



Interoffice Memorandum

AGENDA ITEM

DATE: June 29, 2020

TO: Mayor Jerry L. Demings
—AND—
Board of County Commissioners

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

**CONTACT PERSON: Eric Raasch, DRC Chairman
Development Review Committee
Planning Division
(407) 836-5523**

SUBJECT: July 28, 2020 — Consent Item
Tenth Amendment to Amended and Restated Development
Order of Meadow Woods Development of Regional Impact
Case # DO-18-05-145 / District 4
(Related to Case # CDR-18-05-144)

The Meadow Woods Development of Regional Impact (DRI) is generally located north of the Orange/Osceola County line, south of Wetherbee Road and east of Orange Avenue. Through a pending Planned Development (PD) substantial change request (#CDR-18-05-144), the Meadow Woods Planned Development / Land Use Plan is being amended to allow outdoor storage of boats, recreational vehicles, trailers and vehicles, but not the rental or display of U-Hauls or moving trucks, on PD Parcel 12.1.

This requested amendment to the Meadow Woods DRI / Development Order is consistent with the proposed PD substantial change.

Both the substantial change request (#CDR-18-05-144) and the DRI amendment (#DO-18-05-145) received a recommendation of approval from the Development Review Committee on December 4, 2020.

ACTION REQUESTED: Approval and execution of Tenth Amendment to Amended and Restated Development Order of Meadow Woods Development of Regional Impact. District 4

Attachment
JVW/EPR/nt

BCC Mtg. Date: July 28, 2020

Prepared by and Return to:
Barry B Johnson, Esq.
Miller Johnson Law, PL
247 Maitland Ave. Ste. 1000
Altamonte Springs FL 32701

**TENTH AMENDMENT TO AMENDED AND RESTATED
DEVELOPMENT ORDER OF
MEADOW WOODS DEVELOPMENT OF REGIONAL IMPACT**

A. The original Development of Regional Impact Development Order for the Meadow Woods Development of Regional Impact (the "Meadow Woods DRI") was approved by the Board of County Commissioners on January 19, 1981 (the "Original Development Order").

B. The Original Development Order was amended by an Amendment to Development Order, dated January 10, 1983, for the Meadow Woods DRI.

C. The Original Development Order was further amended by the Amended Development Order, dated November 20, 1989, for the Meadow Woods DRI which was recorded in Official Records Book 4139, Page 1169, Public Records of Orange County, Florida (the "Amended Development Order"). The Amended Development Order by its terms and conditions superseded all previous development orders.

D. The Amended Development Order was subsequently amended by the First Amendment to Amended Development Order for the Meadow Woods DRI (the "First Amendment"), dated May 21, 1991.

E. The Amended Development Order was subsequently amended by the Second Amendment to the Amended Development Order for the Meadow Woods DRI (the "Second Amendment"), dated January 7, 1992.

F. The Amended Development Order was subsequently amended by the Third Amendment to the Amended Development Order for the Meadow Woods DRI (the "Third Amendment"), dated January 26, 1993.

G. The Amended Development Order was subsequently amended by the Fourth Amendment to the Amended Development Order for the Meadow Woods DRI (the Fourth Amendment"), dated April 12, 1994.

H. The Amended Development Order was subsequently amended by the Fifth Amendment to the Amended Development Order for the Meadow Woods DRI (the "Fifth Amendment"), dated December 19, 1995.

I. The Amended Development Order was subsequently amended by the Sixth Amendment to the Amended Development Order For the Meadow Woods DRI (the "Sixth Amendment") dated January 30, 2001.

J. The Amended Development Order was subsequently amended by the Seventh Amendment to the Amended Development Order For the Meadow Woods DRI (the "Seventh Amendment") dated September 23, 2003.

K. The County also approved the Transfer Amendment to Development Order for Meadow Woods Development of Regional Impact to permit the transfer of approximately 38.92 acres of land from the Meadow Woods DRI into the Boggy Creek DRI dated September 23, 2003 (the "Transfer Amendment").

L. The County also approved a Non-Substantial Amendment to Development Order for Meadow Woods Development of Regional Impact dated January 6, 2004 (the "First Non-Substantial Amendment").

M. The Seventh Amendment was subsequently amended and restated by the First Amendment to Amended and Restated Development Order for Meadow Woods Development of Regional Impact (Eighth Amendment) (the "Eighth Amendment") dated August 4, 2015.

N. The Eighth Amendment was subsequently amended and restated by the Second Amendment to Amended and Restated Development Order for Meadow Woods Development of Regional Impact (Ninth Amendment) (the "Ninth Amendment") dated August 6, 2019

O. JSF Landstar Boulevard CMPI, LLC, a South Carolina Limited Liability Company ("Owner") is the fee simple owner of Lots 1 and 2, MEADOW WOODS Parcel 12.1, according to the Plat thereof recorded in Plat Book 72, Pages 29 and 30, Public Records of Orange County, Florida (the "Property"), located within the Meadow Woods DRI.

P. Per the current approved Land Use Plan, the Property is designated Low Density Residential including approved uses.

Q. Per Article II, Section II of the Eighth Amendment, Permitted Uses in Commercial shall be those permitted in the C-1 Zoning District.

R. Owner currently uses the Property as a self-storage facility (the "Current Use"), which is permitted by the current Land Use Plan, and the adopted Development Plan for the Property.

