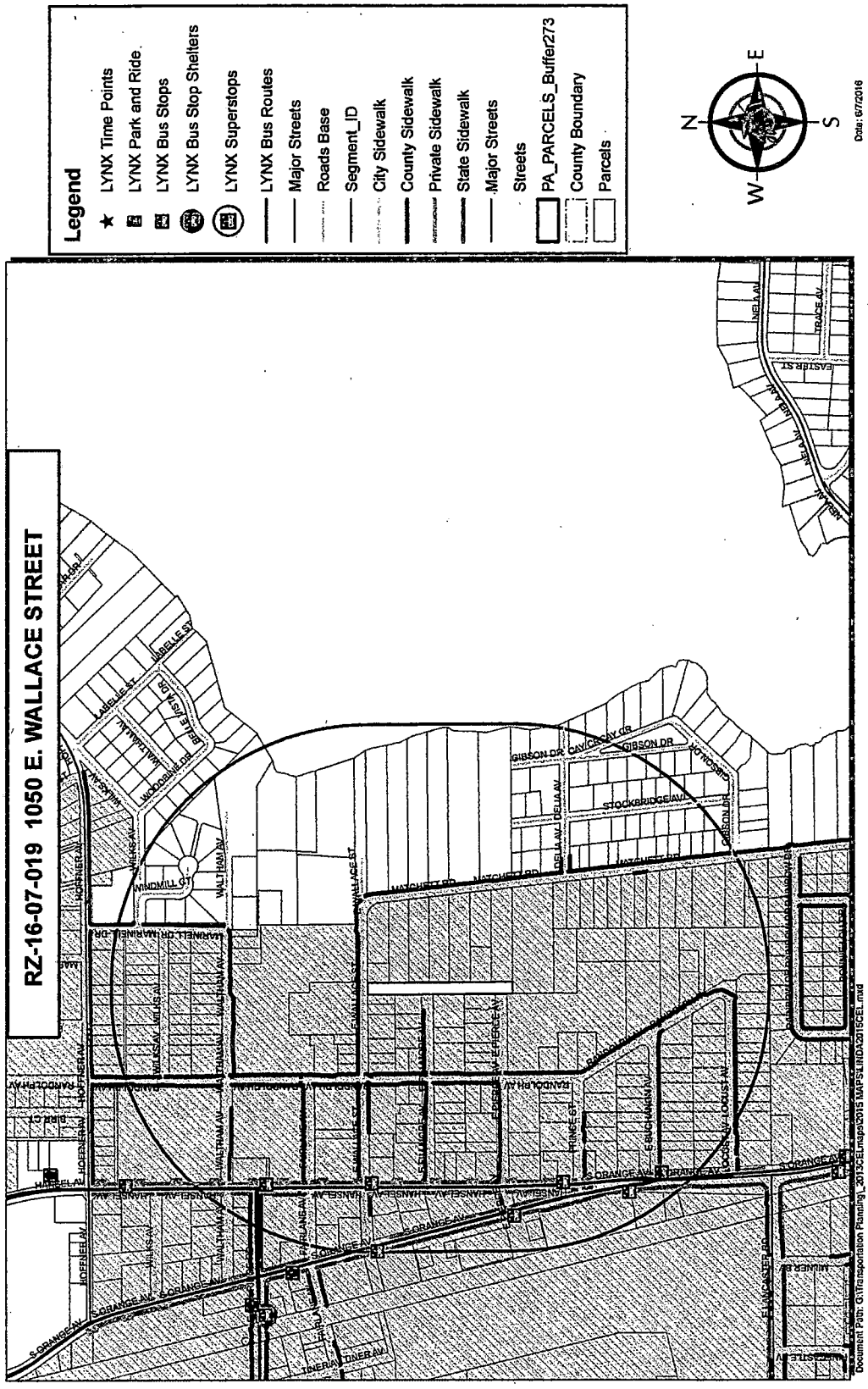



Subject Property

N
W
E
S

1 inch = 167 feet

# Alternative Mobility Area Context Map



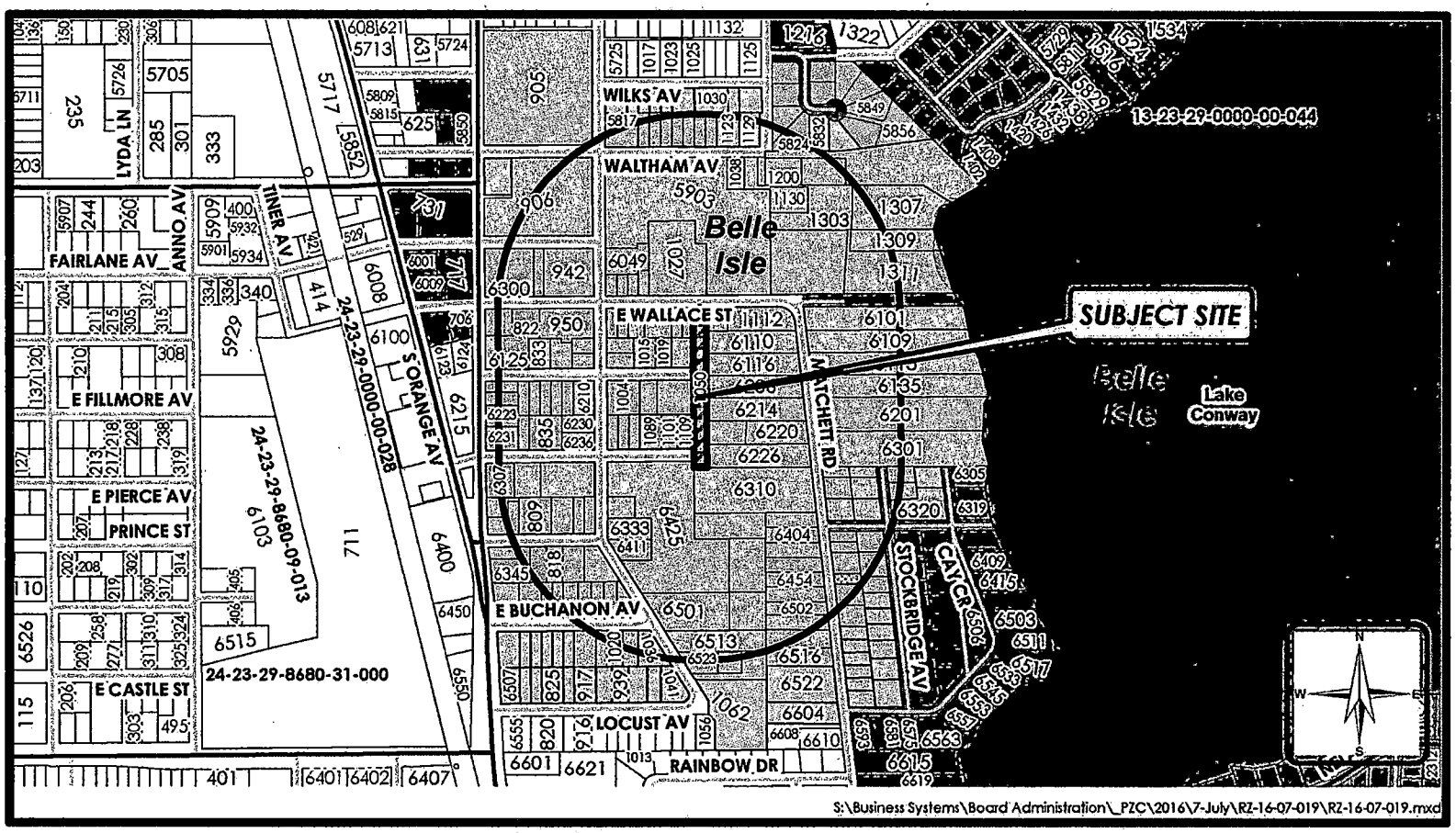

631

ORANGE COUNTY GOVERNMENT
FLORIDA

# Public Notification Map

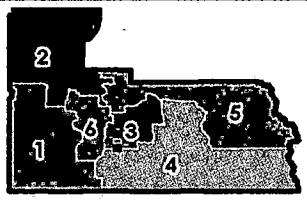
## RZ-16-07-019

## 900 FT BUFFER, 252 NOTICES




**MAP LEGEND**

- SUBJECT
- 900_FT_BUFFER
- HYDROLOGY
- NOTIFIED_PARCELS
- ADDITIONAL_SELECTION
- ADDITIONAL PARCELS
- PARCELS




1 inch = 651 feet

Feet

0 1,000 2,000

# Notification Map

Case # RZ-16-07-019
Orange County Planning Division
BCC Hearing Date: March 21, 2017