

Orange County Government

*Orange County Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393*



Draft Meeting Minutes

Tuesday, November 9, 2021

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:04 a.m.

Present: 7 - Mayor Jerry L. Demings, Commissioner Nicole Wilson, Commissioner Christine Moore, Commissioner Mayra Uribe, Commissioner Maribel Gomez Cordero, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Senior Minutes Coordinator Lakela Louis

Invocation - District 6

Reverend Erika Rembert Smith, Washington Shores Presbyterian Church

Pledge of Allegiance

Presentation

Proclamation recognizing November 14 through November 20, 2021 as Legal Aid Society Week

Presentation

Proclamation recognizing November as Orange County Master Gardener Volunteers Month

Public Comment

The following persons addressed the Board for public comment:

- Ryan Wilson
- Kelly Maccagnano
- Tricia Carpenter
- Jennifer Lane
- Sarah Gonder
- John Bagdom
- Alan Whitemore
- Alfred Salanitro
- Joseph Zerilli
- Lorie Ingraham

I. CONSENT AGENDA**Approval of the Consent Agenda**

A motion was made by Commissioner Uribe, seconded by Commissioner Bonilla, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

A. COUNTY MAYOR

1. **21-1326** Confirmation of the Mayor's managerial appointments of the following: David Ingram, General Manager; Terry Devitt, Deputy Director, Facility Operations; Ray Walls, Deputy Director, Fiscal & Operational Support/Strategic Planning, and Eric Blanc, CMP, Senior Director of Sales.
2. **21-1327** Approval and execution of Orange County, Florida and University of Central Florida Research Foundation, Inc. FY 2022 Grant Agreement and authorization to disburse \$811,824 as provided in the FY 2021-22 adopted budget. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **21-1328** Approval of the minutes of the October 12, 2021 meeting of the Board of County Commissioners. (Clerk's Office)
2. **21-1329** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:

- October 22, 2021, to October 28, 2021; \$9,354,123.66
- October 29, 2021, to November 4, 2021; \$56,236,552.62

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **21-1330** Approval and execution of Resolution 2021-M-52 of the Orange County Board of County Commissioners regarding the West Orange Trail Stakeholder Task Force and authorization for the Mayor or designee to appoint Orange County staff to serve as a representative on the Task Force. All Districts.
2. **21-1331** Confirmation of the appointment of George J. Wiggins as the District 2 representative on the Planning and Zoning Commission with a term expiring

December 31, 2022. (Agenda Development Office)

3. **21-1332** Approval for the Orange County Sheriff's Office to spend \$1,000 from the FY 2022 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to Legal Aid Society. (Office of Management and Budget)
4. **21-1333** Approval and execution of Resolution 2021-B-08 of the Orange County Board of County Commissioners regarding a Resolution pertaining to Financing; authorizing transfer of surplus funds in the County Water and Wastewater Utility Reserve Fund to the County's General Fund; specifically revising and superseding any Resolution in conflict with this Resolution; providing an effective date. (Office of Management and Budget)
5. **21-1334** Approval of First Amendment to Contribution Agreement by and among The School Board of Orange County, Florida and Orange County, Florida. (Office of Management and Budget)
6. **21-1335** Approval of budget transfers #21-1335, #21-1346, #21-1347, #21-1350, and #22C-0018. (Office of Management and Budget)
7. **21-1336** Approval of CIP Amendment #22C-0018. (Office of Management and Budget)
8. **21-1337** Approval to pay quarterly assessments to the Florida Department of Financial Services for self-insurer assessments in an amount not to exceed \$113,200.82. These payments will satisfy the County's obligations to the state of Florida pursuant to Sections 440.49(9) and 440.51, Florida Statutes. (Risk Management Division)

D. COUNTY ATTORNEY

1. **21-1338** Approval of revised Administrative Regulation 11.07.01, titled "Environmentally Sensitive Lands Acquisition."