S. The Owner desires to expand the Current Use to also permit self-storage of outdoor vehicle storage including RVs (recreational vehicles) and boats (the "Proposed Use"), as an ancillary use to the current use on the property; however, such proposed use is not permitted within C-1 zoning

Tenth Amendment to the Amended and Restated
Development Order of Meadow Woods
Development for Regional Impact, 2019

T. The Owner is proposing a non-substantial deviation to the Ninth Amendment to permit the Proposed Use of the Property, to complement the Current Use. This deviation was previously allowed by the Board of County Commissioners in the Seventh Amendment dated August 4, 2015.

U. The applicable review process under Subsection 380.06(19), Florida Statutes, was followed, and after public hearing, the Board of County Commissioners hereby adopts Tenth Amendment to Amended and Restated Development Order for Meadow Woods Development of Regional Impact as more particularly set forth below.

ORDER

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated herein.

SECTION 2. The Amended Development Order as recorded in Official Records Book 4139, Page 1169, Public Records of Orange County, Florida, and which was subsequently amended by the First Amendment, the notice of which was recorded in Official Records Book 4298, Page 0532, the Second Amendment, the notice of which was recorded in Official Records Book 4372, Page 2712, Public Records of Orange County, Florida, the Third Amendment, as recorded in Official Records Book 4531, Page 1684, Public Records of Orange County, Florida, the Fourth Amendment, as recorded in Official Records Book 4734, Page 2381, Public Records of Orange County, Florida, the Fifth Amendment, dated December 19, 1995, the Notice of Adoption of the Fifth Amendment as recorded in Official Records Book 5000, Page 3480, Public Records of Orange County, Florida, the Sixth Amendment as recorded in Official Records Book 6187, Page 2776, Public Records of Orange County, Florida, the Seventh Amendment as recorded in Official Records Book 7131, Page 2527, Public Records of Orange County, Florida, the Transfer Amendment as recorded in Official Records Book 7131, Page 2497, Public Records of Orange County, Florida and the First Non-Substantial Amendment as recorded in Official Records Book 7262, Page 1060, Public Records of Orange County, Florida, The First Amendment to Amended and Restated Development Order for Meadow Woods Development of Regional Impact (Eight Amendment) as recorded in Official Records Book 10966 Page 7595, Public Records of Orange County, Florida, The Second Amendment to Amended and Restated Development Order for Meadow Woods Development of Regional Impact (Ninth Amendment) as recorded a Doc#20190585362 are hereby amended through this non-substantial deviation as indicated in Sections 3 and 4 below, with the new language being shown by underlining and the deleted language being struck through.

SECTION 3. Article 11, "CONDITIONS OF APPROVAL AS RECOMMENDED BY THE ORANGE COUNTY PLANNING AND ZONING COMMISSION AND AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS," Section II is hereby amended as follows:

"11. Permitted Commercial uses shall be those permitted in the C-1 Zoning District. (Article VII, Chapter 38, Orange County Code, as amended) Notwithstanding the foregoing, the following real property located within Commercial may also be used for truck rental and display of rental trucks, and outdoor vehicle storage including RVs (recreational vehicles) and boats: Lot 4, MEADOW WOODS PARCELS 15, 15.1 & 15.2, according to the Plat thereof recorded in Plat Book 64, Pages 49, 50 and 51, Public Records of Orange County, Florida. Notwithstanding the foregoing, the following real property may also be used for outdoor vehicle storage including RVs (recreational vehicles), boats, and trailers, as an ancillary use to a self-storage use: Lots 1 and 2, MEADOW WOODS PARCEL 12.1, according to the Plat thereof recorded in Plat Book 72, Pages 29 and 30, Public Records of Orange County, Florida."

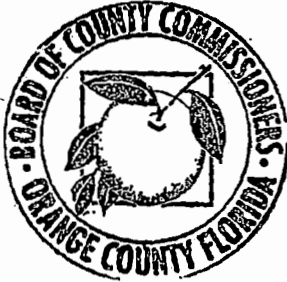
SECTION 4. Except as expressly amended as set forth in this Tenth Amendment, the remainder of the Amended Development Orders and Amendments shall remain in full force and effect.

SECTION 5. Notice of the adoption of this Tenth Amendment shall be recorded by the Owner in accordance with Section 28.222, Florida Statutes, in the public records of Orange County, Florida, at the Owner's expense, immediately after the effective date of this Tenth Amendment in compliance with Section 380.06(15)(f), Florida Statutes. The recording of this notice shall not constitute a lien, cloud, or encumbrance on the property, or actual or constructive notice of any such lien, cloud, or encumbrance on the property, or actual or constructive notice of any such lien, cloud or encumbrance.

SECTION 6. This Tenth Amendment shall take effect upon transmittal by first class U.S. Mail to the East Central Florida Regional Planning Council and the Florida Department of Economic Opportunity Division of Community Development.

Tenth Amendment to the Amended and Restated
Development Order of Meadow Woods
Development for Regional Impact, 2019

ADOPTED THIS _____ DAY OF _____ JUL 28 2020



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
Jerry L. Demings, Orange County Mayor

Date: JUL 28 2020

ATTEST: Phil Diamond, CPA
Orange County Comptroller, as Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk