



# AGENDA

Orange County Government • Board of County Commissioners • 201 South Rosalind Avenue  
County Commission Chambers • 1st Floor • County Administration Center  
[www.OrangeCountyFL.net](http://www.OrangeCountyFL.net)

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**TUESDAY, AUGUST 16, 2016**

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

- Invocation – District 3
- Pledge of Allegiance
- 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**

### **B. COUNTY ADMINISTRATOR**

1. Approval and execution of Agreement between Orange County, Florida and AFSCME Florida Public Employees' Council 79 American Federation of State, County and Municipal Employees, AFL-CIO Fiscal Year 2016-17. **(Human Resources Division) Page 15**
2. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Centene Management Company, LLC Qualified Target Industry Tax Refund. **(Office of Economic, Trade and Tourism Development) Page 16-19**
3. Approval of budget amendment #16-52. **(Office of Management and Budget) Page 20-22**
4. Approval of budget transfer #16-000001291. **(Office of Management and Budget) Page 23-24**
5. Approval of Ratification of payment of Intergovernmental claims of July 14, 2016, totaling \$ 259,600.53. **(Risk Management Division) Page 25**

**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.



**TUESDAY, AUGUST 16, 2016**

**I. CONSENT AGENDA (Continued)**

**C. COUNTY ATTORNEY**

1. Approval of proposed revisions to Administrative Regulation 2.06, titled "Public Records." **Page 26-31**
2. Approval of proposed new Administrative Regulation, titled "Creation, Administration, and Abolishment of Lake Maintenance Municipal Service Benefit Units (MSBUs)." **Page 32-38**
3. Approval of proposed new Administrative Regulation, titled "Creation, Administration, and Abolishment of Lake Maintenance Municipal Service Taxing Units (MSTUs)." **Page 39-46**
4. Approval and execution of Settlement Agreement between Petitioner, Avalon Park School Initiative II, LLC, and Respondents, Orange County, Florida, and The School Board of Orange County, Florida, regarding the Development Plan for a 68,156 square foot charter school for Grades K through 8, with 1,145 students on the Property ("South Village School"). **Page 47-67**
5. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Request to Sublease State Owned Uplands. **Page 68-70**
6. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding establishing a Public Records Fee Schedule. **Page 71-76**
7. Approval and execution of the proposed Settlement Agreement and Release in the case of *Orange County, Florida v. Ferno-Washington, Inc.*, Case No.: 6:15-cf-1553-Orl-41-GJK. **Page 77**
8. Approval and execution of the proposed Transit Bench Settlement Agreement Between Orange County, Florida and Metropolitan Systems, Inc. in the case of *Metropolitan Systems, Inc. v. Orange County, Florida*, Case No.: 2014-CA-004019. **Page 78**

**D. ADMINISTRATIVE SERVICES DEPARTMENT**

1. Approval to award Invitation for Bids Y16-144-MG, Statement Printing and Mailing Services, to the low responsive and responsible bidder, Pinnacle Data Systems L.L.C. The estimated contract award amount is \$119,270 for a 1-year term. ([Utilities Department Customer Service Division] **Procurement Division**) **Page 79-81**
2. Approval to award Invitation for Bids Y16-762-PH, Anderson Road Water Main and Forcemain Replacement Project, to the low responsive and responsible bidder, Schuller Contractors Incorporated. The estimated contract award amount is \$548,268. ([Utilities Department Engineering Division] **Procurement Division**) **Page 82-85**

**CONTINUED**



**TUESDAY, AUGUST 16, 2016**

**I. CONSENT AGENDA (Continued)**

**D. ADMINISTRATIVE SERVICES DEPARTMENT (Continued)**

3. Approval to award Invitation for Bids Y16-770-MM, Orange County Convention Center Pre-Engineered Metal Building, to the low responsive and responsible bidder, E.O. Koch Construction Company. The total contract award amount is \$395,377. ([Convention Center Capital Planning and Building Systems Division] **Procurement Division) Page 86-89**
4. Approval to award Invitation for Bids Y16-781-MM, Orange County Convention Center West Concourse Flooring Replacement, to the low responsive and responsible bidder, International Flooring, Inc. The total contract award amount is \$1,724,406.27. ([Convention Center Capital Planning and Building Systems Division] **Procurement Division) Page 90-93**
5. Approval to award Invitation for Bids Y16-782-MM, Orange County Convention Center North/South Building Repair of Decorative Roofing Features, to the low responsive and responsible bidder, CORE Construction Services of Florida, LLC. The total contract award amount is \$3,442,000. ([Convention Center Capital Planning and Building Systems Division] **Procurement Division) Page 94-97**
6. Approval of Amendment No. 1, Contract Y16-1051-TA, Sodding, Seeding, Mulching, Hydro-Seeding, and Hydro-Seeding with Bonded Fiber Matrix Services with Travis Resmondo Sod, Inc. in the amount of \$159,682 for a revised total contract amount of \$786,902. ([Community, Environmental and Development Services Department Parks and Recreation Division] **Procurement Division) Page 98**
7. Ratification of Contract Y16-788-CH, Buck Road Bridge Repair, to the low responsive and responsible bidder, Atlantic Civil Constructors Corporation, in the estimated contract award amount of \$265,623.11. ([Public Works Department Engineering Division] **Procurement Division) Page 99-100**
8. Approval of Amendment No. 1, Contract Y16-149A, Health and Support Services for Persons with HIV Spectrum Disease – Ryan White Part A, with Aspire Health Partners, Inc. in the amount of \$175,000, for a revised total contract amount of \$599,820. ([Health Services Department] **Procurement Division) Page 101-102**
9. Approval and execution of Agreement to Exercise Renewal Option between Orange County and Outfront Media LLC, as successor in interest to Whiteco Metrocom, a subsidiary of Whiteco Industries, Inc. for Turnpike Billboard – Conroy-Windermere Rd Lease File #7003. District 6. **(Real Estate Management Division) Page 103-104**
10. Approval and execution of Right of Entry Agreement from Orange County to City of Orlando with Consent of Contractor, Garney Companies, Inc. for Marks Street City Utility Installation. District 5. **(Real Estate Management Division) Page 105-106**

**CONTINUED**



TUESDAY, AUGUST 16, 2016

**I. CONSENT AGENDA (Continued)**

**D. ADMINISTRATIVE SERVICES DEPARTMENT (Continued)**

11. Approval and execution of Drainage Easements and Temporary Drainage and Utility Easement between Taylor Morrison of Florida, Inc. and Orange County and authorization to record instruments for Overlook 2 at Hamlin Phase 2 and 5 (PR-15-11-073). District 1. **(Real Estate Management Division) Page 107-108**
12. Approval and execution of Donation Covenant for Park Site between Lennar Homes, LLC and Orange County and approval of Special Warranty Deed from Lennar Homes, LLC to Orange County and authorization to perform all actions necessary and incidental to closing for Moss Park PD Parcel J Park Expansion. District 4. **(Real Estate Management Division) Page 109-110**
13. Approval of Conservation and Access Easement between Alafaya SF Properties, LLC and Orange County and authorization to record instrument for Alafaya SF Properties Tracts 1, 2, 3, & 5 Impact Permit #09-033. District 4. **(Real Estate Management Division) Page 111-112**
14. Approval of Corrective and Restated Conservation and Access Easement between Alafaya TH Tract 9, LLC and Orange County and authorization to record instrument for Alafaya MF Tract 8 Impact Permit #07-056. District 4. **(Real Estate Management Division) Page 113-114**

CONTINUED



**TUESDAY, AUGUST 16, 2016**

**I. CONSENT AGENDA (Continued)**

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

1. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Claim of Special Assessment Lien Pursuant to Section 9-278 of the Orange County Code, Property Maintenance and approval to file Claim of Special Assessment Liens by Resolution for unsafe structures demolished by Orange County. Districts 2 and 6. **(Code Enforcement Division)**

**Page 115-117**

<b><u>Case No.</u></b>	<b><u>Dist. #</u></b>	<b><u>Property Owner</u></b>	<b><u>Amount*</u></b>
A 13-0378	2	COX OTIS E ESTATE	\$ 11,398.26
A 15-0326	6	CUMMINGS CLAYTON C	\$ 10,099.69
A 15-0327	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,099.71
A 15-0328	6	CUMMINGS CLAYTON C	\$ 10,099.69
A 15-0329	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,099.69
A 15-0330	6	JONES ERNEST LEE	\$ 10,099.69
A 15-0332	6	GRANTEE BSLNC	\$ 9,282.30
A 15-0333	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 9,282.30
A 15-0346	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,894.05
A 15-0347	6	HUGHES BRUCE	\$ 10,894.06
A 15-0348	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,562.24
A 15-0349	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,562.24
A 15-0351	6	TYMBER SKAN ON THE LAKE HOMEOWNERS ASSN INC	\$ 10,562.25
A 15-0358	6	RADICE ROBERT	\$ 11,999.24
A 15-0360	6	CUMMINGS CLAYTON C	\$ 11,999.24
A 15-0361	6	LAMPKIN BRAD	\$ 11,999.24
A 15-0362	6	TRUST NO 41271	\$ 12,099.24
A 15-0363	6	SIRIPALA KUMBALATARA A	\$ 11,999.25
A 15-0369	6	HURLEY JAMES F	\$ 12,464.53
A 15-0370	6	HURLEY JAMES F	\$ 12,464.54
A 15-0372	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 12,039.51

**CONTINUED**



**TUESDAY, AUGUST 16, 2016**

**I. CONSENT AGENDA (Continued)**

**E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT  
(Continued)**

1. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Claim of Special Assessment Lien Pursuant to Section 9-278 of the Orange County Code, Property Maintenance and approval to file Claim of Special Assessment Liens by Resolution for unsafe structures demolished by Orange County. Districts 2 and 6. (Continued) **(Code Enforcement Division) Page 115-117**

<b><u>Case No.</u></b>	<b><u>Dist. #</u></b>	<b><u>Property Owner</u></b>	<b><u>Amount*</u></b>
A 15-0383	6	CROSS WILLIAM J; NGUYEN XUAN T	\$ 10,981.24
A 15-0384	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,981.26
A 15-0385	6	ROBINSON JOHNNY ANDRE	\$ 10,981.27
A 15-0387	6	GALLAGHER MORTGAGE CO INC	\$ 10,760.05
A 15-0388	6	GALLAGHER MORTGAGE CO INC	\$ 10,760.05
A 15-0389	6	GALLAGHER MORTGAGE CO INC	\$ 10,989.17
A 15-0390	6	4139 TYMBERWOOD LANE LAND TRUST	\$ 11,320.98
A 15-0391	6	M M U INVESTMENTS LLC	\$ 11,320.98
A 15-0392	6	GALLAGHER MORTGAGE CO INC	\$ 10,989.15
A 15-0393	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,989.16
A 15-0396	6	CAMPBELL CRAIG	\$ 10,989.16
A 15-0604	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 11,008.25
A 15-0605	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 12,110.25
A 16-0016	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 8,530.37
A 16-0066	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 10,564.16

2. Approval of renewal of Solid Waste Management Facility Permit No. SW-142429-MRF/TS-07/0711 through August 15, 2021 for the Rocket Boulevard Materials Recovery Facility for Republic Services of Florida, LP, with waiver and conditions. District 4. **(Environmental Protection Division) Page 118-135**

**CONTINUED**



**TUESDAY, AUGUST 16, 2016**

**I. CONSENT AGENDA (Continued)**

**E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT  
(Continued)**

3. Approval and execution of Proportionate Share Agreement for The Reserve at Alafaya Alafaya Com Tract 7, LLC, Alafaya TH Tract 4, LLC, and Alafaya SF Properties, LLC Woodbury Road: From Golfway Boulevard to Lake Underhill Road) by and between Alafaya Com Tract 7, LLC; Alafaya TH Tract 4, LLC; Alafaya SF Properties, LLC; and Orange County for a proportionate share payment in the amount of \$249,560. District 4. **(Roadway Agreement Committee) Page 136-150**
4. Approval and execution of Right-of-Way Transfer and Continuing Maintenance Agreement between Central Florida Expressway Authority and Orange County, Florida for right-of-way conveyances and maintenance provisions for bridges, access roadways and pond along SR 429. District 1. **(Roadway Agreement Committee) Page 151-251**
5. Approval of Street Name Petition to rename Grande Palisades Boulevard to Grove Blossom Way and authorization for County staff to update associated records. District 1. **(Zoning Division) Page 252-261**

**F. FAMILY SERVICES DEPARTMENT**

1. Approval and execution of Florida Department of Children and Families Application for a License to operate a Child Care Facility at South Orlando YMCA Head Start. This application is only executed by Orange County. **(Head Start Division) Page 262-266**
2. Receipt and filing of the 2016 Council on Accreditation Audit results for Youth and Family Services Division for the official County record. **(Youth and Family Services Division) Page 267-294**

**G. HEALTH SERVICES DEPARTMENT**

1. Approval and execution of the renewal Paratransit Services License for ProMotion Transportation Services, Inc. to provide wheelchair/stretchers service. The term of this License is from September 1, 2016 through September 1, 2018. There is no cost to the County. **(EMS Office of the Medical Director) Page 295-298**

**CONTINUED**



**TUESDAY, AUGUST 16, 2016**

**I. CONSENT AGENDA (Continued)**

**H. PUBLIC WORKS DEPARTMENT**

1. Approval of Traffic Control Devices and "No Parking" sign installations in Windermere Trails Phase 3B. District 1. **(Traffic Engineering) Page 299-318**
2. Approval and execution of State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN 435526-1-38-01 between Florida Department of Transportation and Orange County for Intersection Improvement on Corporate Boulevard at Alafaya Trail (SR 434). District 5. **(Transportation Planning) Page 319-323**
3. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Authorization to convey certain County Property Interests to the City of Winter Garden, Florida between Orange County and the City of Winter Garden and approval and execution of County Deed for conveyance of right-of-way to the City of Winter Garden. District 1. **Page 324-334**

**I. UTILITIES DEPARTMENT**

1. Approval and execution of First Amendment to the Cost-Share Agreement Between the St. Johns River Water Management District and Orange County, D/B/A Orange County Utilities for Water\$mart Customers Conserve Project Contract #28423 Amendment #1 by and between the Governing Board of the St. Johns River Water Management District and Orange County. All Districts. **(Utilities Water Division) Page 335-337**

**CONTINUED**



**TUESDAY, AUGUST 16, 2016**

**II. INFORMATIONAL ITEMS\*\***

**A. COUNTY COMPTROLLER**

1. Receipt of the following items to file for the record: **(Clerk's Office)**  
**Page 338**
  - a. City of Orlando adopted Ordinance with Orlando Sentinel Notice of Proposed Enactment, Exhibit A & B (Legal Descriptions), Exhibits C & D (Annexed Area Map and Zoning Map), and Fiscal Impact Statements. Ordinance No. 2016-13 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 Butler Dr., east of S. Orange Ave., south of E. Pineloch Ave., and west of Center St. and Oak Pl., and comprised of 10.678 acres of land, more or less; amending the City's Official Zoning Maps to designate the newly annexed land along with land already existing within the corporate limits of the city as the AC-2 Urban Activity Center District, in part, and the AC-2 Urban Activity Center District along with the Orange/Michigan Special Plan Overlay District, in part, such land comprised of 11.391 acres of land, more or less; providing for severability, correction of scrivener's errors, and an effective date.
  - b. Orange County Research and Development Authority (dba Central Florida Research Park) FY 2016-17 Budget.
  - c. Minutes of the September 10, October 8, November 12 and December 10, 2015, Charter Review Commission

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

**CONTINUED**



**TUESDAY, AUGUST 16, 2016**

**III. DISCUSSION AGENDA**

**A. ADMINISTRATIVE SERVICES DEPARTMENT**

1. Selection of one firm and an alternate to provide Engineering Services for Continuing Water Resources Program, Request for Proposals Y16-904-PH, from the following two firms, listed alphabetically:
  - Parsons Brinckerhoff, Inc.
  - Tetra Tech, Inc.**([Utilities Department Engineering Division] Procurement Division) Page 339-343**

**B. FAMILY SERVICES DEPARTMENT**

1. Professional Opportunities Program for Students (POPS) Program Accomplishments. **(Citizen's Commission for Children Division) Page 344**
2. Acceptance of the Pine Hills NID Annual Report and recommendations. **(Neighborhood Preservation and Revitalization Division) Page 345**

**C. UTILITIES DEPARTMENT**

1. Solid Waste Collection Update. **(Solid Waste Division) Page 346**

**ADDENDUM #1**

**D. COUNTY MAYOR**

1. Mosquito Control Program.

**RECESS**



**TUESDAY, AUGUST 16, 2016**

**MEETING STARTS AT 2:00 p.m.**

**IV. RECOMMENDATIONS**

July 21, 2016 Planning and Zoning Commission Recommendations

**CONTINUED**



**TUESDAY, AUGUST 16, 2016**

**V. PUBLIC HEARINGS**

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

**A. Board of Zoning Adjustment Appeal**

- 1.✓ Appellant: Iliana Ramos (Church representative)  
Applicant: Iglesia El Shaddai Church, Case # SE-16-06-065, June 2, 2016; District 3
- 2.✓ Appellant: Linton Morris  
Applicant: Faith Center Ministries, Inc., Case # SE-16-06-069, June 2, 2016; District 2
- 3.✓ Appellant: Lauralee G. Westine, Esq.  
Applicant: Crown Castle USA, Case # VA-16-04-008, May 5, 2016; District 1

**B. Substantial Change**

- 4.✓ Applicant: Lauralee G. Westine, Esq., Lake Burden Neighborhood Planned Development/Land Use Plan (PD/LUP), Case # CDR-15-10-289, amend plan; District 1
- 5.✓ Applicant: Susan Lorentz, Interplan, LLC, Meadow Woods PD/Parcel 12.1 - Lot 2 Preliminary Subdivision Plan, Case # CDR-16-04-133, amend plan; District 4

**C. Roadway Widening Design**

6. North Boggy Creek Road Roadway Widening Design for the widening of Boggy Creek Road from two lanes to four lanes from Jeff Fuqua Boulevard to Wetherbee Road, a length of approximately 1.29 miles; District 4

✓ 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**



**TUESDAY, AUGUST 16, 2016**

**V. PUBLIC HEARINGS (Continued)**

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

**D. Ordinance**

7. Repealing Orange County Code, Article VII, Chapter 38, Division 4.5, pertaining to Convention Plaza District Overlay Zone and Enacting Orange County Code, Article VII, Chapter 38, Division 4.5 creating the I-Drive District Overlay Zone - 2nd hearing (1st hearing on August 2, 2016) **(Canceled)**

√ 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

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ORANGE  
COUNTY  
FLORIDA

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**COUNTY COMMISSION AGENDA**  
**Tuesday, August 16, 2016**

**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.





DATE: August 3, 2016

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

FROM: *J. Ricardo Daye*  
J. Ricardo Daye, Director, Human Resources Division

SUBJECT: CONSENT AGENDA – August 16, 2016  
American Federation of State, County and Municipal Employees  
(AFSCME) Bargaining Unit Agreement – Fiscal Year 2016-17

Contact: Samantha Maxwell, Sr. HR Analyst, (407) 836-5829  
Reginald C. Davis, HR Section Manager, (407) 836-5479

The County's negotiation team and the American Federation of State, County and Municipal Employees, Council 79 (AFSCME) have reached concurrence on a one-year extension of the current agreement, which is set to expire on September 30, 2016. A Union ratification vote was held with the members approving the extended Bargaining Unit Agreement.

For Fiscal Year 2016-17, the agreement represents status quo language other than an agreed upon 3.5% increase for all employees meeting performance standards and on the active payroll as of the first full pay period in October 2016 and minor updates to Article 27, Duration of Agreement. The wage increase will be accomplished by adding 3.5% to the base pay, not to exceed the maximum of the employee's pay range. Any portion of the 3.5% increase that exceeds the maximum of the pay range will be paid in a one-time lump sum payment not added to base wages.

The agreement shall commence October 9, 2016, following Board of County Commissioner's approval. A copy of the Agreement is located in the file labeled "BCC Agenda Backup" 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 the Agreement Between Orange County, Florida and AFSCME Florida Public Employees' Council 79 American Federation of State, County and Municipal Employees, AFL-CIO Fiscal Year 2016-17.**

c: Ajit Lalchandani, County Administrator  
Eric Gassman, Chief Accountability Officer  
George Ralls, Deputy County Administrator  
Reginald C. Davis, Human Resources Section Manager



August 1, 2016

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

FROM: Eric Ushkowitz, Economic Development Administrator  
Office of Economic, Trade and Tourism Development 

SUBJECT: **August 16, 2016 – BCC Consent Agenda Item**  
Approval of Centene Management Company, LLC Qualified Target Industry  
(QTI) Tax Refund Resolution

On March 25, 2014, the Board of County Commissioners of Orange County, Florida (BCC) approved Resolution 2014-M-08 approving Centene Management Company, LLC (Centene Management) as a qualified applicant under Florida's Qualified Target Industry Tax Refund Program (QTI program). Resolution 2014-M-08 approved Centene Management's request that Orange County commit a total of \$22,500 as the 10% local share of a \$225,000 financial incentive under the QTI program. Orange County's commitment was contingent upon a similar commitment by the City of Maitland to provide the remaining 10% of the required local match. Subsequent to the approval by the BCC and the City of Maitland, Centene Management decided to lease office space outside the boundaries of the City of Maitland and instead, locate in the City of Eatonville. Approval of a new resolution would allow Orange County to assume the local financial support from the City of Maitland. Orange County would commit a total of \$22,500, and such amount would be in addition to the amount previously approved by Orange County in Resolution 2014-M-08, for a total of \$45,000.

The QTI award induced Centene Management to expand their business unit in Orange County. To receive designation as a qualified applicant for the QTI Program, the BCC must adopt a resolution recommending approval of the applicant as a target industry, and stating that the commitment of local financial support of the applicant exists for additional 10% of the annual tax refunds.

Centene Management, founded in 1984, offers a full range of healthcare solutions for uninsured Americans and contracts with their health plans and other healthcare and commercial organizations to provide specialty services such as behavioral health, life and health management, managed vision, telehealth, pharmacy benefits management and medication adherence. The proposed expansion will create approximately 75 new high-wage jobs in Orange County with an average salary of at least \$47,701, which is 115% of the overall prevailing salary in the county. New job functions will include medical management and administration. Financial incentives will help to ensure that this project expands here in Orange County rather than locating elsewhere.

Approximately \$600,000 in new investment will be added to the Orange County tax roll. No Orange County incentive payments for the QTI program will be made until new jobs are both created and maintained.



Mayor Teresa Jacobs  
-AND-  
Board of County Commissioners  
August 1, 2016  
Page 2

Centene Management's expanded operations in Orange County include field-based and regional case management, provider relations, contracting and concurrent review.

For more information about Centene Management, visit: [www.centene.com](http://www.centene.com).

EU/tp

**ACTION REQUESTED:**      **Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Centene Management Company, LLC Qualified Target Industry Tax Refund.**



**RESOLUTION**  
*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*regarding*  
**CENTENE MANAGEMENT COMPANY, LLC**  
**QUALIFIED TARGET INDUSTRY TAX REFUND**

Resolution No. \_\_\_\_\_

**PREMISES**

**WHEREAS**, on March 25, 2014 the Board of County Commissioners of Orange County, Florida adopted Resolution 2014-M-08 that approved Centene Management Company, LLC (Centene) as a qualified applicant under the State of Florida's Qualified Target Industry Tax Refund Program (QTI program); and

**WHEREAS**, the City of Maitland adopted a similar resolution under the QTI program, to provide ten percent (10%) of the local financial support for Centene's project as described in Resolution 2014-M-08 in the amount of twenty-two thousand, five hundred dollars (\$22,500); and

**WHEREAS**, subsequent to the adoption by the City of Maitland and Orange County of such resolutions, Centene decided to lease a facility outside of the boundaries of the City of Maitland and located, instead, in the City of Eatonville; and

**WHEREAS**, as a result of such location decision, the Board of County Commissioners of Orange County, Florida desires to approve the remaining ten percent (10%) local financial support in the amount of twenty-two thousand, five hundred dollars (\$22,500) that was previously committed by the City of Maitland; and

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

**Section 1.** The Board of County Commissioners of Orange County, Florida, hereby recommends that the State of Florida Office of Tourism, Trade, and Economic Development approve Centene as a "qualified applicant" under the QTI Program.

**Section 2.** Subject to the terms of this Resolution, the Board hereby approves payments up to, but not exceeding twenty-two thousand five hundred dollars (\$22,500) in "local financial support" required under the QTI Program. Such amount shall be payable to the Economic Development Incentives Account within the Economic Development Trust Fund as specified herein. Such amount shall be in addition to the amount previously approved by Orange County in Resolution 2014-M-08.



**Section 3.** The Board's obligation to pay the amount specified in this Resolution is contingent upon (i) appropriation by the Board in each applicable year authorizing payment of the revenues hereunder, (ii) Centene receiving the designation as a "qualified applicant" in connection with the QTI program, and (iii) on an annual basis, award by the State of Florida of tax refunds under the QTI program.

**Section 4.** Unless provided otherwise in this Resolution, the County shall pay "local financial support" in the following amounts:

FY 2016-2017	\$ 5,625.00
FY 2017-2018	\$ 5,625.00
FY 2018-2019	\$ 5,625.00
FY 2019-2020	\$ 5,625.00
Total	<u>\$ 22,500.00</u>

Such sums shall only be paid from legally available source or sources of revenue other than those specified in the QTI Program (or rules promulgated thereunder) as being ineligible for such purpose.

**Section 5.** In the event Centene is approved by the State of Florida for tax refunds in an amount less than the \$225,000 requested, the "local financial support" to be paid by the County to the Economic Development Incentives Account shall be proportionately reduced so that at no time will the County contribution exceed ten percent (10%) of the annual tax refund awarded to Centene under the QTI Program.

**Section 6.** This Resolution shall take effect upon receipt by the County of evidence that Centene has been approved as a "qualified applicant" and has become eligible for tax refunds under the QTI program, as described herein.

**ADOPTED THIS \_\_\_\_\_ DAY OF August, 2016.**

**ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners**

**BY: \_\_\_\_\_  
Teresa Jacobs  
County Mayor**

**ATTEST: Martha O. Haynie, County Comptroller  
As Clerk to the Board of County Commissioners**

**BY: \_\_\_\_\_  
Deputy Clerk**





Interoffice Memorandum

I. CONSENT AGENDA  
COUNTY ADMINISTRATOR  
3

July 28, 2016

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

FROM: Kurt N. Petersen, Manager, Office of Management & Budget *for*

SUBJECT: Consent Agenda Item for August 16, 2016  
Budget Amendment #16-52

Provided for Board approval is a copy of the budget amendment processed by the Office of Management and Budget.

**ACTION REQUESTED: Approval of budget amendment #16-52.**

KP/vh

Attachments





Interoffice Memorandum

July 28, 2016

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

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

*K.N.P.*

SUBJECT: Consent Agenda Item for August 16, 2016  
Budget Amendment #16-52, Fund #7869  
Section 8 Voucher Program  
Housing and Community Development Division/Community,  
Environmental and Development Services Department

On September 17, 2015, the Board of County Commissioners approved an estimated budget for the Section 8 Voucher Program in the amount of \$10,549,082 and the Program Income from Other Governmental Agencies in the amount of \$4,890,840, for a total estimated budget of \$15,439,922. The U.S. Department of Housing and Urban Development awarded Section 8 Voucher grant in the amount of \$10,299,531. In addition, Section 8 has estimated to receive program income for Other Governmental Agencies in the amount of \$5,469,473 for a total grant of \$15,769,004. This represents a total increase in the amount of \$329,082.

Therefore, in accordance with Section 129.06(2)(d), Florida Statutes, it is recommended that the following accounts be adjusted by the amounts shown.

**Revenues:**

<b>Account Number</b>	<b>Classification</b>	<b>Amount</b>
7869-068-7820-6855	Refund Prior Year Operating Expenditures	\$ 3,355
7869-068-7824-6855	Refund Prior Year Operating Expenditures	9,880
7869-068-7826-6855	Refund Prior Year Operating Expenditures	73
7869-068-7820-6930	Restitution	25,383
7869-068-7826-6930	Restitution	8,891
7869-068-7826-6840	Reimbursement from Other Grants	281,500
	<b>TOTAL REVENUES</b>	<b>\$ 329,082</b>



Mayor Teresa Jacobs  
-AND-  
Board of County Commissioners  
Consent Agenda Item for August 16, 2016  
July 28, 2016  
Page 2

**Expenditures:**

<b>Account Number</b>	<b>Classification</b>	<b>Amount</b>
7KP-7869-068-7826-3216	Rental Assistance Payments	\$ 290,464
7KH-7869-068-7820-3216	Rental Assistance Payments	38,618
	<b>TOTAL EXPENDITURES</b>	<u>\$ 329,082</u> <i>pm</i>

KP/PM/vh

c: County Administrator  
Clerk of the Board of County Commissioners  
Finance  
File





July 26, 2016

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

FROM: Kurt N. Petersen, Manager, Office of Management & Budget *Kw For*

SUBJECT: Consent Agenda Item for August 16, 2016  
Budget Transfer #16-000001291

Provided for Board approval is a copy of the budget transfer processed by the Office of Management and Budget.

**ACTION REQUESTED: Approval of budget transfer #16-000001291.**

KP/vh

Attachment



## BUDGET TRANSFER REQUEST

CONTROL NO. 16-000001291

BCC

(To be assigned by OMB)

vh

FUND NO. 1151 & 1159 DEPARTMENT(S) MSTU/MSBU Funds DATE: 08/16/16

Request the following transfer be made for the reason(s) stated:

pg 1 of 1

	AGENCY	ORGANIZATION	OBJECT	APPR	AMOUNT FROM	AMOUNT TO
NO.	023	1151	9510	SEM	\$3,000	
TITLE		Reserves	Reserve for Contingency			
NO.	001	1151	3173	ASS		\$3,000
TITLE		Common Area Maintenance	Contractual Service-MSTU			
NO.	023	1159	9510	SDV	\$2,500	
TITLE		Reserves	Reserve for Contingency			
NO.	001	1159	4139	SDE		\$2,500
TITLE		Common Area Maintenance	Contractual Service-MSTU			
TOTAL:					\$5,500	\$5,500

JUSTIFICATION (to be completed by OMB):

This budget transfer is needed to cover irrigation repairs and re-planting costs for the Westwood and Bay Lakes MSBUs. In each case, the MSBU reserves are sufficient to pay for the expense.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

 REQUESTED BY: Original on file  
 (Department Manager)

RECOMMENDED BY:

  
 Office of Management & Budget

(County Comptroller)

APPROVED / DISAPPROVED

Board of County Commissioners / County Administrator:





RISK MANAGEMENT DIV  
JOHN PETRELLI, MANAG  
109 E. Church Street, Suite 200, Orlai  
(407) 836-9640 • FAX (407) 836-963

I. CONSENT AGENDA  
COUNTY ADMINISTRATOR  
5

## MEMORANDUM

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

FROM: John Petrelli, CPCU, AIC, ARM

DATE: July 19, 2016

SUBJECT: Ratification of Intergovernmental Claims

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The Intergovernmental Risk Management Committee at its meeting on July 14, 2016 ratified payment of claims as follows for Fiscal Years 1977/1978 through 2015/2016:

WORKERS' COMPENSATION	\$ 190,767.04
PROPERTY DAMAGE/LOSS	
GENERAL, & AUTO LIABILITY	\$ 68,833.49
TOTAL	\$ 259,600.53

Action Requested:

Approval of Ratification of payment of Intergovernmental claims of July 14, 2016 totaling \$ 259,600.53.





COUNTY ATTORNEY  
JEFFREY J. NEW

I. CONSENT AGENDA  
COUNTY ATTORNEY

1

201 South Rosalind Avenue  
Reply To: Post Office Box 1500  
Orlando, FL 32802-1393  
407-836-7320 • Fax 407-836-5888  
<http://www.ocfl.net>

Deputy County Attorney  
Joel D. Prinsell

Senior Assistant County  
Attorneys  
Elaine Asad  
Lila McHenry

Assistant County  
Attorneys  
Andrea Adibe  
Roberta Alfonso  
Anthony Cotter  
Whitney E. Evers  
Wanzo Galloway, Jr.  
Erin E. Hartigan  
Georgiana Holmes  
Katherine W. Latorre  
Scott McHenry  
Sawsan Mohiuddin  
Scott Shevenell  
William Turner

Legal Administrative  
Supervisor  
Anna M. Caban

Senior Paralegal  
Kimberly Cundiff

Paralegals  
Melessia Lofgren  
Maria Vargas, ACP

## MEMORANDUM

TO: Mayor Teresa Jacobs  
and  
Board of County Commissioners

FROM: Jeffrey J. Newton, County Attorney *JJN*  
Sawsan Mohiuddin, Assistant County Attorney *SM*  
**Contact: (407) 836-7320**

DATE: July 25, 2016

SUBJECT: **Consent Agenda Item for the Board Meeting on  
August 16, 2016**  
*Proposed Revised Administrative Regulations 2.06, titled "Public  
Records"*

Attached for your review is a proposed revisions to Administrative Regulation 2.06.

### I. EXPLANATION & SUMMARY OF PROPOSED REGULATION:

At the request of the Orange County Administrator's Office, the attached regulation was reviewed in depth and revisions were made to ensure that the regulation is consistent with current practices and procedures.

It is my intent to place the proposal on the August 16, 2016, Consent Agenda for approval by the Board of County Commissioners. Please advise me of any questions, comments, or modifications you may wish to make prior to that meeting.

### II ACTION REQUESTED:

Approval of proposed revisions to Administrative Regulation 2.06, titled

"Public Records"


AMC  
Attachment

c: Ajit Lalchandani, County Administrator  
Eric Gassman, Chief Accountability Officer



## PROPOSED REVISIONS

01/05/16

 <b>ORANGE COUNTY ADMINISTRATIVE REGULATIONS</b>	No.: 2.06
	Date: 09/21/87
	Approved By: BCC Revised: 6/27/06; 07/29/08; 02/26/13
	Page 1 of 5
Title: <b>PUBLIC RECORDS</b>	

### I. POLICY

Orange County adopts Chapter 119, Florida Statutes, hereinafter referred to as the "Public Records Law," including all exemptions provided in the Florida Statutes, as presently enacted and, hereafter amended, and as may be construed by the courts and Attorney General, as the County's policy regarding the public's right to inspect and copy public records. Pursuant to section 119.011(12), Florida Statutes, "public records means all documents, papers, letters, books, maps, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics or means of transmission, made or received pursuant to law [or Orange County Code] or in connection with the transaction of official business by any agency." The term "public records" is not limited to traditional written documents.

It is the policy of Orange County that all public records shall be open for inspection by any person at any reasonable time and under reasonable conditions as provided by Section 119.07(1)(a), Florida Statutes. No person shall be required to show his/her purpose or special interest as a condition to inspect public records. A request for public records may be made verbally or in writing.

Each official and employee is the custodian of his or her own public records, including any public records created or existing on the official or employee's personal mobile device or other personal property, such as a computer. As a result, each official and employee is responsible for maintaining his or her own public records and complying with the Public Records Law.

### II. PROCEDURES

A. Each and every department and division shall designate a records custodian who shall be responsible for the appropriate handling of all public records requested from the department or division. The following departments or divisions shall be the official Orange County records custodians for the particular type or category of public records described below:





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: 2.06

Page 2 of 5

1. The Information Systems and Services (ISS) Division shall be the official records custodian for all telephone call records, transitory telephone messages, voicemail messages, electronic mail (e-mail), and other electronic messages sent to or from a County-issued land-line telephone or computer, or to or from a County-issued cellular phone or instant communication device (cumulatively, "mobile device"). The ISS Division is not the records custodian for telephone call records, telephone messages, voicemail messages, email, and other electronic messages sent to or from an official's or employee's personal devices or other equipment, including but not limited to, telephone, computer, or mobile device; the official or employee who owns and uses such a device to transact County business is the custodian of those records.

2. The Central Human Resources Division maintains the official human resource records of all Board of County Commissioners employees and shall be the official records custodian for employee records.

3. The Office of Management and Budget (OMB) Division maintains all budget and fiscal documents on behalf of the Board of County Commissioners and shall be the official records custodian for budget and fiscal information pertaining to County funds.

4. The Purchasing and Contracts Division maintains all procurement records, bid/RFP documents, and contracts of the Board of County Commissioners and shall be the official records custodian for information pertaining to purchase orders, contracts, and procurement information.

5. The Orange County Clerk to the Board of County Commissioners maintains the official records of the Board of County Commissioners and is considered to be the official records custodian of those documents.

6. Departments and Divisions maintain their own records and documents and shall be the official records custodians for their own public records.

B. Upon receipt of a request to review public records, the request shall immediately be forwarded to the appropriate records custodian for handling. Request to review public records encompassing records maintained by a department or division not specifically addressed above shall be handled by the appropriate department/division records custodian. Upon receipt of a request to review public records, the Department Director or Division Manager and the County Attorney's Office shall be notified and the



	<b>ORANGE COUNTY</b>	No.: 2.06
	<b>ADMINISTRATIVE REGULATIONS</b>	Page 3 of 5

request shall immediately be forwarded to the designated records custodian for appropriate handling.

C. In situations involving potential or actual litigation, administrative proceedings, or any form of dispute, the County Attorney's Office shall be notified and will act as a liaison to coordinate the public records production, examination, or inspection with the opposing counsel or the adverse party and County staff. In addition, the custodian shall notify each employee who sent, received, or otherwise generated the requested records and the employee's department director or division manager.

D. All designated records custodians shall be responsible for becoming familiar with the Public Records Law and should attend continuing educational training regarding changes in the Public Records Law.

E. Records custodians shall honor all requests to inspect or examine public records (other than those exempted by Florida Statutes) at any reasonable time, under reasonable conditions and under the supervision of the records custodian or his/her designee.

F. If the records custodian is unavailable or no longer employed with the County, the department director or division manager shall be responsible for ensuring that the request to review public records is processed in a timely fashion.

G. In the event that the requestor desires copies of any documents, the affected custodian shall charge \$0.15 per page, \$0.20 per double-sided copy, or \$1.00 per certified copy, as may be amended from time to time in Section 119.07(4), Florida Statutes, and other charges as established in the County Fee Directory, as may be amended from time to time. For any records request that requires special equipment or paper (such as county maps or aerial photographs), the County division, department or office may charge an additional reasonable charge for the labor and overhead associated with the duplication. A special charge may be assessed, in addition to the actual costs of materials and supplies, when the nature or volume of the records requested requires extensive use of information technology resources, extensive clerical or supervisory assistance by County personnel. "Information technology" shall be defined to include data processing hardware, software and services, communications, supplies, personnel, facility resources, maintenance, and training.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: 2.06

Page 4 of 5

For the purpose of this Regulation, "extensive" shall mean that it will require more than 15 minutes to locate, review the records for confidential or exempt information, copy and re-file the requested material. Any special service charge shall be computed to the nearest quarter of an hour exceeding 15 minutes and shall be based on the ~~midpoint of the lowest~~ current rate of pay for the pay grade of the person who performed the services, ~~plus the benefit costs~~, and other charges, as established in the County Fee Directory, as may be amended from time to time. The special service charge, all other fees and charges authorized by the Public Records Law, will be coordinated with the Office of Management and Budget.

H. The designated records custodian shall be responsible for the verification that all fees and charges have been paid prior to the release of any copies.

I. Any specific information that is deemed or classified as confidential or exempt shall NOT be available for public inspection. Any specific information that is exempt from the Public Records Act may be redacted from the public record leaving the remainder of the record available for public access at the discretion of the record custodian or the County Attorney's Office. Regarding emails, custodians are entitled to rely on the information listed in the "Subject" line of an email to categorize an email as confidential, exempt, or nonexempt, unless the custodian has information to the contrary. Given the volume of emails that are transmitted on a daily basis, neither ISS nor the County Attorney's Office has a duty to independently assess each email to determine whether all or part of an email contains confidential or exempt information. The duty to protect confidential or exempt information rests with the employee sending, receiving, or otherwise generating the public record.

J. Should a request be received for any record statutorily exempt from public disclosure, the designated records custodian shall advise the requestor of the specific reason for denial including the statutory citation to the exemption created or afforded by the Florida Statutes.

K. Due to the exhaustive and ever-changing list of public records exempted from disclosure by the Florida Statutes, the designated records custodian should contact the County Attorney's Office regarding any questions concerning public records disclosure requests and related exemptions.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: 2.06

Page 5 of 5

L. The Human Resources Division, in coordination with the Orange County Attorney's Office, shall provide to all new Orange County employees a public records disclosure overview during employee orientation.

M. Voicemail messages are intended to be brief, transitory messages instead of non-transitory messages (as more fully described and explained in Administrative Regulation 11.06,II,G), and therefore transitory voicemail messages need to be retained by an employee/official only until obsolete, superseded, or the administrative value is lost. Land-line voicemail messages shall not be retained by the ISS Division for longer than ten (10) days. In the event an employee/official receives a non-transitory voicemail message, a transitory voicemail message on his/her mobile device or a transitory voicemail message that will not be obsolete within ten (10) days, the recipient shall be responsible for retaining the content in accordance with the Public Records Law.

N. The County will not expect, encourage, or require an employee/official to provide or use a personal mobile device to perform any of the employee's/official's assigned job duties or responsibilities. County business transacted on a personal mobile device may be subject to disclosure under the Public Records Law. Furthermore, transacting County business on a personal mobile device may result in a request to inspect the personal mobile device or its contents, thereby placing in jeopardy the privacy of communications that do not meet the definition of "public record" under the Public Records Law. If an employee/official decides to use his/her personal mobile device to transact County business, it shall be the employee's/official's responsibility to take all appropriate steps at his or her own cost to ensure that any public record generated on such device is retained consistent with the Public Records Law and this Administrative Regulation 2.06 so that, if necessary, the Public Record may be produced for inspection and examination upon request. However, nothing in this subparagraph N shall be construed or interpreted to mean that an employee/official who uses a personal mobile device to conduct County business forfeits any individual rights to protect against or prevent the disclosure of communications that the employee/official believes do not meet the definition of a "public record."

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**FOR MORE INFORMATION CONTACT:** County Attorney's Office

**REFERENCE:** Chapter 119, Florida Statutes; Government in the Sunshine Manual; Orange County Fee Directory

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COUNTY ATTORNEY'S  
JEFFREY J. NEWTON,

201 South Rosalind Avenue ■ 3rd Fl  
Reply To: Post Office Box 1393  
Orlando, FL 32802-1393  
407-836-7320 ■ Fax 407-836-5888  
<http://www.ocfl.net>

I. CONSENT AGENDA  
COUNTY ATTORNEY  
2

Deputy County Attorney  
Joel D. Prinsell

Senior Assistant County  
Attorneys  
Elaine Asad  
Lila McHenry

Assistant County  
Attorneys  
Andrea Adibe  
Roberta Alfonso  
Anthony Cotter  
Whitney E. Evers  
Wanzo Galloway, Jr.  
Erin E. Hartigan  
Georgiana Holmes  
Katherine W. Latorre  
Scott McHenry  
Sawsan Mohiuddin  
Scott Shevenell  
William Turner

Legal Administrative  
Supervisor  
Anna M. Cahan

Senior Paralegal  
Kimberly Cundiff

Paralegals  
Melessia Lofgren  
Maria Vargas, ACP

## MEMORANDUM

TO: Mayor Teresa Jacobs  
and  
Board of County Commissioners

FROM: Jeffrey J. Newton, County Attorney  
Lila McHenry, Senior Assistant County Attorney  
**Contact: (407) 836-7320**

DATE: July 25, 2016

SUBJECT: **Consent Agenda Item for the Board Meeting on  
August 16, 2016**  
Proposed New Administrative Regulation, titled "Creation,  
Administration, and Abolishment of Lake Maintenance Municipal  
Service Benefit Units (MSBUs)"

Attached for your review is a proposed new Administrative Regulation.

### I. EXPLANATION & SUMMARY OF PROPOSED REGULATION:

The attached regulation was reviewed in depth and revisions were made to ensure that the regulation is consistent with current practices and procedures.

It is our intent to place the proposal on the August 16, 2016, Consent Agenda for approval by the Board of County Commissioners. Please advise of any questions, comments, or modifications you may wish to make prior to that meeting.

### II. ACTION REQUESTED:

Approval of proposed new Administrative Regulation, titled

"Creation, Administration, and Abolishment of Lake Maintenance  
Municipal Service Benefits Units (MSBUs)"


AMC  
Attachments

c: Ajit Lalchandani, County Administrator  
Eric Gassman, Chief Accountability Officer



## PROPOSED NEW ADMIN REG

01/06/16

 <b>ORANGE COUNTY ADMINISTRATIVE REGULATIONS</b>	No.: New
	Date:
	Approved By:
Title: <b>CREATION, ADMINISTRATION, AND ABOLISHMENT OF LAKE MAINTENANCE MUNICIPAL SERVICE BENEFIT UNITS (MSBUs)</b>	Page 1 of 6

### I. POLICY

Orange County is authorized to establish Municipal Service Benefit Units (MSBUs) under Section 125.01(1)(q) and (r), Florida Statutes. The Board of County Commissioners (BCC) finds that it is appropriate to consider creation, amendment, or abolishment of MSBUs for certain unincorporated areas of Orange County for operation, maintenance and administration of lake maintenance. The Finance and Accounting Department of the Orange County Comptroller's Office (Finance) administers lake maintenance MSBUs in conjunction with BCC staff as necessary. The Orange County Environmental Protection Division (EPD) shall perform or cause to be performed minimum maintenance services in the lake areas.

### II. PROCEDURES

- A. MSBUs established pursuant to Section 125.01, Florida Statutes, for lake maintenance and administration will be considered only for property specially benefitted by such lake maintenance.
- B. Allowable costs in a lake maintenance MSBU may include maintenance charges, equipment charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees.
- C. The County may require creation of an MSBUs for lake maintenance from a developer of a new subdivision adjacent to a lake within unincorporated Orange County. Alternatively, a minimum of 15% of unincorporated Orange County property owners of the parcels abutting a lake area may request creation of a MSBU for lake maintenance.
- D. Assessments must be computed in a manner that fairly and reasonably apportions the allowable assessed costs among the parcels of property within the MSBU, based upon objectively determinable assessment units. Assessments levied by the MSBU may be equally apportioned to each platted lot/parcel in the boundary of the MSBU provided that such apportionment methodology is specifically found by legislative findings of the BCC in the assessment resolution to fairly and reasonably apportion the costs among such parcels. The total amount levied will be based upon a budget annually approved by the BCC. In cases where the lots/parcels are non-homogeneous in nature, such as commercial or mixed use subdivisions, assessment methods using front footage, acreage or other assessment units which result in fair and reasonable apportionment shall be used.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: New

Page 2 of 6

All notices, public hearings and assessments provided for herein shall be mailed, published, held and levied in accordance with the procedures set forth in, Sections 197.3632 and 197.3635, Florida Statutes, for the uniform method for the levy collection and enforcement of non-ad valorem assessments or any successor statutes authorizing the collection of non-ad valorem assessments in the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder (the Uniform Method).

E. New Subdivision – Creation By Development Review Committee shall take place as follows:

1. The County Development Review Committee (DRC) requires the developer to submit a written request for the establishment and/or amendment of an MSBU for lake maintenance to the Plan Review Section of Public Works. Such request shall include the proposed preliminary plat book pages for new subdivisions.
2. Plan Review forwards the written request and the proposed plat to Finance. This information must be received in Finance and the plat must be recorded by December 31 of the year preceding the year in which the assessment is to be placed on the following November 1 real estate tax bill.
3. Finance requests a cost estimate and sketch from EPD. EPD submits the cost estimate to Finance for maintenance charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees. Finance estimates the initial annual cost per lot/parcel and submits the estimated initial annual cost for review.
4. Finance prepares an MSBU Resolution for maintenance charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees and requests a public hearing before the BCC. The Clerk to the BCC provides Finance with a public hearing date. Consistent with all requirements of the Uniform Method, a notice of public hearing is mailed to the developer and any other property owners of record within the proposed boundaries of the MSBU. The BCC, subject to the public hearing, adopts at its discretion the Resolution for the establishment and/or amendment of the MSBU for lake maintenance.
5. The Resolution creating such MSBU shall comply with all requirements of the Uniform Method and include brief descriptions of the proposed allowable costs, a description of the property to be included in the MSBU and specific legislative findings that recognize the special benefit to be provided by such lake maintenance to property encompassed within the MSBU and that determine that the assessments to be levied are fairly and reasonably apportioned among such properties.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: New

Page 3 of 6

6. For all newly approved or amended lake maintenance MSBUs (given compliance with the time deadline stated in Step 2 above), Finance will arrange for the annual assessment to be placed on the upcoming November 1 real estate tax bill.
7. All approved MSBUs are effective as of the initial November 1 real estate tax billing. This ensures that Finance will have received funds from the Orange County Tax Collector to pay for maintenance charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees provided for in the MSBU resolution.

### F. Creation by Property Owner Request

1. A written petition to establish and/or amend an MSBU for lake maintenance is required from property owners representing a minimum of 15% of the affected lots/parcels. The petition should reference the property owners' names, addresses, parcel ID numbers (if available), and telephone numbers. Renters and/or boarders signatures on a property owner petition are not eligible to be counted in the results. This petition must be received in Finance by December 1 of the year preceding the year in which the assessment is to be placed on the following November 1 real estate tax bill. The completed petition is delivered to:

Orange County Comptroller, Office of Special Assessments  
201 South Rosalind Avenue, 4<sup>th</sup> Floor  
Orlando Florida 32801

2. Using tax maps, EPD determines the boundaries of the proposed MSBU and prepares a cost estimate.
3. Finance receives the information from EPD and estimates the initial annual cost per lot/parcel. Finance prepares an explanation letter and a ballot. EPD reviews and approves the estimated initial annual cost and the explanation letter and the ballot.
4. Finance mails a letter of explanation, a ballot and a return envelope to all of the affected property owners and a minimum of 66 2/3% of the returned ballots must respond in favor of establishing the MSBU to continue the creation process. Renter's and/or boarder's signatures on a property owner ballot are not eligible to be counted in the results. The minimum balloting period shall be 14 calendar days.
5. Should the ballot be unsuccessful, the property owners' may at their discretion initiate a follow up petition process. Finance provides a list of all of the affected property owners (renters and/or boarders are not eligible) and an explanation for





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: New

Page 4 of 6

the petition. The property owners' must obtain signatures from 66 2/3% of the affected property owners on the petition to continue the creation process.

6. Finance prepares an MSBU resolution for lake maintenance and requests a public hearing before the BCC. The Clerk to the BCC provides Finance with a public hearing date and a public hearing notice is mailed to all affected property owners. The BCC, subject to the public hearing, adopts at its discretion the resolution for the establishment and/or amendment of the MSBU for lake maintenance.
7. The resolution creating such MSBU shall include brief descriptions of the proposed allowable costs, a description of the property to be included in the MSBU and specific legislative findings that recognize the special benefit to be provided by such lake maintenance to property encompassed within the MSBU and that determine that the assessments to be levied are fairly and reasonably apportioned among such properties.
8. For all newly approved or amended lake maintenance MSBUs (given compliance with the time deadline stated in Step 1 above), Finance will arrange for the annual assessment to be placed on the upcoming November 1 real estate tax bill.
9. All MSBUs are effective as of the initial November 1 real estate tax billing. This ensures that EPD will receive funding from the collection of the annual assessments to pay for the lake maintenance.

### G. Administration of Lake Maintenance MSBUs

1. Upon adoption of an MSBU resolution, the MSBU assessment will be collected pursuant to the Uniform Method for the Levy, Collection, and Enforcement of Non-ad Valorem Assessments, Sections 197.3632 and 197.3635, Florida Statutes. The MSBU assessment is placed on the non-ad valorem portion of the "Notice of Proposed Property Taxes" and on the annual Orange County Real Estate "Notice of Ad Valorem Taxes and Non-ad Valorem Assessments."
2. EPD will disburse MSBU funds directly to the service providers. Service providers can include outside vendors and Orange County staff. The normal standards for documentation and verification of County accounts payable shall be applicable to MSBU payments.
3. Revenues and expenditures for each lake maintenance MSBU will be accounted for separately in Finance, and fiscal year ending balances will remain with each respective MSBU. Assessments may be adjusted annually as part of the County budget process. It is recognized that each MSBU must carry at a minimum an adequate contingency reserve to cover eligible expenditures from the beginning of the fiscal year to the time that annual assessment revenues are received. Assessment adjustments for any MSBUs that exceed 20% require BCC approval pursuant to Section 197.3632(4)(a), Florida Statutes, at the time the BCC adopts the non-ad valorem assessment roll at a public hearing.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: New

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### H. Abolishment of Lake Maintenance MSBUs

1. An existing MSBU will be considered for abolishment upon the demonstration of majority interest on the part of the property owners in the MSBU.
2. Majority interest in the abolishment of a MSBU shall be determined as follows:
  - a. Any property owner(s) shall submit a request in writing to EPD for a preliminary petition on which to demonstrate an expression of interest in the abolishment of a MSBU. The preliminary petition shall be in a format approved by Finance.
  - b. The property owner(s) requesting the preliminary petition must obtain signatures of property owners (renters and/or boarders are not eligible) representing at least 15% of the platted lots / parcels subject to assessment and return the preliminary petition to Finance within 90 days of receipt of the preliminary petition to continue the abolishment process.
  - c. Finance will review the preliminary petition and, if it meets the requirements stated above, will prepare ballots with return envelopes to be mailed to the property owner(s) of each platted lot/parcel as shown on the current tax roll of the County. The cost of material and postage for mailing the ballots will be borne by the property owner(s) requesting the preliminary petition. The requesting property owner(s) may opt to provide postage on the return envelopes at their own expense.
  - d. Finance will tabulate the results of the balloting. Each platted lot/parcel subject to assessment will be entitled to one vote, which may be cast by any one joint owner or collectively by all owners of the lot/parcel. If, within 30 days from the mailing of the ballots, responses in favor of abolishment have been received from property owners representing at least a simple majority (50% plus one) of the total number of platted lots/parcels subject to assessment, then majority interest in the abolishment of the lake maintenance MSBU will be deemed to be present.
3. Upon determination that a majority interest for abolishment of the MSBU is present, Finance will, in conjunction with the County Attorney's Office, prepare a resolution for MSBU abolishment for consideration by the BCC. Finance will, in the customary manner prescribed for all MSBUs, schedule a public hearing on the resolution with the BCC and will notify all affected property owners of the public hearing date by mail at County expense. Subject to the public hearing, the BCC will determine at its discretion whether or not to abolish the MSBU.
4. If a majority interest in the abolishment of the MSBU is not demonstrated within the specified time frame, all property owners in the MSBU will be precluded





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

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from initiating another MSBU abolishment process for one year from the ballot closing date.

5. The County may abolish of an MSBU in the absence of a petition for a variety reasons, including but not limited to: annexation by a municipality, burdensome administrative duties associated with the MSBU, frequent property owner disputes, or other considerations making an MSBU unnecessary, inappropriate, unsuitable or otherwise not in the best interests of the public.
6. Uncommitted funds on hand as of the abolishment date of a MSBU shall be refunded to the platted property owners of record at the date of abolishment on a pro-rata basis commensurate with the method of levy provided such pro-rata refunds are equal to or greater than \$10.00 each. In those situations where the refund amounts are less than \$10.00 per platted property owner, such amounts shall be declared de minimis and disposed of in accordance with Administrative Regulation 6.05 Disposition of Small Credit Balance Amounts and Unclaimed Checks.

### I. Dispute Resolution

1. Any complaint or dispute concerning disbursement of funds, conduct of service providers, or any other relevant objection shall be submitted in writing to Finance by a property owner within the subject MSBU.
2. All written complaints will be reviewed by Finance with assistance from BCC staff as appropriate.
3. Finance will respond in writing, noting corrective action taken, if any.
4. Public records may be reviewed by any party in accordance with public records laws and any copies requested shall be specifically identified and paid for prior to delivery.
5. Finance, with concurrence from the County Attorney's Office, reserves the right to place MSBU funds in the registry of the court in cases where significant unresolved disputes have placed an undue burden on staff resources.

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### FOR MORE INFORMATION CONTACT:

Comptroller's/Finance and Accounting  
Department; County Attorney's Office

### REFERENCE:

Florida Statutes, Section 125.01 and  
Section 197.3632(4) (A); Administrative  
Regulation 6.05

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# PROPOSED NEW ADMIN REG

07/28/16

 <b>ORANGE COUNTY ADMINISTRATIVE REGULATIONS</b>	No.: New
	Date:
	Approved By:
<b>Title: CREATION, ADMINISTRATION, AND ABOLISHMENT OF LAKE MAINTENANCE MUNICIPAL SERVICE TAXING UNITS (MSTUs)</b>	Page 1 of 7

## I. POLICY

Orange County is authorized to establish Municipal Service Taxing Unit (MSTU) under Section 125.01(1)(q) and (r), Florida Statutes. The Board of County Commissioners (BCC) find that it is appropriate to consider creation, amendment, or abolishment of MSTU for certain unincorporated areas of Orange County for operation, maintenance and administration of lake maintenance. The County's Environmental Protection Division (EPD) administers lake maintenance MSTU and coordinates with the Finance and Accounting Department of the Orange County Comptroller's Office (Finance) and other County Divisions as needed. The Orange County Environmental Protection Division shall perform or cause to be performed minimum maintenance services in the lake areas.

## II. PROCEDURES

- A. MSTU established pursuant to Section 125.01, Florida Statutes, for lake maintenance and administration will be considered only for property specially benefitted by such lake maintenance.
- B. Allowable costs in a lake maintenance MSTU may include labor, maintenance charges, equipment charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees.
- C. The County may require creation of MSTU for lake maintenance from a developer of a new subdivision adjacent to a lake within unincorporated Orange County. Alternatively, a minimum of 15% of unincorporated Orange County property owners of the parcels abutting or deeded access to a lake area may request creation of a MSTU for lake maintenance.
- D. The ad valorem method, Sections 200.066 and 200.071, Florida Statutes, shall be used. This ad valorem tax millage rate may be adjusted and will be levied each and every year thereafter and this ad valorem tax millage rate will continue to be adjusted to collect the revenue needed to cover the expenditures of the MSTU and will continue to be levied until discontinued by the Board. The ad valorem tax





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: New

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millage shall not exceed an ad valorem tax millage rate of three (3) mills or \$3.00 per every one thousand dollars of all taxable assessed real property located within the said MSTU. The ad valorem millage rate will also provide for reimbursement of necessary inspections and staff support expenses by the County and administrative costs incurred by the Orange County Property Appraiser and the Orange County Tax Collector for the collection of ad valorem taxes. Proceeds of collection of such taxes-as provided hereinafter are to be put into a special account by the County to the credit of the MSTU, and are to be used only by the MSTU as provided herein.

E. New Subdivision – Creation By Development Review Committee shall take place as follows:

1. The County Development Review Committee (DRC) requires the developer to submit a written request for the establishment and/or amendment of an MSTU for lake maintenance to the Plan Review Section of the Planning Division. Such request shall include the proposed preliminary plat book pages for new subdivisions.
2. Plan Review forwards the written request and the proposed plat to Finance. This information must be received in Finance and the plat must be recorded by December 31 of the year preceding the year in which the ad valorem tax assessment is to be placed on the following November 1 real estate tax bill.
3. Finance requests a cost estimate, a map, and a list of parcels from EPD. EPD submits the cost estimate to Finance for labor, maintenance charges, equipment charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees. Finance estimates the initial annual cost per lot/parcel and submits the estimated ad valorem tax assessment for review to EPD and the Office of Management and Budget. The Office of Management and Budget will evaluate the proposed millage to determine compliance with maximum millage limitations and will verify with the Orange County Property Appraiser that the proposed millage is in compliance with the millage limitation for municipal purposes.
4. Finance prepares an MSTU Resolution for maintenance charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees and requests a public hearing before the BCC. The Clerk to the BCC provides Finance with a public





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

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hearing date. A public hearing notice is mailed to the developer and any other property owners of record within the proposed boundaries of the MSTU. The BCC, subject to the public hearing, adopts at its discretion the Resolution for the establishment and/or amendment of the MSTU for lake maintenance.

5. The Resolution creating such MSTU shall include brief descriptions of the proposed allowable costs, a description of the properties to be included in the MSTU and specific legislative findings that recognize the services to be provided by such lake maintenance to properties encompassed within the MSTU.
6. For all newly approved or amended lake maintenance MSTUs (given compliance with the time deadline stated in Step 2 above), Finance will arrange for the annual ad valorem tax assessment to be placed on the upcoming November 1 real estate tax bill.
7. All approved MSTUs are effective as of the initial November 1 real estate tax billing. This ensures that Finance will have received funds from the Orange County Tax Collector to pay for labor, maintenance charges, chemicals and pesticide charges, and energy charges intended to provide general lake cleaning, water quality improvement, maintenance, aquatic plant control services, and related administrative costs for governmental collection, administrative and inspection fees provided for in the MSTU Resolution.

### F. Creation by Property Owner Request

1. A written petition to establish and/or amend an MSTU for lake maintenance is required from property owners representing a minimum of 15% of the affected lots/parcels. The petition should reference the property owners' names, addresses, parcel ID numbers (if available), and telephone numbers. Renters and/or boarders signatures on a property owner petition are not eligible to be counted in the results. This petition must be received in Finance by June 1 of the year preceding the year in which the ad valorem assessment is to be placed on the following November 1 real estate tax bill. The completed petition is delivered to:

Orange County Comptroller, Special Assessments  
201 South Rosalind Avenue, 4<sup>th</sup> Floor  
Orlando Florida 32801

2. Using tax maps, EPD determines the boundaries of the proposed MSTU and prepares a cost estimate.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

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3. Finance estimates the initial annual cost per lot/parcel and submits the estimated ad valorem tax for review to EPD and the Office of Management and Budget. The Office of Management and Budget will evaluate the proposed millage to determine compliance with maximum millage limitations and will verify with the Orange County Property Appraiser that the proposed millage is in compliance with the millage limitation for municipal purposes. Finance prepares an explanation letter and a ballot. EPD reviews and approves the estimated initial annual cost/ad valorem tax and the explanation letter and the ballot.
4. Finance mails a letter of explanation, a ballot and a return envelope to all of the affected property owners and a minimum of 66 2/3% of the returned ballots must respond in favor of establishing/amending the MSTU to continue the creation process. Renter's and/or boarder's signatures on a property owner ballot are not eligible to be counted in the results. The minimum balloting period shall be 14 calendar days.
5. Should the ballot be unsuccessful, the property owners' may at their discretion initiate a follow up petition process. Finance provides a list of all of the affected property owners (renters and/or boarders are not eligible) and an explanation for the petition. The property owners' must obtain signatures from 66 2/3% of the affected property owners on the petition to continue the creation process.
6. Finance prepares an MSTU resolution for lake maintenance and requests a public hearing before the BCC. The Clerk to the BCC provides Finance with a public hearing date and a public hearing notice is mailed to all affected property owners. The BCC, subject to the public hearing, adopts at its discretion the resolution for the establishment and/or amendment of the MSTU for lake maintenance.
7. The resolution creating such MSTU shall include brief descriptions of the proposed allowable costs, a description of the property to be included in the MSTU and specific legislative findings that recognize the special benefit to be provided by such lake maintenance to property encompassed within the MSTU.
8. All MSTUs are effective as of the initial November 1 real estate tax billing. This ensures that EPD will receive funding from the collection of the annual ad valorem taxes to pay for the lake maintenance.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

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### G. Administration of Lake Maintenance MSTU

1. EPD will disburse MSTU funds directly to the service providers. Service providers can include outside vendors and Orange County staff. The normal standards for documentation and verification of County accounts payable shall be applicable to MSTU payments.
2. Revenues and expenditures for each lake maintenance MSTU will be accounted for separately in Finance, and fiscal year ending balances will remain with each respective MSTU. The millage rate may be adjusted annually as part of the County budget process. It is recognized that each MSTU must carry at a minimum an adequate contingency reserve to cover eligible expenditures from the beginning of the fiscal year to the time that annual tax revenues are received.

### H. Abolishment of Lake Maintenance MSTU

1. An existing MSTU will be considered for abolishment upon the demonstration of majority interest on the part of the property owners in the MSTU.
2. Majority interest in the abolishment of a MSTU shall be determined as follows:
  - a. Any property owner(s) shall submit a request in writing to EPD for a preliminary petition on which to demonstrate an expression of interest in the abolishment of a MSTU. The preliminary petition shall be in a format approved by Finance.
  - b. The property owner(s) requesting the preliminary petition must obtain signatures of property owners (renters and/or boarders are not eligible) representing at least 15% of the platted lots / parcels subject to assessment and return the preliminary petition to Finance within 90 days of receipt of the preliminary petition to continue the abolishment process.
  - c. Finance will review the preliminary petition and, if it meets the requirements stated above, will prepare ballots with return envelopes to be mailed to the property owner(s) of each platted lot/parcel as shown on the current tax roll of the County. The cost of material and postage for mailing the ballots will be borne by the property owner(s) requesting the preliminary petition. The requesting property owner(s) may opt to provide postage on the return envelopes at their own expense.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No.: New

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- d. Finance will tabulate the results of the balloting. Each platted lot/parcel subject to ad valorem tax assessment will be entitled to one vote, which may be cast by any one joint owner or collectively by all owners of the lot/parcel. If, within 30 days from the mailing of the ballots, responses in favor of abolishment have been received from property owners representing at least a simple majority (50% plus one) of the total number of platted lots/parcels subject to assessment, then majority interest in the abolishment of the lake maintenance MSTU will be deemed to be present.
3. Upon determination that a majority interest for abolishment of the MSTU is present, Finance will, in conjunction with the County Attorney's Office, prepare a resolution for MSTU abolishment for consideration by the BCC. Finance will, in the customary manner prescribed for all MSTUs, schedule a public hearing on the resolution with the BCC and will notify all affected property owners of the public hearing date by mail at County expense. Subject to the public hearing, the BCC will determine at its discretion whether or not to abolish the MSTU.
4. If a majority interest in the abolishment of the MSTU is not demonstrated within the specified time frame, all property owners in the MSTU will be precluded from initiating another MSTU abolishment process for one year from the ballot closing date.
5. The County may abolish an MSTU in the absence of a petition for a variety reasons, including but not limited to: annexation by a municipality, burdensome administrative duties associated with the MSTU, frequent property owner disputes, or other considerations making an MSTU unnecessary, inappropriate, unsuitable or otherwise not in the best interests of the public.
6. Uncommitted funds on hand as of the abolishment date of a MSTU shall be refunded to the platted property owners of record at the date of abolishment on a pro-rata basis commensurate with the method of levy provided such pro-rata refunds are equal to or greater than \$10.00 each. In those situations where the refund amounts are less than \$10.00 per platted property owner, such amounts shall be declared de minimis and disposed of in accordance with Administrative Regulation 6.05 Disposition of Small Credit Balance Amounts and Unclaimed Checks.





## ORANGE COUNTY ADMINISTRATIVE REGULATIONS

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### I. Dispute Resolution

1. Any complaint or dispute concerning disbursement of funds, conduct of service providers, or any other relevant objection shall be submitted in writing to Finance by a property owner within the subject MSTU.
2. All written complaints will be reviewed by Finance with assistance from BCC staff as appropriate.
3. Finance will respond in writing, noting correction action taken, if any.
4. Public records may be reviewed by any party in accordance with public records laws and any copies requested shall be specifically identified and paid for prior to delivery.
5. Finance, with concurrence from the County Attorney's Office, reserves the right to place MSTU funds in the registry of the court in cases where significant unresolved disputes have placed an undue burden on staff resources.

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#### FOR MORE INFORMATION CONTACT:

County's Environmental Protection Division, Office of Management and Budget; County's Attorney's Office; Comptroller's/Finance and Accounting Department

#### REFERENCE:

Florida Statutes, Section 125.01 and Sections 200.066 and 200.0715; Administrative Regulation 6.05

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**COUNTY ATTORNEY  
JEFFREY J. NEWTON**

201 South Rosalind Avenue ■ 3rd  
Reply To: Post Office Box 1393  
Orlando, FL 32802-1393  
407-836-7320 ■ Fax 407-836-5888  
<http://www.ocfl.net>

I. CONSENT AGENDA  
COUNTY ATTORNEY  
4

**MEMORANDUM**

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Attorneys*

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

**FROM:** Jeffrey J. Newton, County Attorney   
Whitney E. Evers, Assistant County Attorney   
Contact phone: 407-836-7321

**DATE:** July 27, 2016

**RE:** **Consent Agenda Item for Board Meeting on August 16, 2016 –**  
Settlement Agreement between Petitioner, Avalon Park School  
Initiative II, LLC and Respondents, The School Board of Orange  
County, Florida and Orange County, Florida

This Consent Agenda item requests authorization from the Board of County Commissioners ("BCC") for approval and execution of the Settlement Agreement ("Settlement Agreement") between Petitioner, Avalon Park School Initiative II, LLC ("Avalon") and Respondents, Orange County, Florida, and The School Board of Orange County, Florida ("School Board"). The Settlement Agreement has been executed by Avalon and was approved by the School Board at its Board meeting on July 26, 2016.

**BACKGROUND:**

On December 16, 2015, the Development Review Committee ("DRC") approved the Charter Schools USA development plan ("DP") for a property approximately 6.31 acres in size located north of Mailer Boulevard and the existing Avalon Middle School (the "Property"). Avalon proposed construction of a charter school for 1,145 K-8 students on the Property.

On December 17, 2015, the School Board submitted a formal appeal of the DRC decision to approve the DP and objected to the DP based on its failure to meet the public school siting regulations in Orange County Code, which the School Board believes should apply to charter schools, the traffic study, the queueing and stacking plan, and insufficient acreage to support a public school and all attendant functions.



On February 16, 2016, the BCC held a de novo hearing on the School Board's challenge. After nearly two hours of testimony, the BCC voted unanimously to overturn the DRC's approval of the DP. On March 15, 2016, Avalon filed a request with the County invoking the Special Magistrate process prescribed in Section 70.51, Florida Statutes ("FLUEDRA"), with regard to the BCC's denial of Avalon's DP (the "Dispute").

On May 17, 2016, per the requirements of FLUEDRA, the parties participated in a mediation in order to amicably resolve the Dispute. The result of such mediation was the Settlement Agreement. Among other things, the Settlement Agreement allows Avalon to present a revised development plan, along with a full traffic study, reflecting plans for a K-5 school with no more than 540 students. The Settlement Agreement also states that the revised development plan requires both DRC review and BCC review at a public hearing.

**ACTION REQUESTED:** Approval and execution of Settlement Agreement between Petitioner, Avalon Park School Initiative II, LLC and Respondents, Orange County, Florida, and The School Board of Orange County, Florida, regarding the Development Plan for a 68,156 square foot charter school for Grades K through 8, with 1,145 students on the Property ("South Village School").

WEE:sc

cc: Ajit Lalchandani, County Administrator  
Joel D. Prinsell, Deputy County Attorney

S:\WEvers\avalon appeal\K-8\Memo Jacobs-BCC-Avalon-Park-School-Settlement-Agmt.docx



**IN AND BEFORE A SPECIAL MAGISTRATE  
IN AND FOR ORANGE COUNTY, FLORIDA**

**AVALON PARK SCHOOL  
INITIATIVE II, LLC,**  
Petitioner,

vs.

**File No. 2016-1008  
Charter Schools USA  
Avalon Park (K-8)  
Development Plan  
Case No. DP-15-07-191**

**ORANGE COUNTY, FLORIDA,**

and

**THE SCHOOL BOARD OF ORANGE  
COUNTY, FLORIDA,**  
Respondents.

---

**SETTLEMENT AGREEMENT**

Petitioner AVALON PARK SCHOOL INITIATIVE II, LLC ("Avalon"), and Respondents ORANGE COUNTY, FLORIDA ("County"), and THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA ("School Board"), hereby enter into this Settlement Agreement ("Agreement"):

**A. STIPULATIONS OF FACT**

1. Avalon is the owner of certain real property that is the subject of the above-styled proceeding and that is located within the Avalon Park Development of Regional Impact ("Avalon Park DRI") in Orange County, Florida, with Parcel Identification Number 07-23-32-1024-01-000 ("Property").
2. The Property is located in unincorporated Orange County, and accordingly is subject to the County's Comprehensive Plan, the County Code, and the County's Land Development Regulations.
3. In July of 2015, Avalon filed an application with the Orange County Development Review Committee ("DRC") seeking approval of a development plan for a 68,156 square foot charter school for grades K through 8, with 1,145 students, on the Property ("South Village School").
4. On or about December 16, 2015, the DRC approved Avalon's development plan for the South Village School (the "Original Development Plan"), and the School Board thereafter



appealed such approval to the Orange County Board of County Commissioners (“BCC”).

5. On February 16, 2016, the BCC conducted a public hearing on the School Board’s appeal and, at the conclusion thereof, voted to overturn the DRC’s approval and deny the Original Development Plan for the South Village School.

6. On March 15, 2016, Avalon filed a request with the County invoking the special magistrate process prescribed in Section 70.51, *Florida Statutes*, with regard to the BCC’s denial of the Original Development Plan for the South Village School, such proceeding being styled as *Avalon Park School Initiative II, LLC v. Orange County, et al.*, OC File No. 16-1008 (“Special Magistrate Proceeding”).

7. On March 16, 2016, Avalon filed a Petition for Writ of Certiorari in the Ninth Judicial Circuit Court to contest the BCC’s denial of the Original Development Plan for the South Village School, such case being styled as *Avalon Park School Initiative II, LLC v. Orange County*, Case No. 16-CA-2381 (“Litigation”), together with a Motion requesting that the Litigation be held in abeyance during the pendency of the Special Magistrate Proceeding.

8. On May 17, 2016, Avalon, the County, and the School Board participated in a mediation conference pursuant to Section 70.51(17)(a), *Florida Statutes*, in an attempt to amicably resolve the Special Magistrate Proceeding and to arrive at a fair and reasonable agreement to resolve the dispute.

9. Avalon, the County, and the School Board (collectively, the “Parties”) desire to enter into this Agreement for the purposes of resolving the Special Magistrate Proceeding and the Litigation (together, the “Disputes”) in accordance with the terms below.



**B. SETTLEMENT COVENANTS AND TERMS**

1. **Terms of Agreement.** In connection with the Parties' execution of this Agreement and the covenants and terms herein, the Parties agree as follows:

- a. Within ninety (90) days of the Effective Date of this Agreement, Avalon shall submit a sufficient revised development plan for the South Village School, as modified pursuant to the terms herein (the "Revised South Village School"), to the County for review, consistent with the terms herein (the "Revised Development Plan"). As part of the submittal for the Revised Development Plan, Avalon shall prepare and submit a new full traffic study for the South Village School for a one-mile radius around the Property, which shall include, but not be limited to, trip generation and distribution for the proposed development, a level of service analysis for Mailer Blvd. and the adjoining streets, along with an analysis of the ingress/egress impacts to Mailer Blvd. during peak school operating times (a.m. drop off and p.m. pick up), and an operational traffic study to address internal and external traffic items (the "New Traffic Study"). The Revised Development Plan shall be reviewed by the DRC in accordance with standard DRC procedures and practice. The DRC shall make a decision on the Revised Development Plan and the DRC's decision shall be referred to the BCC for a final decision at a duly noticed quasi-judicial public hearing, all as described in paragraphs B.1.e and B.1.f. below.
- b. Avalon offers and proposes that the Revised South Village School, as depicted on the Revised Development Plan, shall be limited to grades K through 5 with a maximum student population of 540 students; that in the event the student population ever exceeds 540 students, Avalon or its successor in interest, as applicable, shall be penalized; that such penalty may include, but shall not be limited to, the withholding of full-time equivalent (FTE) funds from the operator of the Revised South Village School; and that Avalon shall provide written notice of this restriction to any proposed or approved charter school operator expected or intended to operate the Revised South Village School and provide a copy of such notice to the School Board.



- c. Avalon also offers and proposes that the Conditions of Approval listed in the Staff Report for Case No. DP-15-07-191 dated February 16, 2016, a copy of which is attached hereto as **Exhibit "A"** ("Conditions"), shall apply to the Revised Development Plan with the following amendments/revisions: (i) Conditions 7, 8, 9, and 15 shall be deleted; (ii) Condition 16 may be modified as determined by the DRC or the BCC, as the case may be, based upon the New Traffic Study and other applicable factors; (iii) Condition 17 shall be modified to state that the start time for the South Village School shall be at least forty-five (45) minutes before or after the start time of Avalon Middle School; and (iv) Condition 18 shall be modified to reference a maximum student population of 540 students. Avalon acknowledges that an additional condition of approval (or additional conditions) may be imposed, as may be deemed necessary by the DRC or the BCC, upon the Revised Development Plan for the Revised South Village School as part of the DRC's or the BCC's review, whatever the case may be ("Additional Conditions"); provided, however, Additional Conditions shall be consistent with applicable provisions of the County's Comprehensive Plan, the County Code, and the County's Land Development Regulations.
- d. The School Board accepts, agrees with, and consents to Avalon's offer and proposal as set forth in paragraphs B.1.b. and B.1.c. above.
- e. Avalon's Revised Development Plan and offer and proposal as set forth in paragraphs B.1.b. and B.1.c. shall be reviewed and considered by the DRC as part of the DRC's review of the Revised Development Plan within sixty (60) days after Avalon submits a sufficient Revised Development Plan pursuant to paragraph B.1.a. and, as soon as practicable thereafter, the DRC shall refer its decision on the Revised Development Plan to the BCC to make a final decision at a duly noticed quasi-judicial public hearing. The BCC shall review the DRC's decision as soon as its calendar permits. In this regard, the County hereby waives the time period set forth in Section 30-48 of the County Code.
- f. If at the conclusion of the BCC's public hearing a member of the BCC makes a motion to approve the Revised Development Plan pursuant to Avalon's offer and proposal as set forth in paragraphs B.1.b. and B.1.c., with (or without) Additional Conditions, and the motion is seconded, the BCC may ask Avalon if the terms of the motion to approve are acceptable



to Avalon. If Avalon answers such a question in the negative, Avalon may simultaneously withdraw the Revised Development Plan or, if Avalon does not withdraw the Revised Development Plan, the BCC may withdraw the motion to approve and deny the Revised Development Plan. If, however, Avalon answers such a question in the affirmative, and the motion to approve is then adopted by the BCC, Avalon waives its right to challenge the BCC's decision, and the BCC's approval of the Revised Development Plan shall supersede and vacate the BCC's denial of the Original Development Plan, shall constitute the County's final decision on the matter, and shall constitute a final resolution of the Special Magistrate Proceeding. Furthermore, within ten (10) days after the BCC's decision approving the Revised Development Plan is rendered, Avalon shall execute and file a Notice of Voluntary Dismissal with prejudice in the Litigation.

- g. In the event the School Board challenges a BCC decision approving the Revised Development Plan as described in paragraph B.1.f., the School Board's challenge shall be limited to the question of whether the Additional Conditions imposed by the BCC are inconsistent with applicable provisions of the County's Comprehensive Plan, the County Code, and/or the County's Land Development Regulations, or whether Additional Conditions should have been imposed by the BCC in order to make the BCC's decision consistent with applicable provisions of the County's Comprehensive Plan, the County Code, and/or the County's Land Development Regulations.
- h. In the event Avalon withdraws its Revised Development Plan at the conclusion of the BCC's public hearing as described in paragraph B.1.f., the BCC denies the Revised Development Plan, or the BCC fails to consider the Revised Development Plan within ninety (90) days after the date that the DRC renders a decision on the Revised Development Plan (unless Avalon agrees to an extension of such time period in writing), then the BCC's February 16, 2016, decision on the Original Development Plan shall be deemed unaffected by the Parties' settlement efforts, this Agreement shall become null and void, and Avalon shall be entitled to proceed with the Litigation or resume the Special Magistrate Proceeding pursuant to Section 70.51, *Florida Statutes*.



2. **Permits Required.** The Revised Development Plan for the Revised South Village School, as well as any and all development on the Property, shall require building permits and shall meet all applicable requirements of the County Code, the County's Land Development Regulations, and the County's Comprehensive Plan, as amended.

3. **Status Report.** Within ten (10) days of the Effective Date of this Agreement, Avalon shall file a Status Report in the Litigation advising the Circuit Court of this Agreement and requesting the Circuit Court to continue to hold the Litigation in abeyance for 240 days while the Parties implement the terms of this Agreement.

4. **Authority.** Each Party represents and warrants, with respect to itself, that the execution and delivery of this Agreement has been authorized by all necessary action of such Party, and that this Agreement constitutes the legal, valid, and binding agreement of each Party, enforceable in accordance with its terms. It is expressly understood and agreed that this Agreement shall not become binding upon the County and the School Board unless and until the BCC and the School Board each approve this Agreement at a public meeting, as is required by Florida law.

5. **Governing Law; Venue.** This Agreement shall be construed, interpreted, enforced, and governed in accordance with the laws of the State of Florida. Venue for any action arising out of or related to this Agreement shall be in Orange County, Florida.

6. **Binding Effect.** This Agreement shall be binding upon and shall inure to the benefit of the respective successors, heirs, assigns, bankruptcy trustees, representatives, affiliates, officers, directors, partners, members, and joint venturers of the Parties.

7. **Non-Waiver.** Failure by Avalon, the County, or the School Board to insist upon the strict performance of any of the terms, conditions, or provisions of this Agreement shall not be deemed to be a waiver of such terms, conditions, and provisions, and Avalon, the County, and the School Board, notwithstanding such failure, shall have the right hereafter to insist upon the strict performance of any or all such terms and conditions of this Agreement as set forth herein. Notwithstanding the foregoing, the BCC's review of Avalon's Revised Development Plan pursuant to this Agreement shall be conducted at a duly noticed quasi-judicial public hearing where the BCC hears testimony and receives evidence from Avalon, the School Board, and the general public, and therefore nothing in this Agreement may be construed or interpreted to mean that the BCC is obligated to give favorable consideration to the Revised Development Plan or approve the Revised Development Plan.



8. **Construction; Headings.** The Parties acknowledge that they participated in the negotiation and drafting of the terms of this Agreement and acknowledge that no provision shall be strictly construed against one party or the other based solely on draftsmanship. The Parties have entered into this Agreement without duress, coercion, or under undue influence of any kind, and are motivated by a desire to avoid the costs and time associated with further litigation and to arrive at a fair and reasonable agreement with regard to the Disputes. The Parties acknowledge that they have been represented by counsel in connection with the negotiation of the terms of this Agreement and that they enter into this Agreement freely and voluntarily, and only after consultation with their respective counsel. Captions and paragraph headings contained in this Agreement are for convenience and reference only. They in no way define, describe, extend or limit the scope or intent of this Agreement.

9. **Interpretation.** This Agreement shall be read and interpreted in such a manner as to give all provisions their ordinary and customary meaning, and all words, terms, and phrases not otherwise specifically defined by a capitalized term or otherwise shall have the same meaning and interpretation as customarily used among lay persons. The terms “hereby,” “hereof,” “herein,” “hereto,” “hereunder,” and any similar terms refer to this Agreement in its entirety and not solely to the particular section or paragraph in which the term is used. All words, terms, and phrases specifically defined by a capitalized term shall apply throughout this Agreement in its entirety and not solely to the particular section or paragraph in which the term is used. In construing this Agreement, unless the context clearly indicates or suggests otherwise, the singular shall be held to include the plural, the plural shall include the singular, and the use of any gender shall include every other and all genders.

10. **Entire Agreement; Amendments.** This Agreement represents the entire understanding and agreement between the Parties with respect to the subject matter hereof. No representations have been made, either express or implied by the Parties, other than those expressly set forth in this Agreement. This Agreement or any part hereof may not be changed, amended, waived, discharged, or terminated except by an instrument in writing, executed by all Parties.

11. **Disclaimer of Third Party Beneficiaries.** This Agreement is solely for the benefit of the Parties and no right or cause of action shall accrue by reason hereof to, or for the benefit of, any third party not a formal party hereto. Nothing in this Agreement, expressed or implied, is intended or shall be construed to confer upon or give any other third person or entity any right, remedy, or claim under or by reason of this Agreement or any provisions or conditions hereof, other than as expressly stated herein.



12. **Purpose of this Agreement; Not Establishing Precedent.** The Parties acknowledge and agree that this Agreement is not intended by any Party to be construed, and shall not be construed, as an admission by any Party of any liability, error, or violation of any law, statute, ordinance, regulation, or other legal duty of any nature whatsoever. Rather, the Parties enter into this Agreement in a spirit of cooperation and compromise for the purpose of avoiding further litigation and a desire to resolve the Disputes. The Parties enter into this Agreement as part of a mediated settlement affecting many factual and legal issues and do not intend this Agreement to be an endorsement of, or precedent for, the use of the terms set forth herein in any other circumstances.

13. **Attorneys' Fees; Costs.** Each Party expressly agrees to bear the fees and costs of its respective counsel, experts, and consultants in the Special Magistrate Proceeding and the Litigation, as well as in the preparation of this Agreement, and the Parties expressly waive any and all rights to pursue an award of attorneys' fees and costs in such proceedings. The Parties further agree to pay an equal share of the total amount of Special Magistrate fees that are due and owing to Lewis Stone, Esquire, who served as Special Magistrate in the mediation through which this Agreement was negotiated in accordance with the Special Magistrate Agreement Between Orange County, The School Board of Orange County, Owner and Special Magistrate dated May 19, 2016.

14. **Notices.** All notices and other communications required hereunder shall be in writing and shall be delivered personally, or by registered or certified mail, return receipt requested, postage prepaid, or by Federal Express or other nationally recognized overnight commercial delivery service, fees prepaid for next day delivery. Such notices shall be deemed to have been received: (i) upon delivery, if personally delivered; (ii) upon the earlier of actual receipt or the third day after mailing, if mailed by registered or certified United States mail, return receipt requested, postage prepaid; and (iii) upon the earlier of actual receipt or the next business day if sent by Federal Express or other nationally recognized overnight commercial delivery service, if fees are prepaid for next day delivery. The addresses for delivery of such notices shall be as follows:

(a) To Avalon:

Avalon Park School Initiative II, LLC  
c/o Beat Kahli  
3680 Avalon Park East Blvd., Suite 300  
Orlando, Florida 32828



With a copy to:

S. Brent Spain, Esquire  
Theriaque & Spain  
433 N. Magnolia Drive  
Tallahassee, Florida 32308

(b) To the County:

Orange County Administrator  
c/o Chris Testerman, Assistant County Administrator  
P.O. Box 1393  
201 S. Rosalind Avenue  
Orlando, Florida 32802-1393

With a copy to:

Orange County Legal Department  
c/o Joel D. Prinsell, Deputy County Attorney  
P.O. Box 1393  
Orlando, Florida 32801

(c) To the School Board:

Orange County Public Schools  
Superintendent  
441 W. Amelia St.  
Orlando, Florida 32801

With a copy to:

Orange County Public Schools  
Legal Services  
Diego "Woody" Rodriguez, General Counsel  
441 W. Amelia St.  
Orlando, Florida 32801



or to such other address as any Party hereto shall from time to time designate to the other Party by notice in writing as herein provided.

15. **Counterparts**. This Agreement may be executed in counterparts, each of which shall be deemed to be an original and need not be signed by more than one of the Parties and all of which shall constitute one and the same agreement.

16. **Effective Date**. This Agreement shall become effective upon the date of execution by the County, the last of the Parties to execute it.

[REMAINDER INTENTIONALLY LEFT BLANK; SIGNATURE PAGES TO FOLLOW]



IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in a manner sufficient to bind them on the day and year identified above.

Signed, sealed, and delivered before me:

WITNESSES

AVALON PARK SCHOOL INITIATIVE II,  
LLC, a Florida limited liability company,

Taylor Smith  
Print Name: TAYLOR SMITH

By: [Signature]

Name: JARAT LAAYU

[Signature]  
Print Name: Tracy Durham

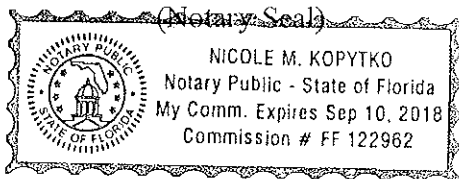
Its: PRESIDENT

Date: JULY 14 2016

STATE OF FLORIDA

COUNTY OF Drange

The foregoing instrument was acknowledged before me this 14th day of July 2016, by Beat Kahli, as President of Avalon Park School Initiative II, LLC, on behalf of said entity. Said person (check one) ☒ is personally known to me or ☐ produced \_\_\_\_\_ as identification.



Printed Name: Nicole M. Kopytko  
Notary Public, State of Florida  
Commission No. FF 122962  
My commission expires: 9/10/18



**ORANGE COUNTY, FLORIDA**  
By: Board of County Commissioners

By: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

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

By: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_, 2016



Signed, sealed and delivered in the presence of:

Cindy Valentin  
Print Name: Cindy Valentin  
Eileen D. Fernandez  
Print Name: Eileen D. Fernandez

Cindy Valentin  
Print Name: Cindy Valentin  
Eileen D. Fernandez  
Print Name: Eileen D. Fernandez

**THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA**, a corporate body organized and existing under the constitution and laws of the State of Florida

By: William E. Sublette  
Name: William E. Sublette  
Title: Chairman

Date: 7-27, 2016

Attest: Barbara M. Jenkins  
Barbara M. Jenkins, as its Secretary and Superintendent

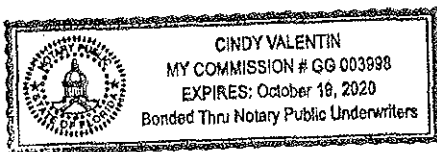
{Corporate Seal}

Approved as to form and legality by the Office of the General Counsel for The School Board of Orange County, Florida this 25th day of July, 2016

Eileen D. Fernandez  
Eileen D. Fernandez, B.C.S.  
Associate General Counsel

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 27 day of July, 2016 by William E. Sublette, as the Chairman of THE SCHOOL BOARD OF ORANGE COUNTY, FLORIDA, a public corporation and public body corporate and politic of the State of Florida, and who each have acknowledged that he/she executed the same and that each was authorized to do so. Each is ☒ personally known to me or \_\_\_\_\_ has produced \_\_\_\_\_ as identification.



Cindy Valentin  
Notary Public, State of Florida  
Printed Name: Cindy Valentin



# EXHIBIT A



**CASE # DP-15-07-191**

Commission District # 4

**1. REQUEST**

This public hearing is to consider an appeal of a Development Review Committee (DRC) decision from November 18, 2015, to approve the Avalon Park PD / South Villages PSP / Charter Schools USA Avalon Park Development Plan for a 68,156 square foot charter school. The proposed charter school would serve up to eleven hundred forty five students from kindergarten to eighth grade (K-8).

**2. PROJECT ANALYSIS**

- A. Location: East of Alafaya Trail / North of Mailer Boulevard
- B. Parcel ID: 07-23-32-1035-04-003, 07-23-32-1035-04-004
- C. Total Acres: 6.27
- D. Water Supply: Orange County Utilities
- E. Sewer System: Orange County Utilities
- F. Schools: N/A
- G. Parks: N/A
- H. Use: 68,156 Square Foot Charter School
- I. Site Data: Maximum Building Height: 35' (2-stories)  
Building Setbacks:
  - 30' Front
  - 10' Side (25' Adjacent to Residential)
  - 10' Rear
- J. Fire Station: 85 – 13801 Townsend Drive
- K. Transportation: Orange County Public Schools and charter schools are exempt from meeting transportation concurrency requirements. The applicant submitted an Operational Analysis (Traffic Impact Analysis), which has been reviewed and accepted by Orange County Transportation Planning and Traffic Engineering.



### 3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of Traditional Neighborhood Development (TND) and is zoned PD (Avalon Park PD). The request is consistent with the comprehensive plan.

### 4. ZONING

PD (Planned Development District) (Avalon Park PD)

### 5. REQUESTED ACTION:

Uphold the November 18, 2015 decision of the Development Review Committee to approve the Avalon Park PD / South Villages PSP / Charter Schools USA Avalon Park Development Plan, subject to the following conditions:

1. Development shall conform to the Avalon Park Planned Development; Orange County Board of County Commissioners (BCC) approvals; South Villages Preliminary Subdivision Plan; BCC approvals; Charter Schools USA Avalon Park Development Plan dated "November 19, 2015" 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 at the public hearing where this development was approved, 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. 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 or 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.

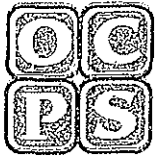
4. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water, wastewater and reclaimed water systems have been designed to support all development within the DP, and that construction plans are consistent with an approved Master Utility Plan.
5. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
6. 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.
7. Prior to the issuance of any vertical building permits, the property shall be replatted.
8. A mandatory pre-application / sufficiency review meeting for the plat shall be required prior to plat submittal. 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.
9. 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.
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. 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.
12. 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.

13. 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.
14. This site is located in close proximity to the Hal Scott Regional Preserve and Park. 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 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.
15. No vertical permits will be accepted for review until the Orange County Property Appraisers Office has transferred PID and addressing information to the permitting system.
16. There shall be no temporary or permanent parking within the OUC easement unless associated with a special event.
17. Start times shall be staggered in accordance with the traffic study dated, November, 2015.
18. Applicant, or its successor in interest, shall ensure that school capacity is capped at 900 students.
19. Applicant, or its successor in interest, shall ensure that both the faculty and administration of the school are prohibited from using on-street parking and shall park only in on-site parking spaces.
20. Applicant, or its successor in interest, shall ensure that the use of portable classrooms by the school is prohibited.





# Orange County Public Schools

445 West Amelia Street • Orlando, FL 32801-1129 • Phone 407.317.3200 • [www.ocps.net](http://www.ocps.net)

May 10, 2016

In my absence, individuals authorized to sign official Orange County Public Schools documents on my behalf include:

- Jesus Jara, Deputy Superintendent
- Kathleen Palmer, Chief of Staff
- Michael Eugene, Chief Operations Officer
- Dale Kelly, Chief Financial Officer

This authorization is in effect for the 2015-2016 school year.

Sincerely,

Barbara M. Jenkins, Ed.D.  
Superintendent





**COUNTY ATTORNEY  
JEFFREY J. NEWTON**

201 South Rosalind Avenue ■ 3  
Reply To: Post Office Box 1393  
Orlando, FL 32802-1393  
407-836-7320 ■ Fax 407-836-5888  
<http://www.ocfl.net>

I. CONSENT AGENDA  
COUNTY ATTORNEY  
5

**Consent Agenda Item**

**MEMORANDUM**

**TO:** Mayor Teresa Jacobs  
and  
County Commissioners

**FROM:** Jeffrey J. Newton, County Attorney *JJN*  
Kate Latorre, Assistant County Attorney *KL*  
**Contact: (407) 836-7320**

**DATE:** July 26, 2016

**RE:** Consent Agenda Item – August 16, 2016  
Request to Sublease State Owned Uplands

---

On November 3, 2015, the Board of County Commissioners adopted Resolution No. 2015-M-39, supporting a University of Central Florida (“UCF”) downtown campus and expressing its intent to commit \$3 Million in County funds towards the construction of the UCF downtown Orlando campus. The County’s financial commitment was conditioned upon, among other things, the execution of a long term lease to the County, for nominal consideration, of the property known as the “UCF of South Orlando Center,” located at 7300 Lake Ellenor Drive, Orlando in unincorporated Orange County, Florida (“the Property”).

UCF currently leases the Property from the State of Florida Board of Trustees of the Internal Improvement Trust Fund (“State”). In order to sublease the Property from UCF, the County must submit to the State an Application for the Use of State Owned Uplands. As part of its application, the Board of County Commissioners must formally request the sublease through the adoption of a resolution.

The proposed sublease will be submitted to the Board of County Commissioners at a future meeting once it is received from the State.

**ACTION REQUESTED:** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Request to Sublease State Owned Uplands.

c: Ajit Lalchandani, County Administrator



# RESOLUTION

*of the*  
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS  
*regarding*  
REQUEST TO SUBLEASE STATE OWNED UPLANDS

Resolution No. 2016-\_\_\_\_\_

WHEREAS, the University of Central Florida ("UCF") currently leases from the State of Florida Board of Trustees of the Internal Improvement Trust Fund ("State") certain real property known as the "UCF of South Orlando Center," located at 7300 Lake Ellenor Drive, Orlando in unincorporated Orange County, Florida; and

WHEREAS, Orange County desires to sublease said property from UCF; and

WHEREAS, as part of the County's Application for the Use of State Owned Uplands, the Board of County Commissioners desires to adopt this Resolution as its formal request to sublease the State's lands.

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

**Section 1. Request to Sublease State Owned Uplands.** The Orange County Board of County Commissioners hereby formally requests to sublease from the University of Central Florida those State owned uplands located at 7300 Lake Ellenor Drive, Orlando, unincorporated Orange County, Florida. Said uplands consist of approximately 23.57 acres of real property and are identified as Orange County Parcel Identification No. 27-23-29-0000-00-003.

**Section 2. Effective date.** This Resolution shall take effect upon the date of its adoption.



ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

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

By: \_\_\_\_\_  
Deputy Clerk





COUNTY ATTORNEY'S OFFICE  
JEFFREY J. NEWTON, COUNTY ATTORNEY

I. CONSENT AGENDA  
COUNTY ATTORNEY  
6

201 South Rosalind Avenue ■ 3rd Floor  
Reply To: Post Office Box 1393  
Orlando, FL 32802-1393  
407-836-7320 ■ Fax 407-836-5888  
<http://www.ocfl.net>

Consent Agenda Item

MEMORANDUM

**TO:** Mayor Teresa Jacobs  
and  
County Commissioners

**FROM:** Jeffrey J. Newton, County Attorney *JJN*  
Sawsan K. Mohiuddin, Assistant County Attorney *SKM*  
**Contact: (407) 836-7320**

**DATE:** July 28, 2016

**RE:** Consent Agenda Item – August 16, 2016  
Establishing a Public Records Fee Resolution

---

Orange County processes thousands of public records requests each year. In an effort to consistently and effectively conduct the business of Orange County and provide notice to persons who request public records, it is necessary to incorporate a fee schedule for public records requests into the general fee schedule of the County.

**ACTION REQUESTED:** Approval and execution of Resolution of the Orange County Board of County Commissioners regarding establishing a Public Records Fee Schedule

cc: Ajit Lalchandani, County Administrator

*Deputy County Attorney*

Joel D. Prinsell

*Senior Assistant County Attorneys*

Elaine Asad

Lila McHenry

*Assistant County Attorneys*

Andrea Adibe

Roberta Alfonso

Edward M. Chew

Anthony Cotter

Whitney E. Evers

Wanzo Galloway, Jr.

Erin E. Hartigan

Georgiana Holmes

Katherine W. Latorre

Scott McHenry

Sawsan Mohiuddin

Scott Shevenell

William Turner

*Legal Administrative Supervisor*

Anna M. Caban

*Senior Paralegal*

Kimberly Cundiff

*Paralegals*

Melessia Lofgren

Maria Vargas, ACP



# RESOLUTION

*of the*  
**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**  
*Regarding*  
**ESTABLISHING A PUBLIC RECORDS FEE SCHEDULE**

**Resolution No. 2016-\_\_\_\_\_**

**WHEREAS**, Florida Statutes, Chapter 119, outlines the allowable charges for copying, certifying copies of public records, duplicating audio and video recordings and for establishing a reasonable service charge for extensive use of information technology resources and/or labor; and

**WHEREAS**, Orange County processes thousands of public records requests each year; and

**WHEREAS**, in effort to consistently and effectively conduct the business of Orange County and provide notice to persons who request public records, it is necessary to incorporate a fee schedule for public records requests into the general fee schedule of the County;

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

Section 1: Purpose. The purpose of this policy is to set forth a fee schedule for providing access to public records.

Section 2: Fees.

a. Duplication Costs

1. Black and White Copies

- i. One-sided copies, up to 8.5" x 14", per page ... \$ .15



- ii. Two-sided copies, up to 8.5" x 14", per page.... \$ .20
- iii. Certified copies (per copy of public record)..... \$ 1.00
- iv. All other copies..... \$ Actual

## 2. Color Copies

- i. One-sided copies, per page..... \$ .70
- ii. Two-sided copies, per page..... \$ .40

## 3. Media Charges

- i. DVD or CD-ROM stock..... \$ 1.00

b. Special Service Charge. If the nature or volume of public records requested to be inspected, examined or copied is such as to require extensive use of information technology resources, or extensive clerical or supervisory assistance by personnel of the County, or both, in addition to the actual cost of duplication, a special service charge will be assessed. This service charge shall be based on the actual cost incurred for such extensive use of information technology resources and/ or the labor cost of the personnel providing the service based upon the actual labor (base hourly salary) of the employee who performs the task.

- 1. The special service charge will not be charged unless the estimated time for fulfilling the request exceeds 15 minutes.



2. The County may also charge for an employee to sit with the requestor during the course of the inspection, to safeguard and protect the County's records from theft, destruction or alteration.

c. Technology Services.

1. Email Retrieval.

- i. Keyword Searches. Keyword searches of up to 10 keywords per individual user (mailbox) shall be charged at a rate of no more than 20 minutes per search.
- ii. Time Frame Searches. Public records requests for all emails of an employee(s) for a specified time frame shall be charged based upon the actual time to retrieve the emails and at a rate of \$12 per hour.

2. Other Technology Services.

- i. Other technology services shall be defined as all other public records services fulfilled by the County's Informations Systems and Services Department, hereinafter "ISS", other than email retrieval. These services include, but are not limited to, the retrieval of phone records, text messages and/or videos.
- ii. Fees for retrieval of other records maintained by ISS shall be computed based upon the actual time to retrieve the records and at a rate of \$12 per hour.



- d. Deposit. The records custodian will provide the requestor with a cost estimate for fulfilling the public records request. If the estimated cost is less than \$100, the requestor shall be required to pay the full amount before the records custodian will begin collection, duplication and/or redaction of the requested records. If the estimated cost exceeds \$100, the requestor shall be required to pay 50% of the estimated cost before the records custodian will begin collection, duplication and/or redaction of the requested records. Upon completion of collection, duplication and/ or redaction of the records, a cost invoice will be provided to the requestor which reflects the time and expense incurred to fulfill the request. Monies collected exceeding the actual cost incurred by the County, shall be returned to the requestor.
- e. Unpaid requests. If a requestor has any outstanding public records requests for which the County completed the work to fulfill the request but has not received full payment, the requestor shall be required to pay for the previously unpaid request(s) before the County will process a new public records request.
- f. Nothing herein is intended to prohibit the County from adjusting the fee schedule in accordance with Florida or federal law. In the event of any conflict between this fee schedule and any Florida or federal law, the conflicting provision of the Florida or federal law shall prevail and apply.



Section 3. Effective Date. This Resolution shall become effective upon its adoption by the Board.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2016.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: \_\_\_\_\_  
Teresa Jacobs,  
Orange County Mayor

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

By: \_\_\_\_\_  
Deputy Clerk





COUNTY ATTORNEY  
JEFFREY J. NEWTON

201 South Rosalind Avenue ■ 8:  
Reply To: Post Office Box 1393  
Orlando, FL 32802-1393  
407-836-7320 ■ Fax 407-836-5888  
<http://www.ocfl.net>

I. CONSENT AGENDA  
COUNTY ATTORNEY  
7

Deputy County Attorney  
Joel D. Prinsell

Senior Assistant County  
Attorneys

Elaine Asad  
Lila McHenry

Assistant County  
Attorneys

Andrea Adibe  
Robertta Alfonso  
Edward M. Chew  
Anthony Cotter  
Whitney E. Evers  
Wanzo Galloway, Jr.  
Erin E. Hartigan  
Georgiana Holmes  
Katherine W. Latorre  
Scott McHenry  
Sawsan Mohiuddin  
Scott Shevenell  
William Turner

Legal Administrative  
Supervisor  
Anna M. Caban

Senior Paralegal  
Kimberly Cundiff

Paralegals  
Melessia Lofgren  
Maria Vargas, ACP

**MEMORANDUM**

**TO:** Mayor Teresa Jacobs  
and  
County Commissioners

**FROM:** Jeffrey J. Newton, County Attorney *WCT*  
William C. Turner, Jr., Assistant County Attorney *WCT*  
Contact Phone: 407-836-7368

**DATE:** August 1, 2016

**RE:** **Consent Agenda Item for Board Meeting on August 16, 2016-**  
*Orange County, Florida v. Ferno-Washington, Inc.*  
CASE NO.: 6:15-cv-1533-Orl-41GJK  
(Removed to Federal Court by Defendant)

This Consent Agenda item requests settlement authorization and execution by the Board of County Commissioners ("BCC") for the *Orange County, Florida v. Ferno-Washington Case, Inc.* case brought on behalf of Orange County's Fire Rescue Division.

Under separate cover, a Confidential Memorandum with the proposed Settlement Agreement and Release dated July 28, 2016, from Jeffrey J. Newton, County Attorney and William C. Turner, Jr., Assistant County Attorney, has been provided to the Board of County Commissioners.

**ACTION REQUESTED:** Approval and execution of the proposed Settlement Agreement and Release in the case of *Orange County, Florida v. Ferno-Washington, Inc.*, Case No.: 6:15-cv-1533-Orl-41-GJK.

WCT/jac

c: Ajit Lalchandani, County Administrator  
Anthony Rios, Division Chief, Fire Rescue Department

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**COUNTY ATTORNEY  
JEFFREY J. NEWTON**

201 South Rosalind Avenue ■ 31  
Reply To: Post Office Box 1393  
Orlando, FL 32802-1393  
407-836-7320 ■ Fax 407-836-5888  
<http://www.ocfl.net>

I. CONSENT AGENDA  
COUNTY ATTORNEY  
8

**MEMORANDUM**

**TO:** Mayor Teresa Jacobs  
and  
County Commissioners

**FROM:** Jeffrey J. Newton, County Attorney *JJN*  
William C. Turner, Jr., Assistant County Attorney *WCT*  
Contact Phone: 407-836-7368

**DATE:** August 1, 2016

**RE:** **Consent Agenda Item for Board Meeting on August 16, 2016-**  
*Metropolitan Systems, Inc. v. Orange County, Florida*  
CASE NO.: 2014-CA-004019 ("Metro Bench case")

This Consent Agenda item requests settlement authorization and execution by the Board of County Commissioners ("BCC") for the Metro Bench case.

Under separate cover, a Confidential Memorandum with the proposed Transit Bench Settlement Agreement dated August 1, 2016 from Jeffrey J. Newton, County Attorney and William C. Turner, Jr., Assistant County Attorney has been provided to the Board of County Commissioners.

**ACTION REQUESTED:** Approval and execution of the proposed Transit Bench Settlement Agreement Between Orange County, Florida and Metropolitan Systems, Inc. in the case of *Metropolitan Systems, Inc. v. Orange County, Florida*, Case No.: 2014-CA-004019.

WCT/jac  
Attachment

cc: Ajit Lalchandani, County Administrator  
Randy Singh, Assistant County Administrator

*Deputy County Attorney*  
Joel D. Prinsell

*Senior Assistant County Attorneys*

Elaine Asad  
Lila McHenry

*Assistant County Attorneys*

Andrea Adibe  
Roberta Alfonso  
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Georgiana Holmes  
Katherine W. Latorre  
Scott McHenry  
Sawsan Mohiuddin  
Scott Shevenell  
William Turner

*Legal Administrative Supervisor*

Anna M. Caban

*Senior Paralegal*  
Kimberly Cundiff

*Paralegals*  
Melessia Lofgren  
Maria Vargas, ACP





Interoffice Memorandum

I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT

1

July 26, 2016

To: Mayor Teresa Jacobs  
and the Board of County Commissioners

From: Carrie Woodell, Manager, Procurement Division

Contact: Maria Provide, Utilities Section Manager,  
Customer Service Division

Subject: Award of Invitation for Bids Y16-144-MG, Statement Printing and  
Mailing Services

ACTION REQUESTED:

Approval to award Invitation for Bids Y16-144-MG, Statement Printing and Mailing Services, to the low responsive and responsible bidder, Pinnacle Data Systems L.L.C., in the estimated contract award amount of \$119,270 for a 1-year term. Further request authorization of the Procurement Division to renew the contract for four additional 1-year terms.

PROCUREMENT:

To provide the Utilities Department a turnkey service for printing and mailing of customers' monthly water statements.

FUNDING:

Funding is available in account number 4420-038-1308-3197.

APPROVALS:

The Utilities Customer Service and Business Development Divisions concur with this recommendation.

REMARKS:

Eight bids were received and evaluated for responsiveness, responsibility and price. Pinnacle Data Systems L.L.C. is the low responsive, responsible bidder. The bid is considered reasonable based on the technical evaluation and recommendation of staff.



Bid tabulation is as follows:

	TOTAL ESTIMATED BID
Pinnacle Data Systems L.L.C.	\$119,270.00
Level One	\$139,968.00
Kubra Data Transfer LTD	\$142,012.00
Sourcelink Acquisition, LLC	\$145,742.00
Envelopes and Forms, Inc. DBA Surebill	\$149,512.00
Cathedral Corporation	\$160,654.10
Northeast II, DBA TC Delivers	\$178,708.00
Southwest Direct, Inc.	\$221,775.00

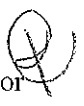




**BUSINESS DEVELOPMENT DIVISION**

May 23, 2016

TO: Maria Guevara-Hall, Senior Purchasing Agent  
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator   
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **IFB #Y16-144-MG, Statement Printing and Mailing Service**

The Business Development Division evaluated the **8 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*





## Interoffice Memorandum

I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
2

July 26, 2016

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 Y16-762-PH, Anderson Road Water  
Main and Forcemain Replacement Project

### ACTION REQUESTED:

Approval to award Invitation for Bids Y16-762-PH, Anderson Road Water Main and Forcemain Replacement Project, to the low responsive and responsible bidder, Schuller Contractors Incorporated, in the estimated contract award amount of \$548,268.

### PROCUREMENT:

The improvements include the replacement of existing water and wastewater pipe line and the construction of 1000 linear feet of 8-inch PVC water main and 1500 linear feet of 6-inch PVC forcemain. This project is located in District 3.

### FUNDING:

Funding is available in account numbers 4420-038-1553-6345 and 4420-038-1510-6345.

### APPROVALS:

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

### REMARKS:

Five bids were received. Schuller Contractors Incorporated has a satisfactory record of performance and is considered responsible. The bid of Schuller Contractors Incorporated is considered reasonable based on a technical evaluation by staff and the consultant, including an analysis of the engineer's estimate. Therefore, award is recommended to Schuller Contractors Incorporated.



The bid by Stage Door II, Inc. was found non-responsible for failure to provide projects that met the similar project requirement in the solicitation. Uribe Site Development, Inc. was found to be non-responsive for submitting an unsigned bid bond.

BIDDERS:

BID AMOUNT

**Schuller Contractors Incorporated**

**\$548,268**

MCG Services, LLC

\$605,883

Cathcart Contraction Company – Florida, LLC

\$997,270

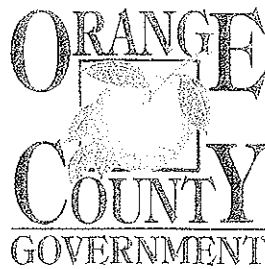
Stage Door II, Inc.

Non-responsible

Uribe Site Development, Inc.

Non-responsive





**BUSINESS DEVELOPMENT DIVISION**

July 14, 2016

TO: Patty Hobbs, Senior Contract Administrator  
Procurement Division

FROM: Dexter Watts, Senior Contract Administrator  
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

**PROJECT: Y16-762-PH / Anderson Road Water Main and Forcemain Replacement Project**

The Business Development Division evaluated the 3 bids submitted for this project and found that the apparent low bidder, Schuller Contractors Incorporated did not achieve good faith effort documentation and reported 6.14% MWBE participation in their bid. Please note the following certified MWBE participation:

Mbe-hm	PES, LLC	\$12,027
Mbe-hm	EM Paving	\$7,200
Wbe-wf	Winter Garden Grassing	\$4,447
Mbe-hm	Trujillo Trucking	\$10,000
<b>Total MWBE Participation</b>		<b>\$33,674.00 (6.14%)</b>

The second low bid submitted by MCG Services, LLC, did not achieve good faith effort documentation and reported 3.22% MWBE participation in their bid.

The third low bid submitted by Cathcart Construction Company-Florida, LLC, did not achieve good faith effort documentation and reported 0% MWBE participation in their bid.

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

A handwritten signature in black ink that reads "Sheena Ferguson".



# BID COMPARISON

## IFB-Y16-762-PH / Anderson Road Water Main and Forcemain Replacement Project

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	Schuller Contractors Incorporated	\$548,268	\$33,674	6.14%	no					75/10
2nd Low	MCG Services, LLC	\$605,883	\$19,485	3.22%	no	\$57,615	10.51%			57/14
3rd Low	Cathcart Construction Company- Florida, LLC	\$997,270	\$0	0.00%	no	\$449,002	81.89%	\$391,387	64.60%	73/2



**Interoffice Memorandum**

July 11, 2016

To: Mayor Teresa Jacobs  
and the Board of County Commissioners

From: Carrie Woodell, Manager, Procurement Division

Contact: Marc Cannata, Manager, Orange County Convention Center  
Capital Planning and Building Systems Division  
407-685-5953

Subject: Award of Invitation for Bids Y16-770-MM, Orange County  
Convention Center Pre-Engineered Metal Building

**ACTION REQUESTED:**

Approval to award Invitation for Bids Y16-770-MM, Orange County Convention Center Pre-Engineered Metal Building, to the low responsive and responsible bidder, E.O. Koch Construction Company, in the total contract award amount of \$395,377.

**PROCUREMENT:**

This scope includes but is not limited to supplying and installing a new 5,000 square foot pre-engineered metal building. The building exterior is constructed of metal wall panels and a standing seam metal roof. The building includes three electrically powered roll up doors and two man doors and is ventilated via two exhaust fans and three intake louvers. New electrical service will supply LED lighting and receptacles. The project is located in District 6.

**FUNDING:**

Funding is available in account number 4430 035 0966 6310.

**APPROVALS:**

The Capital Planning Division and the Business Development Division concur with this recommendation.



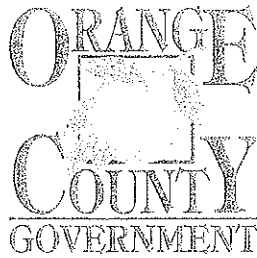
Award of Invitation for Bids Y16-770-MM, Orange County Convention Center  
Pre-Engineered Metal Building

**REMARKS:**

E.O. Koch Construction Company had a satisfactory performance record on similar projects per their references. The bid submitted by E.O. Koch Construction Company is considered reasonable based on technical analysis performed by the County. Although there was a 15.28% difference between E.O. Koch's bid and the second low bidder, a scope confirmation meeting was held with E.O. Koch to ensure their bid was all inclusive of the design. Therefore award is recommended to the lowest, most reasonable responsible bidder, E.O. Koch Construction Company.

Bidder:	Estimated Bid:
E.O. Koch Construction Company	\$395,377.00
Mar Con Construction, LLC dba Marbek Construction Co.	\$460,800.00
Tucker Construction & Engineering, Inc.	\$470,200.00
Pioneer Construction Services, Inc.	\$475,000.00
Leisure Construction, Inc.	\$510,000.00
P.W. Hearn, Inc.	\$519,260.00
Pillar Construction Group, LLC	\$554,000.00
Axios Construction Services, LLC	\$557,311.76
Close Construction, LLC	\$568,775.00
Wharton-Smith, Inc.	\$591,663.00





BUSINESS DEVELOPMENT DIVISION

June 14, 2016

TO: Marsha Mussori, Senior Contract Administrator  
Procurement Division

FROM: Dexter Watts, Senior Contract Administrator  
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: Y16-770-MM / Orange County Convention Center Pre-Engineered Metal Building

The Business Development Division evaluated the 4 lowest bids of the 10 bids submitted for this project and found that the apparent low bidder E.O. Koch Construction Company did not achieve good faith effort documentation and reported 5.89% MWBE participation in their bid. Please note the following certified MWBE participation:

Mbe-afam	Quantum Electric, LLC	\$23,280
Total MWBE Participation		\$23,280.00 (5.89%)

The second low bid submitted by Mar Con Construction, LLC dba Marbek Construction Co. did not achieve good faith effort documentation and reported 3.10% MWBE participation in their bid.

The third low bid submitted by Tucker Construction & Engineering, Inc. did not achieve good faith effort documentation and reported 0% MWBE participation in their bid.

The fourth low bid submitted by Pioneer Construction Services, Inc., met the MWBE participation goal and reported 32.49% 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

A handwritten signature in cursive script that reads "Sheena Ferguson".



# BID COMPARISON

## IFB-Y16-770-MM / Orange County Convention Center Pre-Engineered Metal Building


Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 25%)	GFE	\$ Over Low Bid	% Difference From Low Bid (7%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid	EEO % M / W
Low Bid	E.O. Koch Construction Company	\$395,377.00	\$23,280.00	5.89%	no					0/20
2nd Low	Mar Con Construction, LLC dba Marbek Construction Co.	\$460,800.00	\$14,300.00	3.10%	no	\$65,423.00	16.55%			6/13
3rd Low	Tucker Construction & Engineering, Inc.	\$470,200.00	\$0.00	0.00%	no	\$74,823.00	18.92%	\$9,400.00	2.04%	29/19
4th Low	Pioneer Construction Services, Inc.	\$475,000.00	\$154,336.24	32.49%	na	\$79,623.00	20.14%	\$14,200.00	3.08%	33/16
5th Low	Leisure Construction, Inc.	\$510,000.00	\$0.00	0.00%	no	\$114,623.00	28.99%	\$49,200.00	10.68%	0/28
6th Low	P.W. Hearn, Inc.	\$519,260.00	\$12,800.00	2.47%	no	\$123,883.00	31.33%	\$58,460.00	12.69%	0/33
7th Low	Pillar Construction Group, LLC	\$554,000.00	\$0.00	0.00%	no	\$158,623.00	40.12%	\$93,200.00	20.23%	16/16
8th Low	Axios Construction Services, LLC [mbe-afam]	\$557,311.76	\$19,295.00	3.46%	no	\$161,934.76	40.96%	\$96,511.76	20.94%	71/29
9th Low	Close Construction, LLC	\$568,775.00	\$151,350.00	26.61%	na	\$173,398.00	43.86%	\$107,975.00	23.43%	6/25
10th Low	Wharton-Smith, Inc.	\$591,663.00	\$41,231.00	6.97%	no	\$196,286.00	49.65%	\$130,863.00	28.40%	31/15





July 25, 2016

To: Mayor Teresa Jacobs  
and the Board of County Commissioners

From:  Carrie Woodell, Manager, Procurement Division

Contact: Marc Cannata, Manager, Orange County Convention Center  
Capital Planning and Building Systems Division  
407-685-5953

Subject: Award of Invitation for Bids Y16-781-MM, Orange County  
Convention Center West Concourse Flooring Replacement

**ACTION REQUESTED:**

Approval to award Invitation for Bids Y16-781-MM, Orange County Convention Center West Concourse Flooring Replacement, to the low responsive and responsible bidder, International Flooring, Inc., in the total contract award amount of \$1,724,406.27.

**PROCUREMENT:**

The project location includes all phases of the Orange County Convention Center West Building, excluding Phase II which was recently remodeled. The scope of work includes, but is not limited to, installation of owner supplied broadloom carpet and ceramic tile. In addition, the awarded contractor will supply and install terrazzo veneer at stairways and walk off mats at back of house and meeting room's exits. The theme from Phase II is carried to these remaining areas of the building by incorporating materials that were chosen for their durability in high volume areas, their ease of care and their sustainable qualities. The project is located in District 6.

**FUNDING:**

Funding is available in account number 4430 035 0960 6210.

**APPROVALS:**

The Capital Planning Division and the Business Development Division concur with this recommendation.



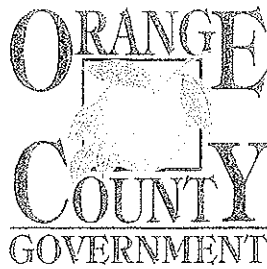
Award of Invitation for Bids Y16-781-MM, Orange County Convention Center  
West Concourse Flooring Replacement

**REMARKS:**

Two bids were received. International Flooring, Inc. had a satisfactory performance record on similar projects per their references. The bid submitted by International Flooring, Inc. is considered reasonable based on technical analysis performed by the County. Although there was a 45.69% difference between International Flooring, Inc.'s bid and the second low bidder, a scope confirmation meeting was held with International Flooring, Inc. to ensure their bid was all inclusive of the design. Therefore award is recommended to the lowest, responsive, responsible bidder, International Flooring, Inc.

Bidder:	Estimated Bid:
International Flooring, Inc.	\$1,724,406.27
NHCS, LLC.	\$2,745,764.00

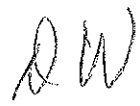




**BUSINESS DEVELOPMENT DIVISION**

July 21, 2016

TO: Marsha Mussori, Senior Contract Administrator  
Procurement Division

FROM: Dexter Watts, Senior Contract Administrator   
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **Y16-781-MM / Orange County Convention Center West Concourse  
Flooring Replacement**

The Business Development Division evaluated the 2 bids submitted for this project and found that the apparent low bidder International Flooring, Inc. did not achieve good faith effort documentation and reported 0% MWBE participation in their bid.

The second low bid submitted by NHCS, LLC did not achieve good faith effort documentation and reported 0% 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

A handwritten signature in cursive script that reads "Sheena Ferguson".



# BID COMPARISON

## IFB-Y16-781-MM / Orange County Convention Center West Concourse Flooring Replacement

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	International Flooring, Inc.	\$1,724,406.27	\$0	0%	no					0/0
2nd Low	NHCS, LLC	\$2,745,764.00	\$0	0%	no	\$1,021,357.73	59.23%			52/9





July 26, 2016

To: Mayor Teresa Jacobs  
and the Board of County Commissioners

From: Carrie Woodell, Manager, Procurement Division

Contact: Marc Cannata, Manager, Orange County Convention Center  
Capital Planning and Building Systems Division  
407-685-5953

Subject: Award of Invitation for Bids Y16-782-MM, Orange County  
Convention Center North/South Building Repair of Decorative  
Roofing Features

**ACTION REQUESTED:**

Approval to award Invitation for Bids Y16-782-MM, Orange County Convention Center North/South Building Repair of Decorative Roofing Features, to the low responsive and responsible bidder, CORE Construction Services of Florida, LLC., in the total contract award amount of \$3,442,000.

**PROCUREMENT:**

The scope of work includes, but is not limited to, demolition and repair of four tiered decorative archways on the roof of the North/South Building at the Orange County Convention Center. Single-ply roofing membrane and standing seam metal roofing will be removed and replaced with new. The work includes converting the glazed curtain walls façades of the archways from an internal drainage system to a barrier system, to prevent current moisture intrusion. The project is located in District 6.

**FUNDING:**

Funding is available in account number 4430 035 0965 6210.

**APPROVALS:**

The Capital Planning Division and the Business Development Division concur with this recommendation.



Page 2

Award of Invitation for Bids Y16-782-MM, Orange County Convention Center  
North/South Building Repair of Decorative Roofing Features

**REMARKS:**

Two bids were received from the prequalified contractors. The County used a two-step bid process for this solicitation. Step one prequalified three contractors. The bid of CORE Construction Services of Florida, LLC is considered reasonable based on the technical evaluation and recommendation of staff. Therefore award is recommended to CORE Construction Services of Florida, LLC.

**Bids Received:**

**Bid Amount:**

CORE Construction Services of Florida, LLC.  
Wharton-Smith, Inc.

\$3,442,000  
\$3,489,000





**BUSINESS DEVELOPMENT DIVISION**

July 28, 2016

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: **Y16-782-MM / Orange County Convention Center North/South Building  
Repair of Decorative Roofing Features**

The Business Development Division evaluated the 2 bids submitted for this project and found that the apparent low bidder CORE Construction Services of Florida, LLC did not achieve good faith effort documentation and reported 0% MWBE participation in their bid.

The second low bid submitted by Wharton-Smith, Inc. did not achieve good faith effort documentation and reported 0% MWBE participation in their bid.

None of the bids met the the MWBE sliding scale range criteria 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

A handwritten signature in cursive script that reads "Sheena Ferguson".



# BID COMPARISON

IFB-Y16-782-MM / Orange County Convention Center North/South Building Repair of Decorative Roofing Features										
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	CORE Construction Services of Florida, LLC	\$3,442,000	\$0	0%	no					20/16
2nd Low	Wharton-Smith, Inc.	\$3,489,000	\$0	0%	no	\$47,000	1.37%			31/15





Interoffice Memorandum

I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
6

July 26, 2016

TO: Mayor Teresa Jacobs  
and the Board of County Commissioners

FROM: *CW* Carrie Woodell, Manager, Procurement Division

CONTACT: Kyle Kent, Assistant Manager, Parks and Recreation Division  
407-836-6209

SUBJECT: Approval of Amendment No. 1, Contract Y16-1051-TA, Sodding, Seeding,  
Mulching, Hydro-Seeding, and Hydro-Seeding with Bonded Fiber Matrix  
Services

ACTION REQUESTED:

Approval of Amendment No. 1, Contract Y16-1051-TA, Sodding, Seeding, Mulching,  
Hydro-Seeding, and Hydro-Seeding with Bonded Fiber Matrix Services with Travis  
Resmondo Sod, Inc., in the amount \$159,682, for a revised total contract amount of  
\$786,902.

PROCUREMENT:

To provide Sodding, Seeding, Mulching, Hydro-seeding, and Hydro-Seeding with Bonded  
Fiber Matrix Services.

FUNDING:

Funding is available in 1050-068-1801-3197.

APPROVALS:

The Parks and Recreation Division concurs with this recommendation.

REMARKS:

Contract Y16-1051-TA is for as needed sodding, seeding, mulching, and hydro-seeding  
services for the Stormwater Management Division. The contract was originally approved  
by the Board of County Commissioners on June 28, 2016 in the amount of \$627,220.

The Parks and Recreation Division requires the same services provided under contract  
Y16-1051-TA for ponds and primary canals located throughout the Orange County Parks  
and Trail System. Amendment No. 1 will provide for an increase in contract award  
amount to account for additional quantities required by the Parks and Recreation  
Division.





Interoffice Memorandum

July 21, 2016

TO: Mayor Teresa Jacobs  
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: Robin L. Hammel, P.E., Manager, Public Works Engineering Division  
(407) 836-7913

SUBJECT: Ratification of Contract Y16-788-CH, Buck Road Bridge Repair

**ACTION REQUESTED:**

Ratification of Contract Y16-788-CH, Buck Road Bridge Repair, to the low responsive and responsible bidder, Atlantic Civil Constructors Corporation, in the estimated contract award amount of \$265,623.11.

**PROCUREMENT:**

This project was procured under emergency procurement procedures. The Florida Department of Transportation (FDOT) issued a Significant Deficiency Advisory report for the Buck Road Bridge over the Little Econlockhatchee River. The report observed deterioration to the bridge's timber pile structure. The bridge structure could fail and create a safety issue if the project was not procured under emergency procurement procedures. The work consists of installing pile jackets and additional reinforcement for the timber piles. The project is located in District 5.

**FUNDING:**

Funding is available in account number 1003-072-2852-6311.

**APPROVALS:**

The Public Works Engineering Division concurs with this recommendation.



**DISCUSSION**

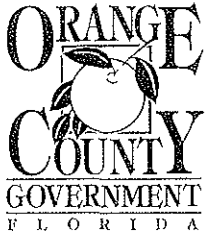
Three bids were received. Although the bid of Atlantic Civil Constructors Corporation was approximately 23% lower than the next low bidder, Cathcart Construction Company – Florida, staff attributed the price difference to market conditions. Atlantic Civil Constructors Corporation also provided written confirmation of prices and their understanding of the scope of work. Therefore, the bid was determined to be reasonable. Atlantic Civil Constructors Corporation has a satisfactory record of performance for this type of work.

Bids Received

Base Bid

Atlantic Civil Constructors Corporation	\$265,623.11
Cathcart Construction Company – Florida	\$326,580.00
Southland Construction, Inc.	\$390,000.00





Interoffice Memorandum

July 28, 2016

TO: Mayor Teresa Jacobs  
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: John Goodrich, Assistant to the Director, Health Services  
407-836-7689

SUBJECT: Approval of Amendment No. 1, Contract Y16-149A  
Health and Support Services for Persons with HIV Spectrum  
Disease – Ryan White Part A

ACTION REQUESTED:

Approval of Amendment No. 1, Contract Y16-149A, Health and Support Services for Persons with HIV Spectrum Disease – Ryan White Part A, with Aspire Health Partners, Inc., in the amount of \$175,000, for a revised total contract amount of \$599,820. Funds are federal grant funds from the U. S. Health Resources and Services Administrator (HRSA).

PURPOSE:

To disperse federal grant funds from HRSA to agencies for provision of health and support services for persons with HIV Spectrum Disease (Ryan White Part A).

FUNDING:

Funding is available in account number 7016 060 7302 8610 RWC12.

APPROVALS:

The Health Services Department concurs with this recommendation.



DISCUSSION:

The Ryan White Program is a health and support program for persons with HIV/AIDS. The County administers the program under guidelines from HRSA and is the designated grantee for funding. The grantee establishes the HIV Planning Council, conducts the process to distribute funds, distributes funds re-allocated by the Planning Council, and executes and monitors contracts.

The Orlando EMA HIV Health Services Planning Council designs the service delivery system for persons served with Ryan White Part A funding in the Orlando Eligible Metropolitan Area (EMA). The program covers an EMA that consists of Orange, Osceola, Lake and Seminole Counties.

Due to additional funding received from HRSA, the Planning Council has decided on additional funding for the substance abuse services - residential provided by Aspire Health Partners, Inc. in the amount of \$175,000.

On February 16, 2016, Board of County Commissioners approved award to Aspire Health Partners, Inc. in the amount of \$193,820 for Mental Health Services and \$231,000 for Substance Abuse Services.







Interoffice Memo

REAL ESTATE MANAGEMENT ITEM 1

**DATE:** July 29, 2016

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

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

**FROM:** Robin Giove, Lease Program Manager   
Real Estate Management Division

**CONTACT PERSON:** Ann Caswell, Manager

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

**ACTION REQUESTED:** APPROVAL AND EXECUTION OF AGREEMENT TO EXERCISE RENEWAL OPTION BETWEEN ORANGE COUNTY AND OUTFRONT MEDIA LLC, AS SUCCESSOR IN INTEREST TO WHITECO METROCOM, A SUBSIDIARY OF WHITECO INDUSTRIES, INC.

**PROJECT:** Turnpike Billboard – Conroy-Windermere Rd  
Lease File #7003  
  
District 6

**PURPOSE:** To provide for renewal of billboard lease.

**ITEM:** Agreement to Exercise Renewal Option  
Revenue: Year 1 – 5: The greater of \$6,200.00 per year or  
25% of gross revenue  
Year 6 – 10: The greater of \$7,200.00 per year or  
25% of gross revenue  
Term: 10 years

**REVENUE:** Account Number: 0001-043-0201-6245



**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Stormwater Management Division  
Risk Management Division

**REMARKS:** On June 11, 1996, the Board of County Commissioners entered into a twenty (20) year Lease Agreement with Whiteco Metrocom, a subsidiary of Whiteco Industries, Inc. (Whiteco), over a portion of a County-owned retention pond adjacent to the Florida Turnpike off of Conroy Windermere Road in settlement of an inverse condemnation claim. Outfront Media LLC, as successor in interest to Whiteco, has notified the County of its intent to exercise its option to renew the lease for an additional ten (10) year term. This Agreement to Exercise Renewal Option sets out the mutually agreed upon terms and conditions of the renewal.

**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 Memo


I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
10

REAL ESTATE MANAGEMENT ITEM 2

**DATE:** July 29, 2016

**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 RIGHT OF ENTRY  
AGREEMENT FROM ORANGE COUNTY TO CITY OF ORLANDO  
WITH CONSENT OF CONTRACTOR, GARNEY COMPANIES, INC.

**PROJECT:** Marks Street City Utility Installation  
  
District 5

**PURPOSE:** To provide the City temporary access across County-owned property for  
construction of City utility improvements.

**ITEM:** Right of Entry Agreement with Consent of Contractor  
Revenue: None  
Size: 2.366 acres  
Term: Until completion of project

**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Capital Projects Division  
Parks and Recreation Division  
Risk Management Division



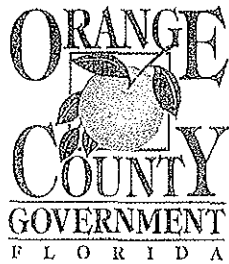
**REMARKS:**

The Marks Street Senior Center (Senior Center) is located at 99 E. Marks Street, Orlando. The City of Orlando (City) is performing infrastructure improvements to the sanitary sewer, potable water, and storm drainage systems including replacement of affected paving, sidewalks, driveways, etc., within Marks Street from Orange Avenue to east of Thornton Avenue. This project will require the closure of the Marks Street entrance into the Senior Center for approximately two months during construction. This Right of Entry Agreement (ROE) will allow removal of County's fencing along the western property line, and removal of curb, additional temporary striping, and stabilization will allow two 10-foot lanes on Pasadena Place and a temporary driveway to the Senior Center from Pasadena Place for ingress/egress during construction activities. The Senior Center property will be restored to pre-construction condition upon completion of City's utility construction.

The City's Contractor, Garney Companies, Inc., agrees to defend, indemnify, and hold harmless the County.

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Interoffice Memo


I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
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REAL ESTATE MANAGEMENT ITEM 3

**DATE:** July 21, 2016

**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 DRAINAGE EASEMENTS AND  
TEMPORARY DRAINAGE AND UTILITY EASEMENT BETWEEN  
TAYLOR MORRISON OF FLORIDA, INC. AND ORANGE COUNTY  
AND AUTHORIZATION TO RECORD INSTRUMENTS

**PROJECT:** Overlook 2 at Hamlin Phase 2 and 5 (PR-15-11-073)  
  
District 1

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

**ITEMS:** Drainage Easements (2)  
Cost: Donation  
Total size: 4,180 square feet  
  
Temporary Drainage and Utility Easement  
Cost: Donation  
Size: 28,164 square feet  
Term: Until replaced by a permanent platted easement



Real Estate Management Division  
Agenda Item 3  
July 21, 2016  
Page 2

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

**REMARKS:** Grantor to pay all 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.**






Interoffice Memo

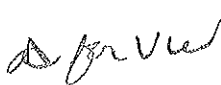
I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
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REAL ESTATE MANAGEMENT ITEM 4

**DATE:** July 29, 2016

**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 DONATION COVENANT FOR PARK SITE BETWEEN LENNAR HOMES, LLC AND ORANGE COUNTY AND APPROVAL OF SPECIAL WARRANTY DEED FROM LENNAR HOMES, LLC TO ORANGE COUNTY AND AUTHORIZATION TO PERFORM ALL ACTIONS NECESSARY AND INCIDENTAL TO CLOSING

**PROJECT:** Moss Park PD Parcel J Park Expansion  
  
District 4

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

**ITEMS:** Donation Covenant for Park Site  
  
Special Warranty Deed  
Cost: Donation  
Size: 4.00 acres



**APPROVALS:** Real Estate Management Division  
County Attorney's Office  
Community, Environmental and Development Services Department  
Risk Management Division

**REMARKS:** This conveyance will serve to satisfy the obligation of Lennar Homes, LLC (Grantor) to donate land for park purposes pursuant to the Condition of Approval No. 19 contained in the Conditions applicable to the Moss Park Planned Development (PD) / Western Portion of Parcel N Preliminary Subdivision Plan, approved on June 3, 2014, and Condition of Approval No. 10 contained in the Conditions applicable to the Substantial Change to the Moss Park Planned Development / Land Use Plan (PD/LUP) approved on September 23, 2014, by the Board of County Commissioners.

The 4-acre tract is adjacent to existing County park land and will be assembled to expand the facilities to 20 acres. The property is subject to a Conservation Easement in favor of the South Florida Water Management District, and other matters set forth in the Declaration of Master Covenants, Conditions and Restrictions for the Moss Park development which do not materially interfere with the utilization of the property for passive recreational purposes.

Grantor to pay all closing costs.

**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 Memo

I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
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REAL ESTATE MANAGEMENT ITEM 5

**DATE:** July 29, 2016

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

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

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

**CONTACT PERSON:** Ann Caswell, Manager

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

**ACTION REQUESTED:** APPROVAL OF CONSERVATION AND ACCESS EASEMENT  
BETWEEN ALAFAYA SF PROPERTIES, LLC AND ORANGE  
COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Alafaya SF Properties Tracts 1, 2, 3, & 5 Impact Permit #09-033  
  
District 4

**PURPOSE:** To provide for conservation of wetlands and uplands as a requirement of  
development.

**ITEM:** Conservation and Access Easement  
Cost: Donation  
Total size: 140.81 acres

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



**REMARKS:**

Conservation Area Impact Permit No. 09-033 issued by Orange County Environmental Protection Division requires a Conservation Easement on a portion of the site being developed. Alafaya SF Properties, LLC (Grantor) recorded a Conservation Easement in Official Records Book 10666, page 3331, Public Records of Orange County, Florida, without proper approval and acceptance by the Board of County Commissioners. This Conservation and Access Easement will supersede and replace the previously recorded Conservation Easement in its entirety.

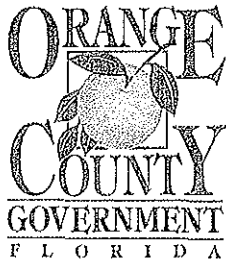
This Conservation and Access Easement reserves the right to Grantor to construct and maintain elevated access boardwalks and walking trails through the conservation area subject to limitations and conditions. This reservation does not release the Grantor, and its successors and assigns, from the duty of obtaining all necessary County, State of Florida and/or federal permits, and/or any sovereign land approvals for the construction, installation, placement, maintenance and/or repair of access boardwalks and walking trails. It will also protect and preserve the property forever in its existing natural condition and prevent any use that will impair or interfere with the environmental value of the property. Those wetland and upland areas included in the Conservation Easement that are to be enhanced, restored, or created pursuant to the Permit shall be retained and maintained in the enhanced, restored, or created conditions required by the Permit.

The Grantor is providing access to the Conservation Easement on, over and through the Project Site, which lies southwesterly of S. Alafaya Trail and northerly of Innovation Way.

Grantor to pay all 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.**





Interoffice 1

I. CONSENT AGENDA  
ADMINISTRATIVE SERVICES  
DEPARTMENT  
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REAL ESTATE MANAGEMENT ITEM 6

**DATE:** July 29, 2016

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

**THROUGH:** Ann Caswell, Manager *dc*  
Real Estate Management Division *dc for mth*

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

**CONTACT PERSON:** Ann Caswell, Manager

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

**ACTION REQUESTED:** APPROVAL OF CORRECTIVE AND RESTATED CONSERVATION AND ACCESS EASEMENT BETWEEN ALAFAYA TH TRACT 9, LLC AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

**PROJECT:** Alafaya MF Tract 8 Impact Permit #07-056  
  
District 4

**PURPOSE:** To provide for conservation of wetlands and uplands as a requirement of development.

**ITEM:** Corrective and Restated Conservation and Access Easement  
Cost: Donation  
Total size: 6.655 acres

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



**REMARKS:**

On March 17, 2009, the Board of County Commissioners approved the Conservation Easement ("Original Easement") between Alafaya MF Tract 8, LLC and Orange County. The Original Easement is being superseded and replaced in its entirety by this Corrective and Restated Conservation and Access Easement to reserve Grantor's right to construct access boardwalks and walking trails through conservation areas and to correct Exhibit "A". This reservation does not release the Grantor, and its successors and assigns, from the duty of obtaining all necessary County, State of Florida and/or federal permits, and/or any sovereign land approvals for the construction, installation, placement, maintenance and/or repair of access boardwalks and walking trail. This Corrective and Restated Conservation and Access Easement ("Conservation Easement") will protect and preserve the property forever in its existing natural condition and prevent any use that will impair or interfere with the environmental value of the property. Those wetland and upland areas included in the Conservation Easement that are to be enhanced, restored, or created pursuant to the Permit shall be retained and maintained in the enhanced, restored, or created conditions required by the Permit.

The Grantor is providing access to the Conservation Easement on, over and through the Project Site, which lies northwesterly of Innovation Way. Upon platting of any portion of the Project Site, all platted lots shown on any such plat shall be deemed released from the Access Easement, provided that the County retains access for the purposes stated herein to the Conservation Easement by a platted access easement or public road.

Grantor to pay all 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.**





Interoffice Memorandum

AGENDA ITEM

July 18, 2016

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

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

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

**SUBJECT:** August 16, 2016 - Consent Items  
Resolution for Special Assessment Lien(s) - Demolition (36)

Pursuant to the Orange County Code, Chapter 9, Section 9-278, Property Maintenance Code, Assessment and Lien, authorizes Orange County, by order of the Code Enforcement Board and Special Magistrate, to have unsafe structures demolished through an independent contractor when not done voluntarily by the owner after sufficient notice. Further, the regulation allows the Board of County Commissioners by Resolution to place Special Assessment Liens on properties to recover the cost of demolition. The property listed below had a structure that was demolished at the expense of the County with associated costs as indicated.

<u>Case No.</u>	<u>Dist. #</u>	<u>Property Owner</u>	<u>Amount*</u>
A 13-0378	2	COX OTIS E ESTATE	\$ 11,398.26
A 15-0326	6	CUMMINGS CLAYTON C	\$ 10,099.69
A 15-0327	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,099.71
A 15-0328	6	CUMMINGS CLAYTON C	\$ 10,099.69
A 15-0329	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,099.69
A 15-0330	6	JONES ERNEST LEE	\$ 10,099.69
A 15-0332	6	GRANTEE BSLNC	\$ 9,282.30
A 15-0333	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 9,282.30



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August 16, 2016 - Consent Items

Resolution for Special Assessment Lien(s) - Demolition (36)

<u>Case No.</u>	<u>Dist. #</u>	<u>Property Owner</u>	<u>Amount*</u>
A 15-0346	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,894.05
A 15-0347	6	HUGHES BRUCE	\$ 10,894.06
A 15-0348	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,562.24
A 15-0349	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,562.24
A 15-0351	6	TYMBER SKAN ON THE LAKE HOMEOWNERS ASSN INC	\$ 10,562.25
A 15-0358	6	RADICE ROBERT	\$ 11,999.24
A 15-0360	6	CUMMINGS CLAYTON C	\$ 11,999.24
A 15-0361	6	LAMPKIN BRAD	\$ 11,999.24
A 15-0362	6	TRUST NO 41271	\$ 12,099.24
A 15-0363	6	SIRIPALA KUMBALATARA A	\$ 11,999.25
A 15-0369	6	HURLEY JAMES F	\$ 12,464.53
A 15-0370	6	HURLEY JAMES F	\$ 12,464.54
A 15-0372	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 12,039.51
A 15-0383	6	CROSS WILLIAM J; NGUYEN XUAN T	\$ 10,981.24
A 15-0384	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,981.26
A 15-0385	6	ROBINSON JOHNNY ANDRE	\$ 10,981.27
A 15-0387	6	GALLAGHER MORTGAGE CO INC	\$ 10,760.05
A 15-0388	6	GALLAGHER MORTGAGE CO INC	\$ 10,760.05
A 15-0389	6	GALLAGHER MORTGAGE CO INC	\$ 10,989.17
A 15-0390	6	4139 TYMBERWOOD LANE LAND TRUST	\$ 11,320.98
A 15-0391	6	M M U INVESTMENTS LLC	\$ 11,320.98
A 15-0392	6	GALLAGHER MORTGAGE CO INC	\$ 10,989.15
A 15-0393	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,989.16
A 15-0396	6	CAMPBELL CRAIG	\$ 10,989.16
A 15-0604	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 11,008.25
A 15-0605	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 12,110.25
A 16-0016	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 8,530.37
A 16-0066	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 10,564.16



Page 3

August 16, 2016 - Consent Items

Resolution for Special Assessment Lien(s) - Demolition (36)

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 Resolution of the Orange County Board of County Commissioners regarding Claim of Special Assessment Lien Pursuant to Section 9-278 of the Orange County Code, Property Maintenance, and approval to file Claim of Special Assessment Liens by Resolution for unsafe structures demolished by Orange County. Districts 2 and 6.**

JVW/BC:jr

Attachments



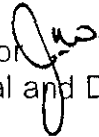


Interoffice Memorandum

AGENDA ITEM

August 1, 2016

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: August 16, 2016 – Consent Item  
Request for Renewal of the Solid Waste Management Facility  
Permit for the Rocket Boulevard Materials Recovery Facility

The applicant, Republic Services of Florida, LP, requests renewal of a Solid Waste Management Facility permit SW-142429-MRF/TS-07/0711 for a Materials Recovery Facility (MRF) and Transfer Station for Class I and Class III solid waste. The facility includes approximately 22,000 square feet building space and adjacent storage areas. The property is approximately 13.9 acres located at 11273 Rocket Boulevard, Orlando, unincorporated Orange County, FL 32824, approximately ¼ mile south of Central Florida Parkway. The Parcel ID number for the site is: S-T-R 14-24-29-0000-00-006. The subject property is located in Orange County Commission District 4.

On November 13, 2007, the Board of County Commissioners (BCC) approved the initial County permit for this facility. The facility currently has Class III solid waste MRF operations in an existing 10,000 sq. ft. building. An approximately 12,000 sq. ft. building for Class I solid waste operations that was approved at the same time has not yet been constructed. In the interim, the facility has proposed to utilize the area for this future building for outdoor yard trash recycling on an as needed basis.

At a MRF, recyclable materials are sorted from incoming solid waste and are transported to approved recycling facilities. Residual solid wastes are transported to approved disposal facilities. At a transfer station, incoming solid waste is temporarily



Page Two

August 16, 2016 - Consent Item

Request for Renewal of the Solid Waste Management Facility Permit for the Rocket Boulevard Materials Recovery Facility

stored, and usually combined into larger loads, prior to transport to an approved processing or disposal facility.

Class I solid waste is defined, in part, as "solid waste which is not hazardous waste, and which is not prohibited from disposal in a lined landfill under the rules of the State of Florida Department of Environmental Protection." Class I waste typically includes household garbage. Class III solid waste is defined in part as, "combinations of yard waste and construction and demolition debris along with other debris such as paper, cardboard, asbestos, cloth, cut tires, glass, plastic and other materials approved by the Florida Department of Environmental Protection (FDEP) that are not expected to produce leachate which poses a threat to public health or the environment."

There are currently no outstanding Notices of Violation for the facility. Over the past permit period, the facility operators have worked with the Environmental Protection Division (EPD) staff to resolve any issues that have arisen. These have generally been minor concerns such as keeping operator training updated.

The current permit had an expiration date of November 12, 2012 and in accordance with Orange County Code Section 32-214(g) the facility has operated under an extension during the renewal application review period. Initially the operator had proposed modifications to the hours of operation that resulted in staff seeking input from the Zoning Division, conducting field noise measurements, and evaluating review as a major modification. During this period of discussion, Republic Services also underwent some corporate and staffing changes, and the modification is not being pursued at this time. The hours will remain Monday through Saturday, 7 a.m. – 7 p.m. The review of submittals, which included minor updates to their operations plan, is now complete.

A previously approved waiver for reduced setbacks from the property boundaries is documented in permit condition number 45. No change is proposed.

In conjunction with the permit conditions, the renewal application satisfactorily addresses current code requirements as reviewed by the Environmental Protection Division staff. Minor updates to the permit conditions will reflect the renewal submittals. Upon approval by the BCC, this permit shall be renewed for five (5) years, with an expiration date of August 15, 2021.

**ACTION REQUESTED:** Approval of renewal of Solid Waste Management Facility Permit No. SW-142429-MRF/TS-07/0711 through August 15, 2021 for the Rocket Boulevard Materials Recovery Facility for Republic Services of Florida, LP, with waiver and conditions. District 4

JVW/LC: mg  
Attachments



## Attachment – Permit Conditions

### General

1. In the case of any conflict among these conditions, or between these conditions and applicable laws, the more extensive and restrictive requirements shall apply.
2. All plans, reports and other supporting documents submitted with the permit application, as approved, are incorporated as part of this permit and operation shall proceed in accordance with these documents. This permit includes, at a minimum, the following documents:
  - a. "Permit Application: Class I and III Waste Processing Facility," dated March 14, 2006, and submitted by Jennifer L. Deal, P.E., Tetra Tech HAI.
  - b. The Environmental Protection Division (EPD) "Request for Additional Information," dated October 2, 2006.
  - c. "Response to Request for Additional Information," dated November 20, 2006, and submitted by Jennifer L. Deal, P.E., Tetra Tech HAI.
  - d. "Rocket Boulevard Haul Routes" including revised application page 4, dated September 28, 2007, submitted by Jennifer L. Deal, P.E., Tetra Tech HAI.
  - e. "Permit Renewal Application" dated August 14, 2012, received August 14, 2012, submitted by Jennifer L. Deal, P.E., Tetra Tech
  - f. "Permit Renewal Application" (Technical Review Response) dated April 27, 2016, received April 28, 2016, submitted by Jennifer L. Deal, P.E., Tetra Tech
  - g. Email titled "RE: Rocket Blvd Permit Renewal - Review of RAI Response" (with revisions to Operation Plan) dated May 4, 2016, received May 4, 2016, submitted by Jennifer L. Deal, P.E., Tetra Tech
3. Facility construction and operations 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 (BCC) at the public hearing where this permit was approved, where such promise or representation, whether oral or written, was relied upon by the BCC in approving the permit, could have reasonably been expected to have been relied upon by the BCC in approving the permit, or could have reasonably induced or otherwise influenced the BCC to approve the permit. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the BCC by the applicant (or authorized agent) if it was expressly made to the BCC at a public hearing where the permit was considered or approved.
4. Any modifications to or deviations from this permit must be submitted to the EPD for review. The EPD shall determine if the modification or deviation is minor, or is major or substantial. The EPD may approve or deny minor modifications or deviations. Only the BCC may approve substantial deviations from, or major modifications to, this permit.



5. This permit does not relieve the permittee from the responsibility of obtaining and maintaining any/all other applicable federal, state, or local permits and renewals thereto required for the site. The permittee is required to maintain, current and valid, any permit(s) required in Sections 62-701 through 62-722, Florida Administrative Code (FAC).
6. No solid waste may be stored, processed, or disposed of in a manner or location that will cause air quality, water quality, or receiving water standards to be violated.
7. The permittee shall maintain and provide to the EPD evidence of financial responsibility, and financial assurance, using an approved method, in an amount equivalent to the County's total cost of closure for the facility for the period of time when the extent and manner of operation make the closing most expensive.
8. After all proposed construction has been completed, and before acceptance of any solid waste in the proposed construction area, the engineer of record shall certify to the EPD that the permitted construction is complete and that it was done in accordance with the plans submitted to the EPD except where minor deviation was necessary. All deviations shall be described in detail and the reasons therefore enumerated. The permittee shall provide at least 14 days advance notice to the EPD prior to accepting solid waste in the proposed construction area so that the EPD has the opportunity to inspect the site.
9. All activities at the facility shall be performed in accordance with the operation and maintenance manual and plans for the facility. Manuals and plans shall be updated whenever relevant operations change.

#### Security and Access

10. The facility shall be open to the County for the purpose of inspection during normal working hours of the facility and at any other time when work is in progress.
11. The Hours of Operation, as approved by the BCC, are:

Monday - Friday: 7:00 a.m. - 7:00p.m.

Saturday: 7:00 a.m. - 7:00 p.m.

Sunday: None

Receipt or shipment of waste and waste processing, are limited to within the Hours of Operation. Activities such as maintenance and cleaning are not considered operation and may be scheduled at the facility's discretion.

12. A sign listing the approved Hours of Operation shall be posted and maintained in a manner that is clearly visible upon approach to the main entrance(s) to the facility.
13. Site access shall be controlled by at least a 6-foot-high security chain link fence, or equivalent approved method. Fences or walls shall comply with Sections 32-216(b)(10) (a)(13) and 38-1408, Orange County Code (OCC). Site access control shall be inspected at least quarterly and maintained at all times by the permittee. Gates shall be locked when the site is not open for business.



## Waste Quality Control

14. The facility may receive, extract recyclable materials from, and temporarily store or hold, but not dispose of onsite, the following materials:

- up to a weekly average of 500 tons per day Class III waste, including construction and demolition debris waste, within the approved tipping floor(s);
- up to a weekly average of 600 tons per day Class I waste within the approved tipping floor(s).

Wastes shall only be unloaded or loaded within the approved tipping floors. Temporary storage of wastes onsite shall not exceed the quantities covered in latest approved Financial Assurance mechanism.

15. A sign listing waste materials acceptable to the site shall be posted and maintained in a manner that is clearly visible upon approach to the main entrance(s) to the facility.
16. Each shipment of incoming waste must be inspected by a spotter, or interim spotter, trained and performing duties in accordance with Rule 62-701.320(15), FAC. Spotters shall perform their duties from a location where they can thoroughly inspect each shipment of waste for prohibited materials. The spotter(s) shall have the authority and responsibility to reject unauthorized loads. If unauthorized waste is identified during or after unloading, the spotter(s) shall have the authority and responsibility to reload the customer's vehicle for removal from the site. Finally, if reloading is not feasible, the spotter(s) shall have the authority and responsibility to assess appropriate surcharges and have the unauthorized material removed by on-site personnel. In all instances, the transporter and generator of the unauthorized solid waste must be notified to prevent future occurrences, and a log of all such unauthorized waste shipments shall be maintained at the site.
17. Hazardous wastes, universal wastes, and regulated nonhazardous wastes shall be managed in accordance with Resource Conservation and Recovery Act and the FAC, as appropriate. Manifests for the shipment of all such wastes must be maintained onsite.
18. The operator shall inform the County immediately of the inadvertent receipt of any shipment containing greater than 25 gallons or 220 pounds of hazardous waste, or of the greater than de minimis discharge of any hazardous waste in the facility, and provide a written plan within 5 days advising the date of discovery and how the hazardous waste was properly disposed. If laboratory confirmation is needed, the laboratory results shall be provided to the County. Once waste is confirmed to be hazardous, it shall be properly managed within 5 days. In the case of release or discharge above threshold quantities, the ~~State Warning Point~~ Florida State Watch Office (1-800-320-0519) shall be notified.
19. Lumber that has been pressure treated with chromated copper arsenate (CCA) or creosote will not be recovered from the waste stream for chipping or mulching, but will be transported offsite for proper disposal.
20. All putrescible wastes shall be removed from the facility within 48 hours. Upon demonstration of adequate additional controls, including odor and vector controls, EPD may extend this period to a maximum of 7 days, on a case by case basis.



21. Rejected wastes must be promptly removed and shipped offsite for management at an appropriate facility. Rejected waste must be removed within 1 week.
22. Recovered materials must be shipped out within 1 year of processing.

#### Ancillary Operations

23. Any future ancillary operations are subject to review by the EPD.

#### Community Issues

24. The only permitted routes for vehicular access to and from the site are those approved by the BCC. Those are:
  - a. Central Florida Parkway to Rocket Boulevard to the facility entrance
  - b. S.R. 441 to Central Florida Parkway
  - c. Orange Avenue to Taft-Vineland Road to General Drive to Central Florida Parkway
  - d. Orange Avenue to Zell Drive to United Way to Central Florida Parkway

No vehicular access to and from the site is allowed through the parcel(s) located south of the facility.

At least once per quarter, the permittee shall notify customers of routes that are approved and not approved, and of their obligations under this permit and Section 32-111 "Loads on vehicles," OCC.

25. The permittee shall be responsible for cleanup of all litter generated from the permittee's operation per Sections 32-113 and 32-216(b)(10)(a)(13), OCC. In addition, on an as needed basis, but not less than once per week, the permittee shall be responsible for cleanup of customer-generated litter from Rocket Boulevard between Central Florida Parkway and the facility entrance.

Cleanup shall take place along publicly accessible rights-of-way and with all necessary safety precautions.

26. Driveways, streets, and facilities for routing traffic shall be designed in such a manner that entrances and exits to public streets are not hazardous and that traffic congestion is minimized in accordance with Section 32-216(b)(15)(a)(18) and Chapter 38, OCC.
27. Excessive growth of grass, weeds, and brush on property shall be minimized in accordance with Chapter 28, Article II, OCC.
28. Landscaping shall be evaluated at least quarterly and any damaged vegetation replaced in accordance with the approved landscape plan.



29. In areas not approved for processing of wastes or storage of recovered materials, accumulation of trash, junk, debris, and nonliving plant material shall be minimized in accordance with Chapter 28, Article II, OCC.
30. Vectors and pests shall be controlled through the appropriate use of pesticides or other approved methods to minimize impact on adjacent properties.
31. Fugitive dust emissions shall be controlled per Section 38-1452 and Chapter 15, Article III, of OCC.
32. Any wood chipping operations must meet the performance standards in Section 38-79(96).
33. Recovered materials may only be stored within approved storage areas. Neither the front yard setback area (35 feet from western boundary), nor any landscape buffer area, may be used for open storage. Storage of recovered materials is limited to the quantities covered in latest approved Financial Assurance mechanism.
34. The permittee shall conduct weekly inspections of the stormwater management system, and any required maintenance or repairs will be conducted within 7 days or other EPD approved schedule.

#### Reporting and Record Keeping

35. The following items shall be maintained and available for review at the facility for a period of at least 3 years:
  - a. A copy of the complete permit including plans, reports, and other supporting documents
  - b. Unauthorized waste receipt logs maintained in an unauthorized waste receipt logbook
  - c. Manifests and/or receipts for leachate tank pump-out
  - d. Manifests for any hazardous waste, universal waste, or regulated nonhazardous waste, shipped offsite
  - e. Credentials for operators and spotters
  - f. A list of customers notified about haul routes and restrictions
  - g. A record of stormwater management system inspections and any repairs
  - h. A record of site access control (gate and fence) inspections and any repairs
36. The following items shall be submitted to the EPD on an annual basis:
  - a. A report of solid waste type and quantity managed at the facility, including the amount and destination of treated, recycled, or recovered materials leaving the site for reuse, use as raw material, or disposal.



- b. Cost estimates and proof of financial assurance shall be updated and submitted to the department for review whenever relevant operations change, or annually at a minimum. This cost estimate should be accompanied by an estimate of the volume of waste and recovered/recycled materials currently stored onsite.
- c. A report of annual leachate collection system and tank inspections and any repairs. This should also include a log of all leachate tank pump-out events.

#### Transfer of Permit/Closing

- 37. This permit may be transferred only upon approval by the BCC as outlined in Section 32-214(i).
- 38. If the facility temporarily ceases accepting waste, the EPD shall be notified, and all solid waste (unprocessed, rejected, etc.) shall be removed within 1 week or other EPD approved schedule.
- 39. If the facility permanently ceases accepting waste prior to the expiration of this permit, it shall close in accordance with the provisions of this permit. Closure shall take place as documented in the application and:
  - a. The owner or operator shall notify the EPD in writing prior to ceasing operations, and shall specify a closing date. No waste shall be received by the facility after the closing date.
  - b. Within 30 days after receiving the final solid waste shipment, the owner or operator shall remove or otherwise dispose of all solid waste or residue in accordance with the approved closure plan.
  - c. Closure must be completed within 180 days after receiving the final solid waste shipment. Closure will include removal of all recovered materials from the site.
  - d. Regardless of any financial assurance, the permittee is responsible for all costs to properly close operations at the facility.

#### Fires, Emergency Preparedness, and Continuity of Operations

- 40. Burning of solid waste is prohibited.
- 41. A fire fighting agreement signed by the solid waste management facility operator and the Orange County Fire Chief, as outlined in 32-215(a)(21), OCC, shall be maintained and updated whenever relevant operations change.
- 42. The operator shall inform the EPD immediately of any fires that persist longer than 1 hour.
- 43. Class I waste shall not be accepted at any time there is a reasonable anticipation by the permittee or that:
  - a. Due to equipment failure, capacity, or any other reason, the waste or its residue cannot be shipped out within 48 hours; or



- b. Electricity, whether utility or back-up generator supplied, will not be available to properly operate the leachate collection system or odor control system.
- 44. Once approved recovered materials storage limits are reached, no additional recovery of that item can occur. No wastes shall be accepted at any time there is a reasonable anticipation that the lesser of either approved tipping floor space or available processing capacity for that waste will be exceeded.

#### Waivers

- 45. As required, the following items have been properly waived by the BCC:
  - a. An operational setback of 93 feet, rather than 150 feet, from the south property boundary for the existing (eastern) processing building.
  - b. An operational setback of 50 feet, rather than 150 feet, from the east property boundary for the existing (eastern) processing building.
  - c. An operational setback of 77 feet, rather than 150 feet, from the south property boundary for the proposed (western) processing building.

#### Board of Zoning Adjustment Conditions

- 46. Development in accordance with the site plan, dated Received May 7, 2007, the November 1, 2006, Development Review Committee conditions, and all other applicable governmental rules and 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 public hearing.
- 47. All outdoor lighting in accordance with Chapter 9, OCC.
- 48. Access, drainage, roadway improvements and concurrency management shall be determined by the Public Works Department.
- 49. Landscaping in accordance with Chapter 24, OCC.
- 50. Open or outdoor storage of Class I waste overnight (after operating hours) on the ground or in the building is prohibited. In the event of inclement weather during operating hours, the applicant shall secure all Class I waste with industrial-rated tarps or other similar application to contain waste and prevent fly-away litter from the building and haul vehicles. Overnight parking of haul vehicles containing uncovered Class I waste is prohibited.
- 51. Install odor-neutralizing system inside proposed addition. System shall be functional and operational prior to obtaining final building inspection.
- 52. Hours of operation in accordance with Chapter 32, OCC.
- 53. Haul route, dust emissions, and detailed litter/odor/screening controls shall be subject to EPD review and BCC approval of the permit.



- 54. Building design per drawings, dated received September 6, 2007.
- 55. Obtain a floodplain permit prior to construction.

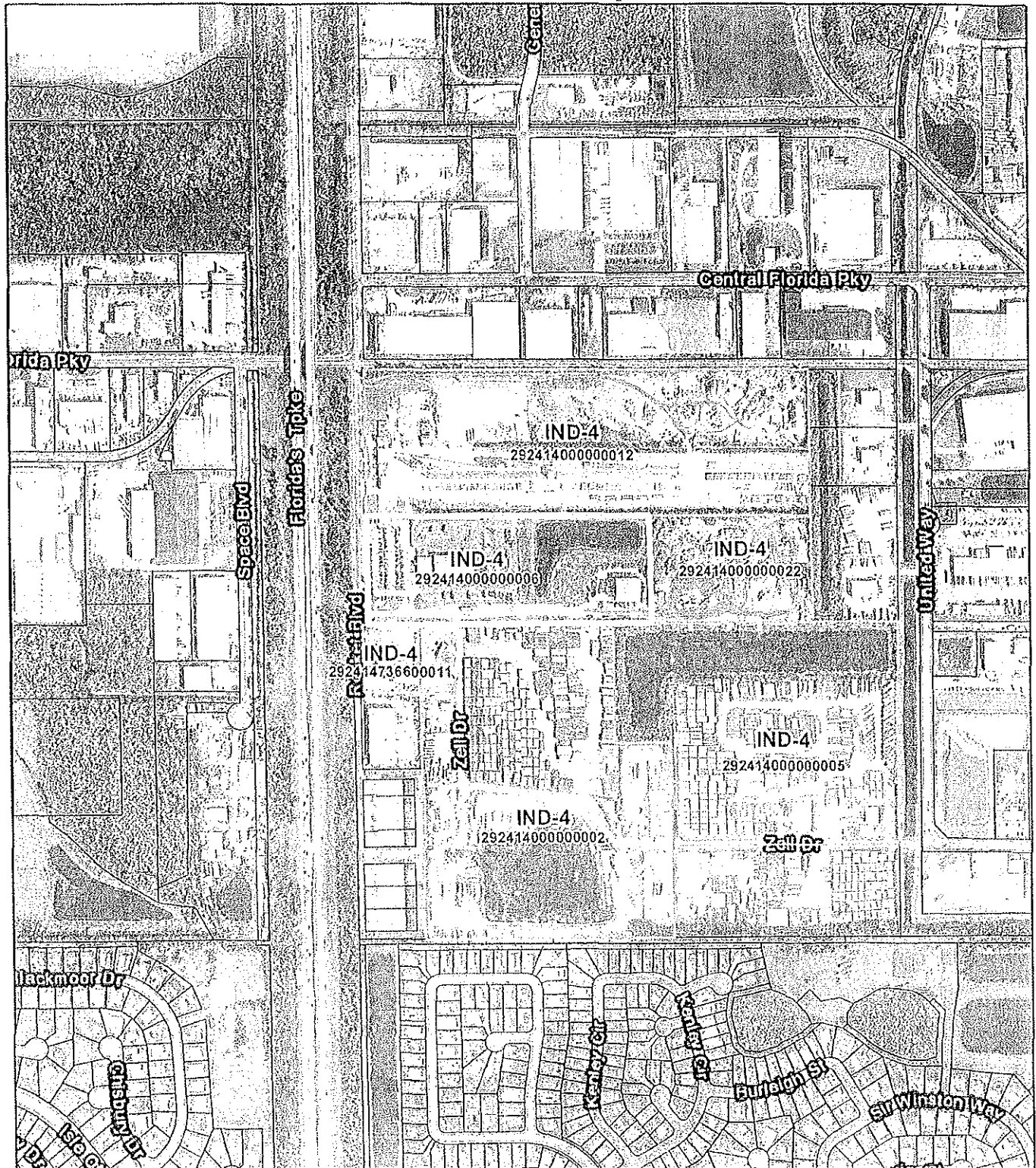
#### Development Review Committee Conditions

- 56. Development shall conform to the Rocket Boulevard Materials Recovery Facility Expansion - Special Exception for Class I Facility Site Plan, dated "Received May 7, 2007," 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 Planned Development 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.
- 57. Billboards and pole signs shall be prohibited.
- 58. Outdoor storage of Class I solid waste is prohibited. This shall include the overnight parking of vehicles containing uncovered Class I solid waste.
- 59. Prior to earth work or construction, 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 EPD NPDES Administrator. The original NOI form shall be sent to the Florida Department of Environmental Protection.
- 60. 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 certificate of occupancy. However, nothing in this condition and nothing in the decision to approve this development plan shall be construed to mean that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

#### Other

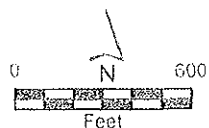
- 61. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit 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.





Source: Orange County GIS Data & 2010 Aerial

- LEGEND**
- Site Location  
(Section 14, T 24 S, R 29 E)
  - Adjacent Property
  - Orange County Parcels



TAX MAP  
ROCKET BLVD MATERIALS RECOVERY FACILITY  
ORANGE COUNTY, FLORIDA

FIGURE 7



# ORANGE COUNTY ENVIRONMENTAL PROTECTION DIVISION

## CHECKLIST FOR PERMIT TO CONSTRUCT / OPERATE, MODIFY OR CLOSE A SOLID WASTE MANAGEMENT FACILITY OTHER THAN LANDFILLS



### A. General Information

1. Type of facility:			
<input type="checkbox"/> Composting	<input type="checkbox"/> Waste tire processing		
<input type="checkbox"/> Used oil recycling	<input type="checkbox"/> Incinerator		
<input checked="" type="checkbox"/> Solid waste transfer station	<input checked="" type="checkbox"/> Yard waste and land clearing debris recycling		
<input checked="" type="checkbox"/> Materials recovery			
<input type="checkbox"/> Other _____			
2. Type of application:			
<input checked="" type="checkbox"/> Construction / Operation		<input type="checkbox"/> Closure	
3. Classification of application:			
<input type="checkbox"/> New		<input type="checkbox"/> Substantial Modification	
<input checked="" type="checkbox"/> Renewal		<input type="checkbox"/> Minor Modification	
4. Facility name:	Rocket Boulevard Materials Recovery Facility		
5. EPD permit number:	SW-142429-MRF/TS-07/0711	District number:	4
6. Facility location (main entrance):			
11273 Rocket Boulevard			
Orlando, Florida 32824			
Parcel ID# 14-24-29-0000-00006			
7. Location coordinates:			
Section:	14	Township:	24S
		Range:	29E
UTMs: Zone		km E	km N
Latitude:	28 ° 24 ' 18N "	Longitude:	81 ° 23 ' 23W "



8.	Applicant name		Republic Services of Florida, LP	
	(Operating Authority):			
	Mailing address:		8619 Western Way	
			Jacksonville, Florida 32256	
	Contact person:	Mark Clatt	Telephone:	407-293-8000
	Title:	Area President		
9.	Authorized agent / Consultant:		Tetra Tech, Inc.	
	Mailing address:		201 E. Pine Street, Suite 1000	
			Orlando, Florida 32801	
	Contact person:	Jennifer L. Deal	Telephone:	407-480-3910
		P.E.		
	Title:			
10.	Landowner	same		
	(if different from applicant):			
	Mailing address:			
	Contact person:		Telephone:	
11.	Volume of solid waste to be received:	Up to 1,100	yds <sup>3</sup> /day	<u>tons/day</u> (circle one)
12.	Date site will be ready to be inspected for completion:	Facility is existing		
13.	Estimated life of the facility:	Indefinite	years	
14.	Estimated closure costs:	\$	79,269.36	
15.	Anticipated construction starting and completion dates:			
	From:	N/A	To:	N/A



**B. Solid Waste Management Facility General Information**

1. Provide a brief description of the facility design and operation planned by this application: <u>The facility is an existing Class III MRF, also permitted by the Florida Department of Environmental Protection. Class III waste brought to the facility is weighed, sorted, and processed on-site. Recycled materials are sold to local vendors and non-recyclable materials are hauled off-site for proper disposal.</u>  <u>Republic is also permitted to construct an additional processing building for acceptance and recycling of Class I waste. This building has not yet been constructed.</u> <u>Republic received a minor modification for limited capacity operations and addition of a Yard Trash Processing Facility. Republic is currently operating in accordance with the Minor permit modification, issued January 13, 2010.</u>	
2. Facility site supervisor:	<u>Bryant Thornton</u> Title: <u>General Manager</u> Telephone: <u>407-293-8000</u>
3. Operational area (indicate square feet for housed operations or acres for field operations):	Total: <u>22,000 ft<sup>2</sup></u> Used: _____ Available: _____
4. Source of waste:	<u>Orange County and surrounding areas.</u>
5. Haul route:	<u>1. SR 441 to Central Florida Parkway (CFP) to Rocket Boulevard or CFP to Rocket Blvd.</u> <u>2. Orange Avenue to Taft Vineland Road to General Drive to Central Florida Parkway to Rocket Boulevard.</u> <u>3. Orange Avenue to Zell Drive to United Way to Central Florida Parkway to Rocket Boulevard.</u>
6. Paved access:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. Weighing scales used:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8. Security chain link fence (minimum 6 ft. tall), with locking gates, around the site to prevent unauthorized use:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Number of gates <u>1</u>
9. Surrounding land use, zoning:	<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Agricultural <input type="checkbox"/> None <input type="checkbox"/> Commercial <input type="checkbox"/> Other _____

This page submitted Apr 28, 2016



10. List the type of waste received: The existing MRF operation accepts Class III and construction and demolition waste. A permitted expansion, to be constructed at a future date, will allow for acceptance of Class I (household) waste.

11. Salvaging permitted: ☐ Yes ☒ No

12. Facility personnel: (indicate number)

Attendant: 1 Trained operator: At least 1

Spotters: Varies Security: N/A

13. Site located in:

☒ Floodplain  
☐ Wetlands

☐ Conservation Area  
☐ Other \_\_\_\_\_

14. *Prior Use as a Solid Waste Management Facility Form on file with deed to property:* ☐ Yes ☒ No

15. Days of operation: Monday –Saturday

16. Hours of operation: 7:00 a.m. to 7:00 p.m.

17. Stormwater:

Collected: ☒ Yes ☐ No Type of treatment: Wet Detention  
Diverted: ☐ Yes ☒ No

18. Applicable Stormwater Management Permit number or status:

SFWMD General Permit 48-00769-S

This page submitted Apr 28, 2016



### C. Permit Required Submittals

S	Location	N/A	NSC	Section 32-215	Required submittals
X	Attached		X	(a)(1)	Original and three copies of the completed application with all supporting data and reports.
			X	(a)(2)	Certified current topographic survey.
			X	(a)(3)	Certified boundary survey.
	Section 2 (Forthcoming)		X	(a)(4)	Proof of ownership of property.
X	Engineering Report, Plans not Attached			(a)(5)	Engineering plans:
		X		(a)(5)e.	Design of ancillary facilities.
	Section 4, Appendix H		X	(a)(5)f.	Stormwater management plan.
	Section 3, Figure 7		X	(a)(5)g.	Zoning of property and adjacent properties.
			X	(a)(5)h.	Landscape buffer plan
	Section 4, Paragraph 1.14, Plan Sheet C-2		X	(a)(5)j.	Setbacks and access control
X	Enclosed			(a)(6).	Processing fee.
	Section 4, Appendix I		X	(a)(9)	Proposed fee schedule.
	Section 4, Paragraph 1.13		X	(a)(10)	Proposed hours of operation.
	Section 4, Paragraph 1.7		X	(a)(11)	Proposed method of quantifying waste.
	Figure 5		X	(a)(13)	Aerial photograph.
	Section 4, Appendix G		X	(a)(14)	Evidence of financial assurance.
	Section 4, Paragraph 1.11		X	(a)(15)	Litter control.
	Section 4, Paragraph 1.6		X	(a)(16)	Waste stream quality control.
X	Section 4			(a)(19)	Operations plan
		X		(a)(20)	Description of how the facility will comply with mandatory recycling.
X	Section 5			(a)(21)	Fire fighting agreement.



#### D. Certification by Applicant and Engineer

1. Applicant:

The undersigned applicant or authorized representative of Republic Services of Florida, L.P. is aware that statements made in this form and attached information are an application for a materials recovery facility/waste processing facility Permit from the Orange County Environmental Protection Division and certified that the information in this application is true, correct and complete to the best of his knowledge and belief. Further, the undersigned agrees to comply with the provisions of the Orange County Code, Florida Statutes, and all applicable rules and regulations of the Environmental Protection Division. It is understood that the Permit is not transferable, and the Division will be notified prior to the sale or legal transfer of the permitted facility.

Mandi Clatt  
Signature of Applicant or  
Authorized Representative

Mark Clatt, Vice President - Florida

Date 8/7/12

11. Professional Engineer Registered in Florida:

This is to certify that the engineering features of this solid waste management facility have been designed / examined by me and found to conform to engineering principals applicable to such facilities. In my professional judgment, this facility, when properly maintained and operated, will comply with all applicable parts of the Orange County Code, State of Florida Statutes, and rules and regulations of the Environmental Protection Division. It is agreed that the undersigned will provide the applicant with a set of instructions of proper maintenance and operation of the facility.

Signature 8/14/12

Jennifer L. Deal, P.E.  
Name and Title

58592  
Florida Registration Number  
(please affix seal)

Date \_\_\_\_\_

201 E. Pine Street, Suite 1000  
Mailing Address

City, State, Zip Code **Orlando, Florida 32801**

(407) 480-3910  
Telephone Number



[illegible]





Interoffice Memo

July 25, 2016

AGENDA ITEM

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

FROM: James E. Harrison, Esq., P.E., Chairman  
Roadway Agreement Committee  
407/836-5610

SUBJECT: August 16, 2016 – Consent Item  
Proportionate Share Agreement for The Reserve at Alafaya

The Roadway Agreement Committee has reviewed a Proportionate Share Agreement for The Reserve at Alafaya on Woodbury Road (From Golfway Boulevard to Lake Underhill Road) ("Agreement") by and among Alafaya Com Tract 7, LLC; Alafaya TH Tract 4, LLC; Alafaya SF Properties, LLC and Orange County for a proportionate share payment in the amount of \$249,560. 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 Woodbury Road for thirty-four deficient trips on the road segment from Golfway Boulevard to Lake Underhill Road in an amount of \$7,340 per trip.

The Roadway Agreement Committee approved the Proportionate Share Agreement on April 6, 2016. The Specific Project Expenditure Report and Relationship Disclosure Forms are on file with the Transportation Planning Division.

**ACTION REQUESTED:** Approval and execution of Proportionate Share Agreement for The Reserve at Alafaya Alafaya Com Tract 7, LLC, Alafaya TH Tract 4, LLC, and Alafaya SF Properties, LLC Woodbury Road: From Golfway Boulevard to Lake Underhill Road) by and between Alafaya Com Tract 7, LLC; Alafaya TH Tract 4, LLC; Alafaya SF Properties, LLC; and Orange County for a proportionate share payment in the amount of \$249,560.  
District 4

JEH/HEGB:rep  
Attachment



This instrument prepared by  
and after recording return to:

Jonathan P. Huels, Esq.  
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.  
215 North Eola Drive  
Orlando, Florida 32801

Parcel ID Number(s):

12-23-31-0000-00-011  
12-23-31-0000-00-012  
12-23-31-0000-00-008  
12-23-31-0000-00-001

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

**PROPORTIONATE SHARE AGREEMENT FOR  
THE RESERVE AT ALAFAYA  
ALAFAYA COM TRACT 7, LLC, ALAFAYA TH TRACT 4, LLC, AND  
ALAFAYA SF PROPERTIES, LLC  
Woodbury Road: From Golfway Boulevard to Lake Underhill Road**

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 **ALAFAYA COM TRACT 7, LLC**, a Florida limited liability company, **ALAFAYA TH TRACT 4, LLC**, a Florida limited liability company, and **ALAFAYA SF PROPERTIES, LLC**, a Florida limited liability company (collectively as, "**Owner**"), whose mailing address is 210 S. Orange Avenue, Suite 1090, Orlando, FL 32801 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 4, within the County's Urban Service Area, and the proceeds of the PS Payment, as defined herein, will be allocated to Woodbury Road; and

WHEREAS, Owner intends to develop the Property as 50,000 square feet of Office, 100,000 square feet of Retail, 400 Single Family Units, 560 Multi-Family Units, and 100 Townhomes (the "**Project**"); and



WHEREAS, Owner received a letter from County dated March 28, 2016, stating that Owner's Capacity Encumbrance Letter ("CEL") application #2015065 for the Project was denied; and

WHEREAS, the Project will generate 34 deficient PM Peak Hour trips (the "**Excess Trips**") for the deficient roadway segment on Woodbury Road from Golfway Boulevard to Lake Underhill Drive (the "**Deficient Segment**"), and 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

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 two hundred forty-nine thousand, five hundred sixty and 00/100 Dollars (\$249,560.00) (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 two hundred forty-nine thousand, five hundred sixty and 00/100 Dollars (\$249,560.00). 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 "The Reserve at Alafaya – Phase II" prepared by Vanasse Hangen Brustlin, Inc. on February 2016 for Morgran Management, 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 March 28, 2016, and is on file and available for inspection with that Division (CMS #2015065). 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 two hundred forty-nine thousand, five hundred sixty and 00/100 Dollars (\$249,560.00) 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:



Proportionate Share Agreement  
ALAFAYA COM TRACT 7, LLC, ALAFAYA TH TRACT 4, LLC,  
and ALAFAYA SF PROPERTIES, LLC for Woodbury Road, 2016

As to Owner: ALAFAYA COM TRACT 7, LLC  
ALAFAYA TH TRACT 4, LLC  
ALAFAYA SF PROPERTIES, LLC  
201 S. Orange Avenue  
Suite 1090  
Orlando, Florida 32801

With copy to: Jonathan P. Huels, Esquire  
Lowndes, Drosdick, Doster,  
Kantor & Reed, P.A.  
215 North Eola Drive  
Orlando, Florida 32801

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, 2<sup>nd</sup> 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.

[Signatures appear on following pages]



Proportionate Share Agreement  
ALAFAYA COM TRACT 7, LLC, ALAFAYA TH TRACT 4, LLC,  
and ALAFAYA SF PROPERTIES, LLC for Woodbury Road, 2016

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.

**"COUNTY"**

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

Date: \_\_\_\_\_

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

By: \_\_\_\_\_  
Deputy Clerk

Printed Name: \_\_\_\_\_




Proportionate Share Agreement  
ALAFAYA COM TRACT 7, LLC, ALAFAYA TH TRACT 4, LLC,  
and ALAFAYA SF PROPERTIES, LLC for Woodbury Road, 2016

**"The Reserve at Alafaya"**

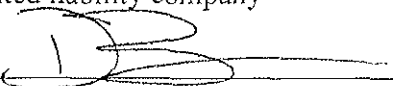
**WITNESSES:**

  
Printed Name: Chris Delgado

  
Printed Name: Dawn Bachan-Muckunlall

**"OWNER,"**

**ALAFAYA COM TRACT 7, LLC**, a Florida  
limited liability company

By: 

Print Name: Daniel Thall


Title: Vice President

Date: 4/15/16

**STATE OF FLORIDA  
COUNTY OF ORANGE**

SWORN to and subscribed freely and voluntarily for the purposes therein expressed before me by Daniel Thall, as Vice President of ALAFAYA COM TRACT 7, LLC, a Florida limited liability company who is known by me to be the person described herein and who executed the foregoing, this 15 day of April, 2016. He is personally known to me or has produced \_\_\_\_\_ (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 15 day of April, 2016.

  
NOTARY PUBLIC

Print Name: Dawn Bachan-Muckunlall

My Commission Expires: 3/24/18





Proportionate Share Agreement  
ALAFAYA COM TRACT 7, LLC, ALAFAYA TH TRACT 4, LLC,  
and ALAFAYA SF PROPERTIES, LLC for Woodbury Road, 2016

WITNESSES:

[Signature]

Printed Name: Chris Delgado

[Signature]

Printed Name: Dawn Bachan-Muckunall

"OWNER,,

ALAFAYA TH TRACT 4, LLC, a Florida  
limited liability company

By: [Signature]

Print Name: Daniel Thall

Title: Vice President

Date: 4/15/16

STATE OF FLORIDA  
COUNTY OF ORANGE

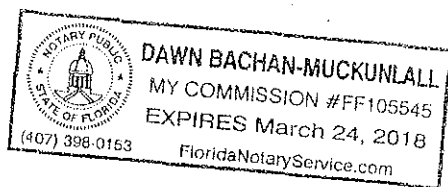
SWORN to and subscribed freely and voluntarily for the purposes therein expressed  
before me by Daniel Thall, as Vice President of ALAFAYA TH TRACT 4, LLC, a Florida  
limited liability company who is known by me to be the person described herein and who  
executed the foregoing, this 15 day of April, 2016. He is personally known to me or  
has produced \_\_\_\_\_ (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 15 day  
of April, 2016.

[Signature]  
NOTARY PUBLIC

Print Name: Dawn Bachan-Muckunall

My Commission Expires: 3/24/18





Proportionate Share Agreement  
ALAFAYA COM TRACT 7, LLC, ALAFAYA TH TRACT 4, LLC,  
and ALAFAYA SF PROPERTIES, LLC for Woodbury Road, 2016

WITNESSES.



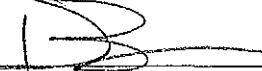
Printed Name: Chris Delgado



Printed Name: Dawn Bachan-Muckunall

"OWNER,"

ALAFAYA SF PROPERTIES, LLC, a  
Florida limited liability company

By: 

Print Name: Daniel Thall

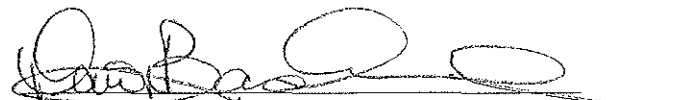
Title: Vice President

Date: 4/15/16

STATE OF FLORIDA  
COUNTY OF ORANGE

SWORN to and subscribed freely and voluntarily for the purposes therein expressed before me by Daniel Thall, as Vice President of ALAFAYA SF PROPERTIES, LLC, a Florida limited liability company who is known by me to be the person described herein and who executed the foregoing, this 15 day of April, 2016. He is personally known to me or has produced \_\_\_\_\_ (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 15 day of April, 2016.

  
NOTARY PUBLIC

Print Name: Dawn Bachan-Muckunall

My Commission Expires: 3/24/18

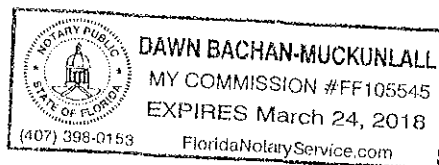




Exhibit "A"

Parcel No.: 12-23-31-0000-00-001

A PORTION OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST  $\frac{1}{4}$  CORNER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE ALONG THE EAST LINE THE NORTHEAST  $\frac{1}{4}$  OF SECTION 12-23-31, NORTH  $00^{\circ}02'49''$  WEST, A DISTANCE OF 260.00 FEET; THENCE DEPARTING THE EAST LINE SOUTH  $89^{\circ}53'09''$  WEST, A DISTANCE OF 1,320.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH  $89^{\circ}53'09''$  WEST, A DISTANCE OF 1,870.12 FEET; THENCE NORTH  $08^{\circ}03'57''$  WEST, A DISTANCE OF 358.31 FEET; THENCE NORTH  $28^{\circ}49'56''$  EAST, A DISTANCE OF 17.15 FEET; THENCE NORTH  $80^{\circ}04'01''$  EAST, A DISTANCE OF 138.76 FEET; THENCE NORTH  $21^{\circ}17'01''$  EAST, A DISTANCE OF 124.37 FEET; THENCE NORTH  $10^{\circ}30'39''$  EAST, A DISTANCE OF 167.02 FEET; THENCE NORTH  $02^{\circ}07'53''$  EAST, A DISTANCE OF 207.80 FEET; THENCE NORTH  $00^{\circ}56'28''$  EAST, A DISTANCE OF 115.21 FEET; THENCE NORTH  $42^{\circ}08'04''$  WEST, A DISTANCE OF 14.10 FEET; THENCE NORTH  $79^{\circ}27'07''$  EAST, A DISTANCE OF 131.88 FEET; THENCE NORTH  $23^{\circ}58'36''$  EAST, A DISTANCE OF 107.60 FEET; THENCE NORTH  $67^{\circ}38'25''$  EAST A DISTANCE OF 123.41 FEET; THENCE NORTH  $63^{\circ}58'14''$  EAST, A DISTANCE OF 170.10 FEET; THENCE NORTH  $26^{\circ}05'29''$  EAST, A DISTANCE OF 116.74 FEET; THENCE NORTH  $43^{\circ}56'43''$  EAST, A DISTANCE OF 176.67 FEET; THENCE NORTH  $55^{\circ}35'37''$  EAST; A DISTANCE OF 121.39 FEET; THENCE NORTH  $61^{\circ}53'53''$  EAST, A DISTANCE OF 38.97 FEET; THENCE NORTH  $53^{\circ}06'54''$  EAST A DISTANCE OF 108.27 FEET; THENCE NORTH  $64^{\circ}44'30''$  EAST, A DISTANCE OF 185.89 FEET; THENCE NORTH  $48^{\circ}38'34''$  EAST, A DISTANCE OF 94.64 FEET; THENCE SOUTH  $49^{\circ}58'55''$  EAST, A DISTANCE OF 1,258.35 FEET; THENCE SOUTH  $40^{\circ}01'05''$  WEST, A DISTANCE OF 462.75 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF  $40^{\circ}01'45''$  AND A CHORD DISTANCE OF 119.79 FEET WHICH BEARS SOUTH  $20^{\circ}00'10''$  WEST; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 122.26 FEET; THENCE SOUTH  $00^{\circ}00'34''$  WEST, A DISTANCE OF 497.17 FEET TO THE POINT OF BEGINNING.

CONTAINING 60.39 ACRES MORE OR LESS



Parcel No.: 12-23-31-0000-00-001

A PORTION OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SECTION 12-23-31, NORTH 00°02'49" WEST, A DISTANCE OF 260.00 FEET; THENCE SOUTH 89°53'09" WEST, A DISTANCE OF 3,191.02 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°53'09" WEST, A DISTANCE OF 2,168.43 FEET TO A POINT ON THE WEST LINE OF SECTION 12-23-31; THENCE ALONG THE WEST LINE NORTH 00°08'26" EAST, A DISTANCE OF 1,188.29 FEET; THENCE DEPARTING THE WEST LINE NORTH 89°55'33" EAST, A DISTANCE OF 1,000.00 FEET; THENCE NORTH 00°08'26" EAST, A DISTANCE OF 1,210.00 FEET TO A POINT ON THE NORTH LINE OF SECTION 12-23-31; THENCE ALONG THE NORTH LINE NORTH 89°55'33" EAST, A DISTANCE OF 1,152.56 FEET; THENCE DEPARTING THE NORTH LINE SOUTH 70°01'00" EAST, A DISTANCE OF 974.72 FEET; THENCE SOUTH 49°58'55" EAST, A DISTANCE OF 442.65 FEET; THENCE SOUTH 48°38'34" WEST, A DISTANCE OF 84.64 FEET; THENCE SOUTH 64°44'30" WEST, A DISTANCE OF 185.89 FEET; THENCE SOUTH 53°06'54" WEST, A DISTANCE OF 108.27 FEET; THENCE SOUTH 61°53'53" WEST, A DISTANCE OF 38.97 FEET; THENCE SOUTH 55°35'37" WEST, A DISTANCE OF 121.39 FEET; THENCE SOUTH 43°56'43" WEST, A DISTANCE OF 176.67 FEET; THENCE SOUTH 26°05'29" WEST, A DISTANCE OF 116.74 FEET; THENCE SOUTH 63°56'14" WEST, A DISTANCE OF 170.10 FEET; THENCE SOUTH 67°38'25" WEST, A DISTANCE OF 123.41 FEET; THENCE SOUTH 23°58'36" WEST, A DISTANCE OF 107.60 FEET; THENCE SOUTH 79°27'07" WEST, A DISTANCE OF 131.88 FEET; THENCE SOUTH 42°08'04" EAST, A DISTANCE OF 14.10 FEET; THENCE SOUTH 00°56'28" WEST, A DISTANCE OF 115.21 FEET; THENCE SOUTH 02°07'53" WEST, A DISTANCE OF 207.80 FEET; THENCE SOUTH 10°30'39" WEST, A DISTANCE OF 167.02 FEET; THENCE SOUTH 21°17'01" WEST, A DISTANCE OF 124.37 FEET; THENCE SOUTH 80°04'01" WEST, A DISTANCE OF 138.76 FEET; THENCE SOUTH 28°49'56" WEST, A DISTANCE OF 17.15 FEET; THENCE SOUTH 08°03'57" EAST, A DISTANCE OF 358.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 116.50 ACRES (5,074,806 SQUARE FEET), MORE OR LESS.

Parcel No.: 12-23-31-0000-00-008

A PORTION OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 12-23-31, SOUTH 89°53'09" WEST, A DISTANCE OF 1,980.86 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING THE NORTH LINE SOUTH 00°12'21" EAST, A DISTANCE OF 145.48 FEET; THENCE SOUTH 09°24'11" WEST, A DISTANCE OF 103.37 FEET; THENCE SOUTH 12°56'24" WEST, A DISTANCE OF 252.96 FEET; THENCE SOUTH 41°39'36" EAST, A DISTANCE OF 33.51 FEET; THENCE SOUTH 00°07'48" WEST, A DISTANCE OF 157.84 FEET; THENCE SOUTH 09°55'57" EAST, A DISTANCE OF 202.43 FEET; THENCE SOUTH 01°39'52" WEST, A DISTANCE OF 135.55 FEET; THENCE SOUTH 00°16'38" WEST, A DISTANCE OF 959.67 FEET; THENCE SOUTH 89°39'12" WEST, A DISTANCE OF 27.49 FEET; THENCE SOUTH 00°07'36" WEST, A DISTANCE OF 19.78 FEET; THENCE NORTH 84°13'32" WEST, A DISTANCE OF 120.95 FEET; THENCE NORTH 76°03'22" WEST, A DISTANCE OF 64.89 FEET; THENCE NORTH 71°33'28" WEST, A DISTANCE OF 51.84 FEET; THENCE SOUTH 80°33'36" WEST, A DISTANCE OF 30.84 FEET; THENCE SOUTH 39°52'54" WEST, A DISTANCE OF 26.21 FEET; THENCE SOUTH 10°08'29" WEST, A DISTANCE OF 17.70 FEET; THENCE SOUTH 02°29'30" EAST, A DISTANCE OF 36.25 FEET; THENCE SOUTH 04°27'31" WEST, A DISTANCE OF 89.24 FEET; THENCE SOUTH 58°47'15" WEST, A DISTANCE OF 79.35 FEET; THENCE SOUTH 24°01'12" WEST, A DISTANCE OF 14.11 FEET; THENCE SOUTH 30°01'32" WEST, A DISTANCE OF 31.40 FEET; THENCE SOUTH 08°17'03" EAST, A DISTANCE OF 17.36 FEET; THENCE SOUTH 08°51'45" EAST, A DISTANCE OF 45.18 FEET; THENCE SOUTH 24°37'48" EAST, A DISTANCE OF 56.23 FEET; THENCE SOUTH 08°33'37" EAST, A DISTANCE OF 34.81 FEET; THENCE SOUTH 06°38'15" WEST, A DISTANCE OF 81.57 FEET; THENCE SOUTH 29°05'23" WEST, A DISTANCE OF 44.14 FEET; THENCE SOUTH 01°46'39" EAST, A DISTANCE OF 30.70 FEET; THENCE SOUTH 37°51'27" EAST, A DISTANCE OF 72.14 FEET; THENCE SOUTH 33°43'10" WEST, A DISTANCE OF 95.14 FEET; THENCE SOUTH 26°02'20" EAST, A DISTANCE OF 32.35 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF INNOVATION WAY PER OFFICIAL RECORD BOOK 8887, PAGE 3330 AS RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA, AND A POINT ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 12-23-31; THENCE ALONG THE SOUTH LINE AND THE NORTH RIGHT OF WAY LINE SOUTH 89°49'44" WEST, A DISTANCE OF 316.07 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 12-23-31; THENCE ALONG THE WEST LINE NORTH 00°07'35" EAST, A DISTANCE OF 199.39 FEET; THENCE SOUTH 89°55'47" WEST, A DISTANCE OF 2,655.92 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 12-23-31; THENCE ALONG THE WEST LINE NORTH 00°11'24" EAST, A DISTANCE OF 2,457.03 FEET TO THE WEST 1/4 CORNER OF SECTION 12-23-31; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 12-23-31 AND THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 12-23-31 NORTH 89°53'09" EAST, A DISTANCE OF 3,379.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 186.92 ACRES (8,142,262 SQUARE FEET), MORE OR LESS.



Parcel No.: 12-23-31-0000-00-012

A PORTION OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SECTION 12, TOWNSHIP 23 SOUTH, RANGE 31 EAST, ORANGE COUNTY, FLORIDA; THENCE ALONG THE EAST LINE THE NORTHEAST 1/4 OF SECTION 12-23-31, NORTH 00°02'49" WEST, A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING;; THENCE DEPARTING THE EAST LINE, SOUTH 89°53'09" WEST, A DISTANCE OF 1,320.90 FEET; THENCE NORTH 00°00'34" EAST, A DISTANCE OF 497.17 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF 40°01'45" AND A CHORD DISTANCE OF 119.79 FEET WHICH BEARS NORTH 20°00'10" EAST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 122.26 FEET; THENCE NORTH 40°01'05" EAST, A DISTANCE OF 462.75 FEET; THENCE SOUTH 49°58'55" EAST, A DISTANCE OF 1,282.46 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 12-23-31; THENCE ALONG THE EAST LINE SOUTH 00°02'49" EAST, A DISTANCE OF 136.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.31 ACRES (797,939 SQUARE FEET), MORE OR LESS.



EXHIBIT "B"  
Log of Project Contributions  
Woodbury Road

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
Woodbury Road	Golfway Blvd	Lake Underhill Drive	0.89	E	800	Widen from 2 to 4 lanes	2,000	1,200	\$8,807,440	\$7,340

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
Woodbury Road	Golfway Blvd	Lake Underhill Drive	0.89	E	800	Widen from 2 to 4 lanes	2,000	1,200	\$0

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
Woodbury Road	Golfway Blvd	Lake Underhill Drive	0.89	E	800	2,000	1,200	Widen from 2 to 4 lanes	1,200	\$8,807,440	\$7,340

Updated: 8/3/16

Log of Project Contributions			
Date	Project	Project Trips	Prop Share
Jun-15	The Reserve @ Alafaya	34	\$249,560
		0	\$0
			\$0
			\$0
Backlogged Totals:		34	\$249,560
			\$0
			\$0
			\$0
			\$0
			\$0
Totals:		34	\$249,560



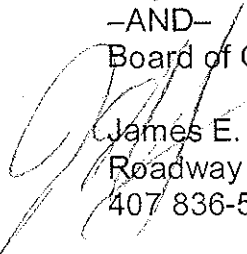


Interoffice Mem

AGENDA ITEM

July 25, 2016

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

FROM:  James E. Harrison, Esq., P.E., Chairman  
Roadway Agreement Committee  
407 836-5610

SUBJECT: August 16, 2016 – Consent Item  
Right-of-Way Transfer and Continuing Maintenance Agreement  
Between Central Florida Expressway Authority and Orange County

The Roadway Agreement Committee has reviewed a Right-of-Way Transfer and Continuing Maintenance Agreement ("Agreement") between Central Florida Expressway Authority (CFX) and Orange County for the transfer of right-of-way and provisions for ongoing maintenance. The multi-page Phase II Transfer Exhibits attached to this memorandum has been prepared to generally reflect right-of-way exchanges. More specifically, CFX will quitclaim all right-of-way shown in Exhibit A and B in return for County deeding to CFX all right-of-way shown in Exhibit C. The parties also agree to specific maintenance provisions with respect to the bridges, roadways and pond. CFX shall be responsible for maintaining all property owned by CFX and County will be responsible for maintaining all property owned by County including the bridge at New Independence Parkway (fka McKinney Road) over SR 429 and the retention pond. Conveyances shall occur within 180 days of the Effective Date of this agreement.

The Roadway Agreement Committee approved the Right-of-Way Transfer and Maintenance Agreement on July 6, 2016.

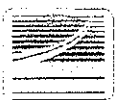
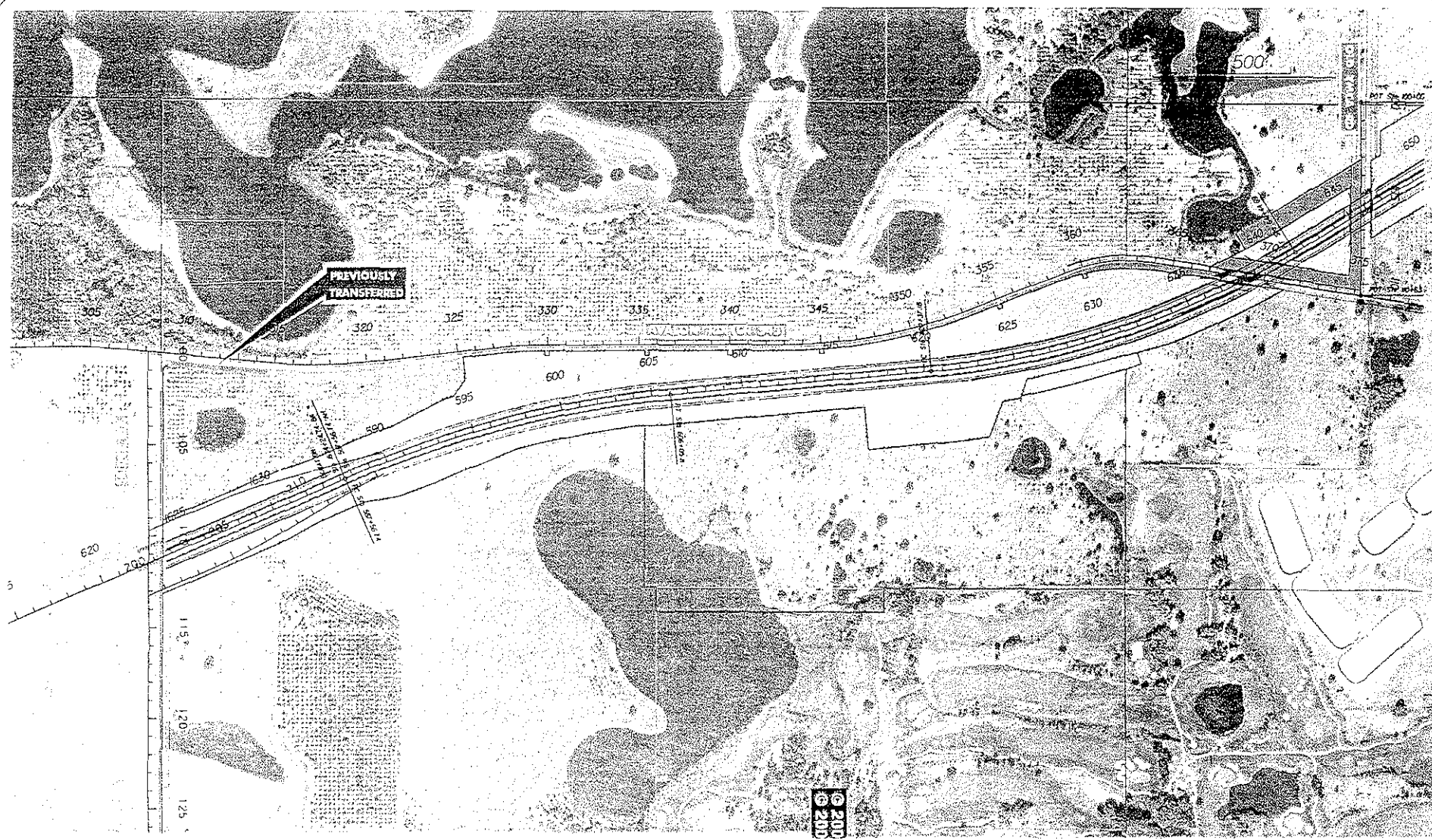
The Specific Project Expenditure Report and Relationship Disclosure Forms are on file with the Transportation Planning Division.

**ACTION REQUESTED:** Approval and execution of Right-of-Way Transfer and Continuing Maintenance Agreement between Central Florida Expressway Authority and Orange County, Florida for right-of-way conveyances and maintenance provisions for bridges, access roadways and pond along SR 429. District 1

JEH/HEGB:rep  
Attachment



3/15/2012 10:00 AM  
3/15/2012 10:00 AM  
3/15/2012 10:00 AM



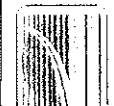
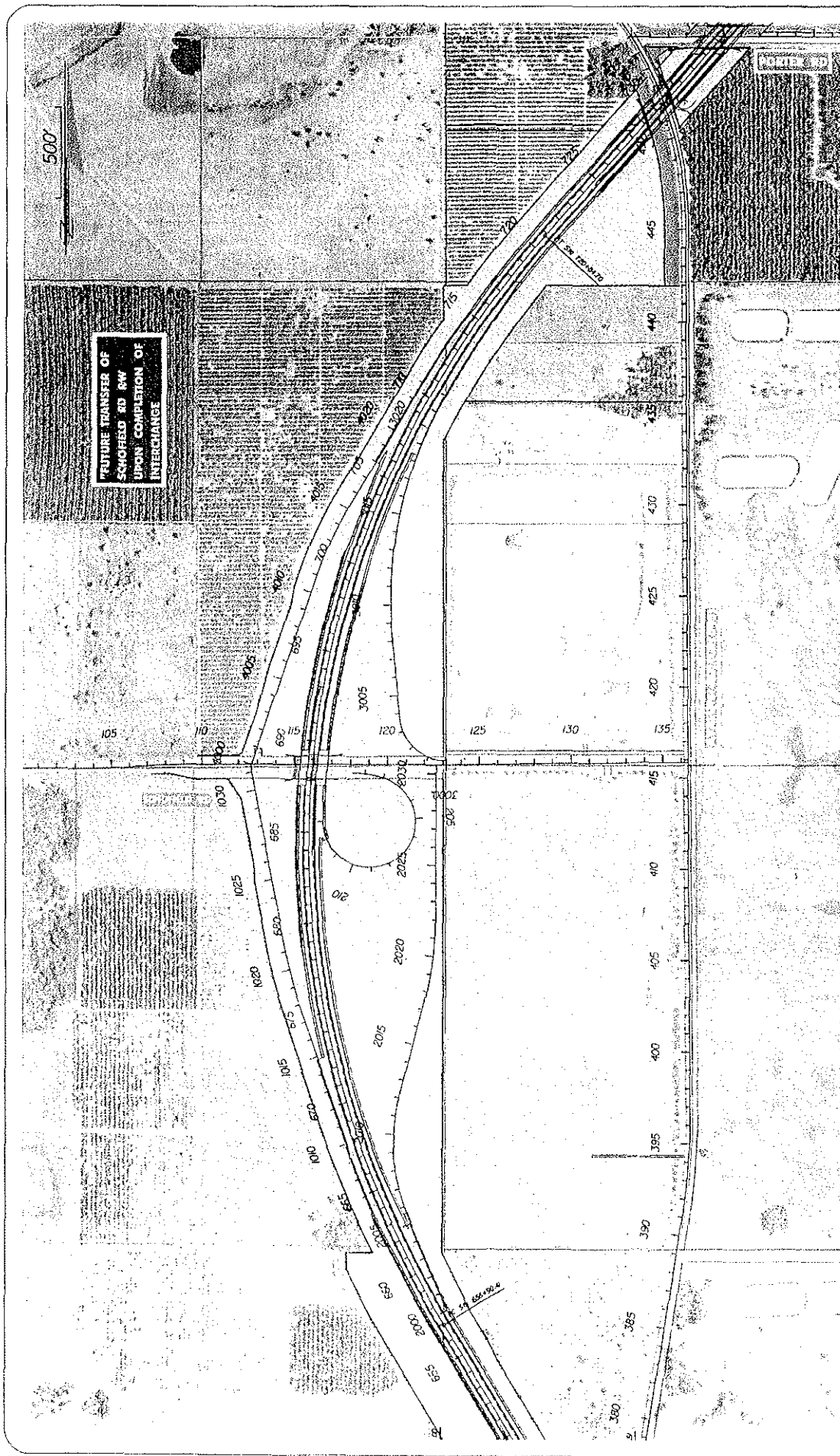
- LEGEND
- OOCEA
  - OOCEA TO COUNTY- FEE
  - COUNTY TO OOCEA- FEE

Date Revised  
08/13/2012

PROPOSED  
S.R. 429 - WESTERN EXPRESSWAY PART C  
PHASE II TRANSFER EXHIBIT

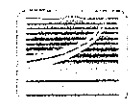
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of  
5







154



           - OOCEA  
           - OOCEA TO COUNTY- FEE  
           - COUNTY TO OOCEA- FEE

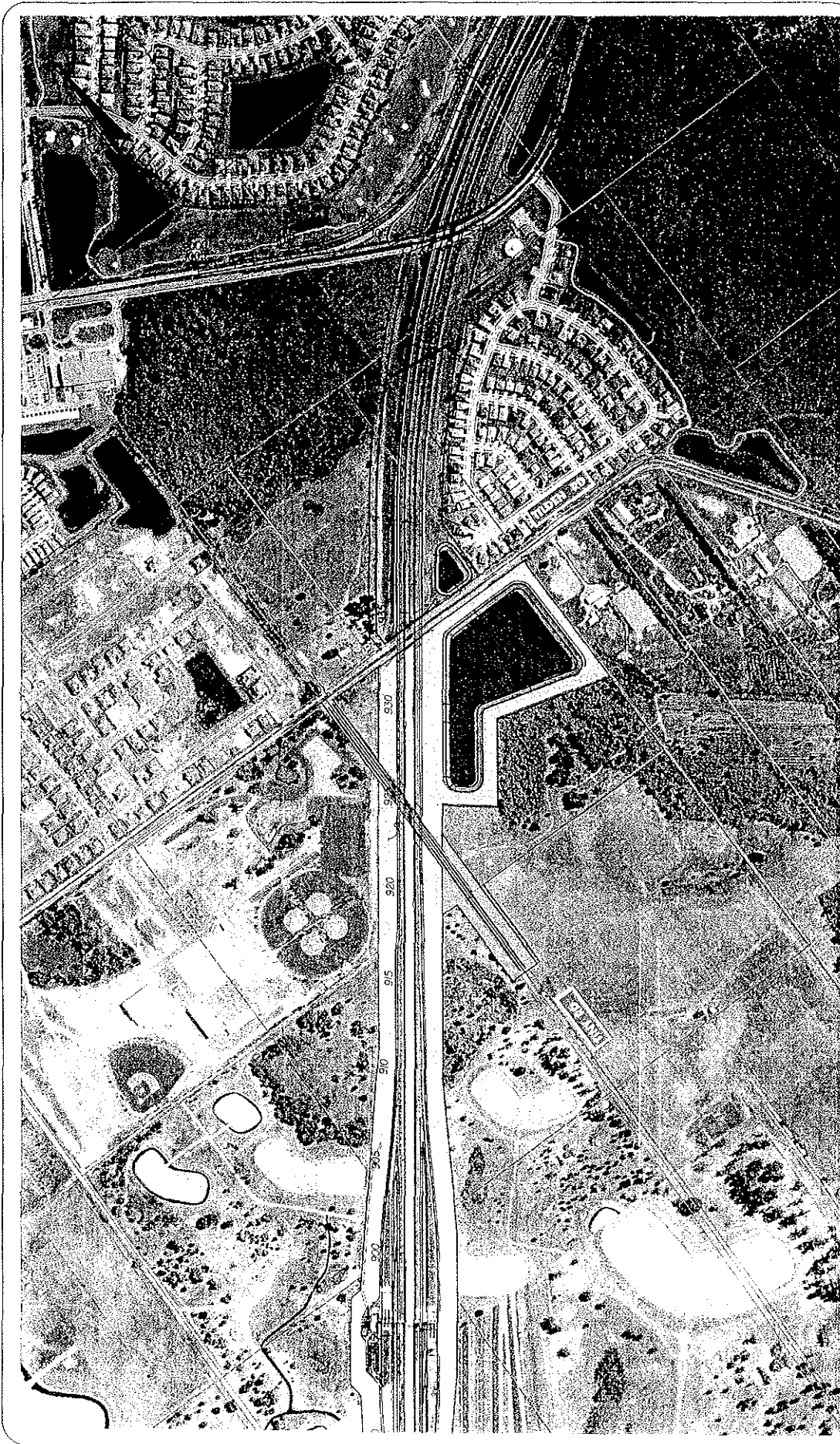
PROPOSED  
S.R. 429 - WESTERN EXPRESSWAY PART C  
PHASE II TRANSFER EXHIBIT

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PROPOSED  
S.R. 429 - WESTERN EXPRESSWAY PART C  
PHASE II TRANSFER EXHIBIT

Date Revised  
08/13/2012

LEGEND  
OOCEA  
OOCEA TO COUNTY - FEE  
COUNTY TO OOCEA - FEE



8/14/12 AM  
8/17/2012  
T:\Cadd\SR429\main\cadd\159 TRMS.dwg



**RIGHT-OF-WAY TRANSFER  
AND  
CONTINUING MAINTENANCE AGREEMENT  
BETWEEN  
CENTRAL FLORIDA EXPRESSWAY AUTHORITY  
AND ORANGE COUNTY, FLORIDA**

THIS RIGHT-OF-WAY TRANSFER AND CONTINUING MAINTENANCE AGREEMENT ("Agreement") is made and entered into by and between the **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, a body corporate and an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, whose address is 4974 ORL Tower Road, Orlando, Florida 32807 ("CFX") and **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, whose address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("County"). CFX and County are sometimes collectively referred to herein as the "Parties."

**WITNESSETH:**

WHEREAS, pursuant to section 348.753, Florida Statutes, CFX is empowered to construct, improve, maintain, and operate the Central Florida Expressway System ("Expressway System") and, in connection therewith, to construct any extensions, additions or improvements to said system or appurtenant facilities, including all necessary approaches, roads, bridges and avenues of access; and

WHEREAS, pursuant to Section 125.01 and Chapter 336, Florida Statutes, the County is empowered to provide and maintain arterial and other roads encompassing the County Road System for the benefit of its citizens; and

WHEREAS, State Road (SR) 429, also known as the Daniel Webster Western Beltway, was constructed in multiple phases. Part C is from the Turnpike to Seidel Road; and

WHEREAS, in the course of its construction of the Part C portion of SR 429, CFX acquired certain land for the benefit of the County and constructed thereon certain roadways and other improvements to insure a minimal disruption of traffic to the citizens and to provide for a smooth transition to the Expressway System, thus making both the Expressway System and the County Road System compatible; and

WHEREAS, the construction of the Part C portion of SR 429 is completed and both parties desire to conclude the land conveyance so that title to all of the County's right-of-way and related facilities will vest in the County and title to all of CFX's right-of-way and related facilities will vest in CFX; and

WHEREAS, SR 429 crosses over the following roadways: Avalon Road (near Old YMCA Road) at approximately Station 638+59.25 and Old YMCA Road at approximately Station 645+65.33, Schofield Road at approximately Station 688+71.53, Avalon Road (near Porter Road)



at approximately Station 730+54.05 and Porter Road at approximately Station 735+36.31, Tiny Road at approximately Station 923+98.69, and Tilden Road at approximately Station 933+67.20, pursuant to the Record Drawings for SR 429, Projects 653 and 654, hereinafter collectively referred to as "Expressway Bridges;" and

WHEREAS, SR 429 crosses **under** McKinney Road (also known as New Independence Parkway) at approximately Station 791+97.61 and **under** Malcom Road Bridge at approximately Station 850+90.77; and

WHEREAS, Malcom Road Bridge is subject to a separate Right-of-Way Utilization Agreement recorded at O.R. Book 10610, Page 7183, Public Records of Orange County, Florida;

WHEREAS, the right of way at the crossing of SR 429 and Schofield Road will be addressed separately;

WHEREAS, the parties desire to convey the parcels described below subject to a reservation of rights for Expressway Bridges over County Roads and as set forth below; and

WHEREAS, the parties also desire to define the future and continuing maintenance responsibilities for the right-of-way and related facilities and to set responsibility therefore.

NOW THEREFORE, for and in consideration of the mutual agreements herein and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby expressly acknowledged, CFX and the County agree as follows:

1. **Recital.** The above recitals are true and correct and are incorporated herein by this reference.
2. **Right-of-Way Plans.** CFX previously delivered to the County a full and complete set of right-of-way maps consisting of Western Beltway Project No. 75320-6460-653 and Project No. 75320-6460-654 prepared by DRMP, Inc. The maps can be used to locate the areas of future and continuing maintenance responsibility.
3. **CFX Conveyance of Right-of-Way with Restrictions.** CFX agrees to transfer and convey to the County by Quitclaim Deed all of its right, title and interest in and to the real property described in **Composite Exhibit "A,"** subject to the covenants, conditions, restrictions, and reservations, described in the Quitclaim Deed, which is substantially in the form of **Exhibit "D,"** attached hereto and incorporated herein. In addition, the parties agree that if County no longer uses the property for County right-of-way purposes, CFX will have a right of first refusal to acquire all right, title and interest to the property at no cost to CFX.
4. **CFX Conveyance of Retention Pond and Access Road, subject to Easement, with Restrictions.** CFX agrees to transfer and convey to the County by Quitclaim Deed all of its right, title and interest in and to the real property described in **Composite Exhibit "B,"** subject to the covenants, conditions, restrictions, and reservations described in the Quitclaim Deed, which is substantially in the form of **Exhibit "E,"** encumbered with the Easement recorded at O.R. Book



10616, Page 6505 over Parcels 223, 823, and 224I. At no cost to CFX, the County shall prepare or cause to be prepared any and all permit modifications or amendments pertaining to the property described in **Composite Exhibit "B"** by updating the name of the owner to Orange County or its designee and shall assume all responsibilities for maintenance.

5. **County Conveyance.** The County shall convey to CFX by a county deed of conveyance consistent with Section 125.411, Florida Statutes, substantially in the form of **Exhibit "F,"** all of its right, title and interest in and to the real property generally described as the property at the intersection of SR 429 and McKinney Road, designated as Parcel 653-100, and the property at SR 429 and Davenport, designated as Parcel 654-100, and the perpetual easement interests encompassing twenty (20) feet beyond the outermost perimeters of the existing bridges at the crossings of SR 429 over Avalon Road (near Old YMCA Road), Old YMCA Road, Avalon Road (near Porter Road), Porter Road, Tiny Road, and Tilden Road more particularly described in **Composite Exhibit "C"** attached hereto and made a part hereof.

6. **Future and Continuing Maintenance.** The parties agree that it is necessary and desirable to define with specificity the locations for future and continuing maintenance, and the details of such maintenance responsibility. The future and continuing maintenance is applicable to the following general areas: (a) County road bridges over SR 429; (b) Expressway Bridges over County roads; and (c) roadways. The parties agree that the maintenance functions outlined are necessary and properly defined and that the responsibility given to each of the parties hereto to perform said functions is likewise necessary and reasonably defined.

- a. CFX shall be responsible for all of the property owned by CFX, including all improvements thereon, but as to the bridge at McKinney Road a/k/a New Independence Parkway over SR 429, the responsibilities are described below and in paragraph 6.b and as for the bridge at Malcom Road over SR 429, the responsibilities are addressed by a separate agreement identified above.
  - i. For an Expressway Bridge over a County Road, including the bridges over Avalon Road, Old YMCA Road, Porter Road, Tiny Road, and Tilden Road, CFX shall be responsible for the following: (i) bridge structure per se, including bridge deck and approach slabs; (ii) retaining walls; (iii) ramp pavement to the County right-of-way line; (iv) ramp and roadway drainage structures and piping to ponds; and (v) bridge under deck and ramp lighting.
  - ii. For the bridge at McKinney Road a/k/a New Independence Parkway over SR 429, CFX shall be responsible for the following: (i) bridge structure per se, including bridge deck and approach slabs; (ii) ramp pavement to the County right-of-way line; (iii) reinforced earth/retaining walls; (iv) ramp and under deck lighting; (v) drainage structures and pipe from Expressway right-of-way to either CFX or County Ponds; (vi) ramp maintenance within limited access right-of-way fence line; and (vii) bridge, barrier wall, and reinforced earth/retaining wall coatings.



- b. County shall be responsible for all of the property owned by County, including all improvements thereon, and as for the bridge at McKinney Road a/k/a New Independence Parkway over SR 429, as set forth below.
  - i. For an Expressway Bridge over a County Road, including the crossings of SR 429 over Avalon Road (near Old YMCA Road) and Old YMCA Road, Avalon Road (near Porter Road) and Porter Road, Tiny Road, and Tilden Road, County shall be responsible for the following: (i) roadway, sidewalks and other improvements up to limited access right-of-way fence line or retaining wall; (ii) County road drainage; (iii) County road between retaining earth walls; and (iv) ramp signalization and County road lighting, if required.
  - ii. For the bridge at McKinney Road a/k/a New Independence Parkway over SR 429, County shall be responsible for the following: (i) roadway up to bridge approach slabs; (ii) side slopes to limited access right-of-way fence line; (iii) signalization and bridge lighting above deck if applicable; (iv) County facilities within Expressway right-of-way; (v) County road drainage structures and pipe draining to CFX or County retention area; (vi) striping and pavement markings on the approach slabs and the bridge deck; (vii) walkways, and (viii) all other maintenance activities, such as cleaning, sweeping, etc.

7. **Time of Conveyance.** The parties hereto shall convey to each other the deeds as described in paragraphs 3, 4 and 5 above within 180 days of the Effective Date, subject to an option to extend that may be exercised by the Manager of the Orange County Real Estate Management Division or the Executive Director of the Central Florida Expressway Authority, as applicable.

8. **Recording.** Orange County agrees to record the Deeds for the property being conveyed to Orange County within thirty (30) days after approval by the Orange County Board of County Commissioners at its cost. CFX agrees to record the Deed for the property being conveyed to CFX within thirty (30) days after acceptance at its cost.

9. **Agreement Not Recorded.** This Agreement shall not be recorded in the official records of any county in the State of Florida. Notwithstanding the foregoing, the parties acknowledge that this Agreement is and will remain a public record that will be available for review and inspection by the public.

10. **As-Is Conveyance.** The properties described in Composite Exhibits A, B, and C ("Property") are being conveyed "AS IS," in such condition as the same may be on the closing date, without any representations or warranties by the respective owner as to any condition of the Property. Neither party shall have any claim against the other, in law or in equity, based upon the condition of the Property, or the failure of the Property to meet any standards.



11. **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their successors and assigns.

12. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof. This Agreement may not be modified or amended except by an instrument in writing executed by the parties to be bound hereby.

13. **Effective Date.** This Agreement shall be and become effective on the date that it is signed and executed by the last to sign of CFX and County.

[ SIGNATURES TO FOLLOW ]



IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in a manner and form sufficient to bind them on the date set forth herein below.

**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

BY: \_\_\_\_\_

Teresa Jacobs  
County Mayor

Date: \_\_\_\_\_

ATTEST: Martha O. Haynie, Orange County Comptroller,  
as Clerk to the Board of County Commissioners

\_\_\_\_\_  
Deputy Clerk

Printed Name: \_\_\_\_\_



**“CFX”  
CENTRAL FLORIDA EXPRESSWAY  
AUTHORITY,**

BY: \_\_\_\_\_  
WELTON CADWELL, CHAIRMAN

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Darleen Mazzillo, Executive Assistant

APPROVED AS TO FORM AND  
LEGALITY

\_\_\_\_\_  
General Counsel



**COMPOSITE EXHIBIT "A"**  
**LEGAL DESCRIPTIONS OF**  
**RIGHT OF WAY PROPERTY FROM CFX TO ORANGE COUNTY**



# SKETCH OF DESCRIPTION

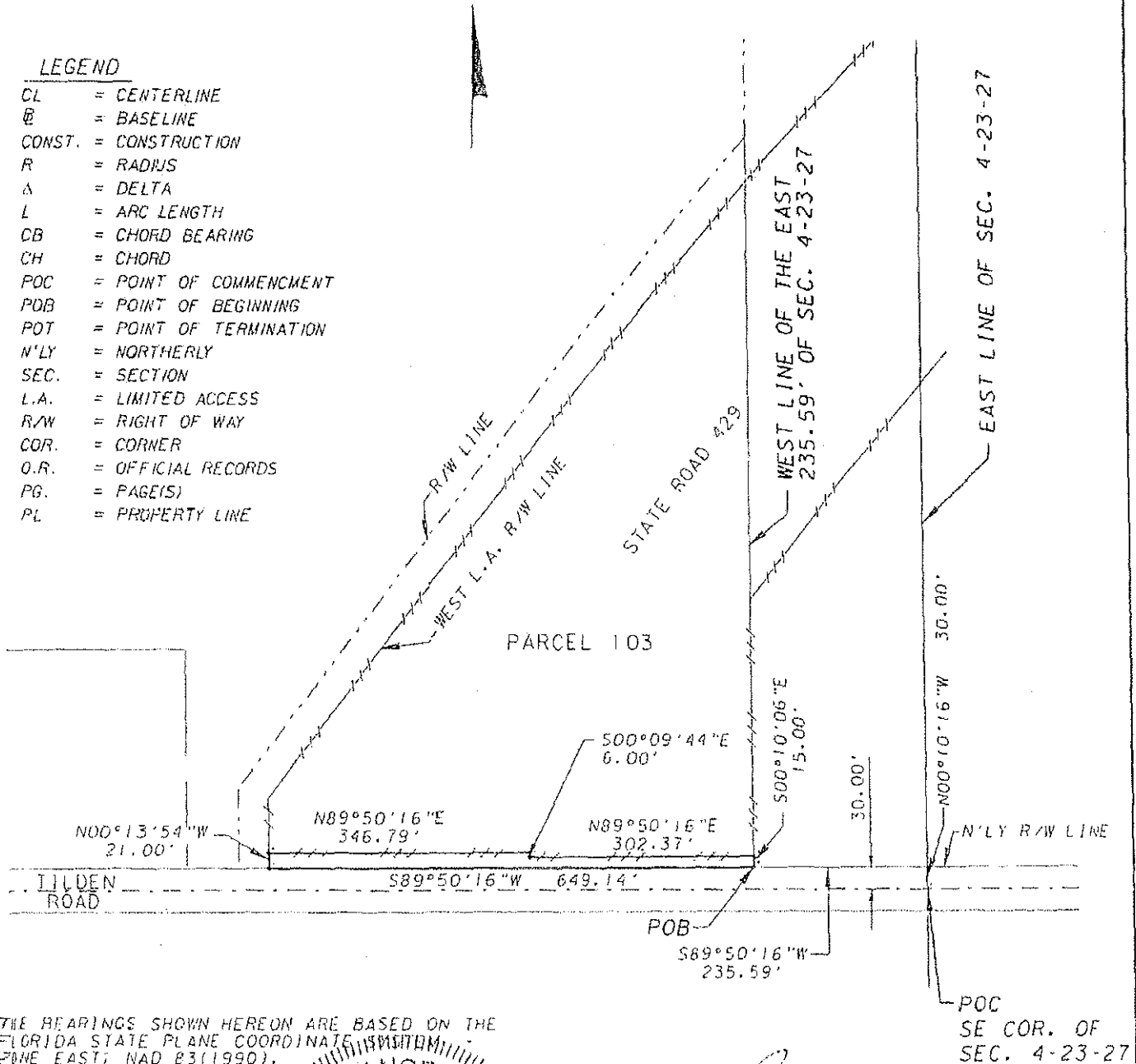
ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT NO. 654

PARCEL 103 (PARTIAL)

ESTATE: FEE SIMPLE

## LEGEND

CL = CENTERLINE  
B = BASELINE  
CONST. = CONSTRUCTION  
R = RADIUS  
Δ = DELTA  
L = ARC LENGTH  
CB = CHORD BEARING  
CH = CHORD  
POC = POINT OF COMMENCEMENT  
POB = POINT OF BEGINNING  
POT = POINT OF TERMINATION  
N'LY = NORTHERLY  
SEC. = SECTION  
L.A. = LIMITED ACCESS  
R/W = RIGHT OF WAY  
COR. = CORNER  
O.R. = OFFICIAL RECORDS  
PG. = PAGE(S)  
PL = PROPERTY LINE

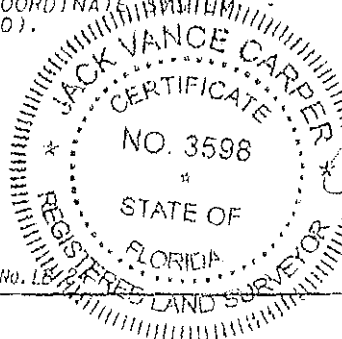


THE BEARINGS SHOWN HEREON ARE BASED ON THE  
FLORIDA STATE PLANE COORDINATE  
ZONE EAST, NAD 83 (1990).

THIS IS NOT A SURVEY

**ATKINS**

482 South Keller Road  
Orlando, Florida 32810-6101  
Tel: 407/647-7275 Certificate No. 18



J. Vance Carper, Jr., PSM  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

Date: 05/23/12  
Scale: N/A  
Job No.:  
F.B.: N/A  
Drawn By: VS  
Ckd. By: JVC  
Sheet 1 of 2



## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT NO. 654

PARCEL 103 (PARTIAL)

ESTATE & FEE SIMPLE

### LEGAL DESCRIPTION

A parcel of land lying in the Southeast Quarter (1/4) of Section 4, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 4, thence North 00°10'16" West along the East line of said Section 4, a distance of 30.00 feet to a point on the Northerly right-of-way line of Tilden Road; thence South 89°50'16" West along said Northerly right-of-way line a distance of 235.59 feet to a point on the West line of the East 235.59 feet of said Section 4, said point also being the Point of Beginning; thence continue South 89°50'16" West along said Northerly right-of-way line a distance of 649.14 feet to a point on the West Limited Access Right-of-Way line of State Road 429 as shown on the Right-of-Way Map for State Road 429, Project Number 75320-6460-654, dated August 04, 1999; thence North 00°13'54" West along said West Limited Access Right-of-Way line a distance of 21.00 feet; thence North 89°50'16" East a distance of 346.79 feet; thence South 00°09'44" East a distance of 6.00 feet; thence North 89°50'16" East a distance of 302.37 feet to a point on aforesaid West line of the East 235.59 feet of Section 4; thence South 00°10'06" East along said West line of the East 235.59 feet of Section 4 a distance of 15.00 feet to the Point of Beginning.

Containing 0.271 acres, more or less.

Reserving all rights of ingress, egress, light, air and view to, from or across any SR 429 right of way property which may otherwise accrue to any property adjoining said right of way.

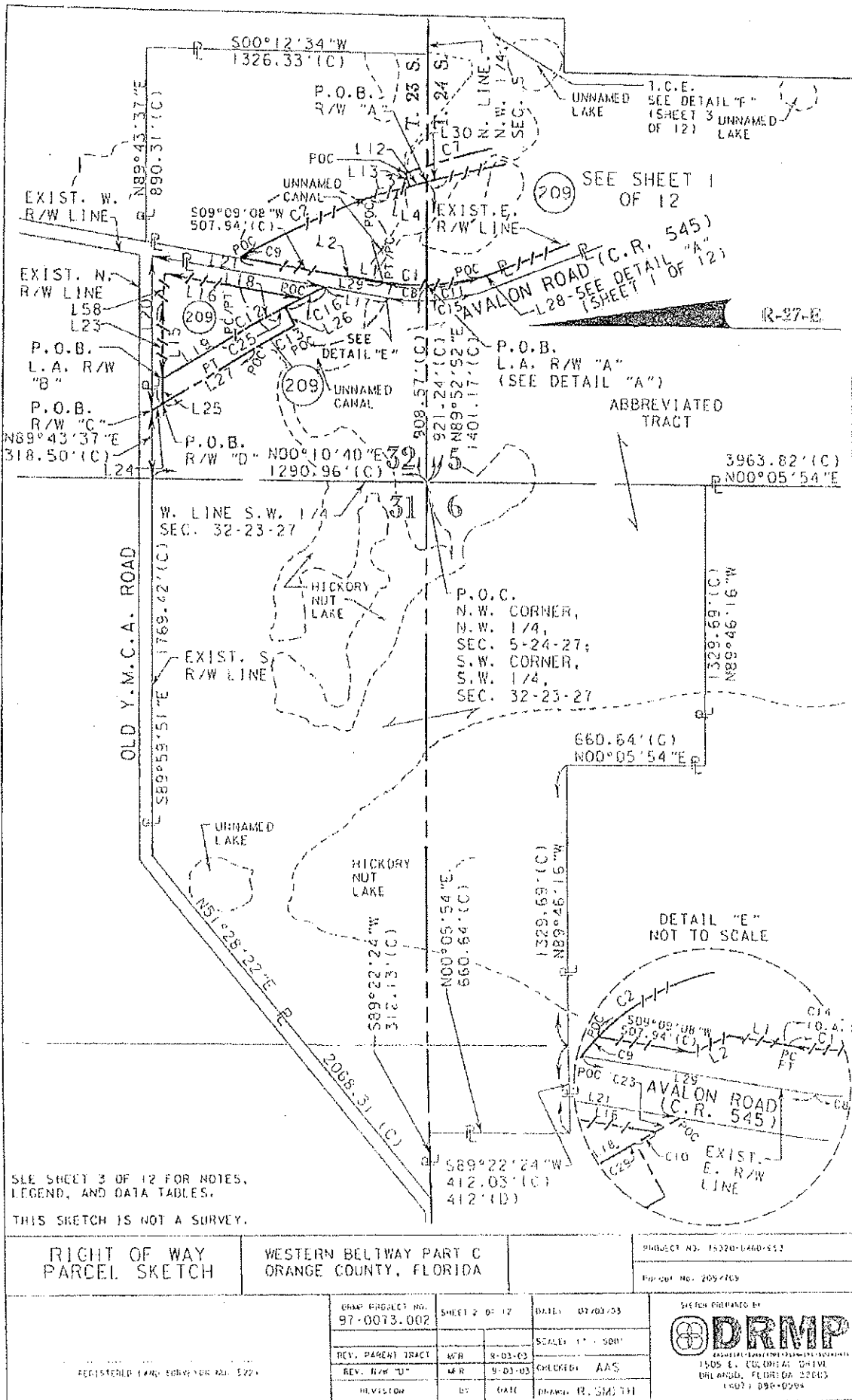
THIS IS NOT A SURVEY

**ATKINS**

452 South Keller Road  
Orlando, Florida 32810-6101  
Tel: 407/647-7275 Certificate No. LB 24

Date: 05/23/12  
Scale: 1" = 200'  
Job No.:  
F.B.: J/A  
Drawn By: YS  
Ckd. By: JVC  
Sheet 2 of 2











NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING  $589^{\circ}59'50''$ E, MEAN SCALE FACTOR: 0.99997293.
2. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY.

LEGEND:

(C) - CALCULATED  
 COR. - CORNER  
 C.R. - COUNTY ROAD  
 CI - CURVE NUMBER  
 (D) - DEED  
 DISTR. - DISTRIBUTION  
 DRMP - DYER, RIDDLE, MILLS & PRECOURT, INC.  
 ESMT. - EASEMENT  
 E. - EAST  
 EXIST. - EXISTING  
 F.P.C. - FLORIDA POWER CORPORATION  
 INC. - INCORPORATED  
 L.A. - LIMITED ACCESS  
 L. - (ARC) LENGTH  
 LI - LINE NUMBER  
 NO. - NUMBER  
 N. - NORTH

N.T.S. - NOT TO SCALE  
 O.A. - OVERALL  
 O.R. - OFFICIAL RECORD (BOOK)  
 PG. - PAGE  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 PL - PROPERTY LINE  
 R - RADIUS  
 R/W - RIGHT OF WAY  
 SEC. - SECTION  
 S. - SOUTH  
 T.C.E. - TEMPORARY CONSTRUCTION EASEMENT  
 W. - WEST  
 POC - POINT ON A CURVE  
 PT - POINT OF TANGENCY  
 T - TOWNSHIP  
 R - RANGE  
 PC - POINT OF CURVATURE  
 T.E. - TEMPORARY EASEMENT

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	N09°09'09"E	145.00'(C)
L2	N13°23'34"W	13.04'(C)
L3	S15°01'18"E	176.85'(C)
L4	S15°01'18"E	330.61'(C)
L5	S14°19'32"E	102.78'(C)
L6	S13°04'26"E	102.69'(C)
L7	S11°49'19"E	102.81'(C)
L8	S14°21'18"E	153.89'(C)
L9	S77°07'25"E	106.45'(C)
L10	S10°20'08"E	99.67'(C)
L11	S00°49'43"E	77.35'(C)
L12	N15°01'18"W	85.61'(C)
L13	N70°57'10"E	65.70'(C)
L14	N72°07'25"W	92.75'(C)
L15	N89°43'37"E	347.17'(C)
L16	S09°09'08"W	651.95'(C)
L17	S09°09'08"W	305.75'(C)
L18	S25°22'52"E	38.77'(C)
L19	S31°29'22"E	445.41'(C)
L20	N89°43'37"E	716.81'(C)
L21	S09°09'08"W	824.79'(C)
L22	S21°25'13"E	970.35'(C)
L23	S89°43'37"W	464.10'(C)
L24	S31°29'22"E	58.46'(C)
L25	N89°43'37"E	118.93'(C)
L26	S61°23'39"W	97.00'(C)
L27	N31°29'22"W	506.01'(C)
L28	N21°25'13"W	3.97'(C)
L29	N09°09'08"E	725.14'(C)
L30	N15°01'18"W	68.15'(C)
L31	S73°21'19"W	3.00'(C)
L32	S81°42'12"W	3.00'(C)
L33	S06°25'32"E	107.76'(C)
L34	N83°36'28"E	4.00'(C)
L35	S06°23'32"E	555.09'(C)
L36	S86°27'43"W	3.00'(C)
L37	N15°01'18"W	30.31'(C)
L38	N15°01'18"W	30.31'(C)
L39	S88°03'44"E	157.25'(C)
L40	S50°10'03"E	486.58'(C)
L41	N80°00'00"E	139.60'(C)
L42	S21°33'16"E	113.10'(C)
L43	S70°07'14"W	180.51'(C)
L44	S48°43'27"W	234.32'(C)
L45	S68°14'11"W	115.61'(C)
L46	N10°20'08"W	21.02'(C)
L47	N72°07'25"W	13.70'(C)
L48	S05°08'44"E	60.00'(C)
L49	S84°51'16"W	133.16'(C)
L50	N84°51'16"E	336.07'(C)
L51	S85°26'23"E	140.67'(C)

CURVE DATA TABLE

CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING
C1	17°17'23"(RT.)	223.49'(C)	1134.23'	N03°30'28"E
C2	08°23'15"(RT.)	692.96'(C)	4733.66'	S25°22'36"E
C3	03°22'35"(RT.)	293.09'(C)	4973.66'	S06°50'02"E
C4	01°03'04"(LT.)	102.17'(C)	5569.58'	S05°40'16"E
C5	21°12'15"(LT.)	1072.42'(C)	2897.79'	N10°49'05"W
C6	14°23'00"(RT.)	284.73'(C)	1134.23'	N05°19'44"W
C7	08°02'14"(RT.)	671.03'(C)	4783.66'	S15°01'43"E
C8	11°24'20"(RT.)	168.90'(C)	848.47'	N03°26'58"E
C9	00°03'29"(RT.)	4.79'(C)	4733.66'	S29°35'58"E
C10	01°09'06"(RT.)	89.11'(C)	4433.66'	S28°01'48"E
C11	19°10'01"(RT.)	283.84'(C)	848.47'	N11°50'12"W
C12	01°25'14"(RT.)	110.01'(C)	4433.66'	S30°46'45"E
C13	02°53'01"(LT.)	218.26'(C)	4536.66'	N30°02'52"W
C14	25°40'22"(RT.)	508.22'(C)	1134.23'	N03°41'02"W
C15	25°47'49"(LT.)	409.03'(C)	908.47'	S03°44'46"E
C16	02°43'09"(RT.)	210.42'(C)	4433.66'	S27°14'47"E
C17	04°46'32"(LT.)	75.97'(C)	911.47'	S19°01'57"E
C18	13°07'25"(RT.)	649.31'(C)	2834.79'	S14°51'30"E
C19	07°49'00"(RT.)	399.35'(C)	2927.27'	S04°15'23"E
C20	05°34'53"(LT.)	266.47'(C)	2324.83'	S03°36'05"E
C21	02°48'05"(RT.)	143.48'(C)	2834.57'	S04°49'15"E
C22	07°13'53"(RT.)	369.99'(C)	2931.57'	S00°03'01"W
C23	01°34'04"(RT.)	121.31'(C)	4433.66'	N26°40'14"W
C24	01°11'16"(LT.)	60.07'(C)	2697.79'	N07°55'41"W
C25	00°57'49"(RT.)	74.57'(C)	4433.66'	S29°05'16"E

SHEET 4 OF 12  
 SEE SHEETS 1 AND 2  
 FOR SKETCH.

PARCEL NO. 203

SKETCH PREPARED BY



1505 E. COLONIAL DRIVE  
 ORLANDO, FLORIDA 32603  
 (407) 896-0894



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 209

RIGHT OF WAY "B"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 23 South, Range 27 East, and a portion of the Northwest 1/4 of the Northwest 1/4 of Section 5, Township 24 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Southwest 1/4 of Section 32; thence run along the South line of said Section 32, N.89°52'52"E. a distance of 908.57 feet for a POINT OF BEGINNING, said point being a point on the existing East right of way of Avalon Road (C.R. 545) (as now established), said point also being a point on a curve concave Easterly having a radius 848.47 feet and a central angle of 11° 24'20"; thence departing said section line, run along said right of way line from a chord bearing of N.03°26'58"E., run Northeasterly along the arc of said curve a distance of 168.90 feet to the point of tangency; thence continue along said right of way line N.09°09'08"E. a distance of 725.14 feet to a point on a non-tangent curve concave Southwesterly, having a radius of 4,733.66 feet and a central angle of 00°03'29"; thence departing said right of way line from a chord bearing of S.29°35'58"E., run Southeasterly along the arc of said curve a distance of 4.79 feet to a point on said curve; thence run S.09°09'08"W. a distance of 507.94 feet; thence run S.13°23'34"E. 13.04 feet; thence run S.09°09'09"W. 145.00 feet to a point of curvature of a curve concave Southeasterly, having a radius of 1,134.23 feet and a central angle of 25°40'22"; thence run Southeasterly along the arc of said curve a distance of 508.22 feet to a point on said curve, lying on the aforementioned existing East right of way line of Avalon Road (C.R. 545); thence run along said right of way line N.21° 25'13"W. a distance of 3.97 feet to a point of curvature of a curve concave Northeasterly, having a radius of 848.47 feet and a central angle of 19° 10'01"; thence run Northeasterly along said right of way line and the arc of said curve a distance of 283.84 feet to the POINT OF BEGINNING.

Containing 7,776 square feet, more or less.

July 3, 2003

SHEET 8 OF 12



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 209

RIGHT OF WAY "C"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Southwest 1/4 of Section 32; thence run along the West line of said Southwest 1/4 of Section 32, N.00°10'40"E. a distance of 1,290.96 feet to a point on the existing South right of way line of Old Y.M.C.A. Road (as now established); thence departing said West line of Section 32, run along said South right of way line N.89°43'37"E. a distance of 318.50 feet for a POINT OF BEGINNING; thence continue along said South right of way line N.89°43'37"E. a distance of 716.81 feet to an intersection with the existing West right of way line of Avalon Road (C.R. 545) (as now established); thence departing said South right of way line of Old Y.M.C.A. Road, run along said West right of way line of Avalon Road S.09°09'08"W. a distance of 824.79 feet to a point on a non-tangent curve to the left, concave Southwesterly, having a radius of 4,433.66 feet and a central angle of 01°34'04"; thence departing said West right of way line, from a chord bearing of N.26°40'14"W, run Northwesterly along the arc of said curve a distance of 121.31 feet to a point on said curve; thence departing said curve, run N.09°09'08"E. a distance of 651.95 feet; thence run N.85°26'23"W. a distance of 140.67 feet; thence run S.89°43'37"W. a distance of 464.10 feet; thence run N.31°29'22"W. a distance of 58.46 feet to a point on said existing South right of way line of Old Y.M.C.A. Road and the POINT OF BEGINNING.

Containing 1.991 acres, more or less.

July 3, 2003

SHEET 9 OF 12



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 209

RIGHT OF WAY "D"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Southwest 1/4 of Section 32, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

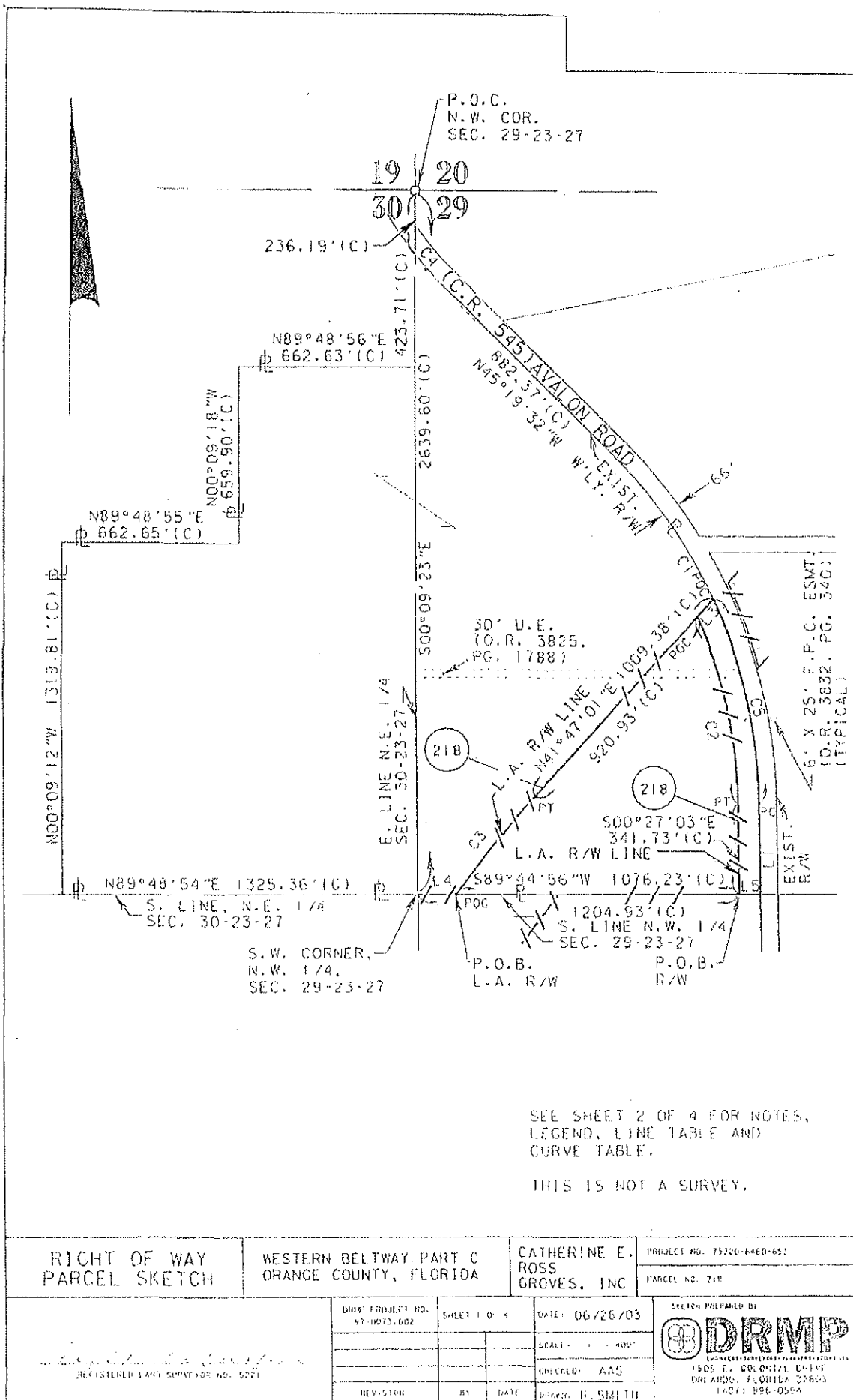
COMMENCE at the Southwest corner of said Southwest 1/4 of Section 32; thence run along the West line of said Section 32, N.00°10'40"E. a distance of 1,290.96 feet to a point on the existing South right of way line of Old Y.M.C.A. Road (as now established); thence departing said West line of Section 32, run along said South right of way line N.89°43'37"E. a distance of 318.50 feet; thence departing said South right of way line, run S.31°29'22"E. a distance of 58.46 feet for a POINT OF BEGINNING; thence run N.89°43'37"E. a distance of 116.93 feet; thence run S.31°29'22"E. a distance of 445.41 feet to the point of curvature of a curve, concave Southwesterly, having a radius of 4,436.66 feet and a central angle of 01°25'14"; thence run Southeasterly along the arc of said curve a distance of 110.01 feet to a point on said curve; thence run S.25°22'52"E. a distance of 38.77 feet to a point on a non-tangent curve, concave Southwesterly, having a radius 4,433.66 feet and a central angle of 00°57'49"; thence from a chord bearing of S.29°05'16"E., run Southeasterly along the arc of said curve a distance of 74.57 feet to the end of said curve; thence run S.61°23'39"W. a distance of 97.00 feet to a point on a non-tangent curve, concave Southwesterly, having a radius 4,336.66 feet and a central angle of 02°53'01"; thence from a chord bearing of N.30°02'52"W., run Northwesterly along the arc of said curve a distance of 218.26 feet to the point of tangency; thence run N.31°29'22"W. a distance of 506.01 feet to the POINT OF BEGINNING.

Containing 1.592 acres, more or less.

July 3, 2003

SHEET 10 OF 12







NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING S89°59'50"E, MEAN SCALE FACTOR: 0.99997293
2. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY.

CURVE DATA TABLE				
CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING
C1	20°15'38"(LT.)	663.68'(C)	1876.86'	N35°12'52"W
C2	23°31'29"(RT.)	737.35'(C)	1795.86'	S12°12'47"E
C3	05°22'20"(RT.)	483.81'(C)	5160.00'	N39°05'51"E
C4	06°05'02"(RT.)	155.80'(C)	1465.39'	S42°17'01"E
C5	24°38'00"(LT.)	806.92'(C)	1876.86'	N12°46'03"W

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N00°27'03"W	342.01'(C)
L2	S41°47'00"W	6.83'(C)
L3	S41°47'00"W	88.45'(C)
L4	N89°44'56"E	128.70'(C)
L5	N89°44'56"E	81.00'(C)

LEGEND:

- (C) = CALCULATED
- COR. = CORNER
- C.R. = COUNTY ROAD
- R/W = RIGHT OF WAY
- O.R. = OFFICIAL RECORD
- F.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- PG. = PAGE
- SEC. = SECTION
- L.A. = LIMITED ACCESS
- D.B. = DEED BOOK
- PL = PROPERTY LINE
- F.P.C. = FLORIDA POWER CORPORATION
- ESMT. = EASEMENT
- Δ = DELTA
- R = RADIUS
- L = ARC LENGTH
- C.B. = CHORD BEARING
- U.E. = UTILITY EASEMENT
- POC = POINT ON A CURVE
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PCC = POINT OF COMPOUND CURVATURE
- W.L.Y. = WESTERLY
- DRMP = DYER, RIDDLE, MILLS & PRECOURT, INC.
- No. = NUMBER
- EXIST. = EXISTING

SHEET 2 OF 4

SEE SHEET 1 OF 4 FOR SKETCH.

PARCEL NO. 216
SKETCH PREPARED BY
<b>DRMP</b>
REGISTERED PROFESSIONAL SURVEYOR - FLORIDA
1505 E. CO. ORIAL DRIVE
ORLANDO, FLORIDA 32803
(407) 826-0554



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 218

RIGHT OF WAY  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 29, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

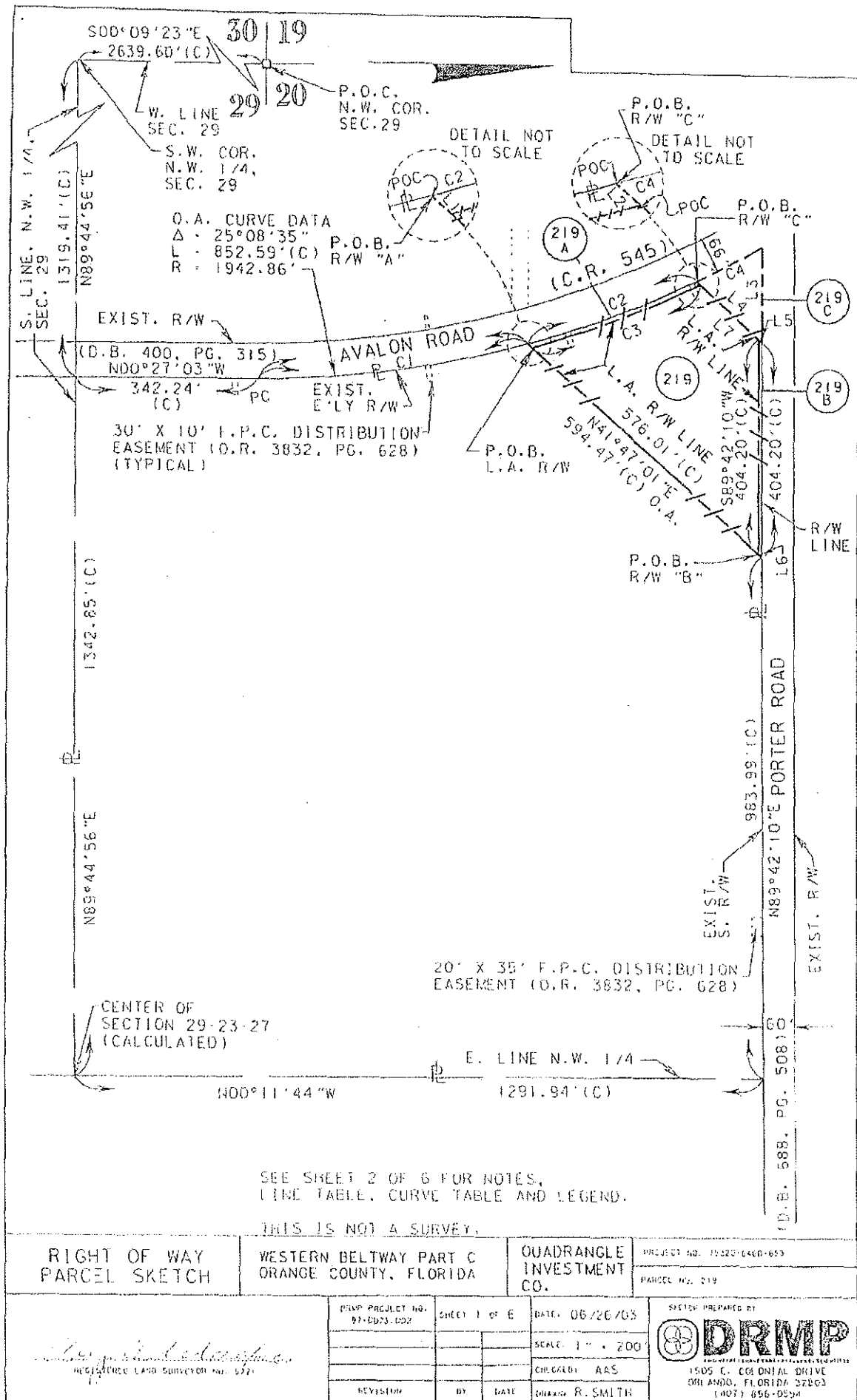
COMMENCE at the Northwest corner of said Section 29, Township 23 South, Range 27 East; thence run S.00°09'23"E. 2639.60 feet to the Southwest corner of said Northwest 1/4 of Section 29; thence run N.89°44'56"E. along the South line of said Northwest 1/4 of Section 29 a distance of 1204.93 feet for a POINT OF BEGINNING; thence continue N.89°44'56"E. 81.00 feet to a point on the existing Westerly right of way line of Avalon Road (County Road 545); thence departing said South line of the Northwest 1/4 of Section 29, run N.00°27'03"W. along said Westerly right of way line 342.01 feet to the point of curvature of a curve concave Southwesterly, having a radius of 1876.86 feet and a central angle of 24°38'00"; thence run Northwesterly along the arc of said curve a distance of 806.92 feet to a point on said curve; thence departing said curve and said Westerly right of way line, run S.41°47'00"W. 88.45 feet to a point on a curve concave Southwesterly having a radius of 1795.86 feet and a central angle of 23°31'29"; thence from a chord bearing of S.12°12'47"E., run Southeasterly along the arc of said curve a distance of 737.35 feet to the point of tangency; thence run S.00°27'03"E. 341.73 feet to the POINT OF BEGINNING.

Containing 2.072 acres, more or less.

June 26, 2003

SHEET 4 OF 4







NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM. DATUM IS NAD83. ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING S89°59'50"E, MEAN SCALE FACTOR: 0.99997293
2. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY.

CURVE DATA

	DELTA	LENGTH	RADIUS	CHORD BEARING
C1	15°08'43"(LT.)	513.57'(C)	1942.86'	N08°01'25"W
C2	09°59'52"(LT.)	339.02'(C)	1942.86'	N20°35'42"W
C3	09°56'26"(RT.)	338.60'(C)	1951.61'	S20°43'51"E
C4	04°06'24"(LT.)	139.25'(C)	1942.86'	N27°38'50"W

LINE DATA

	BEARING	DISTANCE
L1	N41°47'01"E	10.38'(C)
L2	N41°47'01"E	9.48'(C)
L3	N89°42'10"E	175.62'(C)
L4	S41°47'01"W	166.61'(C)
L5	N41°47'01"E	8.08'(C)
L6	S41°47'01"W	8.08'(C)
L7	S41°47'01"W	49.05'(C)

LEGEND:

- (C) - CALCULATED
- COR. - CORNER
- R/W - RIGHT OF WAY
- O.R. - OFFICIAL RECORD (BOOK)
- PG. - PAGE
- SEC. - SECTION
- L.A. - LIMITED ACCESS
- D.B. - DEED BOOK
- PL - PROPERTY LINE
- F.P.C. - FLORIDA POWER CORPORATION
- ESMT. - EASEMENT
- Δ - DELTA
- R - RADIUS
- L - ARC LENGTH
- C.B. - CHORD BEARING
- O.A. - OVERALL
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- E'LY. - EASTERLY
- (D) - DEED
- PC - POINT OF CURVATURE



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 219

RIGHT OF WAY "C"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 29, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 29, Township 23 South, Range 27 East; thence run S.00°09'23"E. along the West line of said Section 29 a distance of 2639.60 feet to the Southwest corner of the Northwest 1/4 of said Section 29; thence run N.89°44'56"E. along the South line of said Northwest 1/4 of Section 29 a distance of 1319.41 feet to a point on the existing Easterly right of way line of Avalon Road (County Road 545); thence departing said South line of the Northwest 1/4 of Section 29, run N.00°27'03"W. along said existing Easterly right of way line 342.24 feet to the point of curvature of a curve concave Southwesterly, having a radius of 1942.86 feet and a central angle of 25°08'35"; thence run along the arc of said curve and said existing Easterly right of way line a distance of 852.59 feet for a POINT OF BEGINNING, said point also being a point on said curve concave Southwesterly, having a radius of 1942.86 feet and a central angle of 04°06'24"; thence from a chord bearing of N.27°38'50"W., run Northwesterly along the arc of said curve a distance of 139.25 feet to a point on said curve, also being a point on the existing South right of way line of Porter Road; thence departing said existing Easterly right of way line, run N.89°42'10"E. along said South right of way line 175.62 feet; thence departing said South right of way line, run S.41°47'01"W. 166.61 feet to the POINT OF BEGINNING.

Containing 10,742 square feet, more or less.

June 26, 2003

SHEET 6 OF 6



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 219

RIGHT OF WAY "A"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 29, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 29, Township 23 South, Range 27 East; thence run S.00°09'23"E. along the West line of said Section 29 a distance of 2639.60 feet to the Southwest corner of the Northwest 1/4 of said Section 29; thence run N.89°44'56"E. along the South line of said Northwest 1/4 of Section 29 a distance of 1319.41 feet to a point on the existing Easterly right of way line of Avalon Road (County Road 545); thence departing said South line of the Northwest 1/4 of Section 29, run N.00°27'03"W. along said existing Easterly right of way line 342.24 feet to the point of curvature of a curve concave Southwesterly, having a radius of 1942.86 feet and a central angle of 15°08'43"; thence run along the arc of said curve and said existing Easterly right of way line a distance of 513.57 feet for a POINT OF BEGINNING, said point also being a point on said curve concave Southwesterly, having a radius of 1942.86 feet and a central angle of 09°59'52"; thence from a chord bearing of N.20°35'42"W., run Northwesterly along the arc of said curve a distance of 339.02 feet to a point on said curve; thence departing said existing Easterly right of way line and said curve, run N.41°47'01"E. 9.48 feet to a point on a curve concave Southwesterly, having a radius of 1951.61 feet and a central angle of 09° 56'26"; thence from a chord bearing of S.20°43'51"E., run Southeasterly along the arc of said curve a distance of 338.60 feet to a point on said curve; thence departing said curve, run S. 41°47'01" W. 10.38 feet to the POINT OF BEGINNING.

Containing 2,965 square feet, more or less.

June 26, 2003

SHEET 4 OF 6



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 219

RIGHT OF WAY "B"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 29, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 29, Township 23 South, Range 27 East; thence run S.00°09'23"E. along the West line of said Section 29 a distance of 2639.60 feet to the Southwest corner of the Northwest 1/4 of said Section 29; thence run N.89°44'56"E. along the South line of said Northwest 1/4 of Section 29 a distance of 1319.41 feet to a point on the existing Easterly right of way line of Avalon Road (County Road 545); thence departing said South line of the Northwest 1/4 of Section 29, run N.00°27'03"W. along said existing Easterly right of way line 342.24 feet to the point of curvature of a curve concave Southwesterly, having a radius of 1942.86 feet and a central angle of 15°08'43"; thence run along the arc of said curve and said existing Easterly right of way line a distance of 513.57 feet to a point on said curve; thence departing said existing Easterly right of way line and said curve, run N.41°47'01"E. 586.39 feet for a POINT OF BEGINNING; thence run S.89°42'10"W. 404.20 feet; thence run N.41°47'01"E. 8.08 feet to a point on the existing South right of way line of Porter Road; thence run N.89°42'10"E. along said existing South right of way line 404.20 feet; thence departing said South right of way line, run S.41°47'01"W. 8.08 feet to the POINT OF BEGINNING;

Containing 2,425 square feet, more or less.

June 26, 2003

SHEET 5 OF 6



## SKETCH OF DESCRIPTION

CENTRAL FLORIDA EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT 653 PARCEL 220  
PORTER ROAD-ORANGE COUNTY

ESTATE: FEE SIMPLE

### LEGAL DESCRIPTION

A portion of the North 1/2 of Section 29, Township 23 South Range 27 East, Orange County, Florida being more particularly described as follows:

Commence at a 1 inch Iron Pipe at the Northeast corner of said Section 29; Township 23 South Range 27 East, Orange County, Florida as shown on the Orlando-Orange County Expressway Authority Right-of-Way Map Project Number 75320-6460-653, dated 10/01/02; thence run  $S00^{\circ}12'24"E$  along the East line of the Northeast 1/4 of said Section 29 a distance of 1294.62 feet to an intersection with the North line of the 60-foot right of way for Porter Road as shown on said Right-of-Way Map; thence departing said East line of the Northeast 1/4, run  $S89^{\circ}41'28"W$  along said North line for 2652.79 feet to a point on the East line of the Northwest 1/4 said Section 29; thence continue  $S89^{\circ}42'10"W$  along said North line for 929.92 feet to a point on the Easterly right of way line of State Road 429 as shown on said Right-of-Way Map, said point being the POINT OF BEGINNING; thence continue  $S89^{\circ}42'10"W$  along said North line of the 60-foot right of way for Porter Road for 404.20 feet to a point on the Westerly line of the State Road 429 right of way as shown on said Right-of-Way Map; thence departing said North right of way line, run  $N41^{\circ}47'01"E$  along said Westerly line for 72.35 feet; thence departing said Westerly line, run  $N89^{\circ}42'10"E$  for 404.20 feet to a point on the aforesaid Easterly right of way line of State Road 429; thence  $S41^{\circ}47'01"W$  along said Easterly line for 72.35 feet to the POINT OF BEGINNING.

Containing 0.500 acres, more or less.


Reserving all rights of ingress, egress, light, air and view to, from or across any State Road 429 Right of Way property which may otherwise accrue to any property adjoining said Right of Way along the following described line:

Commence at a 1 inch Iron Pipe at the Northeast corner of said Section 29; Township 23 South Range 27 East, Orange County, Florida as shown on the Orlando-Orange County Expressway Authority Right-of-Way Map Project Number 75320-6460-653, dated 10/01/02; thence run  $S00^{\circ}12'24"E$  along the East line of the Northeast 1/4 of said Section 29 a distance of 1294.62 feet to an intersection with the North line of the 60-foot right of way for Porter Road as shown on said Right-of-Way Map; thence departing said East line of the Northeast 1/4, run  $S89^{\circ}41'28"W$  along said North line for 2652.79 feet to a point on the East line of the Northwest 1/4 said Section 29; thence continue  $S89^{\circ}42'10"W$  along said North line for 929.92 feet to a point on the Easterly right of way line of State Road 429 as shown on said Right-of-Way Map; thence departing said North right of way line, run  $N41^{\circ}47'01"E$  for 72.35 feet along said Easterly right of way line to the POINT OF BEGINNING; thence run  $S89^{\circ}42'10"W$  for 404.20 feet to a point on the Westerly right of way line of said State Road 429, said point being the POINT OF TERMINATION.