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-1339** Approval to award Invitation for Bids Y21-7047-TA, Utilities Gravity Package 30, to the low responsive and responsible bidder, Ric-Man Construction Florida, Inc. The total contract award amount is \$892,238.95. ([Utilities Department Engineering Division] Procurement Division)
2. **21-1340** Approval to award Invitation for Bids Y21-7057-FH, Gatlin Park Roof Structural Improvements, to the sole responsive and responsible bidder, S.A. Casey Construction, Inc. The total contract award amount is \$160,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
3. **21-1341** Approval to award Invitation for Bids Y22-714-TA, Emergency Solicitation for

- Eastern Regional Water Supply Facility Operations and Laboratory Buildings Roof Replacement, to the low responsive and responsible bidder, T & G Corporation dba Bowhead Roofing. The total contract award amount is \$2,499,000. ([Utilities Department Engineering Division] Procurement Division)
4. **21-1342** Approval to award Contract Y22-103, Flygt Pumps, Parts and Repairs, with Xylem Water Solutions U.S.A., Inc., in the estimated contract award amount of \$4,138,920 for a three-year term. ([Utilities Department Field Services Division] Procurement Division)
 5. **21-1343** Approval of Amendment No. 7, Contract Y14-103, Inmate Commissary and Banking Services for the Orange County Corrections Department, with Aramark Correctional Services, LLC, which increases the estimated total revenue received by the County by \$650,000, for a revised estimated total revenue amount of \$5,636,903. ([Corrections Department Fiscal and Operational Support Division] Procurement Division)
 6. **21-1344** Approval of Amendments No. 16 and No. 17, Contract Y12-819, Professional Engineering Post Design Services for Shingle Creek Regional Trail Phase 1 Segment 2, Phase 1 Segment 3, and Phase 3, with WBQ Design & Engineering, Inc., Amendment No. 16, in the amount of \$241,151.45, and Amendment No. 17, in the amount of \$156,863.82, for a revised total contract amount of \$3,043,748.98. ([Community and Family Services Department Parks and Recreation Division] Procurement Division)
 7. **21-1345** Approval of Amendment No. 5, Contract Y18-1070, Third Party Administration Services for Orange County Health Services Department, with Health First Administrative Plans, Inc., in the amount of \$3,000,000, for a revised contract amount of \$17,740,000. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
 8. **21-1346** Approval of Amendment No. 1, Contract Y20-1055, Meter Boxes, with Core & Main, LP, in the amount of \$531,929.70, for a revised estimated total contract amount of \$4,602,847.20. ([Utilities Department Field Services Division] Procurement Division)
 9. **21-1347** Ratification of Purchase Order M105616, Purchase Metered Postage for FY21-22 from the United States Postal Service Computerized Meter Resetting System (CMRS-PBP), a subsidiary of Pitney Bowes, in the estimated amount of \$819,750. ([Administrative Services Department Facilities Management Division] Procurement Division)
 10. **21-1348** Selection of AECOM Technical Services, Inc., Callaway and Price, Inc., Eminent Valuations, PLLC, Florida Property Advisors LLC dba Integra Realty Resources, Kenneth C. Evans, PA, Pinel & Carpenter, Inc., The Appraisal Group of Central Florida, Inc., and The Spivey Group, Inc. to

provide Real Estate Appraisal Services, Request for Proposals Y21-191-KB. ([Administrative Services Department Real Estate Management Division] Procurement Division)

11. **21-1349** Selection of P & L Lawn Maintenance, Inc. to provide Landscaping and Grounds Maintenance Countywide, Request for Proposals Y21-1040-AV. ([Administrative Services Department Facilities Management Division] Procurement Division)
12. **21-1350** Approval and execution of Agreement between State of Florida Department of Health and Orange County, Florida for Orange County Health Department Facility 832 West Central Boulevard, Orlando, Florida 32805. District 6. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **21-1351** Approval and execution of Memorandum of Understanding between Orange County, Florida and Osceola County Council on Aging, Inc. d/b/a Osceola Council on Aging pursuant to Subgrant Award Agreement No. E2015 with the State of Florida, Department of Economic Opportunity regarding the Low-Income Home Energy Assistance Program (LIHEAP) and Weatherization Assistance Program (WAP) and Emergency Home Energy Assistance for the Elderly Program (EHEAP). All Districts. (Community Action Division)

G. FIRE RESCUE DEPARTMENT

1. **21-1352** Approval and execution of Donation Agreement between Orange County, Florida and School Board of Orange County, Florida on behalf of Orange County Fire Rescue. (Logistics Division)
2. **21-1353** Approval and execution of Volunteer Florida Community Emergency Response Team Citizens Corps Contract 2021-2022 by and between the Florida Commission on Community Service, d/b/a Volunteer Florida and Orange County Emergency Management in the amount of \$5,000. An in-kind match in the amount of \$5,000 is required. (Office of Emergency Management)

H. HEALTH SERVICES DEPARTMENT

1. **21-1354** Approval and execution of Contract between Orange County Board of County Commissioners and State of Florida Department of Health for operation of the Orange County Health Department Contract Year 2021-2022. Orange County's total cash contribution in the amount of \$1,419,449 will be submitted to the Health Department in quarterly installments of \$354,862.25. (Health Services Department)

- 2. **21-1355** Acceptance of U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance FY2021 FY21 Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Solicitation, award number 15BJA-21-GG-01332-JAGX, in the amount of \$382,076 for the period of October 1, 2020 through September 30, 2024 and authorization for the County Mayor or designee to approve any increases or decreases in the award amount. (Drug Free Community Office)

I. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **21-1356** 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. (Neighborhood Services Division)

LC 21-0658 LC 21-0637 LC 21-0647 LC 21-0507 LC 21-0609
 LC 21-0663 LC 21-0642 LC 21-0633 LC 21-0556 LC 21-0617
 LC 21-0544 LC 21-0630 LC 21-0648 LC 21-0577 LC 21-0628
 LC 21-0636 LC 21-0644 LC 21-0668 LC 21-0607 LC 21-0635

J. PUBLIC WORKS DEPARTMENT

- 1. **21-1357** Approval to record the Right-of-Way Declaration and Maintenance Map for Sidney Hayes Road. District 4. (Roads and Drainage Division)
- 2. **21-1358** Approval of modification to Excavation Permit #15-E4-0061, Farmland Reserve All Aboard Borrow Pit, to allow for the export of clean fill material to the All Aboard Railroad project and approved sites in Orange, Brevard, Osceola, and Seminole Counties. District 4. (Development Engineering Division)
- 3. **21-1359** Approval to decrease the speed limit on Tilden Road between Avalon Road and Winter Garden Vineland Road from 45 mph to 35 mph. District 1. (Traffic Engineering Division)
- 4. **21-1360** Approval and execution of (1) Resolution 2021-M-53 of the Orange County Board of County Commissioners regarding authorization to convey certain County property interests to City of Ocoee, Florida, (2) Interlocal Agreement between Orange County, Florida and City of Ocoee, Florida regarding transfer of jurisdiction of Spring Lake drain well, (3) Bill of Sale, and (4) Assignment of Easements. District 2. (Stormwater Management Division)

K. UTILITIES DEPARTMENT

- 1. **21-1361** Approval of Commercial Refuse Licenses for 1) Advanced Disposal Services Solid Waste Southeast, Inc., 2) Comfort House, Inc., 3) Container

Rental Company, Inc., 4) Deroche Building Supply, Inc., dba Crossroads Building Supply, Inc., and 5) Global Rental Dumpsters, Inc. to provide solid waste hauling services to commercial generators in Orange County for a five-year term. All Districts. (Solid Waste Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **21-1362** Receipt of the following items to file for the record: (Clerk's Office)
 - a. Community Development District, Fiscal Year 2022 Meeting Schedule for Falcon Trace, Bonnet Creek Resort, Narcoossee; and Grande Pines.
 - b. City of Orlando Voluntary Annexation Request: 2nd Wave Apartments (ANX2021-10008). Notice of proposed enactment: Entitled an Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of the Novel Nona planned development, east of Narcoossee Road, south of Kirby Smith Road, and west of Lake Whippoorwill and comprised of 24.7 acres of land, more or less; amending the City's growth management plan to designate the property as urban village, in part and conservation, in part; amending the City's growth management plan to create future land use subarea Policy S.40.12; designating the property as planned development on the City's official zoning maps; providing a site plan and special land development regulations for the planned development; providing for consent to the municipal services taxing unit for Lake Whippoorwill; providing for amendment of the City's official future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer and an effective date.
 - c. Audit Report No. 492 - Audit of Procurement Card Usage - Orange County Facilities Management Division.

These items were received and filed.

III. DISCUSSION AGENDA

A. ADMINISTRATIVE SERVICES DEPARTMENT

1. **21-1363** Selection of one firm and two ranked alternates to provide Final Engineering Design Services for Woodbury Road (from South of Lake Underhill Road to S.R. 50), Request for Proposals Y21-815-CH, from the following three firms listed alphabetically:
 - AVCON, Inc.
 - BCC Engineering, LLC

- DRMP, Inc.

([Public Works Department Engineering Division] Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Gomez Cordero, to appoint AVCON, Inc., 473 points, as the selected firm; and further, appoint DRMP, Inc., 375 points, and BCC Engineering, LLC, 315 points as the selected ranked alternates. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

2. **21-1364** Selection of one firm and two ranked alternates to provide Continuing Engineering Services for Orange County Solid Waste Division, Request for Proposals Y21-908-R2, from the following three firms listed alphabetically:

- S2L, Incorporated
- Stearns, Conrad and Schmidt Consulting Engineers, Inc. dba SCS Engineers
- Tetra Tech, Inc.

([Utilities Department Solid Waste Division] Procurement Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to appoint Tetra Tech, Inc., 435 points, as the selected firm; and further, appoint Stearns, Conrad and Schmidt Consulting Engineers, Inc. dba SCS Engineers, 412 points, and S2L, Incorporated, 393.25 points as the selected ranked alternates. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Moore

B. COUNTY MAYOR

1. **21-1365** Cluster Industry Diversification. (Office of Economic, Trade and Tourism Development)

The following persons addressed the Board:

- Paul Sohl
- Stephanie Darden Bennett

The Board took no action.

- 2. **21-1366** Citizen Safety Task Force Update.

The Board took no action.

C. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **21-1367** MetroPlan Orlando Board Meeting Briefing. (Transportation Planning Division)

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

- 1. **21-1368** Small Scale Amendment Process and Property Rights Element.

The Board took no action.

Presentation

Employee Service Awards to:

Administration and Fiscal Services

Nancy Carmen Kubo (20), Jequella V. Williams (20) Human Resources

Administrative Services

Perry Davis (20) Procurement

Convention Center

Donald Frederick Irey (25) Fiscal and Operational Support; Trinidad R. Wilson (25) Facility Operations

County Administration

Terry Leonard Olson (20) Arts and Cultural Affairs; Matthew D. Juvinal (25) Orange TV

Fire Rescue

Francis M. Barth (20) Fire Communications

Health Services

Lisa Lynn Meredith (20), Samantha Michelle Jackson (20) Medical Clinic

Planning, Environmental, and Development Services

Glen Becker (20) Environmental Protection

Utilities

Delores Evangeline Samuels (20) Water; Paul Earl Coqueran (25) Field Services

V. RECOMMENDATIONS

1. 21-1369 October 21, 2021 Planning and Zoning Commission Recommendations

A motion was made by Commissioner Siplin, seconded by Commissioner Uribe, to approve the recommendations, subject to the usual right of appeal by any aggrieved party. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

VI. PUBLIC HEARINGS

A. Petition to Vacate

1. 21-1201 PTV 16-07-018

Eric Rosoff, on behalf of 7328 Aloma, LLC, vacate an unopen and unimproved right-of-way; District 5

Consideration: Resolution granting Petition to Vacate # 16-07-018, vacating a portion of a 30 foot wide unopen and unimproved right-of-way known as Omega Street, located at 7328 Aloma Avenue, containing approximately 5,879 square feet.

Location: District 5; property located at 7328 Aloma Avenue; Section 02, Township 22, Range 30; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to approve the request listed in the Staff Report dated November 9, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

B. Shoreline Alteration/Dredge and Fill Permit

2. 21-1128 Case # SADF-21-07-013

Kristie and Steven Cohen, Lake Tibet, permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-07-013 to construct a new (replacement) seawall with riprap and aquatic plantings along the shoreline of Lake Tibet; pursuant to Orange County Code, Chapter 33, Article IV, Windermere Water and Navigational Control District.

Location: District 1; on property located adjacent to Lake Tibet, located at 9025 Crichton Wood Drive, Orlando, FL 32819; Orange County, Florida (legal property description on file in

Environmental Protection Division)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-07-013) subject to the twenty-eight (28) conditions of approval listed in the Staff Report dated October 8, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

3. **21-1199** Case # SADF-21-07-015

Christopher Dawson, Little Lake Conway, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-07-015 to construct a replacement wooden seawall immediately waterward of a failing concrete seawall within a canal connected to Little Lake Conway; pursuant to Orange County Code, Chapter 33, Article II, Lake Conway Water and Navigational Control District.

Location: District 3; on property located adjacent to Little Lake Conway, located at 495 Mandalay Road, Orlando, FL 32809; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-07-015) subject to the twenty-five (25) conditions of approval listed in the Staff Report dated October 18, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

4. **21-1203** Case # SADF-21-08-021

Alan and Kay Forbes, Lake Rowena, permit; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF # 21-08-021 to construct a new (replacement) seawall directly in front of an existing seawall located at 1602 Lakeside Drive, Orlando, FL; pursuant to Orange County Code, Chapter 15, Article VI, Pumping and Dredge Control.

Location: District 5; on property located adjacent to Lake Rowena, located at 1602 Lakeside Drive, Orlando FL, 32803; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-21-08-021) subject to the twenty-nine (29) conditions of approval listed in the Staff Report dated October 12, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

C. Preliminary Subdivision Plan

5. **21-1249** Case # PSP-20-10-292

Eric Warren, Poulos & Bennett, LLC, Gem Groves Planned Department /
Gem Groves Preliminary Subdivision Plan; District 1

Consideration: Gem Groves Planned Development / Gem Groves Preliminary Subdivision Plan, Case # PSP-20-10-292, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 276.87 acres in order to construct 437 single-family attached and detached residential dwelling units.

Location: District 1; property generally located north of Flemings Road / west of Avalon Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Lance Bennett.

The following material was presented to the Board: Exhibit 1, Lance Bennett.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the thirty-five (35) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 28, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

6. **21-1250** Case # PSP-21-03-084

Lance Jackson, Lennar Homes, Rhett's Ridge Preliminary Subdivision Plan;
District 2

Consideration: Rhett's Ridge Preliminary Subdivision Plan, Case # PSP-21-03-084, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 42.78 gross acres in order to construct 120 single-family residential dwelling units.

Location: District 2; property generally located south of West Lester Road / east of Plymouth Sorrento Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Ryan Baidda (Phonetic)

- Dan La Rosa

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the twenty-two (22) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 28, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

7. **21-1117** Case # PSP-21-03-079

Carlos Alberto Rivero, Yucatan Gardens Preliminary Subdivision Plan;
District 3 (Continued from October 12, 2021)

Consideration: Yucatan Gardens Preliminary Subdivision Plan, Case # PSP-21-03-079, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 13.72 gross acres in order to construct 52 single-family residential dwelling units. In addition, the following waiver from Orange County Code is being requested: A waiver from Orange County Code Section 34-152(c) is requested to allow access to Tracts C & D via the external street known as Eady Road in lieu of access to an internal paved street.

Location: District 3; property generally located North of Yucatan Drive / West of Forsyth Road; Orange County, Florida (legal property description on file in Planning Division)

New Conditions of Approval #27 and #28:

27. The Red Maple trees shown within the eastern buffer (Tract C) shall be a minimum of 4" caliper and 14' in height at the time of planting.

28. Prior to Certificate of Completion, the developer shall provide a raised crosswalk in front of the access gate to Yucatan Park at no cost to the County.

The following persons addressed the Board:

- Carlos Rivero
- Jennifer Wimberly
- Ramon Morales

The following material was presented to the Board: Exhibit 1, Roman Morales.

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty-six (26) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 28, 2021; and further, approve new conditions of approval #27 and #28. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

8. 21-1253 Case # PSP-21-05-143

Aaron Matson, Cap 5 Development, LLC, Village F Master Planned Development / Parcel S-21 Preliminary Subdivision Plan; District 1

Consideration: Village F Master Planned Development / Parcel S-21 Preliminary Subdivision Plan, Case # PSP-21-05-143, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 12.82 acres in order to construct 41 single-family residential dwelling units.

Location: District 1; property generally located South of Apollo Bond Drive / North and West of Summerlake Groves Street; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Ben Beckham.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the thirty (30) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 28, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

D. Substantial Change

9. 21-1123 Case # CDR-21-02-038

Nicole Stalder, Dewberry, Village F Master Planned Development / Magnolia Estates Preliminary Subdivision Plan, amend plan; District 1
(Continued from October 12, 2021)

Consideration: A substantial change request to adjust lot lines for 14 lots and allow for boat docks; Lots 294-296 (Phase 3B) and 340-350 (Phase 3C); pursuant to Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89

Location: District 1; property generally located North of Seidel Road / West of Lake Hancock Road; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Dan O'Keefe
- Mike Hicks
- Judy Yu

- Jovany Delgado
- Carolyn Clegg
- Bill Argus
- Michael Baldwin
- Tim Walsh
- Erica Jackson
- Alison Yurko
- Julie Hinton

The following materials were presented to the Board:

- Exhibit 1, Dan O'Keefe
- Exhibit 2, Bill Argus
- Exhibit 3, Tim Walsh
- Exhibit 4, Alison Yurko

The following material was received by the Clerk. The material referenced by the speaker was not presented to the Board: Submittal 1, from Dan O'keefe.

A motion was made by Commissioner Wilson, seconded by Commissioner Bonilla, to deny the substantial change request. The motion failed by the following vote:

Aye: 2- Commissioner Wilson, and Commissioner Bonilla

Nay: 4- Mayor Demings, Commissioner Moore, Commissioner Uribe, and Commissioner Siplin

Absent: 1- Commissioner Gomez Cordero,

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the nine (9) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated October 28, 2021. The motion carried by the following vote:

Aye: 4 - Mayor Demings, Commissioner Moore, Commissioner Uribe, and Commissioner Siplin

Nay: 2 - Commissioner Wilson, and Commissioner Bonilla

Absent: 1 - Commissioner Gomez Cordero

E. Development Review Committee Appeal

10. 21-1251 Case # DRCA-21-08-261

Brent A. Walters, Walters Construction Corporation, 2728 Raeford Road Lot Split Appeal; District 3

Case No.: DRCA-21-08-261, 2728 Raeford Road Lot Split Appeal

Consideration: This request is an appeal of the September 8, 2021 decision of the Development Review Committee (DRC), to uphold the Zoning Manager's decision to deny a lot split (LS-21-07-040).

Location: District 3; property generally located south of East Michigan Street, east of South Bumby Avenue; Orange County, Florida (legal property description on file-see map on reverse side)

The following person addressed the Board: Bruce Hotz.

The following material was presented to the Board: Exhibit 1, Bruce Hotz.

A motion was made by Commissioner Uribe, seconded by Commissioner Moore, to continue the public hearing until December 14, 2021, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

F. Planning and Zoning Commission Rezoning Board-Called

11. **21-981** Case # RZ-21-07-044

Luis Lopez, July 23, 2021; District 3 (Continued from September 28, 2021 and October 26, 2021)

Consideration: Request to rezone from A-2 (Farmland Rural District) to R-2 Restricted (Residential District) in order to allow for two residential dwelling units.

Location: District 3; property located at 6954 Redditt Road; generally south and east of Redditt Road, and approximately 1,050 feet north of Nassau Avenue; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Uribe, seconded by Commissioner Siplin, to make a finding of consistency with the Comprehensive Plan; and approve the requested R-2 Restricted (Residential District) zoning, subject to the one restriction listed in the staff report dated October 27, 2021. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

G. Board of Zoning Adjustment Appeal

12. **21-1200** Case # VA-21-09-081

Juan Frias, September 2, 2021; District 5

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a variance

in the R-1AA zoning district to allow a 6 ft. high fence within the clear view triangle from the right-of-way line for visibility from the driveway on an adjacent lot.

Location: District 5; property located at 9067 Stockton Court, Orlando, FL 32817; Orange County, Florida (legal property description on file in Zoning Division)

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to deny the applicants request. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Commissioner Gomez Cordero

H. Board of Zoning Adjustment Board Called and Appeal

13. **21-910** Case # SE-21-07-039

Kelsey Weiss for Orlando Speedworld, July 1, 2021; District 5 (Continued from October 26, 2021)

Consideration: Request amendment to an existing Special Exception for an existing race track in the A-2 zoning district to allow for a revised site plan that includes additional associated accessory structures.

Location: District 5; property located at 19164 E. Colonial Dr., Orlando, FL 32820 Orange County, Florida (legal property description on file in Zoning Division)

This public hearing was withdrawn.

√ **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>.

ADJOURNMENT: 4:50 p.m.

ATTEST:

County Mayor Jerry L. Demings

Date: _____

ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk

Katie Smith
Deputy Clerk

* * *

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.