THIS IS NOT A SURVEY

**ATKINS**

482 South Keller Road  
Orlando, Florida 32810 6101  
Tel: (407) 647-7275 Certificate No. LB 24

  
J. Vance Corper, Jr. PSM  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

Date: 06/13/16  
Scale: 1" = 100'  
Job No.:  
F.B.: N/A  
Drawn By: DJ  
Ckd. By: JSC  
Sheet 1 of 181



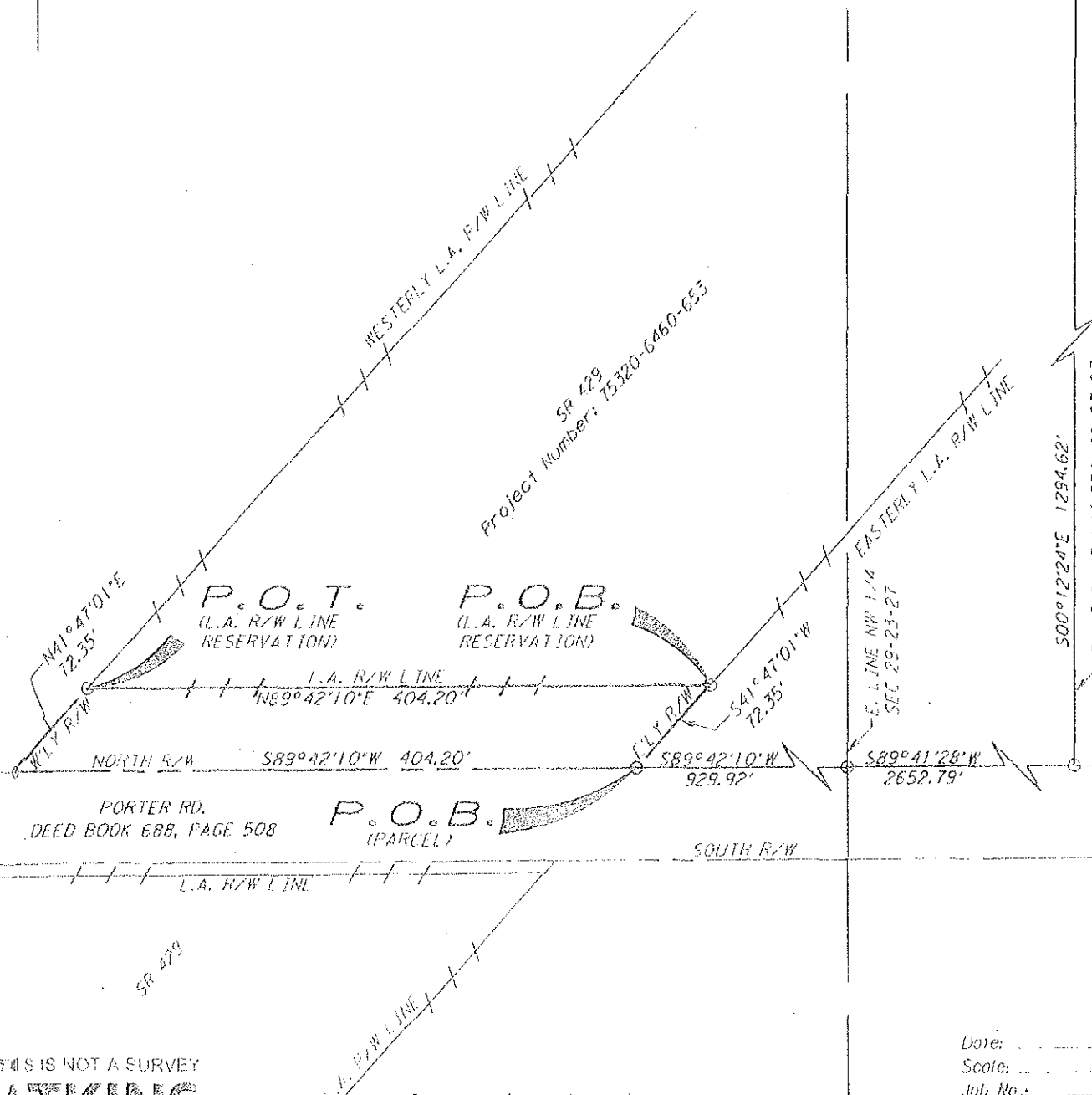
# SKETCH OF DESCRIPTION

CENTRAL FLORIDA EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT 653 PARCEL 220  
PORTER ROAD-ORANGE COUNTY

ESTATE: FEE SIMPLE

P.O.C.  
NE CORNER  
SECTION 29-23-27

20  
21  
29  
28



THIS IS NOT A SURVEY

**ATKINS**

401 South Keller Road  
Orlando, Florida 32810-6101

Phone: 407/647-7275 Certificate No. LB 24

The bearings shown hereon  
are based upon the West line  
of the NE 1/4 of Section 29,  
Township 23 South, Range 27 East  
Bearing  $S00^{\circ}12'24''W$

Date: 06/13/16  
Scale: 1" = 100'  
Job No.:  
F.B.: H/A  
Drawn By: DJ  
Ckd. By: JVC  
Sheet 2 of 182



## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

### PARCEL 223 (PARTIAL)

#### Legal Description

A parcel of land lying in the north 1/2 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of the northeast 1/4 said Section 20; thence  $S00^{\circ}06'56''E$  along the west line of said northeast 1/4 for 1355.54 feet to a point on the south line of the existing right-of-way for McKinney Road as shown on the Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project Number 75320-6460-653, dated 10/01/02, said point being the POINT OF BEGINNING; thence  $N89^{\circ}43'18''E$  along said south line for 75.00 feet; thence  $S00^{\circ}06'56''E$  for 31.71 feet; thence  $S89^{\circ}42'32''W$  for 75.00 feet to a point on said west line of the northeast 1/4; thence continue  $S89^{\circ}42'32''W$  for 55.78 feet; thence  $S86^{\circ}17'42''W$  for 127.61 feet; thence  $S00^{\circ}17'28''E$  for 26.40 feet; thence  $S89^{\circ}42'32''W$  for 165.62 feet to the point of intersection of the west limited access right-of-way of State Road 429 and the south right-of-way of McKinney Road (now known as New Independence Parkway) as shown on said OOCEA right-of-way map; thence along said south right-of-way of McKinney Road for the following seven (7) courses: continue  $S89^{\circ}42'32''W$  for 191.23 feet to a point on a non-tangent curve concave to the southeast; thence southwest along the arc of said curve, having a radius of 1123.25 feet and a chord bearing of  $S87^{\circ}46'52''W$ , through a central angle of  $07^{\circ}05'10''$ , for 138.92 feet to a point hereafter known as Point "A"; thence continue along said curve, having a radius of 1123.25 feet and a chord bearing of  $S66^{\circ}00'40''W$ , through a central angle of  $36^{\circ}27'14''$ , for 714.66 feet; thence  $S46^{\circ}12'28''W$  for 387.26 feet; thence  $S37^{\circ}40'37''W$  for 101.12 feet to a point on a non-tangent curve concave to the northwest; thence southwest along the arc of said curve, having a radius of 1291.23 feet and a chord bearing of  $S68^{\circ}06'14''W$ , through a central angle of  $43^{\circ}47'32''$ , for 986.91 feet to the point of tangency; thence  $S90^{\circ}00'00''W$  for 88.71 feet to a point on the east right-of-way of Avalon Road, said point being a point on a non-tangent curve concave to the west; thence north along the arc of said curve, having a radius of 1433.00 feet and a chord bearing of  $N05^{\circ}28'06''E$ , through a central angle of  $06^{\circ}49'56''$ , for 170.88 feet to a point on the north right-of-way of said McKinney Road (now known as New Independence Parkway); thence along said north right-of-way for the following six (6) courses: run  $N90^{\circ}00'00''E$  for 72.43 feet to the point of curvature of a curve concave to the northwest; thence northeast along the arc of said curve, having a radius of 1121.23 feet, through a central angle of  $43^{\circ}47'32''$ , for 856.97 feet; thence  $N57^{\circ}31'03''E$  for 101.98 feet; thence  $N46^{\circ}12'28''E$  for 387.26 feet to a point on a non-tangent curve concave to the southeast; thence northeast along the arc of said curve, having a radius of 1286.09 feet and a chord bearing of  $N49^{\circ}05'26''E$ , through a central angle of  $07^{\circ}27'23''$ , for 167.37 feet; thence  $N37^{\circ}10'52''W$  for 183.84 feet to a point on the aforesaid south line of the existing right-of-way of McKinney Road; thence  $N89^{\circ}45'03''E$  along said south line for 1398.62 feet to the POINT OF BEGINNING.

Containing 9.994 acres, more or less

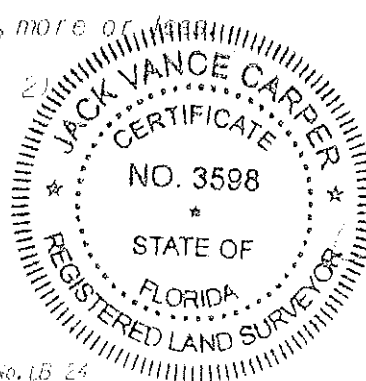
(CONTINUE ON SHEET 2)

THIS IS NOT A SURVEY

**ATKINS**

482 South Keller Road  
Orlando, Florida 32803-6101

Tel: 407-647-7275 Certificate No. LB 24



J. Vance Carper, Jr., PSM  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A LICENSED  
LICENSED SURVEYOR AND MAPPER

Date: 10/12/12  
Scale: N/A  
Job No.: 1000275A  
F.A.: N/A  
Drawn By: M  
Ckd. By: M  
Sheet 1 of 183



## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

PARCEL 223 (PARTIAL)

(CONTINUED FROM SHEET 1)

Reserving all rights of ingress, egress, light, air and view to, from or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way along the following described line:

Commence at the northwest corner of the northeast 1/4 said Section 20; thence  $500^{\circ}06'56''$ E along the west line of said northeast 1/4 for 1355.54 feet to a point on the south line of the existing right-of-way of aforesaid McKinney Road, said point being the POINT OF BEGINNING; thence  $N89^{\circ}43'18''$ E along said south line for 75.00 feet; thence  $S00^{\circ}06'56''$ E for 31.71 feet; thence  $S89^{\circ}42'32''$ W for 75.00 feet to a point on said west line of the northeast 1/4; thence continue  $S89^{\circ}42'32''$ W for 55.78 feet; thence  $S86^{\circ}17'42''$ W for 127.61 feet; thence  $S00^{\circ}17'28''$ E for 26.40 feet; thence  $S89^{\circ}42'32''$ W for 165.62 feet to the point of intersection of the west limited access right-of-way of State Road 429 and the south right-of-way of McKinney Road (now known as New Independence Parkway) as shown on said OCEA right-of-way map; thence continue  $S89^{\circ}42'32''$ W along said south right-of-way of McKinney Road for 191.23 feet to a point on a non-tangent curve concave to the southeast; thence southwest along said south right-of-way of McKinney Road and the arc of said curve, having a radius of 1123.25 feet and a chord bearing of  $S87^{\circ}46'52''$ W, through a central angle of  $07^{\circ}05'10''$ , for 138.92 feet to aforesaid Point "A", said point being the POINT OF TERMINATION.

THIS IS NOT A SURVEY

**ATKINS**

462 South Keller Road  
Orlando, Florida 32810-6101  
Tel: 407/641-7275 Certificate No. LB 24

Date: 05/23/12  
Scale: N/A  
Job No.: JG000756  
F.E.: N/A  
Drawn By: MC  
Ckd. By: JVC  
Sheet 7 of 184



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

R=1433.00'  
 $\Delta=06^{\circ}49'56''$   
 L=170.88'  
 CB=N05°28'06"E

EAST R/W LINE  
 NT  
 S90°00'00"W 88.71'  
 PT PC  
 N90°00'00"E 72.43'  
 NORTH R/W LINE

R=1291.23'  
 $\Delta=43^{\circ}47'32''$   
 L=986.91'  
 CB=S68°06'14"W

R=1121.23'  
 $\Delta=43^{\circ}47'32''$   
 L=856.97'

N57°31'03"E 101.98'  
 N46°12'28"E 387.26'

S37°40'37"W 101.12'  
 S46°12'28"W 387.26'

NEW INDEPENDENCE PARKWAY

R=1123.25'  
 $\Delta=36^{\circ}27'14''$   
 L=714.66'  
 CB=S66°00'40"W

P.O.T. & POINT "A"  
 (L.A. R/W LINE)

R=1123.25'  
 $\Delta=07^{\circ}05'10''$   
 L=138.92'  
 CB=S87°46'52"W

SOUTH R/W LINE

S89°42'32"W 191.23'  
 S89°42'32"W 165.62'

WEST L.A. R/W LINE

S00°17'28"E 26.40'  
 S86°17'42"W 127.61'  
 S89°42'32"W 55.78'  
 S89°42'32"W 75.00'  
 S00°06'56"E 31.71'

785 790 795

SOUTH LINE EXISTING R/W  
 R=1286.09'  
 $\Delta=07^{\circ}27'23''$   
 L=167.37'  
 CB=N49°05'26"E

N37°10'52"W 183.84'

NOTES:  
 1. BEARINGS AND THE NORTH EAST TOWNSHIP 23 S COUNTY, FLORIDA

P.O.B. (PARCEL)  
 S00°06'56"E 75.00'  
 N89°43'18"E 75.00'

P.O.B. (L.A. R/W LINE)

SOUTH LINE EXISTING R/W

THIS IS NOT A SURVEY  
**ATKINS**  
 482 South Keller Road  
 Orlando, Florida 32810-6101

@ SURVEY S.R. 429  
 (PER OCEA R/W MAP  
 PROJECT NUMBER  
 75320-6460-653)

R/W-RIGHT-OF-WAY  
O.R.-OFFICIAL RECORDS BOOK  
PG.-PAGE(S)  
S.R.-STATE ROAD  
P.O.C.-POINT OF COMMENCEMENT  
P.O.B.-POINT OF BEGINNING  
P.O.T.-POINT OF TERMINATION  
SEC.-SECTION  
TWP.-TOWNSHIP  
RNG.-RANGE  
L.A.-LIMITED ACCESS  
P.I.-POINT OF INTERSECTION  
PC-POINT OF CURVATURE  
PT-POINT OF TANGENCY  
NT-NON-TANGENT  
R-RADIUS  
Δ-CENTRAL ANGLE  
L-ARC LENGTH  
CB-CHORD BEARING

NOTES:  
1. BEARINGS ARE BASED ON THE WEST LINE OF  
THE NORTH EAST 1/4 OF SECTION 20,  
TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE  
COUNTY, FLORIDA, BEARING S00°06'56"E.

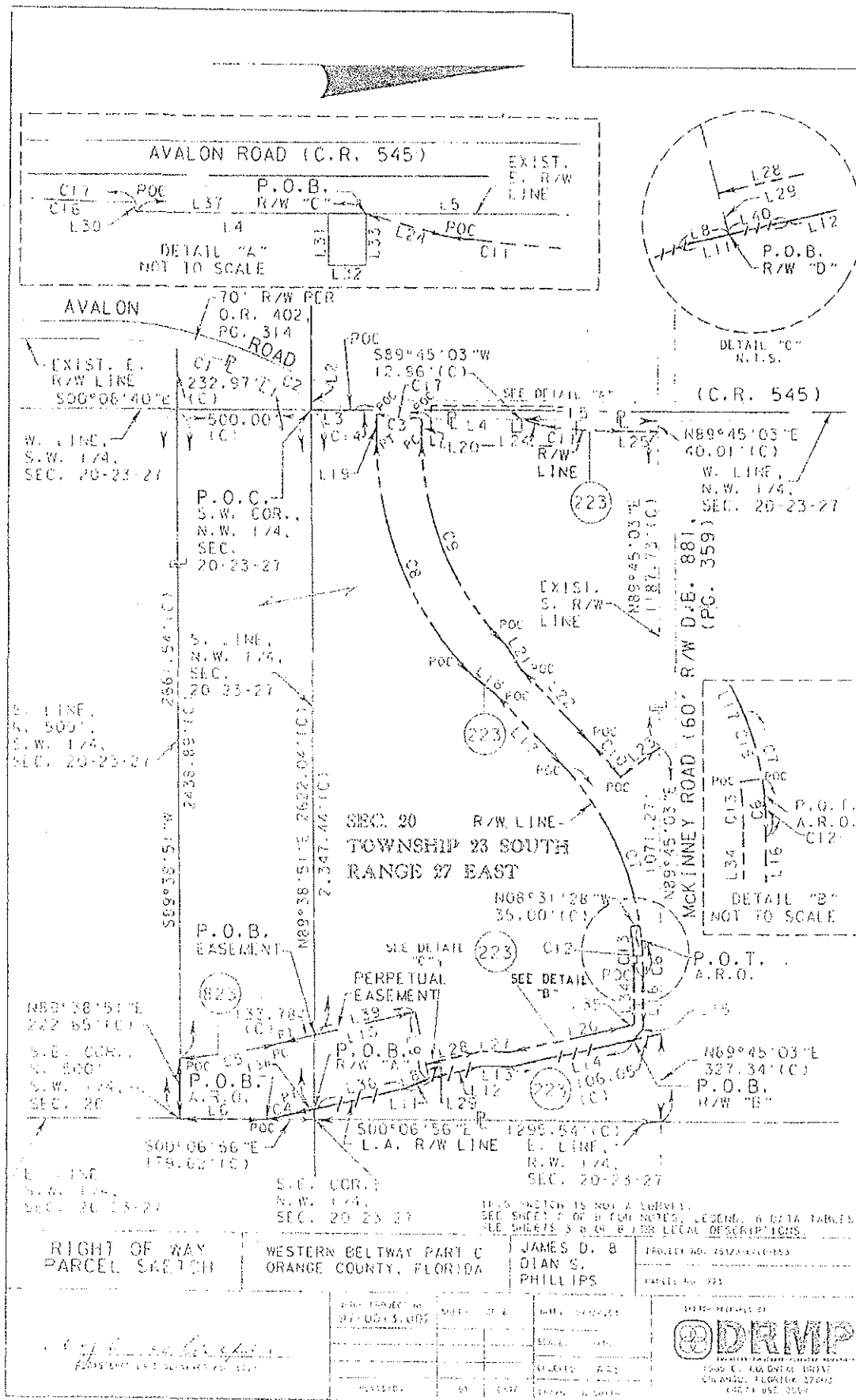
P. O. C.  
(PARCEL 8 L.A. R/W LINE)  
NW CORNER NE 1/4  
OF SECTION 20,  
TOWNSHIP 23 SOUTH,  
RANGE 27 EAST

P. O. B.  
(PARCEL)

P. O. B.  
U. S. AIR MAIL

Date: 05/23/02  
Score: 100%  
Job No.: 10032756  
F.B.: K/h  
Drawn By: MC  
Cld. By: MC  
Sheet 3 of 18







# NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING S89°59'50"E, MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

## LEGEND:

- (C) - CALCULATED
- C.B. - CHORD BEARING
- COR. - CORNER
- C.R. - COUNTY ROAD
- " - DEGREE
- Δ - DELTA
- E. - EAST
- E.S.M. - EASEMENT
- EXIST. - EXISTING
- F.P.O.C. - FLORIDA POWER CORPORATION
- L.A. - LIMITED ACCESS
- " - MINUTE/FEET
- N. - NORTH
- N.T.S. - NOT TO SCALE
- PG. - PAGE
- O.R. - OFFICIAL RECORD
- P.O.B. - POINT OF BEGINNING
- P. - PROPERTY LINE
- R. - RADIUS
- R/W - RIGHT OF WAY
- " - SECOND
- SEC. - SECTION
- S. - SOUTH
- W. - WEST
- PC - POINT OF CURVATURE
- PCC - POINT OF COMPOUND CURVATURE
- POC - POINT ON CURVE
- A.R.O. - ACCESS RIGHTS ONLY
- P.T. - POINT OF TERMINATION
- O.A. - OVERALL

## LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	N26°36'50"E	40.49'(C)
L2	N88°36'51"E	45.97'(C)
L3	N00°06'51"W	163.20'(C)
L4	N00°06'51"W	282.90'(C)
L5	N00°06'51"W	513.67'(C)
L6	N00°06'56"W	320.38'(C)
L7	N13°01'24"W	346.63'(C)
L8	N22°06'56"W	92.27'(C)
L9	N78°20'16"E	257.42'(C)
L10	S13°37'21"E	519.42'(C)
L11	N22°06'56"W	101.27'(C)
L12	N13°01'34"W	200.00'(C)
L13	N01°06'37"E	103.08'(C)
L14	N13°01'34"W	471.78'(C)
L15	N50°27'21"W	56.49'(C)
L16	S89°42'32"W	19.23'(C)
L17	S46°12'29"W	381.26'(C)
L18	S37°40'37"W	102.12'(C)
L19	N90°00'00"W	56.71'(C)
L20	S90°00'00"E	72.43'(C)
L21	N57°31'03"E	101.98'(C)
L22	N46°12'28"E	381.26'(C)
L23	N37°10'52"W	103.84'(C)
L24	S15°33'51"W	76.45'(C)
L25	S00°05'45"E	124.66'(C)
L26	N13°01'34"W	346.63'(C)
L27	N01°06'37"E	103.27'(C)
L28	N17°24'58"W	214.17'(C)
L29	S16°20'16"W	55.03'(C)
L30	N89°54'16"E	2.01'(C)
L31	N89°45'03"E	48.00'(C)
L32	N00°06'51"W	55.00'(C)
L33	S69°46'03"W	48.00'(C)
L34	S69°42'32"W	179.21'(C)
L35	N13°01'34"W	33.59'(C)
L36	N13°01'34"W	346.63'(C)
L37	N00°06'51"W	511.20'(C)
L38	N13°01'34"W	97.20'(C)
L39	N13°37'21"W	361.66'(C)
L40	S22°06'59"E	9.00'(C)

## CURVE DATA TABLE

CURVE	DELTA	LENGTH	RADIUS	CH. BEARING
C1	13°50'05"(C)	320.5'(C)	1767.30'	N12°21'42"W
C2	06°36'00"(C)	165.2'(C)	1432.60'	N52°18'56"E
C3	06°49'56"(C)	170.68'(C)	1433.00'	N08°28'06"E
C4	01°42'20"(C)	66.5'(C)	2770.79'	N12°37'54"W
C5	06°25'56"(C)	314.40'(C)	2546.01'	S00°24'21"E
C6	07°05'11"(C)	148.32'(C)	1123.25'	S87°46'52"W
C7	43°32'24"(C)	853.56'(C)	1123.25'	S69°33'16"W
C8	43°42'22"(C)	566.91'(C)	1231.21'	S68°06'14"W
C9	43°47'32"(C)	626.82'(C)	1123.25'	N51°06'14"E
C10	07°27'23"(C)	157.17'(C)	1246.03'	N42°05'26"E
C11	06°52'12"(C)	214.33'(C)	7371.86'	S01°20'11"W
C12	09°56'56"(C)	153.08'(C)	1123.25'	S85°24'00"W
C13	09°54'02"(C)	166.05'(C)	1088.27'	S85°25'38"W
C14	03°20'10"(C)	63.84'(C)	1523.00'	N10°35'02"E
C15	33°41'48"(C)	569.50'(C)	1123.25'	N04°37'08"E
C16	02°08'53"(C)	53.33'(C)	1533.00'	N36°58'42"E
C17	17°18'59"(C)	309.04'(C)	1533.00'	N06°03'45"E



DATE: 1/10/18



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 223

RIGHT OF WAY "C"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Southwest corner of said Northwest 1/4 of Section 20; thence run N.00°05'51"W. along the West line Northwest 1/4 of Section 20 a distance of 163.20 feet to a point on the existing East right of way line of Avalon Road said point also being a point on a non-tangent curve, concave Northwesterly, having a radius of 1433.00 feet and a central angle of 12°18'59"; thence run Northeasterly along said curve an arc distance of 308.04 feet from a chord bearing of N.06°03'45"E. along said Easterly right of way line to a point on said curve; thence run N.89°54'15"E. a distance of 2.01 feet; thence run N.00°05'51"W. a distance of 317.90 feet for a POINT OF BEGINNING; thence continue N.00°05'51"W. a distance of 513.67 feet to the existing South right of way line of McKinney Road; thence departing said Easterly right of way line run N.89°45'03"E. 40.01 feet along said South right of way line; thence departing said South right of way line run S.00°05'45"E. a distance of 124.66 feet to the point of curvature of a curve to the right, concave Northwesterly, having a radius of 2621.48 feet and a central angle of 06°52'12"; thence run Southwesterly along the arc of said curve a distance of 314.33 feet to a point on said curve; thence departing said curve run S.15°33'51"W. a distance of 78.45 feet to the POINT OF BEGINNING.

Containing 16,366 square feet, more or less.

July 24, 2003

SHEET 6 OF 8







NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83. ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING S89°59'50"E, MEAN SCALE FACTOR: 0.99997793
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO TITLE INFORMATION WAS PROVIDED TO THIS SURVEYOR, NOR DID THIS SURVEYOR ABSTRACT THESE LANDS.
6. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

LINE TABLE			LINE TABLE		
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N89°51'05"E	591.04'(C)	L36	N00°06'56"W	1475.16'(C)
L2	N75°41'29"E	67.18'(C)	L37	N00°06'56"W	1295.54'(C)
L3	N00°08'25"W	299.62'(C)	L38	N00°08'25"W	1024.67'(C)
L4	S00°17'28"E	45.52'(C)	L39	N75°41'29"E	31.57'(C)
L5	N89°42'32"E	100.00'(C)	L40	N89°51'05"E	3.35'(C)
L6	S63°43'31"E	55.90'(C)	L41	N00°06'56"W	1008.24'(C)
L7	N89°42'32"E	169.38'(C)	L42	N00°06'56"W	1211.55'(C)
L8	S24°56'35"E	340.55'(C)	L43	S89°43'18"W	75.00'(C)
L9	S00°17'28"E	46.48'(C)	L44	S89°43'18"W	300.00'(C)
L10	S89°42'32"W	372.37'(C)	L45	S00°06'56"E	1210.70'(C)
L11	S14°33'27"W	560.14'(C)	L46	S89°43'18"W	474.64'(C)
L12	S09°47'37"W	301.04'(C)	L47	S24°56'35"E	418.07'(C)
L13	S14°33'27"W	332.34'(C)	L48	S89°43'18"W	287.04'(C)
L14	S03°53'04"W	608.60'(C)	L49	N24°56'35"W	77.52'(C)
L15	S00°06'56"E	122.15'(C)	L50	S00°06'56"E	2263.29'(C)
L16	S89°38'25"W	301.42'(C)	L51	S89°38'25"W	10.54'(C)
L17	N01°39'18"W	328.88'(C)	L52	N89°43'18"E	75.00'(C)
L18	N89°51'05"E	65.57'(C)	L53	S00°06'56"E	2264.14'(C)
L19	N00°06'56"W	30.00'(C)	L54	N89°43'18"E	300.00'(C)
L20	S00°06'56"E	30.00'(C)	L55	S14°33'27"W	608.31'(C)
L21	S00°08'39"E	60.00'(C)	L56	N00°06'56"W	2142.00'(C)
L22	S89°38'25"W	47.29'(C)	L57	N89°43'18"E	401.84'(C)
L30	S00°06'56"E	66.25'(C)	L58	N14°33'27"E	48.17'(C)
L31	S89°43'18"W	21.32'(C)	L59	N89°43'18"E	360.03'(C)
L32	S89°43'18"W	50.00'(C)	L60	S89°43'18"W	1513.87'(C)
L33	S89°43'18"W	1462.55'(C)	L61	S89°38'51"W	43.74'(C)
L34	S89°43'18"W	1513.71'(C)	L62	N00°06'56"W	320.38'(C)
L35	N00°06'56"W	1142.81'(C)			

CURVE TABLE				
CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING
C1	21°37'35"	582.41'(C)	1543.02'	S05°10'50"E
C2	15°39'03"	898.93'(C)	3656.94'	S13°27'29"W
C3	10°40'23"	337.19'(C)	1810.14'	S11°45'46"W
C4	05°06'25"	353.83'(C)	3969.72'	S02°26'16"W
C5	05°07'06"	354.18'(C)	3964.73'	N01°55'19"E
C6	09°34'55"	463.38'(C)	2770.79'	N06°20'46"W
C7	05°01'41"	408.42'(C)	3669.72'	N02°49'54"E
C8	22°34'09"	1445.53'(C)	3669.72'	S11°10'08"W
C9	05°32'45"	355.20'(C)	3669.72'	S02°39'26"W
C10	06°41'12"	523.30'(C)	2770.79'	S07°04'38"E

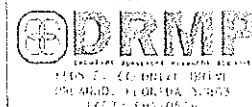
LEGEND:

CL	CALCULATED	P.O.B.	POINT OF BEGINNING	UTIL.	UTILITY
C.B.	CHORD BEARING	R	RADIUS		
COR.	CORNER	R/W	RIGHT OF WAY		
Δ	DELTA	"	SECOND		
E	EAST	SEC.	SECTION		
E.S.M.	EASEMENT	S.	SOUTH		
EX.	EXISTING	W.	WEST		
F.P.C.	FLORIDA POWER CORPORATION	PC	POINT OF CURVATURE		
L	ARC LENGTH	POC	POINT OF COMPOUND CURVATURE		
L.A.	LIMITED ACCESS	POC	POINT ON CURVE		
M.F.	MINOR FEET	A.R.O.	ACCESS RIGHTS ONLY		
N	NORTH	P.O.T.	POINT OF TERMINATION		
N.S.	NOT TO SCALE	O.A.	OVERALL		
P	PAGE				
P.P.	PLATINUM RECORD				

SEE SHEET 15 FOR SKETCH AND SHEETS 3 THROUGH 15 FOR LEGAL DESCRIPTIONS.

FORM No. 224

STUDY NUMBER IS





ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 224

RIGHT OF WAY "D"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the East 1/2 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 20; thence run S.00°08'39"E. along the East line of the Northeast 1/4 of said Section 20 a distance of 1352.10 feet to a point on the existing South right of way line of McKinney Road (as now established); thence departing said East line of the Northeast 1/4 of Section 20, run S.89°43'18"W. along said existing South right of way line of McKinney Road a distance of 1513.71 feet for a POINT OF BEGINNING; thence departing said South right of way line, run S.00°17'28"E. 46.48 feet; thence S.89°42'32"W. 372.37 feet; thence N.14°33'27"E. 48.17 feet to a point on the aforesaid existing South right of way line of McKinney Road; thence run N.89°43'18"E. along said existing South right of way line a distance of 360.03 feet to the POINT OF BEGINNING.

Containing 17,036 square feet, more or less.

July 24, 2003

SHEET 6 OF 15



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 224

RIGHT OF WAY "H"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the North 1/2 of the Northeast 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 20; thence run S.00°08'39"E. along the East line of said Northeast 1/4 of Section 20 a distance of 1292.10 feet to a point on the existing North right of way line of McKinney Road (as now established); thence departing said East line of the Northeast 1/4 of Section 20, run S.89°43'18"W. along said existing North right of way line of McKinney Road a distance of 1513.87 feet for a POINT OF BEGINNING; thence continue S.89°43'18"W. along said North right of way line a distance 287.04 feet; thence departing said North right of way line, run N.24°56'35"W. 77.52 feet; thence N.89°42'32"E. 169.38 feet; thence S.63°43'31"E. 55.90 feet; thence N.89°42'32"E. 100.00 feet; thence S.00°17'28"E. 45.52 feet to the POINT OF BEGINNING.

Containing 18,247 square feet, more or less.

July 24, 2003

SHEET 10 OF 15



## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

PARCEL 224 (PARTIAL)

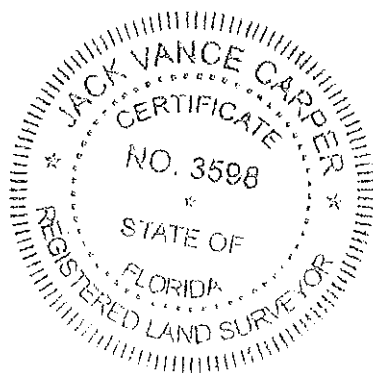
### Legal Description

A parcel of land lying in the northeast 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of the northeast 1/4 said Section 20; thence  $S00^{\circ}06'56''E$  along the west line of said northeast 1/4 for 1295.54 feet to a point on the north line of the existing right-of-way for McKinney Road (now known as New Independence Parkway) as shown on the Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project Number 75320-6460-653, dated 10/01/02; thence  $N89^{\circ}43'18''E$  along said north line for 375.00 feet to the POINT OF BEGINNING; thence continue  $N89^{\circ}43'18''E$  along said north line for 474.64 feet to a point on the southerly prolongation of the east limited access right-of-way line of State Road 429 as shown on said OOCEA right-of-way map; thence  $N24^{\circ}56'35''W$  along said southerly prolongation for 77.52 feet to a point of intersection along said east limited access right-of-way line; thence  $S89^{\circ}42'32''W$  for 190.59 feet; thence  $S00^{\circ}17'28''E$  for 36.88 feet; thence  $S86^{\circ}13'47''W$  for 121.47 feet; thence  $S89^{\circ}42'32''W$  for 130.39 feet; thence  $S00^{\circ}06'56''E$  for 26.10 feet to the POINT OF BEGINNING.

Containing 0.50 acres, more or less.

Reserving all rights of ingress, egress, light, air and view to, from, or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way.



THIS IS NOT A SURVEY

**ATKINS**

442 South Keller Road  
Orlando, Florida 32801-1000  
Tel: 407-927-7275 Fax: 407-927-7276

J. Vance Carter, Jr., P.E.  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

ALL DATA BEING THE PROPERTY AND  
THE ORIGINAL FIELD DATA OF A FLORES  
REGISTERED SURVEYOR AND MAPPING

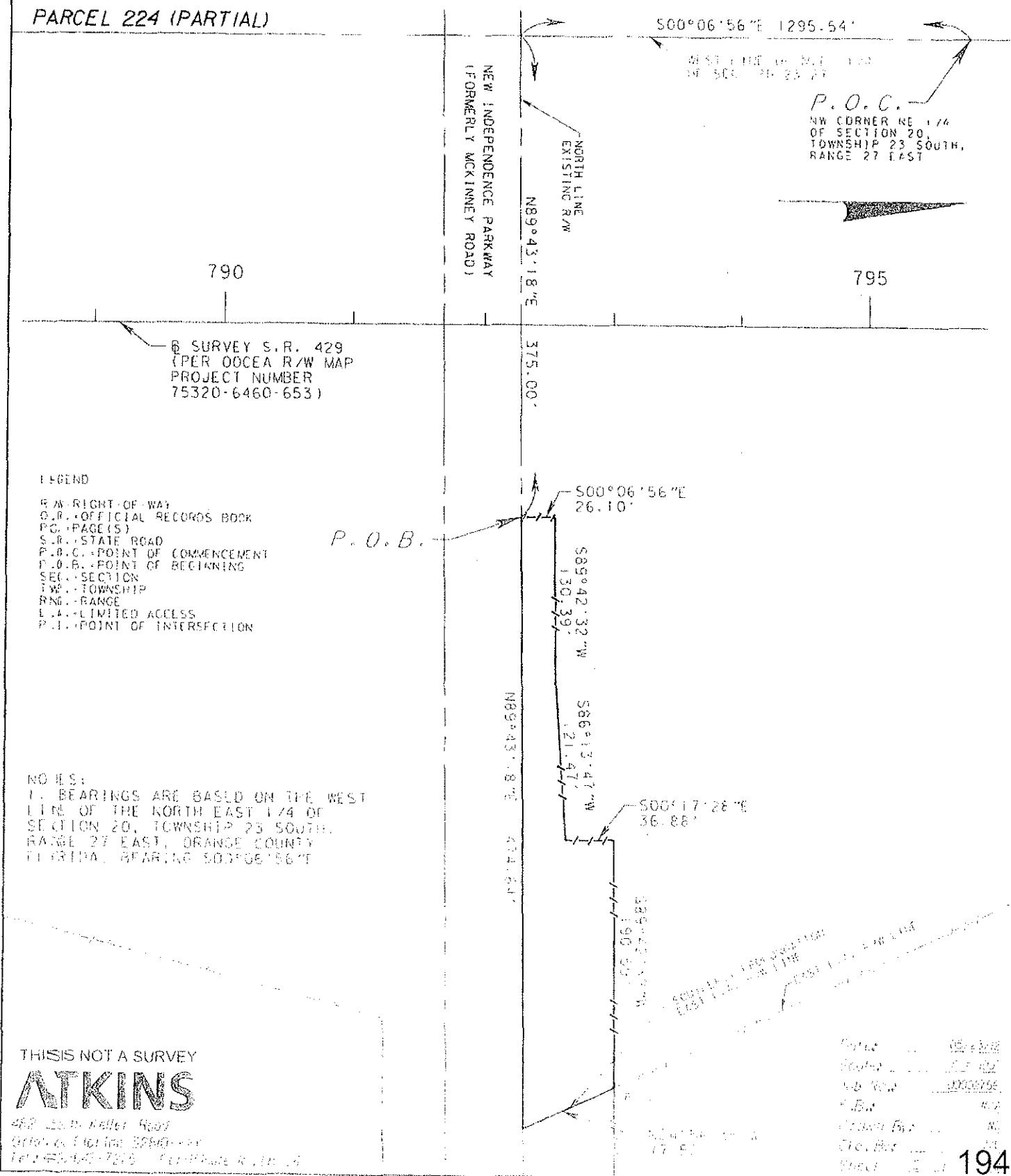
Drawn by: JVC  
Checked by: JVC  
Scale: 1" = 100'  
Date: 02/01/03  
F.B.I.  
Brown Box  
C.D. Rev.  
Sheet 1 of 1

193



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

PARCEL 224 (PARTIAL)





## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

PARCEL 224 (PARTIAL)

### Legal Description

A parcel of land lying in the northeast 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of the northeast 1/4 said Section 20; thence  $500^{\circ}06'56''E$  along the west line of said northeast 1/4 for 1355.54 feet to a point on the south line of the existing right-of-way for McKinney Road (now known as New Independence Parkway) as shown on the Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project Number 75320-6460-653, dated 10/01/02; thence  $N89^{\circ}43'18''E$  along said south line for 375.00 feet to the POINT OF BEGINNING; thence continue  $N89^{\circ}43'18''E$  along said south line for 401.84 feet to a point on the northerly prolongation of the east limited access right-of-way line of State Road 429 as shown on said OOCEA right-of-way map; thence  $S14^{\circ}33'27''W$  along said northerly prolongation for 48.17 feet to a point of intersection along said east limited access right-of-way line; thence  $S89^{\circ}42'32''W$  for 125.80 feet; thence  $N00^{\circ}17'28''W$  for 11.16 feet; thence  $N86^{\circ}48'42''W$  for 129.16 feet; thence  $S89^{\circ}42'32''W$  for 134.85 feet; thence  $N00^{\circ}06'56''W$  for 27.65 feet to the POINT OF BEGINNING.

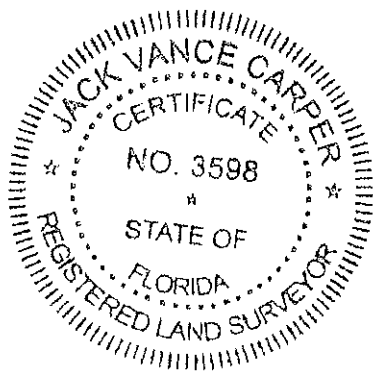
Containing 13,936 square feet, more or less.

Reserving all rights of ingress, egress, light, air and view to, from or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way.

THIS IS NOT A SURVEY

**ATKINS**

482 South Keller Road  
Orlando, Florida 32810-6011  
Tel.: 407/647-7275 Certificate No. LB 24



*[Signature]*  
J. Vance Carper, Jr., P.S.M.  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RECORD STATE OF FLORIDA  
REGISTERED SURVEYOR AND MAPPER

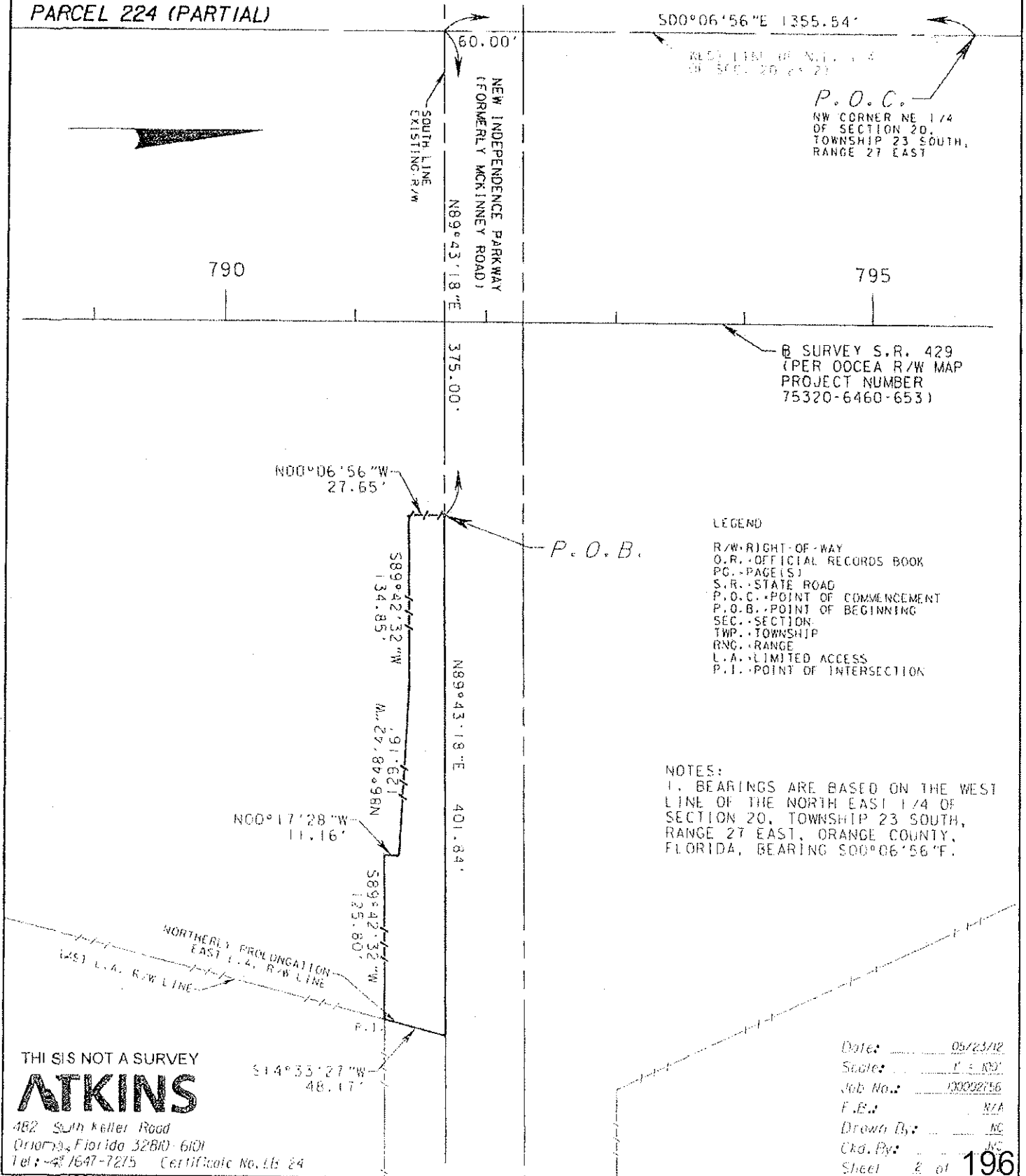
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F.B.: N/A  
Drawn By: AC  
Cld. By: [Signature]  
Sheet 1 of 195



# SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

PARCEL 224 (PARTIAL)









ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 225

RIGHT OF WAY "B"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of the Northwest 1/4 of said Section 20; thence run S.00°06'56"E. along the East line of the Northwest 1/4 of said Section 20 a distance of 1295.54 feet to a point on the existing North right of way line of McKinney Road (as now established); thence departing said East line of the Northwest 1/4 of said Section 20, run S.89°45'03"W. along said existing North right of way line of McKinney Road a distance of 328.47 for a POINT OF BEGINNING; thence continue S.89°45'03"W. a distance of 546.02 feet to a point on a curve concave Southeasterly, having a radius of 1286.09 feet and a central angle of 15°06'06"; thence departing said North right of way line of said McKinney Road, from a chord bearing of N.81°05'40"E. run Northeasterly along the arc of said curve a distance of 338.98 feet to a point on said curve, thence departing said curve run N.89°42'32"E. a distance of 225.66 feet; thence S.14°52'17"W. 52.87 feet to the POINT OF BEGINNING.

Containing 0.509 acres, more or less.

July 24, 2003

SHEET 4 OF 6



## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

PARCEL 225 (PARTIAL)

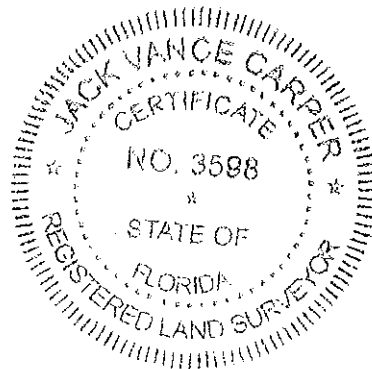
### Legal Description

A parcel of land lying in the north 1/2 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the northwest corner of the northeast 1/4 said Section 20; thence  $S00^{\circ}06'56''E$  along the west line of said northeast 1/4 for 1269.52 feet to the POINT OF BEGINNING; thence  $N89^{\circ}42'32''E$  for 75.00 feet; thence  $S00^{\circ}06'56''E$  for 26.04 feet to a point on the north line of the existing right-of-way for McKinney Road (now known as New Independence Parkway) as shown on the Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project Number 75320-6460-653, dated 10/01/02; thence  $S89^{\circ}43'18''W$  along said north line for 75.00 feet to a point on the west line of said northeast 1/4; thence  $S89^{\circ}45'03''W$  along said north line for 328.47 feet to a point on the southerly prolongation of the west limited access right-of-way line of State Road 429 as shown on said OOCEA right-of-way map; thence  $N14^{\circ}52'17''E$  along said southerly prolongation for 52.87 feet to a point of intersection along said west limited access right-of-way line; thence  $N89^{\circ}42'32''E$  for 132.82 feet; thence  $S00^{\circ}17'28''E$  for 17.76 feet; thence  $S86^{\circ}52'38''E$  for 125.86 feet; thence  $N89^{\circ}42'32''E$  for 56.27 feet to the POINT OF BEGINNING.

Containing 0.33 acres, more or less.

Reserving all rights of ingress, egress, light, air and view to, from or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way.



THIS IS NOT A SURVEY

**ATKINS**

452 South Keller Road  
Orlando, Florida 32809-6906  
Tel: 407-41-7775 Fax: 407-41-7776

Jack Vance Carrier, Jr., PSM  
Professional Surveyor, No. 3598  
Florida Certificate No. 3598

ALL MAPS WITHOUT THE SIGNATURE AND  
THE ORIGINAL GASED SEAL OF A P.S.M. IN  
LICENSEE'S POSSESSION ARE VOID.

Date: 05/23/04  
Drawn By: JVC  
Sub Area: 00000000  
Field: N/A  
Drawn By: JVC  
Check By: JVC  
Sheet: 1 of 199



# SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653  
ESTATE: FEE SIMPLE

PARCEL 225 (PARTIAL)

## LEGEND

R/W - RIGHT-OF-WAY  
O.R. - OFFICIAL RECORDS BOOK  
PG. - PAGE(S)  
S.R. - STATE ROAD  
P.O.C. - POINT OF COMMENCEMENT  
P.O.B. - POINT OF BEGINNING  
SEC. - SECTION  
TWP. - TOWNSHIP  
RNG. - RANGE  
L.A. - LIMITED ACCESS  
P.I. - POINT OF INTERSECTION

P.O.B.

S89°43'18"W  
75.00'

NORTH LINE  
EXISTING R/W

NEW INDEPENDENCE PARKWAY  
(FORMERLY MCINNIS ROAD)

S89°45'03"W  
328.47'

N14°52'17"E  
52.87'

N89°42'32"E  
132.82'

S00°17'28"E  
17.76'

S86°52'38"E  
125.86'

N89°42'32"E  
56.27'

S00°06'56"E 1269.52'

N89°42'32"E  
75.00'

S00°06'56"E  
26.04'

P.O.C.  
NW CORNER NE 1/4  
OF SECTION 20,  
TOWNSHIP 23 SOUTH,  
RANGE 27 EAST

BY SURVEY S.R. 429  
(PER OOCEA R/W MAP  
PROJECT NUMBER  
75320-6460 653)

## NOTES:

1. BEARINGS ARE BASED ON THE WEST LINE OF  
THE NORTH EAST 1/4 OF SECTION 20,  
TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE  
COUNTY, FLORIDA. BEARING SOURCE 56°E

THIS IS NOT A SURVEY

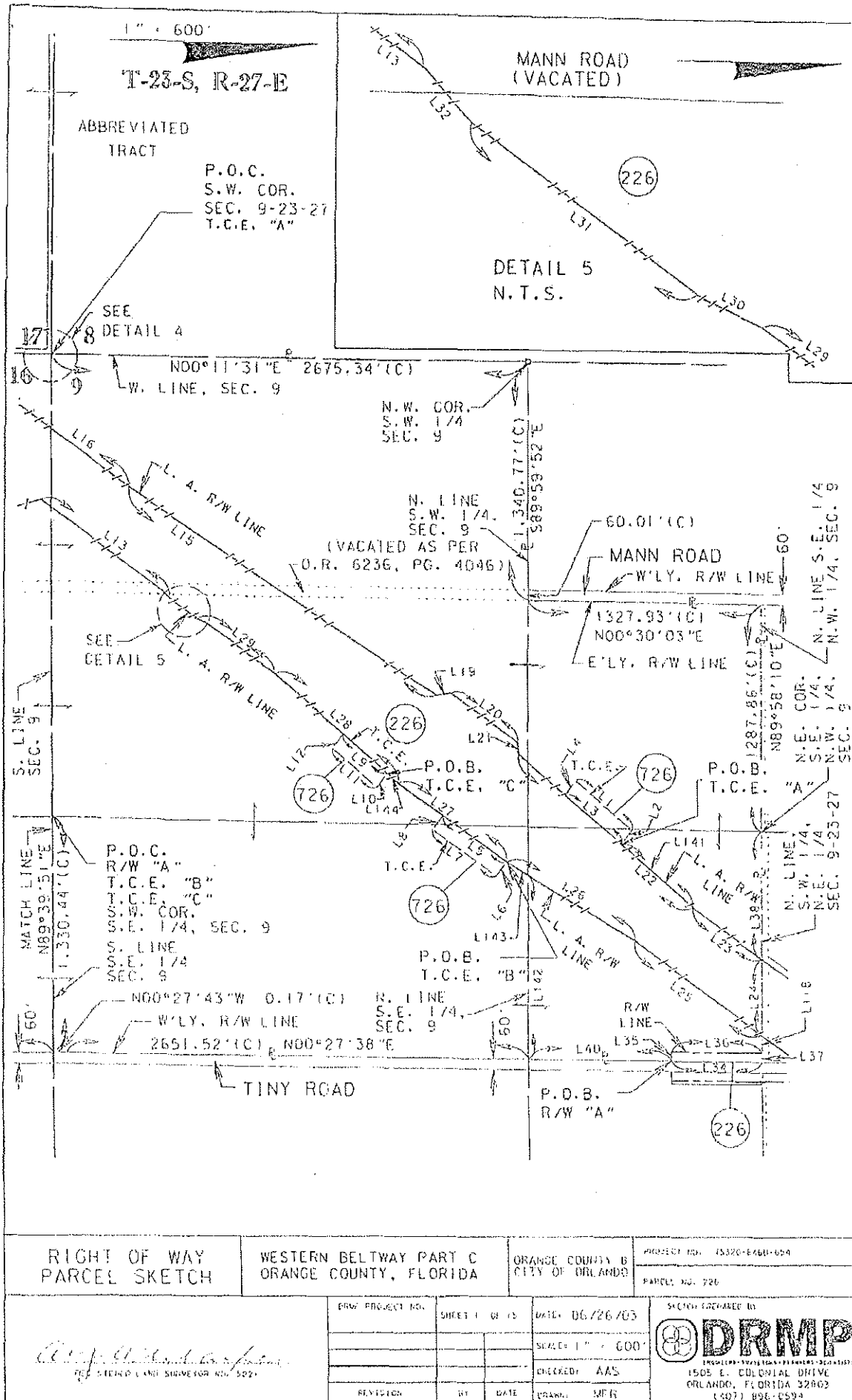
**ATKINS**

562 South Keller Road  
Orlando, Florida 32801  
Tel: 404-123-1234 (FAX: 404-123-1235)

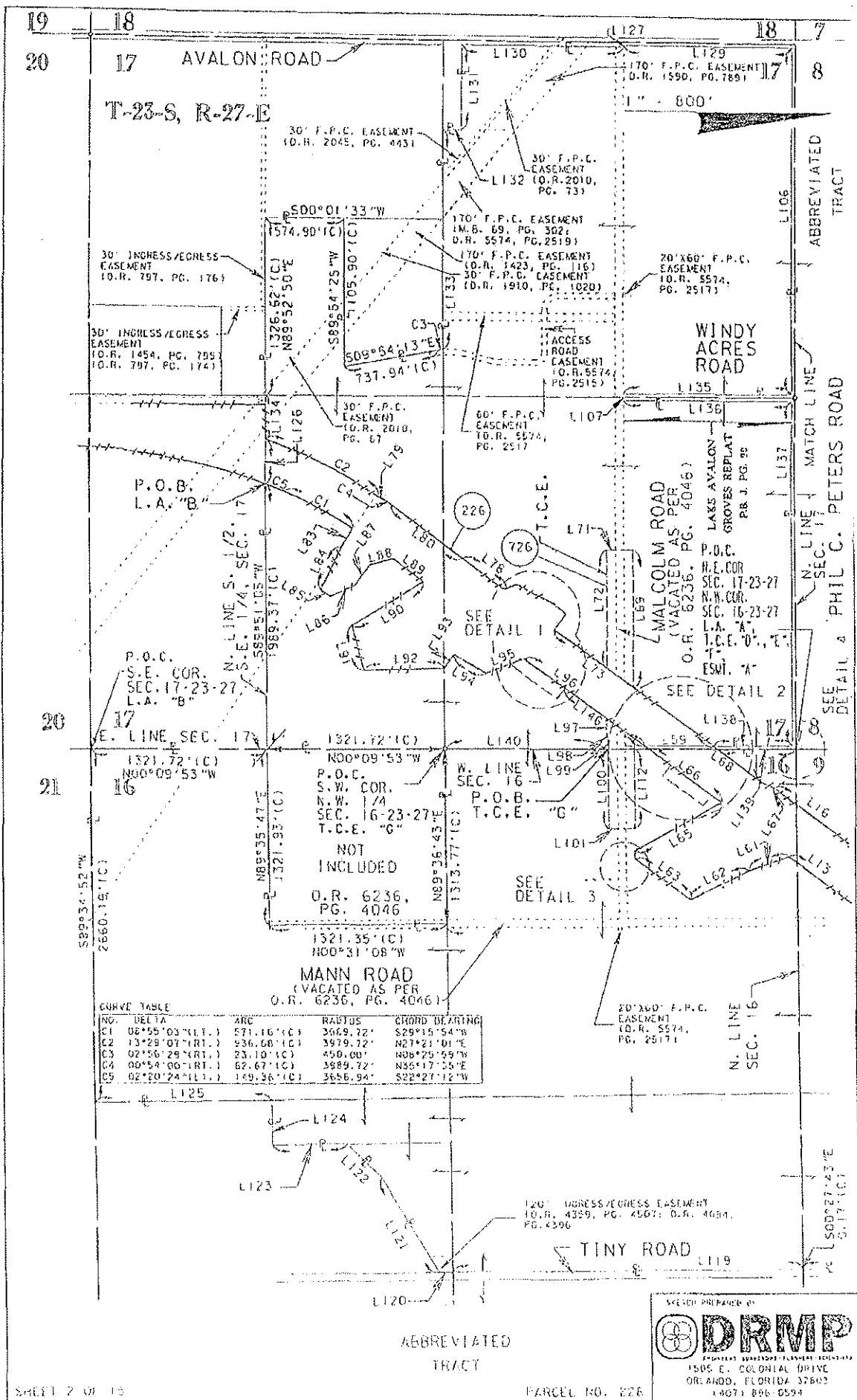
DATE: 11/11/03  
STATE: FLORIDA  
BY: [Signature]  
TITLE: [Signature]  
SCALE: 1"=200'

200











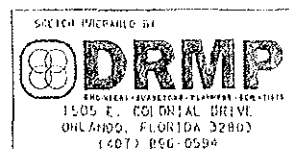
NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATES SYSTEM - EAST ZONE, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT No. 504 AND G.P.S. MONUMENT No. 509, BEARING S89°59'50"E. SCALE FACTOR: 0.99997293
2. SUBJECT TO EASEMENTS AND RIGHTS OF WAY RECORD.
3. NOT VALID WITHOUT ORIGINAL SIGNATURE AND THE RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. THIS IS NOT A SURVEY.

LINE	BEARING	LENGTH	LINE	BEARING	LENGTH
L1	N40°49'32"E	421.25'(C)	L80	N36°49'12"E	672.02'(C)
L2	S53°34'58"E	100.30'(C)	L83	N57°25'22"W	160.09'(C)
L3	S40°48'32"W	421.25'(C)	L84	N64°29'02"W	354.60'(C)
L4	N53°34'58"W	100.30'(C)	L85	S36°25'00"W	86.24'(C)
L5	N36°25'02"E	440.00'(C)	L86	S25°41'07"E	205.18'(C)
L6	S53°34'58"E	100.00'(C)	L87	S53°34'57"E	189.42'(C)
L7	S36°25'02"W	440.00'(C)	L88	S13°53'02"E	183.81'(C)
L8	N53°34'58"W	100.00'(C)	L89	S36°25'02"W	284.27'(C)
L9	N41°22'40"E	331.24'(C)	L90	N31°07'38"W	635.56'(C)
L10	S53°34'58"E	100.38'(C)	L91	S74°13'45"W	350.83'(C)
L11	S41°22'40"W	331.24'(C)	L92	S01°22'39"E	605.99'(C)
L12	N53°34'58"W	100.38'(C)	L93	S53°22'20"E	128.84'(C)
L13	S36°25'02"W	848.33'(C)	L94	S30°08'00"W	279.47'(C)
L15	N33°48'19"E	2083.14'(C)	L95	S21°19'30"E	309.40'(C)
L16	N36°25'02"E	750.00'(C)	L96	S36°25'02"W	1104.50'(C)
L19	N08°29'10"W	78.86'(C)	L97	S89°52'54"W	133.65'(C)
L20	N36°25'02"E	466.31'(C)	L98	S00°00'32"E	10.00'(C)
L21	N86°37'57"E	64.33'(C)	L99	S89°52'54"W	101.52'(C)
L22	N40°49'32"E	1308.39'(C)	L100	S89°39'45"W	598.28'(C)
L23	N36°25'02"E	486.46'(C)	L101	S00°20'15"E	200.00'(C)
L24	N89°55'14"E	435.38'(C)	L104	S00°07'39"E	70.66'(C)
L26	S36°25'02"W	900.74'(C)	L106	S89°59'17"W	2594.89'(C)
L26	S30°59'58"W	847.31'(C)	L107	S89°56'14"W	50.00'(C)
L27	S36°25'02"W	750.00'(C)	L108	N89°52'54"E	54.55'(C)
L28	S41°22'40"W	925.18'(C)	L111	N36°25'02"E	261.36'(C)
L29	S36°25'02"W	478.28'(C)	L112	N89°39'45"E	598.14'(C)
L30	S25°06'26"W	50.99'(C)	L118	N89°55'14"E	99.42'(C)
L31	S36°25'02"W	200.00'(C)	L119	S00°27'43"E	2641.61'(C)
L32	S47°43'38"W	50.99'(C)	L120	S00°28'13"E	99.96'(C)
L34	S00°22'57"W	520.55'(C)	L121	S58°57'17"W	838.52'(C)
L35	N89°37'03"W	50.00'(C)	L122	S44°18'09"W	355.06'(C)
L36	N00°22'57"E	520.14'(C)	L123	S00°46'20"E	540.93'(C)
L37	N89°55'14"E	50.00'(C)	L124	S89°35'48"W	333.05'(C)
L38	N89°55'14"E	719.70'(C)	L125	S00°52'22"E	1321.04'(C)
L40	N00°22'57"E	809.96'(C)	L126	S89°51'05"W	336.90'(C)
L41	N36°25'02"E	380.00'(C)	L127	S89°56'51"W	8.00'(C)
L42	S53°34'58"E	100.00'(C)	L128	N00°07'39"W	70.68'(C)
L43	S36°25'02"W	380.00'(C)	L129	S00°07'30"E	1270.08'(C)
L44	N53°34'58"W	100.00'(C)	L130	S00°07'30"E	1215.08'(C)
L45	N36°25'02"E	369.11'(C)	L131	N89°54'25"E	628.38'(C)
L46	S53°34'58"E	100.00'(C)	L132	S00°07'44"E	140.00'(C)
L47	S36°25'02"W	432.22'(C)	L133	N89°54'25"E	1636.66'(C)
L48	N21°19'30"W	118.25'(C)	L134	N89°51'05"E	323.06'(C)
L52	S89°37'55"W	41.97'(C)	L135	N00°00'25"W	1268.25'(C)
L53	N18°00'01"W	187.14'(C)	L136	N00°08'25"W	1268.22'(C)
L54	N36°25'02"E	32.38'(C)	L137	N89°58'50"E	2599.35'(C)
L55	S18°00'01"E	214.34'(C)	L138	S00°07'39"E	602.43'(C)
L59	S00°07'39"E	520.61'(C)	L139	N00°07'39"W	593.66'(C)
L60	N89°55'37"E	25.00'(C)	L140	N00°07'39"W	1227.98'(C)
L61	S18°47'20"E	324.93'(C)	L141	S40°49'32"W	540.45'(C)
L62	S26°34'21"E	496.02'(C)	L142	N89°59'52"W	1039.02'(C)
L63	S36°25'02"W	513.30'(C)	L143	S30°59'58"W	141.05'(C)
L64	S89°39'47"W	62.56'(C)	L144	S41°22'40"W	60.30'(C)
L65	N29°13'31"W	744.94'(C)	L145	N36°25'02"E	202.63'(C)
L66	S36°25'02"W	680.11'(C)	L146	S36°25'02"W	735.39'(C)
L67	N25°06'30"E	101.98'(C)			
L68	N36°25'02"E	414.37'(C)			
L69	N89°52'54"E	1036.11'(C)			
L70	S36°25'02"W	248.92'(C)			
L71	N00°07'11"W	200.00'(C)			
L72	S89°52'54"W	887.92'(C)			
L73	N36°25'02"E	1476.78'(C)			
L74	S55°32'38"E	143.76'(C)			
L75	N41°16'26"E	121.04'(C)			
L76	N26°35'58"E	304.78'(C)			
L77	N21°54'04"W	102.18'(C)			
L78	N36°25'02"E	387.36'(C)			
L79	N23°36'55"E	53.11'(C)			

LEGEND

(C) - CALCULATED  
 E.L.Y. - EASTERLY  
 N.L.Y. - NORTHERLY  
 S.L.Y. - SOUTHERLY  
 W.L.Y. - WESTERLY  
 N.T.S. - NOT TO SCALE  
 LI - LINE NUMBER  
 CI - CURVE NUMBER  
 No. - NUMBER  
 E. - EAST  
 N. - NORTH  
 S. - SOUTH  
 W. - WEST  
 T. - TOWNSHIP  
 R. - RANGE  
 LT. - LEFT  
 RT. - RIGHT  
 COR. - CORNER  
 ESMT. - EASEMENT  
 F.P.C. - FLORIDA POWER CORPORATION  
 M.B. - MINUTE BOOK  
 P.B. - PLAT BOOK  
 P. - PROPERTY LINE  
 R/W - RIGHT OF WAY  
 D.R. - OFFICIAL RECORDS  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 PG. - PAGE  
 SEC. - SECTION  
 T.C.E. - TEMPORARY CONSTRUCTION  
 EASEMENT  
 L.A. - LIMITED ACCESS  
 DRMP - DYER, RIDDIFORD, MILLIS & PRECOURT, INC.









ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-654

PARCEL 226

RIGHT-OF-WAY "A"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northeast 1/4 of Section 9, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the Southwest corner of the Southeast 1/4 of said Section 9; thence N.89°39'51"E. 1,330.44 feet along the South line of the Southeast 1/4 of said Section 9 to the westerly right of way line of Tiny Road (60.00 foot right of way); thence departing said South line of the Southeast 1/4 of Section 9, run N.00°27'43"W. 0.17 feet along said westerly right of way line; thence run N.00°27'38"E. 2,651.52 feet along said westerly right of way line to the North line of the Southeast 1/4 of said Section 9; thence departing said North line, run N.00°22'57"E. 809.96 feet along said westerly right of way line to the POINT OF BEGINNING; thence departing said westerly right of way line, run N.89°37'03"W. 50.00 feet; thence N.00°22'57"E. 520.14 feet to the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 9; thence N.89°55'14"E. 50.00 feet along the North line of the Southwest 1/4 of the Northeast 1/4 of said Section 9 to said westerly right of way line of Tiny Road; thence departing said North line of the Southwest 1/4 of the Northeast 1/4 of Section 9, run S.00°22'57"W. 520.55 feet along said westerly right of way line to the POINT OF BEGINNING.

Containing 0.597 acres, more or less.

June 26, 2003

SHEET 7 OF 15







NOTES:

1. BEARINGS AND DISTANCES BASED ON THE STATE PLANE COORDINATES SYSTEM - EAST ZONE SCALE FACTOR: 0.99997293
2. SUBJECT TO EASEMENTS AND RIGHTS OF WAY RECORD.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.

	BEARING	DISTANCE
L1	S00°48'22"W	30.00'(C)
L2	S00°22'57"W	441.86'(C)
L3	S00°22'57"W	594.96'(C)
L4	S00°22'57"W	1300.50'(C)
L5	S89°55'14"W	435.38'(C)
L6	S89°55'14"W	719.70'(C)
L7	S00°22'57"W	204.19'(C)
L8	S89°55'14"W	149.42'(C)
L9	S36°25'02"W	253.99'(C)
L10	S00°22'57"W	59.50'(C)
L11	S36°25'02"W	450.53'(C)
L12	S89°55'14"W	43.54'(C)
L13	N36°25'02"E	1024.54'(C)

LEGEND:

(C) - CALCULATED  
 COR. - CORNER  
 R/W - RIGHT OF WAY  
 O.R. - OFFICIAL RECORD BOOK  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 PG. - PAGE  
 SEC. - SECTION  
 L.A. - LIMITED ACCESS  
 PL - PROPERTY LINE  
 N. - NORTH  
 S. - SOUTH  
 E. - EAST  
 W. - WEST  
 ° - DEGREE  
 ' - FEET/MINUTE  
 " - INCH/SECONDS  
 ESMT. - EASEMENT



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-654

PARCEL 227

RIGHT-OF-WAY

LEGAL DESCRIPTION

A portion of the Northeast 1/4 of Section 9, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northwest corner of the Northeast 1/4 of said Section 9; thence run S.00°48'22" W. along the West line of the Northeast 1/4 of said Section 9, a distance of 30.00 feet to an intersection with the South right of way line of Tilden Road (as now established); thence departing said West line of the Northeast 1/4 of Section 9, run N.89°50'16" E. along said South right of way line of Tilden Road, a distance of 1294.92 feet to an intersection with the West right of way line of Tiny Road (as now established); thence departing said South right of way line of Tilden Road, run S.00°22'57" W. along said West right of way line of Tiny Road a distance of 1096.31 feet for a POINT OF BEGINNING; thence continue S.00°22'57" W. along said West right of way line of Tiny Road a distance of 204.19 feet to an intersection with the South line of the Northwest 1/4 of the Northeast 1/4 of said Section 9; thence departing said West right of way line of Tilden Road, run S.89°55'14" W. along said South line of the Northwest 1/4 of the Northeast 1/4 of Section 9 a distance of 149.42 feet; thence departing said South line of the Northwest 1/4 of the Northeast 1/4 of Section 9, run N.36°25'02" E. a distance of 253.99 feet to the POINT OF BEGINNING.

Containing 15,255 square feet, more or less.

August 17, 1999

SHEET 4 OF 5



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
WESTERN BELTWAY STATE ROAD 429  
PROJECT NO. 75320-6460-654

LEGAL DESCRIPTION

PARCEL 228 - RIGHT OF WAY "A"

A part of the Northeast 1/4 of the Northeast 1/4 of Section 9, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northeast corner of Section 9, Township 23 South, Range 27 East, Orange County, Florida; thence S.00°02'24"E. along the East line of the Northeast 1/4 of said Section 9 (bearings based on the East line of the Northeast 1/4 of said Section 9 being as stated), for 1332.42 feet to the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of said Section 9; thence S.89°55'14"W. along the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 9 for 1254.51 feet to a point on the East right-of-way line of Tiny Road, according to the Orlando-Orange County Expressway Authority Right of Way Map of the Western Beltway, State Road No.429, Project No.75320-6460-654 and the POINT OF BEGINNING; thence N.00°22'57"E. along said East right-of-way line for 354.51 feet to a point on the Southeasterly limited access right-of-way line of the Western Beltway according to said Right of Way Map; thence S.36°25'02"W. along said Southeasterly limited access right-of-way line for 84.99 feet to a point on the East right-of-way line of Tiny Road as described in Deed Book 844, Page 262, of the Public Records of Orange County, Florida; thence S.00°22'57"W. along said described line for 286.18 feet to aforesaid South line of the Northeast 1/4 of the Northeast 1/4 of Section 9; thence N.89°55'14"E. along said South line for 50.00 feet to the POINT OF BEGINNING.

Containing 16,017 square feet, more or less.

THIS IS NOT A SURVEY

PROJECT NAME:

STATE ROAD 429

PREPARED BY:

482 South Keller Road  
Orlando, Florida 32810-6101  
Tel : 407/647-7275 Certificate No. LB 24



*Michael E. Burnett*

Michael E. Burnett PSM

REG. SURVEYOR AND MAPPER NO. 4761 STATE OF FLORIDA  
NOT VALID WITHOUT SIGNATURE AND THE ORIGINAL RAISED  
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DRAWN BY	KW	CHECKED BY	MEB	PARCEL No.	REV.	SHEET	1	DRAWING NO.
DATE	03/12/07	DATE	03/12/07	228		OF	3	

SECTION 9  
TOWNSHIP 23 SOUTH  
RANGE 27 EAST



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
WESTERN BELTWAY STATE ROAD 429  
PROJECT NO. 75320-6460-654

LEGAL DESCRIPTION

PARCEL 228 - RIGHT OF WAY "B"

A part of the Northeast 1/4 of the Northeast 1/4 of Section 9,  
Township 23 South, Range 27 East, Orange County, Florida, being  
more particularly described as follows:

Commence at the Northeast corner of Section 9, Township 23 South,  
Range 27 East, Orange County, Florida; thence S.00°02'24"E. along  
the East line of the Northeast 1/4 of said Section 9 (bearings  
based on the East line of the Northeast 1/4 of said Section 9 being  
as stated), for 30.00 feet to a point on the South line of the North  
30 feet of the Northeast 1/4 of the Northeast 1/4 of said Section 9  
and the POINT OF BEGINNING; thence continue S.00°02'24"E. along said  
East line for 6.00 feet to a point on the limited access right-  
of-way line of the Western Beltway, State Road No. 429, according to  
the Orlando-Orange County Expressway Authority Right of Way Map of  
the Western Beltway, State Road No. 429, Project No. 75320-6460-654;  
thence S.89°50'16"W. along said limited access right-of-way line for  
992.08 feet; thence N.36°25'02"E. for 7.47 feet to a point on  
aforesaid South line of the North 30 feet of the Northeast 1/4  
of the Northeast 1/4 of Section 9; thence N.89°50'16"E. along said  
South line for 987.64 feet to the POINT OF BEGINNING.

Containing 5,939 square feet, more or less.

THIS IS NOT A SURVEY

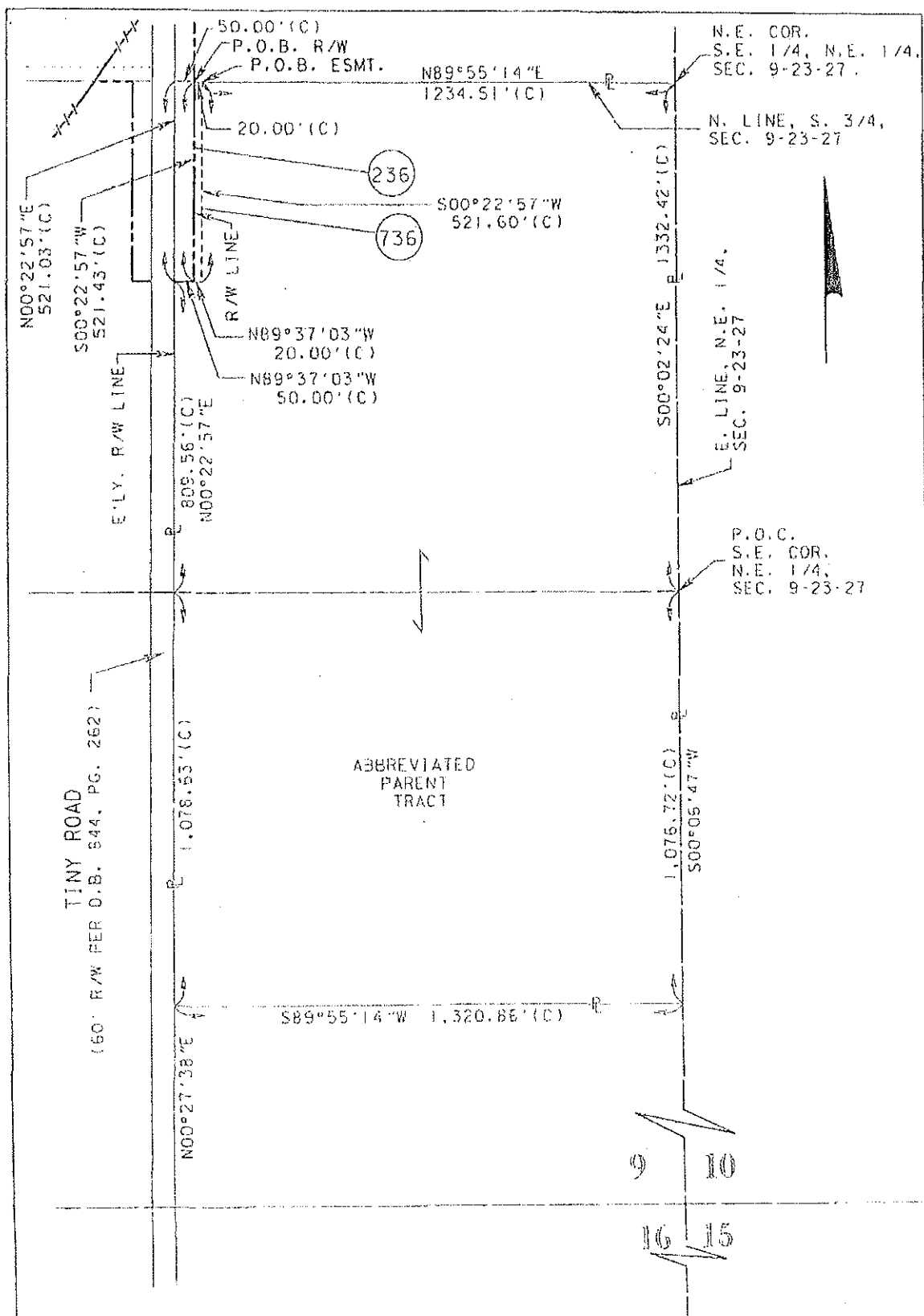
SHEET  
2 OF 3



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
WESTERN BELTWAY STATE ROAD 429  
PROJECT NO. 75320-6460-654







RIGHT OF WAY PARCEL SKETCH		WESTERN BELTWAY PART C ORANGE COUNTY, FLORIDA		WINTER GARDEN CITRUS, INC.		PROJECT NO. 75370-0460-014	
						H/W MAP SHEET	
<i>Alexander Schaefer</i> REGISTERED LAND SURVEYOR NO. 5221		DRAWN PROJECT NO. 97-0073.000		SHEET 1 OF 4		DATE: 05/29/00	
						SCALE: 1" = 300'	
						CHECKED BY: AAS	
		REVISION		BY	DATE	GRANTED BY: CSL	
		SKETCH PREPARED BY <b>DRMP</b> DEAN, FROST, WILES & FALCOUTT, INC. LAND SURVEYORS & ENGINEERS 1305 E. CENTRAL AVENUE ORLANDO, FLORIDA 32801 (407) 966-0594					



NOTES:

1. BEARINGS AND DISTANCES BASED ON THE FLORIDA STATE PLANE COORDINATES SYSTEM - EAST ZONE MEAN SCALE FACTOR: 0.99997293.
2. SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.

LEGEND:

(C) • CALCULATED  
 COR. • CORNER  
 D.B. • DEED BOOK  
 ° • DEGREE  
 DISTR. • DISTRIBUTION  
 ESMT. • EASEMENT  
 E. • EAST  
 E'LY. • EASTERLY  
 EXIST. • EXISTING  
 F.P.C. • FLORIDA POWER CORPORATION  
 L.A. • LIMITED ACCESS  
 ' • MINUTE/FOOT  
 N.E. • NORTHEAST  
 N. • NORTH  
 N'LY. • NORTHERLY  
 O.R. • OFFICIAL RECORD  
 PG. • PAGE  
 P.O.B. • POINT OF BEGINNING  
 P.O.C. • POINT OF COMMENCEMENT  
 R/W • RIGHT OF WAY  
 " • SECOND/INCH  
 SEC. • SECTION  
 S. • SOUTH  
 S.E. • SOUTHEAST  
 S.W. • SOUTHWEST  
 S.R. • STATE ROAD  
 W. • WEST  
 P. • PROPERTY LINE

SHEET 2 OF 4

SKETCH PREPARED BY:

**ODRMP**

DEA. HODGE, WILLS & FREEMAN, INC.  
 ENGINEERS & SURVEYORS  
 1505 E. COLONIAL DRIVE  
 MIAMI, FLORIDA 33133  
 (305) 856-0524



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-654

PARCEL 236

RIGHT-OF-WAY  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northeast 1/4 of Section 9, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

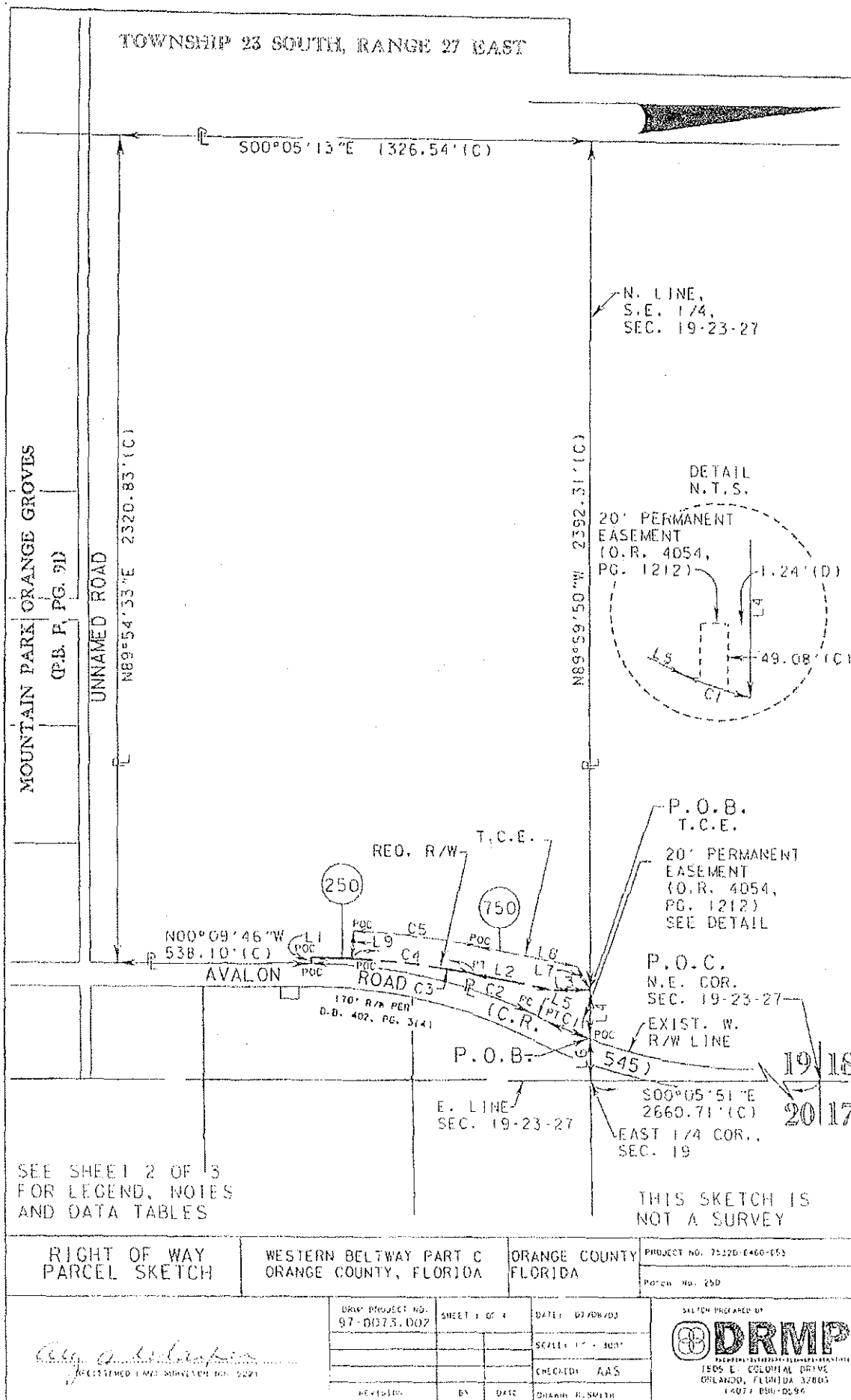
Commence at the Southeast corner of the Northeast 1/4 of said Section 9; thence N.00°02'24" W. along the East line of the Northeast 1/4 of said Section 9, a distance of 1332.42 feet to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 9; thence S.89°55'14" W. along the North line of the South 3/4 of said Section 9, a distance of 1254.51 feet to the POINT OF BEGINNING; thence departing said North line, run S.00°22'57" W. 521.43 feet; thence North 89°37'03" W. 50.00 feet to the easterly right of way line of Tiny Road (as now established); thence North 00°22'57" E. along said easterly right of way line, a distance of 521.03 feet to the aforesaid North line of the South 3/4 of said Section 9; thence departing said easterly right of way line, run N.89°55'14" E. along said North line, a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 0.598 acres, more or less.

May 29, 2000

SHEET 3 OF 4







NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING S89°59'50"E, MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

LEGEND:

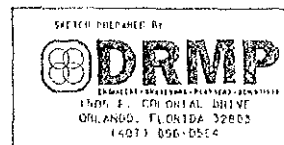
(C) = CALCULATED  
 C.B. = CHORD BEARING  
 COR. = CORNER  
 C.R. = COUNTY ROAD  
 (D) = DEED  
 D.B. = DEED BOOK  
 ° = DEGREE  
 Δ = DELTA  
 E. = EAST  
 ESMT. = EASEMENT  
 EXIST. = EXISTING  
 F.P.C. = FLORIDA POWER CORPORATION  
 L.A. = LIMITED ACCESS  
 ' = MINUTE / FEET  
 N. = NORTH  
 NC. = NUMBER  
 N.T.S. = NOT TO SCALE  
 PG. = PAGE  
 O.A. = OVERALL  
 O.R. = OFFICIAL RECORD  
 P.B. = PLAT BOOK  
 PC = POINT OF CURVATURE  
 P.O.B. = POINT OF BEGINNING  
 POC = POINT ON A CURVE  
 P.O.C. = POINT OF COMMENCEMENT  
 P. = PROPERTY LINE  
 PT = POINT OF TANGENCY  
 R = RADIUS  
 REQ. = REQUIRED  
 R/W = RIGHT OF WAY  
 " = SECOND  
 SEC. = SECTION  
 S. = SOUTH  
 T.C.E. = TEMPORARY CONSTRUCTION EASEMENT  
 W. = WEST

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S89°50'57"W	17.00'(C)
L2	N11°10'04"E	227.83'(C)
L3	N00°15'46"W	101.41'(C)
L4	S89°59'50"E	139.61'(C)
L5	S25°30'50"W	40.49'(C)
L6	N89°59'50"W	115.88'(C)
L7	N61°24'15"E	76.77'(C)
L8	N11°10'04"E	290.00'(C)
L9	N87°22'25"W	80.00'(C)

CURVE DATA TABLE				
CURVE	DELTA	LENGTH	RADIUS	CH. BEARING
C1	65°39'33"(RT.)	135.02'(C)	1367.00'	S22°47'03"W
C2	25°46'36"(LT.)	644.82'(C)	1433.30'	S12°43'52"W
C3	08°32'29"(RT.)	349.14'(C)	2342.00'	N06°53'49"E
C4	11°19'07"(RT.)	462.05'(C)	2342.00'	N05°30'31"E
C5	108°15'52"(RT.)	349.12'(C)	2422.00'	N06°53'49"E

SEE SHEET 1 OF 4  
 FOR SKETCH

SHEET 2 OF 4





ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 250

RIGHT OF WAY  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the North 1/2 of the Southeast 1/4 of Section 19, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 19; thence run S.00°05'51"E, a distance of 2660.71 feet along the East line of said Section 19 to the East 1/4 corner of said Section 19; thence departing said East line, run N.89°59'50"W, 115.88 feet along the North line of the Southeast 1/4 of said Section 19 to a point on the existing West right of way line of Avalon Road (C.R. 545), for a POINT OF BEGINNING, said point also being a point on a non-tangent curve, concave Northwesterly, having a radius 1367.00 feet and a central angle of 05°39'33"; thence departing said North line of the Southeast 1/4, run Southwesterly along said West right of way line and said curve an arc distance of 135.02 feet from a chord bearing of S.22°47'03"W, to the point of tangency; thence continue along said West right of way line the following two (2) courses and distances: S.25°36'50"W, 40.49 feet to the point of curvature of a curve to the left, concave Southeasterly, having a radius of 1433.30 feet and a central angle of 25°46'36"; thence run Southwesterly along said curve an arc distance of 644.82 feet to a point on said curve; thence departing said curve and said existing right of way line, run S.89°50'57"W, 17.00 feet to a point on a non-tangent curve, concave Southeasterly having a radius of 2342.00 feet and a central angle of 11°19'07"; thence run Northeasterly along said curve an arc distance of 462.65 feet from a chord bearing of N.05°30'31"E, to the point of tangency; thence run N.11°10'04"E, 227.83 feet; thence run N.00°15'46"W, 101.41 feet to a point on the aforesaid North line of the Southeast 1/4 of Section 19; thence run along said North line S.89°59'50"E, 139.61 feet to the POINT OF BEGINNING.

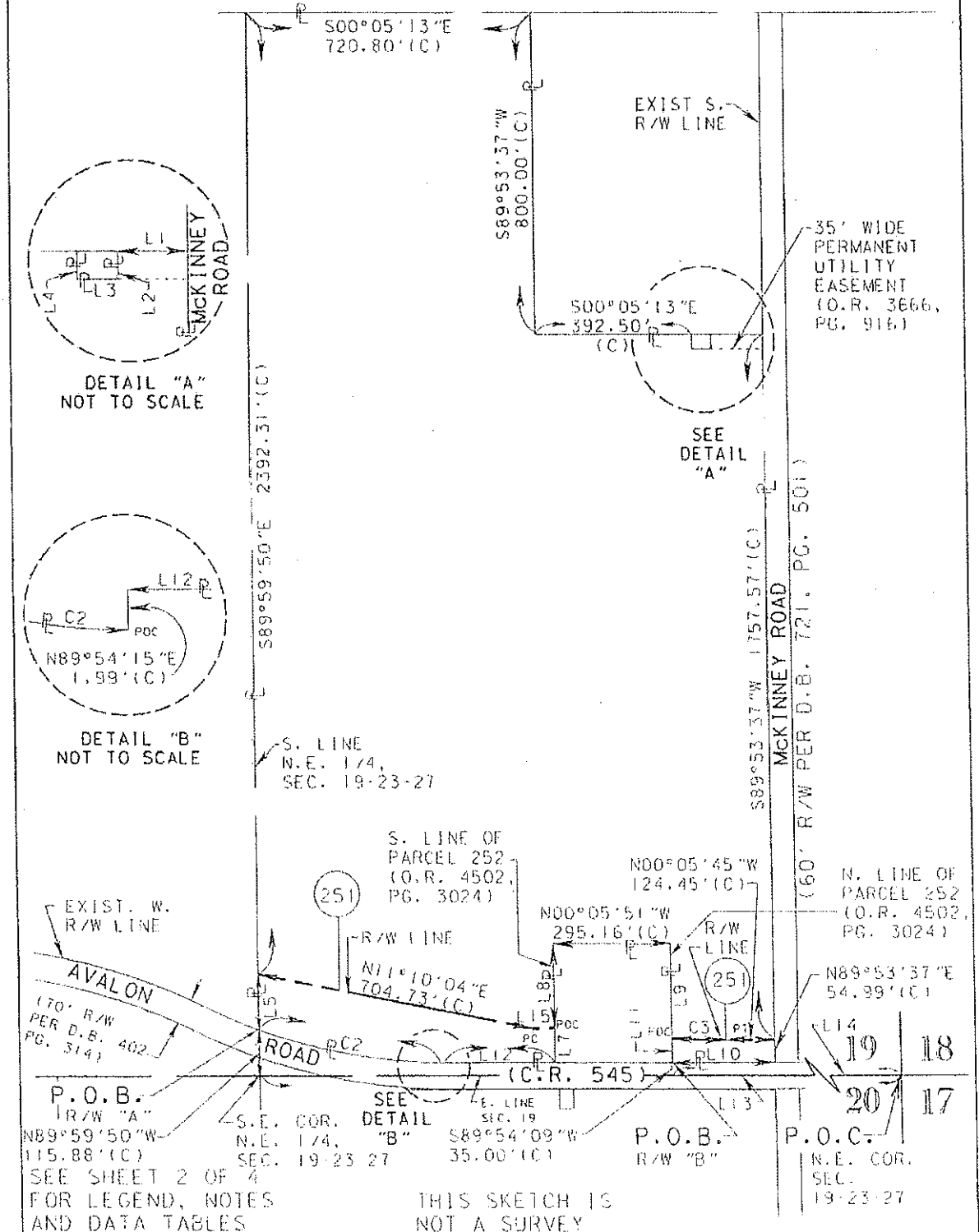
Containing 0.917 acres, more or less.

July 8, 2003

SHEET 3 OF 4



TOWNSHIP 23 SOUTH RANGE 27 EAST



RIGHT OF WAY PARCEL SKETCH		WESTERN BELTWAY PART C ORANGE COUNTY, FLORIDA		BETH A. WINCEY		PROJECT NO. 75370-6460-653
						Parcel No. 251
		DRAWN PROJECT NO.	SHEET 1 OF 4	DATE	07/06/03	 SYSTEM PREPARED BY DRMP 1505 E. COLONIAL ORLANDO, FLORIDA 32817 (407) 896-0594
		97-0075.002		SCALE	1"=200'	
				CHECKED	AAS	
		REVISION	BY	DATE	BRANDI D. SMITH	



NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING  $S89^{\circ}59'50''E$ , MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

LEGEND:

(C) = CALCULATED  
 CH. = CHORD  
 COR. = CORNER  
 C.R. = COUNTY ROAD  
 D.B. = DEED BOOK  
 ° = DEGREE  
 E. = EAST  
 EXIST. = EXISTING  
 ' = MINUTE/FEET  
 N. = NORTH  
 N.T.S. = NOT TO SCALE  
 PG. = PAGE  
 O.R. = OFFICIAL RECORD (BOOK)  
 P.O.B. = POINT OF BEGINNING  
 P.O.C. = POINT OF COMMENCEMENT  
 P. = PROPERTY LINE  
 R. = RADIUS  
 R/W. = RIGHT OF WAY  
 " = SECOND/INCH  
 SEC. = SECTION  
 S. = SOUTH  
 W. = WEST  
 PC = POINT OF CURVATURE  
 POC = POINT ON CURVE  
 PT. = POINT OF TANGENCY

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	$S00^{\circ}05'13''E$	132.00'(C)
L2	$N89^{\circ}54'47''E$	35.00'(C)
L3	$S00^{\circ}05'13''E$	50.00'(C)
L4	$S89^{\circ}54'47''W$	35.00'(C)
L5	$N89^{\circ}59'50''W$	139.61'(C)
L7	$N89^{\circ}54'09''E$	84.55'(C)
L8	$S89^{\circ}54'09''W$	210.61'(C)
L9	$N89^{\circ}54'09''E$	236.28'(C)
L10	$S00^{\circ}05'51''E$	262.54'(C)
L11	$S89^{\circ}54'09''W$	58.88'(C)
L12	$S00^{\circ}05'51''E$	273.78'(C)
L13	$S00^{\circ}05'51''E$	2660.71'(C)
L14	$S00^{\circ}05'51''E$	1622.90'(C)
L15	$N02^{\circ}02'33''W$	51.08'(C)

CURVE DATA TABLE

	DELTA	LENGTH	RADIUS	CH. BEARING
C1	$01^{\circ}06'20''(L.T.)$	47.39'(C)	2456.48'	$N10^{\circ}36'54''W$
C2	$20^{\circ}03'02''(R.T.)$	478.38'(C)	1367.00'	$S09^{\circ}35'46''W$
C3	$03^{\circ}13'21''(L.T.)$	738.16'(C)	2456.48'	$N01^{\circ}36'55''E$

SEE SHEET 1 OF 4 FOR SKETCH

SHEET 2 OF 4

SKETCH PREPARED BY





ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 251

RIGHT OF WAY "A"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the South 1/2 of the Northeast 1/4 of Section 19, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 19; thence run S.00°05'51"E. 2660.71 feet along the East line of said Section to the South line of the Northeast 1/4 of said Section 19; thence departing said East line, run along said South line, N.89°59'50"W. 115.88 feet to a point on the existing West right of way line of Avalon Road (C.R. 545), said point also being the POINT OF BEGINNING; thence run N.89°59'50"W. 139.61 feet along said South line; thence departing said South line, run N.11°10'04"E. 704.73 feet; thence run N.02°02'33"W. 51.08 feet to the South line of that parcel of land as described in Official Records Book 4502, Page 3024, of the Public Records of Orange County, Florida; thence run N.89°54'09"E. 84.55 feet along said South line to a point on aforementioned existing West right of way line; thence departing said South line, run S.00°05'51"E. 273.78 feet along said right of way line; thence run N.89°54'15"E. 1.99 feet along said right of way line to a point on a non-tangent curve, concave Northwesterly, having a radius of 1367.00 feet and a central angle of 20°03'02"; thence run Southerly along said right of way line and said curve an arc distance of 478.38 feet from a chord bearing of S.09°55'46"W. to the POINT OF BEGINNING.

Containing 2.233 acres, more or less.

July 8, 2003

SHEET 3 OF 4



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 251

RIGHT OF WAY "B"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the South 1/2 of the Northeast 1/4 of Section 19, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of said Section 19; thence run S.00°05'51"E. 1622.90 feet along the East line of said Section; thence departing said East line, run N.89°54'09"W. 35.00 feet to a point on the existing West right of way line of Avalon Road (C.R. 545); being on the North line of that certain property as described in Official Records Book 4502, Page 3024, of the Public Records of Orange County, Florida, for a POINT OF BEGINNING; thence departing said West right of way line run S.89°54'09"W 58.88 feet along said North line to a point on a non-tangent curve, concave Westerly, having a radius of 2456.48 feet and a central angle of 03°13'21"; thence departing said North property line, run Northerly along said curve an arc distance of 138.16 feet from a chord bearing of N.01°30'55"E. to a point on said curve; thence run N.00°05'45"W. 124.45 feet to a point on the existing South right of way line of McKinney Road; thence run along said right of way line N.89°53'37"E. 54.99 feet to the aforementioned West right of way line of Avalon Road; thence departing said South right of way line, run along said West right of way line S.00°05'51"E. 262.54 feet to the POINT OF BEGINNING.

Containing 14,616 square feet, more or less.

July 8, 2003

SHEET 4 OF 4



TOWNSHIP 23 SOUTH, RANGE 27 EAST

P.O.C.  
N.E. COR.  
SEC. 19-23-27

N. LINE  
SEC. 19-23-27

N89°47'03"W

E. LINE,  
SEC.  
19-23-27

CURVE DATA TABLE				
CURVE	DELTA	RADIUS	LENGTH	CH. BEARING
C1	05°53'46" (L.I.)	2456.48'	252.79' (C)	N06°04'29"E

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	S89°54'09"W	84.55' (C)
L2	N89°54'09"E	58.88' (C)
L3	S00°05'51"E	1622.90' (C)
L4	S89°54'09"W	35.00' (C)
L5	N02°02'33"W	43.97' (C)

W. LINE OF PARCEL 252  
(O.R. 4502, PG. 3024)

N00°05'51"W  
295.16' (C)

N. LINE OF PARCEL 252  
(O.R. 4502, PG. 3024)

N89°54'09"E  
236.28' (C)

R/W LINE

(252)

EXIST. W.  
R/W LINE

P.O.B.

POC

S00°05'51"E  
295.16' (C)

AVALON ROAD  
(C.R. 545)  
(70' R/W  
D.B. 402, PG. 314)

McKINNE  
ROAD

N00°05'51"W

S89°54'09"W  
210.61' (C)

S. LINE OF PARCEL 252  
(O.R. 4502, PG. 3024)

S.E. COR.,  
N.E. 1/4,  
SEC. 19-23-27

SEE SHEET 2 OF 3  
FOR NOTES AND  
LEGEND

THIS SKETCH IS  
NOT A SURVEY.

RIGHT OF WAY  
PARCEL SKETCH

WESTERN BELTWAY PART C  
ORANGE COUNTY, FLORIDA

NITA J.  
BREADWELL,  
ET AL

PROJECT NO. 75120-1-510-655

PARCEL NO. 252

DRMP PROJECT NO.  
97-0073.002

SHEET # OF :

DATE: 07/26/05

SKETCH PREPARED BY



SCALE: 1"=40'

CHECKED: AAS

DATE: 07/26/05

DRAWN: P. SMITH

*Nita J. Breadwell*  
REGISTERED LAND SURVEYOR NO. 4221

REVISION

BY

DATE



NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509. BEARING  $S89^{\circ}59'50''E$ , MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

LEGEND:

(C) - CALCULATED  
 COR. - CORNER  
 CH. - CHORD  
 C.R. - COUNTY ROAD  
 (D) - DEED  
 D.B. - DEED BOOK  
 ° - DEGREE  
 D.R.M.P. - DYER, RIDDLE, MILLS & PRECOURT  
 E. - EAST  
 EXIST. - EXISTING  
 INC. - INCORPORATED  
 ' - MINUTE/FEET  
 N. - NORTH  
 No. - NUMBER  
 O.R. - OFFICIAL RECORD  
 PG. - PAGE  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 POC - POINT ON CURVE  
 PL - PROPERTY LINE  
 R - RADIUS  
 R/W - RIGHT OF WAY  
 " - SECOND  
 SEC. - SECTION  
 S. - SOUTH  
 W. - WEST



**ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653**

**PARCEL 252**

**RIGHT OF WAY  
(ESTATE: FEE SIMPLE)**

**LEGAL DESCRIPTION**

A portion of the Northeast 1/4 of Section 19, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

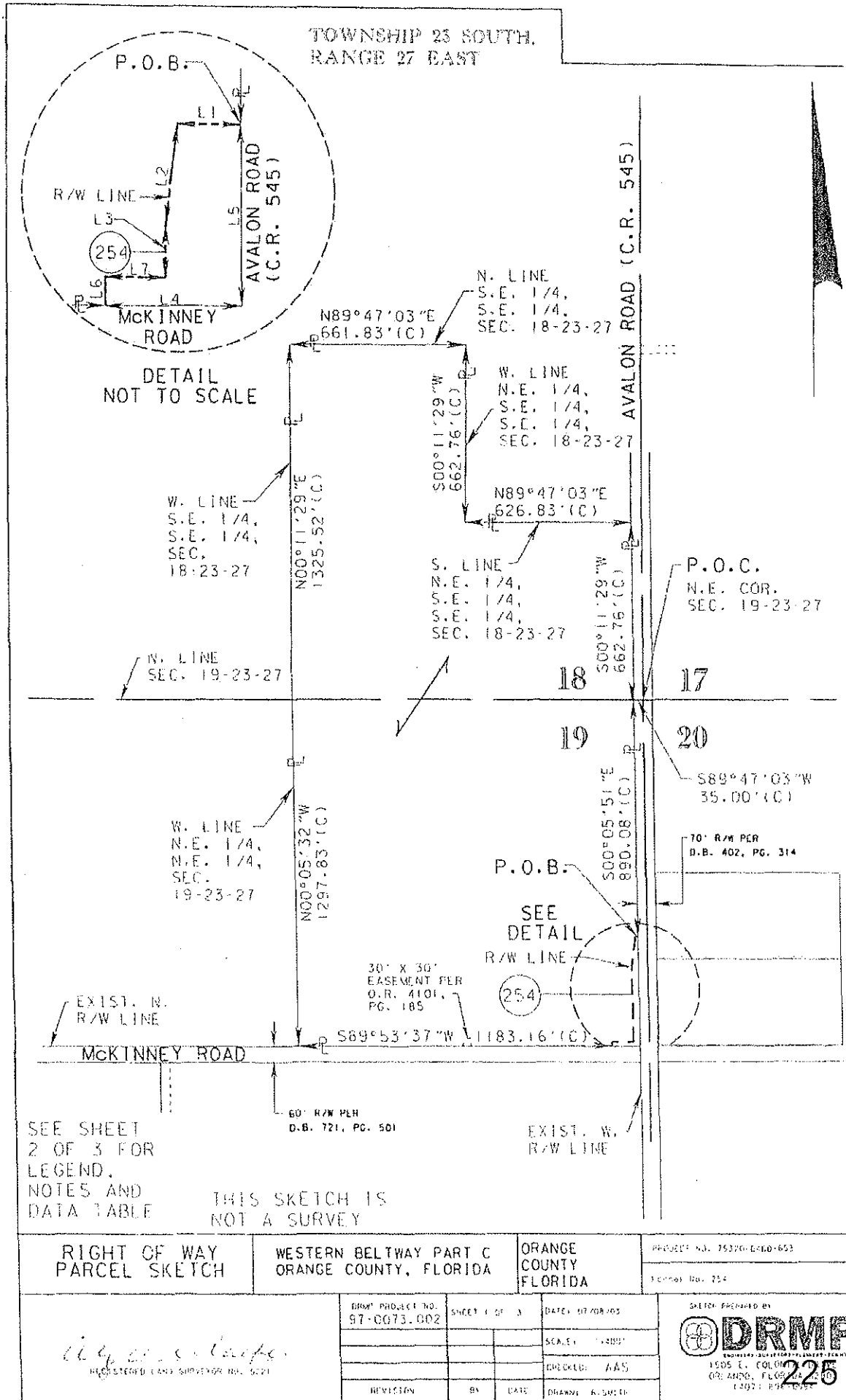
COMMENCE at the Northeast corner of said Section 19; thence run S.00°05'51"E. along the East line of said Section 19 a distance of 1622.90 feet; thence departing said East line of Section 19, run S.89°54'09"W. a distance of 35.00 feet to a point of intersection with the North line of property described in Official Records Book 4502, Page 3024, of the Public Records of Orange County, Florida, and the existing West right of way line of Avalon Road (C.R. 545) for a POINT OF BEGINNING; thence run along said West right of way line S.00°05'51"E. a distance of 295.16 feet to a point being 742.65 feet North, and 35 feet West of the Southeast corner of the Northeast 1/4 of Section 19, also being a point on the South line of said property described in Official Records Book 4502, Page 3024; thence departing said West right of way line, run along said South line S.89°54'09"W. a distance of 84.55 feet; thence departing said South property line, run N.02°02'33"W. 43.97 feet to a point on a non-tangent curve, concave Northwesterly, having a radius of 2456.48 feet and a central angle of 05°53'46"; thence run northeasterly along said curve an arc distance of 252.79 feet from a chord bearing of N.06°04'29"E to a point on said curve and the North line of said property described in Official Records Book 4502, Page 3024; thence departing said curve run along said North line N.89°54'09"E. a distance of 58.88 feet to the POINT OF BEGINNING.

Containing 21.404 square feet, more or less.

July 8, 2003

**SHEET 3 OF 3**







NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING S89°59'50"E, MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.


LEGEND:

(C) - CALCULATED  
 C.R. - COUNTY ROAD  
 COR. - CORNER  
 ° - DEGREE  
 D.B. - DEED BOOK  
 D.R.M.P. - DYER, RIDDLE, MILLS AND PRECOURT, INC.  
 E. - EAST  
 EXIST. - EXISTING  
 L.A. - LIMITED ACCESS  
 ' - MINUTE / FEET  
 N. - NORTH  
 NO. - NUMBER  
 N.T.S. - NOT TO SCALE  
 PG. - PAGE  
 O.R. - OFFICIAL RECORD  
 P.O.B. - POINT OF BEGINNING  
 P.O.C. - POINT OF COMMENCEMENT  
 PL - PROPERTY LINE  
 R/W - RIGHT OF WAY  
 " - SECOND  
 SEC. - SECTION  
 S. - SOUTH  
 W. - WEST  
 INC. - INCORPORATED

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N89°54'09"E	10.00'(C)
L2	N07°21'24"E	115.62'(C)
L3	N00°05'45"W	270.57'(C)
L4	S89°53'37"W	105.61'(C)
L5	S00°05'51"E	410.21'(C)
L6	N00°06'23"W	17.00'(C)
L7	N89°53'37"E	10.00'(C)

SEE SHEET 1 OF 3 FOR PARCEL SKETCH  
 SHEET 2 OF 3

SKETCH PREPARED BY



DRMP  
 ENGINEERS, SURVEYORS, AND CONSULTANTS  
 1505 E. 10th Ave.  
 FORT WORTH, TEXAS 76102  
 (817) 336-7500

226



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 254

RIGHT OF WAY  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northeast 1/4 of the Northeast 1/4 of Section 19, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

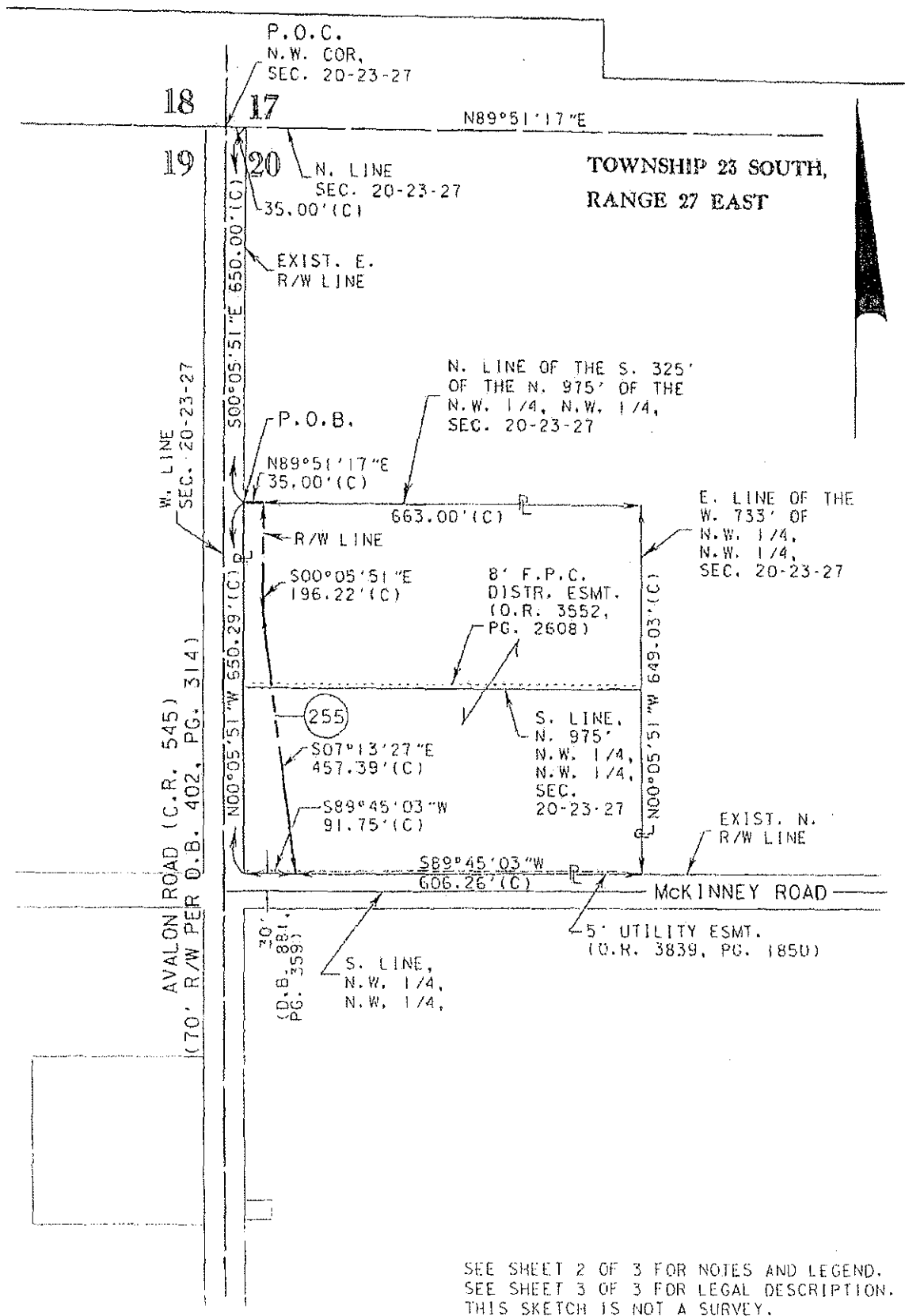
COMMENCE at the Northeast corner of said Section 19; thence run S.89°47'03"W. 35.00 feet along the North line of said Section 19 to a point on the existing West right of line of Avalon Road (C.R.545); thence departing said section line, run S.00°05'51"E. 890.08 feet along said West right of way line for a POINT OF BEGINNING; thence continue along said West right of way line S.00°05'51"E. 410.21 feet to the existing North right of way line of McKinney Road; thence departing said West right of way line, run S.89°53'37"W. 105.61 feet along said North right of way line; thence departing said North right of way line, run N.00°06'23"W. 17.00 feet; thence run N.89°53'37"E. 80.60 feet; thence run N.00°05'45"W. 278.57 feet; thence run N.07°21'24"E. 115.62 feet; thence run N.89°54'09"E. 10.00 feet to the POINT OF BEGINNING.

Containing 10,767 square feet, more or less.

July 8, 2003

SHEET 3 OF 3





RIGHT OF WAY PARCEL SKETCH		WESTERN BELTWAY PART C ORANGE COUNTY, FLORIDA		JEAN PIERRE LAURIAUT		Proj. No. 75320-6460-653	
						Parcel No. 255	
 REGISTERED LAND SURVEYOR NO. 5221		DRMP PROJECT NO. 51-0073-002		SHEET 1 OF 3		DATE: 06/26/03	
						SCALE: 1"=200'	
		DATE		DATE		CHECKED: AAS	
		REVISION		BY		DATE	
		SKETCH PREPARED BY  DRMP SURVEYING - SURVEYING - PLANNING - ENGINEERING 1505 E. COLONIAL DRIVE ORLANDO, FLORIDA 32803 (407) 896-0594					



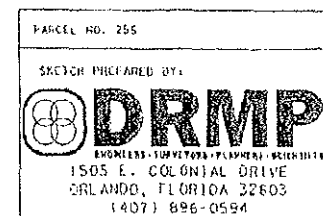
# NOTES

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING  $S89^{\circ}59'50"E$ , MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

## LEGEND:

(C) - CALCULATED	
COR. - CORNER	
D.B. - DEED BOOK	
° - DEGREE	
E. - EAST	
ESMT. - EASEMENT	
EXIST. - EXISTING	
F.P.C. - FLORIDA POWER CORPORATION	
' - MINUTE/FEET	
N. - NORTH	
O.R. - OFFICIAL RECORD BOOK	
PG. - PAGE	
P.O.B. - POINT OF BEGINNING	
DRMP - DYER, RIDDLE, MILLS & PRECOURT, INC.	
P.O.C. - POINT OF COMMENCEMENT	
INC. - INCORPORATED	
	P.L. - PROPERTY LINE
	R - RADIUS
	R/W - RIGHT OF WAY
	" - SECOND
	SEC. - SECTION
	S. - SOUTH
	W. - WEST
	NO. - NUMBER
	DISTR. - DISTRIBUTION
	C.R. - COUNTY ROAD
	PROJ. - PROJECT

SEE SHEET 1 OF 3 FOR SKETCH.  
SEE SHEET 3 OF 3 FOR LEGAL DESCRIPTION.





ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 255

RIGHT OF WAY  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the Northwest 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northwest corner of said Section 20; thence run N.89°51'17"E. along the North line of said Section 20 a distance of 35.00 feet to an intersection with the existing East right of way line of Avalon Road (C.R. 545); thence departing said North line of Section 20, run S.00°05'51"E. along said East right of way line a distance of 650.00 feet for a POINT OF BEGINNING, said point also being a point on the North line of the South 325 feet of the North 975 feet of the Northwest 1/4 of the Northwest 1/4 of said Section 20; thence departing said right of way line, run N.89°51'17"E. along said North line of the South 325 feet of the North 975 feet of the Northwest 1/4 of the Northwest 1/4 of Section 20 a distance of 35.00 feet; thence departing said North line, run S.00°05'51"E. 196.22 feet; thence S.07°13'27"E. 457.39 feet to the existing North right of way line of McKinney Road; thence run S.89°45'03"W. along said North right of way line a distance of 91.75 feet to an intersection with the aforesaid existing East right of way line of Avalon Road; thence departing said North right of way line of McKinney Road, run N.00°05'51"W. along said East right of way line of Avalon Road a distance of 650.29 feet to the POINT OF BEGINNING.

Containing 0.818 acres, more or less.

June 26, 2003

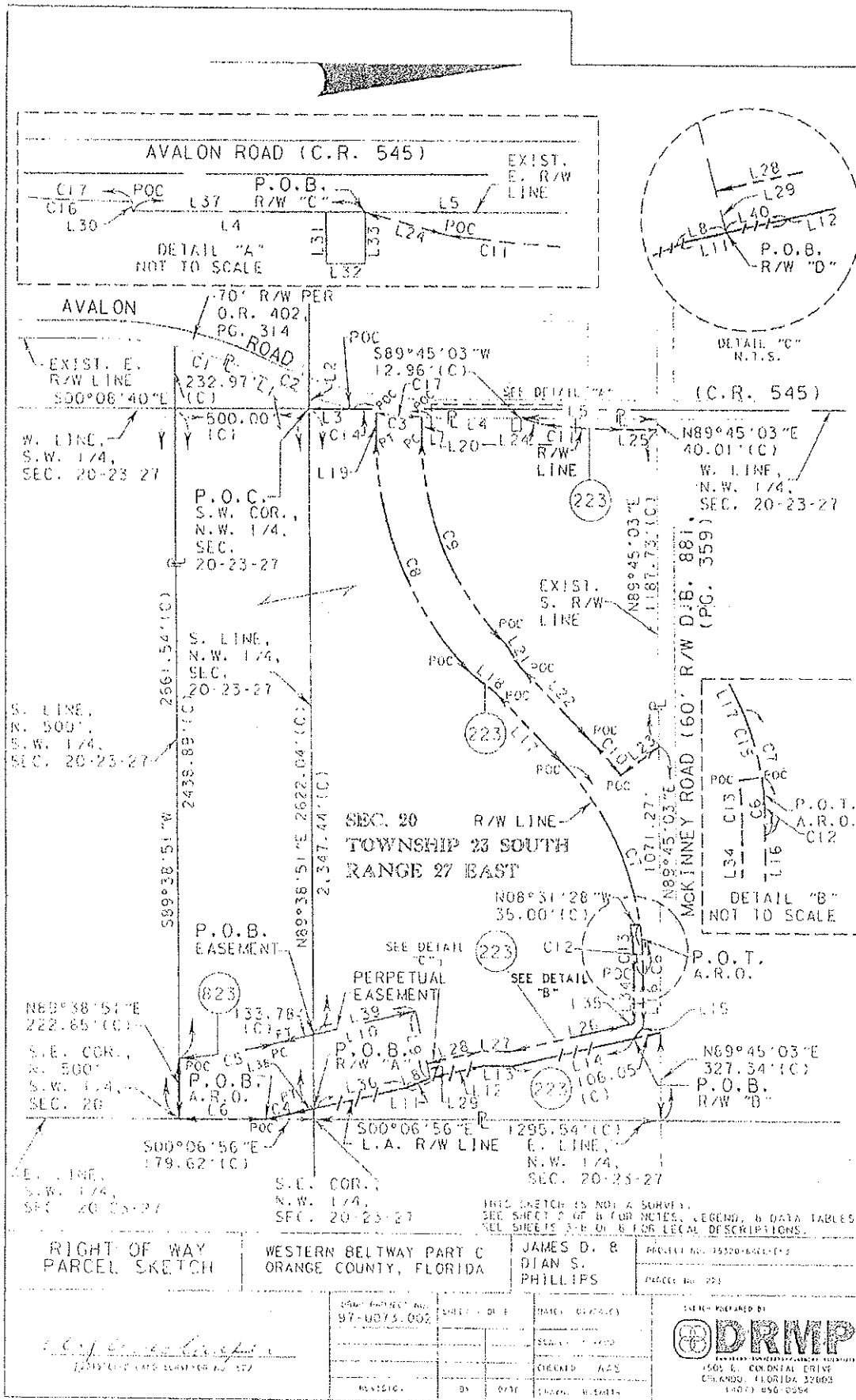
SHEET 3 OF 3



**COMPOSITE EXHIBIT "B"**

**LEGAL DESCRIPTIONS OF  
RETENTION POND PROPERTY FROM CFX TO ORANGE COUNTY**







NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 508 AND G.P.S. MONUMENT NO. 509, BEARING  $S89^{\circ}59'50''E$ , MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS SKETCH IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

LEGEND:

- (C) - CALCULATED  
 C.B. - CHORD BEARING  
 COR. - CORNER  
 C.R. - COUNTY ROAD  
 ° - DEGREE  
 Δ - DELTA  
 E. - EAST  
 ESMT. - EASEMENT  
 EXIST. - EXISTING  
 F.P.C. - FLORIDA POWER CORPORATION  
 L.A. - LIMITED ACCESS  
 ' - MINUTE / FEET  
 N. - NORTH  
 N.T.S. - NOT TO SCALE  
 PG. - PAGE  
 O.R. - OFFICIAL RECORD  
 P.O.B. - POINT OF BEGINNING  
 P. - PROPERTY LINE  
 R - RADIUS  
 R/W - RIGHT OF WAY  
 " - SECOND  
 SEC. - SECTION  
 S. - SOUTH  
 W. - WEST  
 PC - POINT OF CURVATURE  
 PCC - POINT OF COMPOUND CURVATURE  
 POC - POINT ON CURVE  
 A.R.O. - ACCESS RIGHTS ONLY  
 P.O.T. - POINT OF TERMINATION  
 O.A. - OVERALL

LINE DATA TABLE

LINE	BEARING	DISTANCE
L1	N25°36'50"E	40.49'(C)
L2	N89°38'51"E	45.97'(C)
L3	N00°05'51"W	163.20'(C)
L4	N00°05'51"W	282.90'(C)
L5	N00°05'51"W	573.67'(C)
L6	N00°06'56"W	320.38'(C)
L7	N13°01'24"W	340.63'(C)
L8	N22°06'59"W	92.27'(C)
L9	N78°20'16"E	257.42'(C)
L10	S13°37'21"E	519.42'(C)
L11	N22°06'59"W	101.27'(C)
L12	N13°01'34"W	200.00'(C)
L13	N01°00'37"E	103.08'(C)
L14	N13°01'34"W	471.78'(C)
L15	N50°27'21"W	58.49'(C)
L16	S89°42'32"W	191.23'(C)
L17	S46°12'28"W	367.26'(C)
L18	S37°40'37"W	101.12'(C)
L19	N90°00'00"W	88.71'(C)
L20	S90°00'00"E	72.43'(C)
L21	N57°51'03"E	101.98'(C)
L22	N46°12'28"E	397.26'(C)
L23	N37°10'52"W	103.84'(C)
L24	S15°33'51"W	78.45'(C)
L25	S00°05'45"E	124.66'(C)
L26	N13°01'34"W	446.38'(C)
L27	N01°00'37"E	103.27'(C)
L28	N13°24'58"W	214.17'(C)
L29	S78°20'16"W	55.03'(C)
L30	N89°54'15"E	2.01'(C)
L31	N89°45'05"E	48.00'(C)
L32	N00°05'51"W	35.00'(C)
L33	S89°45'03"W	48.00'(C)
L34	S69°42'32"W	179.21'(C)
L35	N13°01'34"W	53.59'(C)
L36	N13°01'34"W	340.63'(C)
L37	N00°05'51"W	377.90'(C)
L38	N13°01'34"W	97.30'(C)
L39	N13°37'21"W	355.69'(C)
L40	S22°06'59"E	9.00'(C)

CURVE DATA TABLE

CURVE	DELTA	LENGTH	RADIUS	CH. BEARING
C1	13°50'05"(RL)	339.15'(C)	1767.30'	N18°01'47"W
C2	06°36'00"(RT)	165.12'(C)	1433.00'	N22°18'46"E
C3	06°49'56"(LT)	170.00'(C)	1433.00'	N05°28'06"E
C4	01°47'20"(LT)	86.51'(C)	2770.79'	N12°07'54"W
C5	08°25'56"(RT)	574.80'(C)	2546.65'	S08°24'23"E
C6	07°05'11"(LT)	136.92'(C)	1123.25'	S87°46'52"W
C7	43°32'24"(LT)	853.58'(C)	1123.25'	S55°33'16"W
C8	43°47'32"(RT)	996.51'(C)	1281.21'	S58°06'14"W
C9	43°47'32"(LT)	856.97'(C)	1121.21'	N58°06'14"E
C10	07°27'23"(RT)	167.27'(C)	1256.08'	N48°05'26"E
C11	06°52'12"(HL)	314.33'(C)	2621.40'	S01°20'21"W
C12	09°50'56"(LT)	193.08'(C)	1123.25'	S86°24'00"W
C13	09°54'02"(LT)	166.05'(C)	1086.27'	S66°26'18"W
C14	03°20'19"(LT)	83.44'(C)	1433.00'	N10°33'08"E
C15	33°41'29"(RT)	660.50'(C)	1123.25'	N64°37'48"E
C16	02°08'53"(LT)	52.73'(C)	1433.00'	N00°58'42"E
C17	12°18'59"(LT)	308.64'(C)	1433.00'	N06°03'45"E

SHEET 2 OF 8





ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 223

RIGHT OF WAY "D"  
(ESTATE: FEE SIMPLE)

LEGAL DESCRIPTION

A portion of the West 1/2 of Section 20, Township 23 South, Range 27 East of Orange County, Florida, being more particularly described as follows.

Commence at the Southwest corner of the Northwest 1/4 of said Section 20; thence run N.89°38'51"E. 2622.04 feet along the South line of said Northwest 1/4 of Section; thence departing said South line of the Northwest 1/4 of said Section 20, run N.13°01'34"W. a distance of 348.63 feet; thence run N.22°06'59"W. a distance of 92.27 feet for a POINT OF BEGINNING; thence S.78°20'16"W. a distance of 55.03 feet; thence N.13°24'58"W. a distance of 214.17 feet; thence N.01°00'37"E. a distance of 103.27 feet; thence N.13°01'34"W. a distance of 446.38 feet; thence N.13°01'34"W. a distance of 33.59 feet; thence S.89°42'32"W. a distance of 179.21 feet to a point on a non-tangent curve, concave Southeasterly, having radius of 1088.27 feet and a central angle of 09°54'02"; thence run Southwesterly along said curve an arc distance of 188.05 feet from a chord bearing of S.86°25'18"W. to a point on said curve; thence departing said curve run N.08°31'28"W. a distance of 35.00 feet to a point on a non-tangent curve, concave Southeasterly, having a radius of 1123.25 feet and a central angle 09°50'56"; thence run Northeasterly along said curve an arc distance of 193.08 feet from a chord bearing of N.86°24'00"E. to a point on said curve; thence departing said curve run N.89°42'32"E. a distance of 191.23 feet; thence run S.50°27'21"E. a distance of 58.49 feet; thence run S.13°01'34"E. a distance of 471.78 feet; thence S.01°00'37"W. a distance of 103.08 feet; thence S.13°01'34"E. a distance of 200.00 feet; thence S.22°06'59"E. a distance of 9.00 feet to the POINT OF BEGINNING.

Containing 1.320 acres, more or less.

July 24, 2003

SHEET 7 OF 8



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 823

PERPETUAL EASEMENT "A"

LEGAL DESCRIPTION

A portion of the West 1/2 of Section 20, Township 23 South, Range 27 East of Orange County, Florida, being more particularly described as follows.

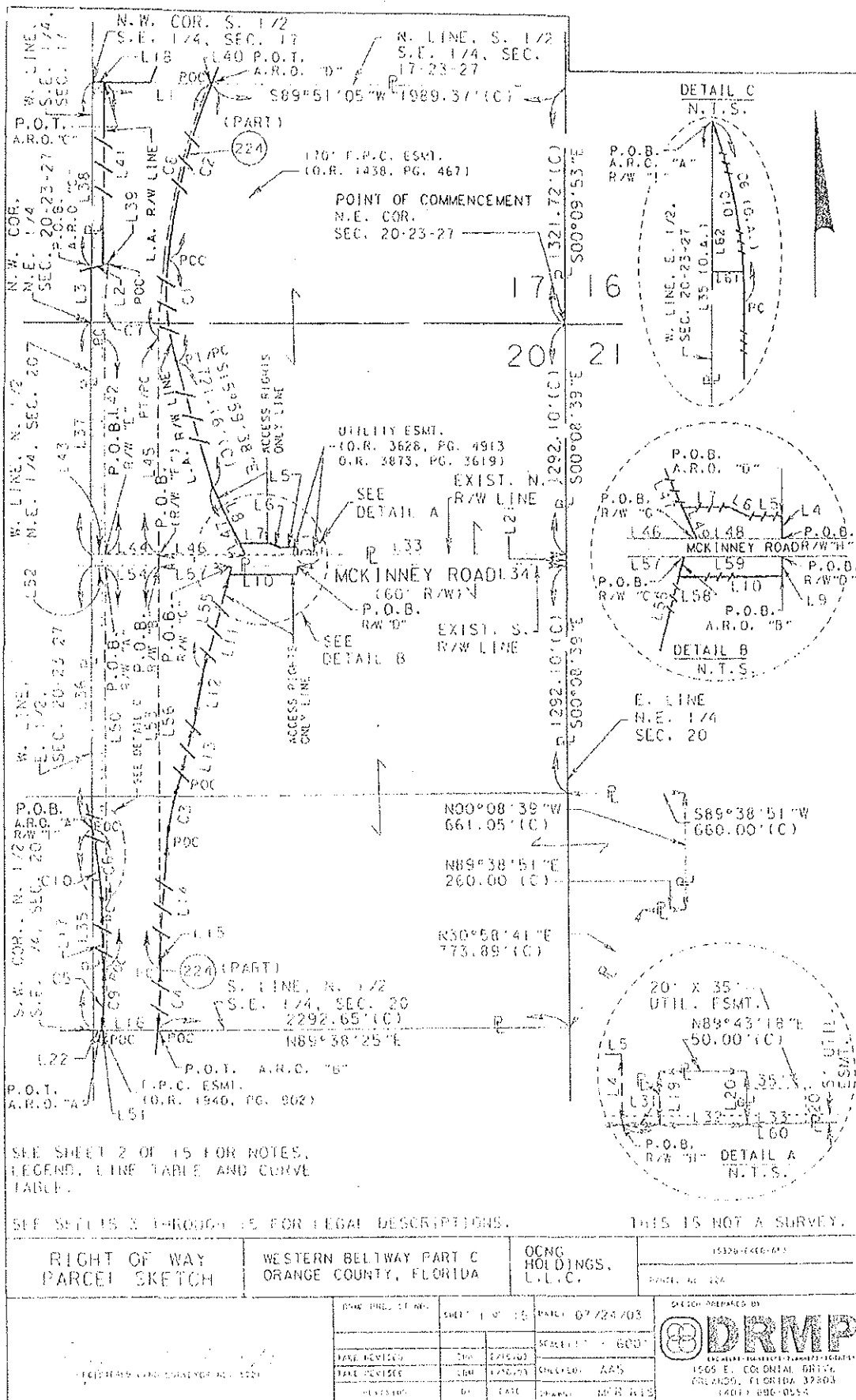
COMMENCE at the Southwest corner of the Northwest 1/4 of said Section 20; thence run N.89°38'51"E. along the South line of said Northwest 1/4 of Section 20 a distance of 2347.44 feet for a POINT OF BEGINNING; thence departing said South line of the Northwest 1/4 of Section 20, run N.13°37'21"W. a distance of 385.65 feet; thence N.78°20'16"E. a distance of 257.42 feet; thence S.22°06'59"E. a distance of 92.27 feet; thence run S.13°01'34"E. a distance of 445.93 feet to the point of curvature of a curve to the right, concave Southwesterly, having a radius of 2770.79 feet and a central angle of 01°47'20"; thence run Southeasterly along the arc of said curve a distance of 86.51 feet to a point on said curve said point also being a point on the East line of the Southwest 1/4 of said Section 20; thence run S.00°06'56"E. 320.38 feet along said East line of the Southwest 1/4 to the Southeast corner of the North 500 feet of the Southwest 1/4 of said Section 20; thence departing said East line, run along the South line of the North 500 feet of the Southwest 1/4 of said Section 20, S.89°38'51"W. a distance of 222.65 feet to a point on a non-tangent curve, concave Southwesterly, having a radius of 2546.65 feet and a central angle of 08°25'56"; thence run Northwesterly along said curve an arc distance of 374.80 feet from a chord bearing of N.09°24'23"W. to a point of tangency; thence N.13°37'21"W. a distance of 133.77 feet to the POINT OF BEGINNING.

Containing 5.460 acres, more or less.

July 24, 2003

SHEET 8 OF 8







NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE EAST ZONE OF FLORIDA STATE PLANE COORDINATE SYSTEM, DATUM IS NAD83, ADJUSTMENT OF 1990, BASED ON A LINE BETWEEN G.P.S. MONUMENT NO. 504 AND G.P.S. MONUMENT NO. 509, BEARING S89°59'50"E, MEAN SCALE FACTOR: 0.99997293
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD, IF ANY.
3. NOT VALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND RAISED SEAL.
4. THIS IS NOT A SURVEY. NO CORNERS WERE SET OR RECOVERED IN THE FIELD.
5. NO TITLE INFORMATION WAS PROVIDED TO THIS SURVEYOR, NOR DID THIS SURVEYOR ABSTRACT THESE LANDS.
6. NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS WERE LOCATED.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°51'05"E	591.04'(C)
L2	N75°41'29"E	67.18'(C)
L3	N00°08'25"W	299.62'(C)
L4	S00°17'28"E	45.52'(C)
L5	N89°42'32"E	100.00'(C)
L6	S63°43'31"E	55.90'(C)
L7	N89°42'32"E	169.38'(C)
L8	S24°56'35"E	340.55'(C)
L9	S00°17'28"E	46.48'(C)
L10	S89°42'32"W	372.37'(C)
L11	S14°33'27"W	560.14'(C)
L12	S09°47'37"W	301.04'(C)
L13	S14°33'27"W	332.34'(C)
L14	S03°53'04"W	608.60'(C)
L15	S00°06'56"E	122.15'(C)
L16	S89°38'25"W	301.42'(C)
L17	N01°39'18"W	328.88'(C)
L18	N89°51'05"E	65.57'(C)
L19	N00°06'56"W	30.00'(C)
L20	S00°06'56"E	30.00'(C)
L21	S00°08'39"E	60.00'(C)
L22	S89°38'25"W	47.29'(C)
L30	S00°06'56"E	66.25'(C)
L31	S89°43'18"W	21.32'(C)
L32	S89°43'18"W	50.00'(C)
L33	S89°43'18"W	1442.55'(C)
L34	S89°43'18"W	1513.71'(C)
L35	N00°06'56"W	1142.81'(C)

LINE TABLE

LINE	BEARING	DISTANCE
L36	N00°06'56"W	1475.16'(C)
L37	N00°06'56"W	1295.54'(C)
L38	N00°08'25"W	1024.67'(C)
L39	N75°41'29"E	31.97'(C)
L40	N89°51'05"E	3.35'(C)
L41	N00°06'56"W	1008.24'(C)
L42	N00°06'56"W	1211.55'(C)
L43	S89°43'18"W	75.00'(C)
L44	S89°43'18"W	300.00'(C)
L45	S00°06'56"E	1210.70'(C)
L46	S89°43'18"W	474.64'(C)
L47	S24°56'35"E	418.07'(C)
L48	S89°43'18"W	287.04'(C)
L49	N24°56'35"W	77.52'(C)
L50	S00°06'56"E	2263.29'(C)
L51	S89°38'25"W	10.54'(C)
L52	N89°43'18"E	75.00'(C)
L53	S00°06'56"E	2264.14'(C)
L54	N89°43'18"E	300.00'(C)
L55	S14°33'27"W	608.31'(C)
L56	N00°06'56"W	2142.00'(C)
L57	N89°43'18"E	401.84'(C)
L58	N14°33'27"E	48.17'(C)
L59	N89°43'18"E	360.03'(C)
L60	S89°43'18"W	1513.87'(C)
L61	S89°38'51"W	43.74'(C)
L62	N00°06'56"W	320.30'(C)

CURVE TABLE

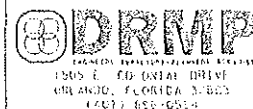
CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING
C1	21°37'35"	582.41'(C)	1543.02'	S05°10'50"E
C2	15°39'03"	998.93'(C)	3656.94'	S13°27'29"W
C3	10°40'23"	337.19'(C)	1810.14'	S11°45'48"W
C4	05°06'25"	353.83'(C)	3969.72'	S02°26'16"W
C5	05°07'06"	354.18'(C)	3964.73'	N01°55'19"E
C6	09°34'55"	463.38'(C)	2770.79'	N06°26'46"W
C7	05°53'41"	408.42'(C)	3969.72'	N02°49'54"E
C8	22°34'09"	1445.55'(C)	3669.72'	S11°10'08"W
C9	05°32'45"	355.20'(C)	3669.72'	S02°39'26"W
C10	06°41'12"	323.36'(C)	2770.79'	S07°53'38"E

LEGEND:

(C) - CALCULATED	P.O.B. - POINT OF BEGINNING	UTIL. - UTILITY
C.B. - CHORD BEARING	P. - PROPERTY LINE	
COR. - CORNER	R - RADIUS	
° - DEGREE	R/W - RIGHT OF WAY	
Δ - DELTA	" - SECOND	
E. - EAST	SEC. - SECTION	
EASEL. - EASEMENT	S. - SOUTH	
EXIST. - EXISTING	W. - WEST	
F.P.C. - FLORIDA POWER CORPORATION	OC - POINT OF CURVATURE	
L - ARC LENGTH	PCC - POINT OF COMPOUND CURVATURE	
L.A. - LIMITED ACCESS	POC - POINT ON CURVE	
M - MINUTE/FEET	A.R.O. - ACCESS RIGHTS ONLY	
N. - NORTH	P.O.T. - POINT OF TERMINATION	
N.T.S. - NOT TO SCALE	O.A. - OVERALL	
REL. - RELATIVE	SEE SHEET 15 FOR SKECH	
O.R. - OFFICIAL RECORD	AND SHEETS 3 THROUGH 15 FOR LEGAL DESCRIPTIONS.	

FIGURE NO. 774

DESIGNED BY





ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
STATE ROAD 429  
SECTION 75320-6460-653

PARCEL 224

RIGHT OF WAY "I"

LEGAL DESCRIPTION

A portion of the East 1/2 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

COMMENCE at the Northeast corner of Section 20, Township 23 South, Range 27 East, Orange County, Florida; thence run S.00°08'39"E. along the East line of the Northeast 1/4 of said Section 20 a distance of 1352.10 feet to a point on the existing South right of way line of McKinney Road (as now established); thence departing said East line of the Northeast 1/4 of Section 20, run S.89°43'18"W. along said existing South right of way line of McKinney Road a distance of 2650.58 feet to a point on the West line of the East 1/2 of said Section 20; thence run S.00°06'56"E. along said West line of the East 1/2 a distance of 1475.16 feet for a POINT OF BEGINNING said point also being a point on a curve concave Southwesterly, having a radius of 2770.79 feet and a central angle of 06°41'12"; thence departing said West line of the East 1/2, from a chord bearing of S.07°53'38"E., run Southeasterly along the arc of said curve a distance 323.36 feet to a point on said curve; thence run S.89°38'51"W. 43.74 feet to a point on the aforesaid West line of the East 1/2 of Section 20; thence run N.00°06'56"W. along said West line of the East 1/2 a distance of 320.38 feet to the POINT OF BEGINNING.

Containing 8023 square feet, more or less.

July 24, 2003

SHEET 11 OF 15



**COMPOSITE EXHIBIT "C"**  
**LEGAL DESCRIPTIONS OF**  
**RIGHT OF WAY PROPERTY FROM ORANGE COUNTY TO CFX**



## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653 - 100  
ESTATE: FEE SIMPLE  
LIMITED ACCESS RIGHT-OF-WAY

### Legal Description

A parcel of land lying in the northeast 1/4 of Section 20, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

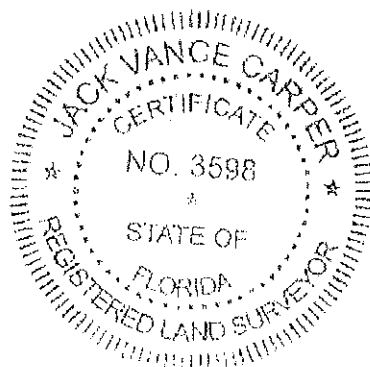
Commence at the northwest corner of the northeast 1/4 said Section 20; thence S00°06'56"E along the west line of said northeast 1/4 for 1295.54 feet to a point on the north line of the existing right-of-way for McKinney Road as shown on the Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project Number 75320-6460-653, dated 10/01/02; thence run N89°43'18"E along said North line for 75.00 feet the POINT OF BEGINNING; thence continue N89°43'18"E along said north line for 300.00 feet; thence S00°06'56"E for 60.00 feet to a point on the south line of the existing right-of-way for McKinney Road; thence S89°43'18"W along said south line for 300.00 feet; thence N00°06'56"W for 60.00 feet to the POINT OF BEGINNING.

Containing 0.413 acres, more or less.

Together with all rights of ingress, egress, light, air and view to, from or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way.

80 APR 2016 18:21


SR 429 Western Beltway, SR 429 McKinney Road



THIS IS NOT A SURVEY

**ATKINS**

52 South Keller Road  
Orlando, Florida 32810-6101  
Tel: 407/647-7275 Certificate No. LB 24

  
J. Vance Carper, Jr. PSM  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

Date: 10/16/12  
Scale: N/A  
Job No.: 100002756  
F.B.: N/A  
Drawn By: VS  
Ckd. By: JVC  
Sheet 1 of 2



ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 653 - 100  
ESTATE: FEE SIMPLE  
LIMITED ACCESS RIGHT-OF-WAY





## SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 654 - 100  
ESTATE: FEE SIMPLE

### LIMITED ACCESS RIGHT-OF-WAY

#### Legal Description

A parcel of land lying in the northeast 1/4 of Section 17, Township 23 South, Range 27 East, Orange County, Florida, being more particularly described as follows:

Commence at the Northeast corner of said Section 17, being a point on the east line of the existing right-of-way of Davenport Road, as shown on Orlando-Orange County Expressway Authority (OOCEA) right-of-way map, Project No. 75320-6460-654, dated 8-04-99; thence  $S00^{\circ}07'39''E$  along said east line of Section 17 and said existing right-of-way for 593.66 feet, to a point on the westerly limited access right-of-way line of State Road 429, as shown on said OOCEA right-of-way map, said point being the POINT OF BEGINNING; thence continue  $S00^{\circ}07'39''E$  along said east line of Section 17 and said existing right-of-way for 520.61 feet to a point on the easterly limited access right-of-way line of said State Road 429; thence  $S36^{\circ}25'02''W$  for 41.98 feet to a point on said easterly limited access right-of-way line of State Road 429, said point also being on the west line of the existing right-of-way of Davenport Road, as shown on said OOCEA right-of-way map; thence  $N00^{\circ}07'39''W$  along said west line for 520.61 feet to a point on the westerly limited access right-of-way line of said State Road 429; thence  $N36^{\circ}25'02''E$  for 41.98 feet to the POINT OF BEGINNING.

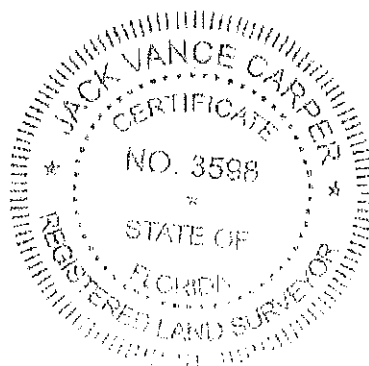
Containing 13,015 square feet, more or less.

Together with all rights of ingress, egress, light, air and view to, from or across any State Road 429 right of way property which may otherwise accrue to any property adjoining said right of way.

THIS IS NOT A SURVEY

**ATKINS**

82 South Keller Road  
Orlando, Florida 32810-6101  
tel: 407/647-7275 Certificate No. LB 24



J. Vance Carper, Jr., PSM  
Professional Surveyor and Mapper  
Florida Certificate No. 3598

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

Revised: 05/18/12  
Date: 10/18/12  
Scale: N/A  
Job No.: 100002756  
F.B.: N/A  
Drawn By: VS  
Ckd. By: JVC  
Sheet 1 of 242



# SKETCH OF DESCRIPTION

ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY  
SR 429 - WESTERN BELTWAY  
PROJECT: 654 - 100  
ESTATE: FEE SIMPLE

## LIMITED ACCESS RIGHT-OF-WAY

P.O.C.  
NORTHEAST CORNER OF  
SEC. 17, TOWNSHIP 23 SOUTH,  
RANGE 27 EAST

### LEGEND

O.R. - OFFICIAL RECORDS BOOK  
PG. - PAGE(S)  
S.R. - STATE ROAD  
P.O.C. - POINT OF COMMENCEMENT  
P.O.B. - POINT OF BEGINNING  
SEC. - SECTION  
TWP. - TOWNSHIP  
RNG. - RANGE  
L.A. - LIMITED ACCESS  
R/W - RIGHT-OF-WAY  
B - BASELINE  
C - CENTERLINE

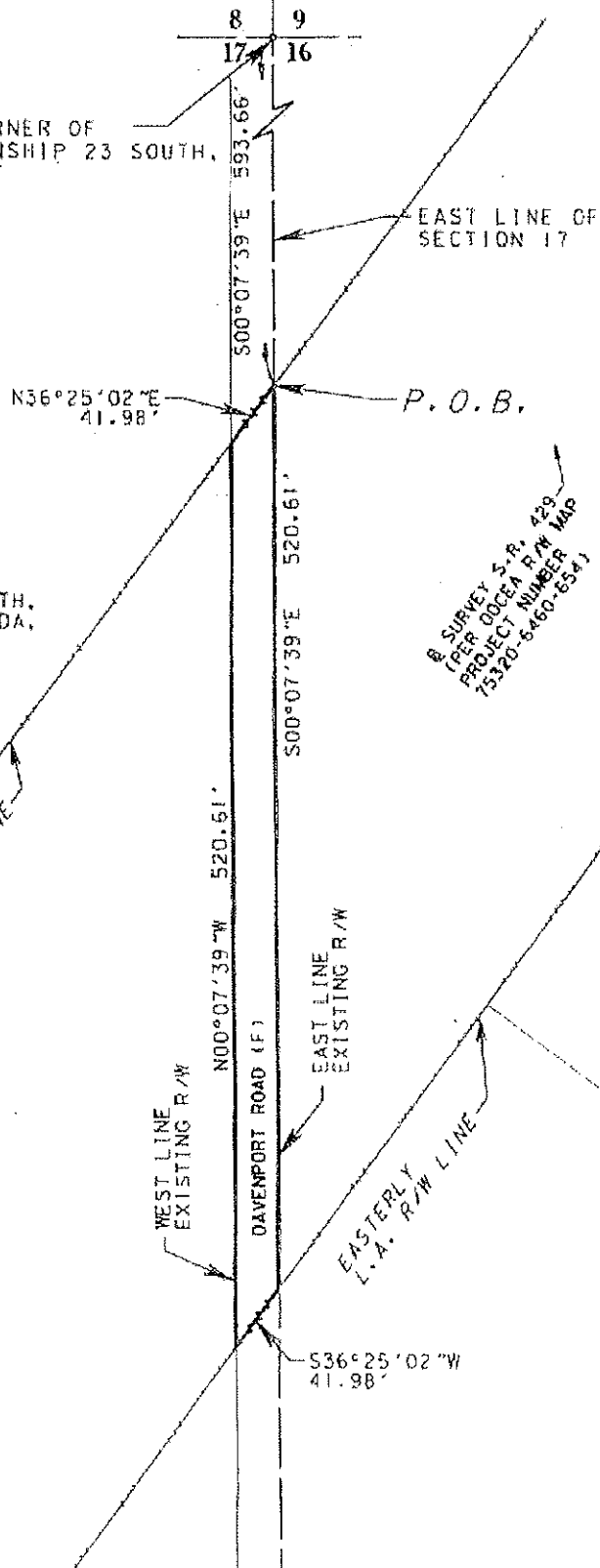
### NOTES:

1. BEARINGS ARE BASED ON THE EAST  
LINE OF SECTION 17, TOWNSHIP 23 SOUTH,  
RANGE 27 EAST, ORANGE COUNTY, FLORIDA,  
BEARING  $S00^{\circ}07'39''E$ .

THIS IS NOT A SURVEY

**ATKINS**

152 South Keller Road  
Orlando, Florida 32810-6101  
Tel: 407/647-7275 Certificate No. LB 24



8 SURVEY S.R. 429  
(PER DCCEN R/W Map  
PROJECT NUMBER  
75320-6460-654)

Revised: 06/18/12  
Date: 10/18/12  
Scale: 1" = 100'  
Job No.: 100002756  
F.B.: N/A  
Drawn By: VS  
Ck'd By: JVC  
Sheet 2 of 2



**DESCRIPTION OF EASEMENTS  
FOR EXPRESSWAY BRIDGES**

CENTRAL FLORIDA EXPRESSWAY AUTHORITY ("CFX")  
STATE ROAD 429  
ESTATE: PERPETUAL EASEMENT

**LEGAL DESCRIPTION:**

PARCELS OF LAND LYING IN ORANGE COUNTY, FLORIDA, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

Twenty (20) feet beyond the outermost perimeters of the existing bridges ("Expressway  
Bridges") at the crossings of State Road 429 over:

- a) Avalon Road (near Old YMCA Road) at approximately Station 638+59.25
- b) Old YMCA Road at approximately Station 645+65.33,
- c) Avalon Road (near Porter Road) at approximately Station 730+54.05,
- d) Porter Road at approximately Station 735+36.31,
- e) Tiny Road at approximately Station 923+98.69, and
- f) Tilden Road at approximately Station 933+67.20.

**TERMS OF PERPETUAL EASEMENT**

1. CFX has a perpetual easement on and over the above-described properties, which right and easement includes the right to construct, operate, improve, expand, maintain, repair and replace from time to time.
2. GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns, to restrict the height of structures, objects of natural growth and other obstructions on the described real property, so as not to interfere with or impede the Expressway Bridges.
3. GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns, to prevent any use of the above described real property which would interfere with one or more Expressway Bridges, or otherwise constitute a hazard for any Expressway Bridge.



## EXHIBIT "D"

**Prepared By:**

Linda S. Brehmer Lanosa, Deputy General Counsel  
Central Florida Expressway Authority  
4974 ORL Tower Road  
Orlando, FL 32807

Reserved for Recording

Project: State Road 429, Daniel Webster Western Beltway, Part C

This deed is exempt from Florida documentary stamp tax under Department of Revenue Rules 12B-4.002(4)(a), 12B-4.014(10), F.A.C., and Section 201.02(6), Florida Statutes.

### QUIT CLAIM DEED

THIS QUIT CLAIM DEED, dated as of the date of execution below, by **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, a body corporate and an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, whose address is 4974 ORL Tower Road, Orlando, Florida 32807 ("GRANTOR") and **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, whose address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("GRANTEE").

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, the receipt of whereof is hereby acknowledged, does hereby remise, release, and forever quit-claim unto the said GRANTEE, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lots, pieces, or parcels of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

### SEE ATTACHED COMPOSITE EXHIBIT "A"

**Property Appraiser's Parcel Identification Number:**  
**Not Assigned**

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.



Project: State Road 429, Daniel Webster Western Beltway, Part C

SUBJECT TO the covenants, conditions, restrictions, and reservations which are set forth below:

- a) GRANTOR reserves unto itself, its successors and assigns, all rights of ingress, egress, light, air, and view to, from, or across any State Road (SR) 429 right-of-way property which may otherwise accrue to any property adjoining said right of way.
- b) GRANTOR reserves unto itself, its successors and assigns, all existing limited-access rights of ingress, egress, light, air, and view to, from, or across the property described in **Composite Exhibit "A."**
- c) GRANTEE has no rights of ingress, egress, or access to SR 429 from the GRANTEE's property, nor does GRANTEE have any rights of light, air or view from SR 429 bridges.
- d) GRANTOR reserves unto itself, its successors and assigns, for the use and benefit of the public, a right and easement for SR 429 bridges over County Roads above the surface of the real property, including SR 429 bridges over Avalon Road, Old YMCA Road, Porter Road, Tiny Road, and Tilden Road, which right and easement includes the right to construct, operate, improve, expand, maintain, repair and replace from time to time.
- e) GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns, to restrict the height of structures, objects of natural growth and other obstructions on the hereinafter described real property, so as not to interfere with or impede the Expressway Bridges.
- f) GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns, to prevent any use of the hereinafter described real property which would interfere with one or more SR 429 bridges, or otherwise constitute a hazard for any SR 429 bridge.
- g) GRANTOR and GRANTEE expressly agree for themselves, their successors and assigns that if the County no longer uses the property for County right-of-way purposes, then CFX has a right of first refusal to acquire all right, title, and interest to the aforesaid property at no cost. COUNTY grants, transfers, and delivers to CFX a right of first refusal to acquire all right, title, and interest to the aforesaid property at no cost to CFX. COUNTY shall give CFX at least 180 days written notice of the occurrence of events that give rise to CFX's right of first refusal and provide CFX with an opportunity to respond.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name by its duly authorized representative.



Project: State Road 429, Daniel Webster Western Beltway, Part C

Signed, sealed, and delivered  
in the presence of:

**“CFX”  
CENTRAL FLORIDA EXPRESSWAY  
AUTHORITY,**

**First Witness:**

\_\_\_\_\_  
Signature

BY: \_\_\_\_\_  
WELTON CADWELL, CHAIRMAN

\_\_\_\_\_  
Print Name

Date: \_\_\_\_\_

**Second Witness:**

ATTEST: \_\_\_\_\_  
Darleen Mazzillo,  
Executive Assistant

STATE OF FLORIDA                    )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
2016, by Welton Cadwell, as Chairman of the Central Florida Expressway Authority.

NOTARY PUBLIC

Signature: \_\_\_\_\_  
Signature of Notary Public - State of Florida

\_\_\_\_\_  
Print, Type or Stamp Commissioned Name of Notary Public

Personally Known [ ☐ ] OR Produced Identification [ ☐ ], Type: \_\_\_\_\_



## EXHIBIT "E"

**Prepared By:**

Linda S. Brehmer Lanosa, Deputy General Counsel  
Central Florida Expressway Authority  
4974 ORL Tower Road  
Orlando, FL 32807

Reserved for Recording

Project: State Road 429, Daniel Webster Western Beltway, Part C

This deed is exempt from Florida documentary stamp tax under Department of Revenue Rules 12B-4.002(4)(a), 12B-4.014(10), F.A.C., and Section 201.02(6), Florida Statutes.

### QUIT CLAIM DEED

THIS QUIT CLAIM DEED, dated as of the date signed, by **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, a body corporate and an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, whose address is 4974 ORL Tower Road, Orlando, Florida 32807 ("GRANTOR") and **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, whose address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("GRANTEE").

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, the receipt of whereof is hereby acknowledged, does hereby remise, release, and forever quit-claim unto the said GRANTEE, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lots, pieces, or parcels of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

### SEE ATTACHED COMPOSITE EXHIBIT "B"

Property Appraiser's Parcel Identification Number:  
Not Assigned

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.



Project: State Road 429, Daniel Webster Western Beltway, Part C

SUBJECT TO the covenants, conditions, restrictions, and reservations which are set forth below:

- a) GRANTOR reserves unto itself, its successors and assigns, all rights of ingress, egress, light, air, and view to, from, or across any State Road 429 right-of-way property which may otherwise accrue to any property adjoining said right of way.
- b) GRANTOR reserves unto itself, its successors and assigns, all existing limited-access rights of ingress, egress, light, air, and view to, from, or across the property described in **Composite Exhibit "B."**

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name by its duly authorized representative.

Signed, sealed, and delivered  
in the presence of:

**"CFX"**  
**CENTRAL FLORIDA EXPRESSWAY**  
**AUTHORITY,**

**First Witness:**

\_\_\_\_\_  
Signature

BY: \_\_\_\_\_  
WELTON CADWELL, CHAIRMAN

\_\_\_\_\_  
Print Name

Date: \_\_\_\_\_

**Second Witness:**

ATTEST: \_\_\_\_\_  
Darleen Mazzillo,  
Executive Assistant

STATE OF FLORIDA                    )  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by Welton Cadwell, as Chairman of the Central Florida Expressway Authority.

NOTARY PUBLIC

Signature: \_\_\_\_\_

Signature of Notary Public - State of Florida

\_\_\_\_\_  
Print, Type or Stamp Commissioned Name of Notary Public

Personally Known [ ] OR Produced Identification [ ], Type: \_\_\_\_\_



## EXHIBIT "F"

**Prepared By:**

Orange County Attorney's Office  
201 South Rosalind Avenue, Third Floor  
Orlando, FL 32801

Reserved for Recording

Project: State Road 429, Daniel Webster Western Beltway, Part C

This deed constitutes a conveyance from a state agency or instrumentality to an agency of the State of Florida and is not subject to documentary stamp tax. Department of Revenue Rules 12B-4.014(10), F.A.C.

## COUNTY DEED

THIS DEED, dated as of the date signed, by **ORANGE COUNTY**, a charter county and political subdivision of the State of Florida, whose address is 201 South Rosalind Avenue, Orlando, Florida 32801 ("GRANTOR"), and **CENTRAL FLORIDA EXPRESSWAY AUTHORITY**, a body corporate and an agency of the State of Florida, created by Part III of Chapter 348, Florida Statutes, whose address is 4974 ORL Tower Road, Orlando, Florida 32807 ("GRANTEE").

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, the receipt of whereof is hereby acknowledged, does hereby remise, release, and forever quit-claim unto the said GRANTEE, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lots, pieces, or parcels of land, situate, lying and being in the county of Orange, state of Florida, designated as Parcel 653-100 and Parcel 654-100, to wit:

**SEE ATTACHED COMPOSITE EXHIBIT "C"**

Property Appraiser's Parcel Identification Number:  
Not Assigned



Project: State Road 429, Daniel Webster Western Beltway, Part C

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be signed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

BY: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

Date: \_\_\_\_\_

ATTEST: Martha O. Haynie, County  
Comptroller, Clerk to the Board

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Printed Name



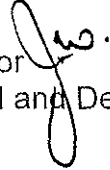


Interoffice Memorandum

AGENDA ITEM

July 25, 2016

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 Hossfield, Manager, Zoning Division  
PHONE NUMBER: 407-836-5585

SUBJECT: August 16, 2016 – Consent Item  
Street Name Petition – Grove Blossom Way

A street name petition has been submitted to rename Grande Palisades Boulevard. This petition satisfies all of the submittal requirements of Resolution 15-M-12. The subject street runs west from Avalon Road to near the Lake County line. The new street name, approved by 911, is Grove Blossom Way.

The Board of County Commissioners is authorized to rename the street pursuant to Section 21-2, Orange County Code.

**ACTION REQUESTED:** Approval of Street Name Petition to rename Grande Palisades Boulevard to Grove Blossom Way and authorization for County staff to update associated records. District 1

JVW:CKH:mof

Attachments





Arturo Interiano  
Assistant Manager

Chief Planners

Vacant  
Permitting

Rocco Kelvini  
Customer Relations

Bob Windom  
Project Review

ZONING DIVISION  
CAROL KNOX HOSSFELD, Manager  
201 South Rosalind Avenue, 1<sup>st</sup> Floor • Reply To: Post Office Box 2687 • Orlando, Florida 32802-2687  
(407) 836-3111 • Fax (407) 836-5507  
www.orangecountyfl.net

### Street Name Petition

Date: 7/12/16  
Applicant: Miranda F. Fitzgerald  
Address: 215 North Eola Drive, Orlando, FL 32801  
Phone: 407-418-6340 Email Address: miranda.fitzgerald@lowndes-law.com  
Parcel ID#: 31-24-27-0000-00-049

Requested Street Name: Grove Blossom Way  
First Choice  
Fun Grove Drive  
Second Choice

Present Name of Street: Grande Palisades Boulevard  
If the street is not named, please indicate above.

Length of Street: \*map enclosed Width of Street: \_\_\_\_\_

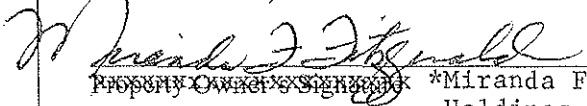
This street is (check one):

- ☒ a. A public dedicated right-of-way.  
☐ b. A privately owned street.  
☐ c. An easement (recorded documentation required).

### **Petition**

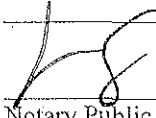
To the Board of County Commissioners:

We the undersigned hereby petition the Board of County Commissioners to name or re-name a street as described in this application (additional owners use the Affected Property Owner Notarized Statement Form).

  
Property Owner's Signature: \*Miranda F. Fitzgerald, as attorney for GRS Property Holdings, LLC, formerly known as Grande Palisades Property Holdings, LLC

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of July, 2016, by Miranda Fitzgerald who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

  
Notary Public Signature

Notary Stamp:



For Office Use Only

Abutting property owners verified: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved by: \_\_\_\_\_  
911 MSAG Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_  
Zoning Division Manager: \_\_\_\_\_ Date: \_\_\_\_\_





ZONING DIVISION

CAROL KNOX HOSSFELD, Manager

201 South Rosalind Avenue, 1<sup>st</sup> 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

Vacant  
Permitting

Rocco Relvini  
Customer Relations

Bob Windom  
Project Review

Street Name Petition  
Affected Property Owner Notarized Statement

Property Owner(s): Catherine Terovolos

Address: 8039 Old County Road 54, Unit 180, New Port Richey, FL 34653-6459

Parcel Identification Number: 31-24-27-0000-00-025

☒ Yes, I agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

☐ No, I do not agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

6/13/16  
Date

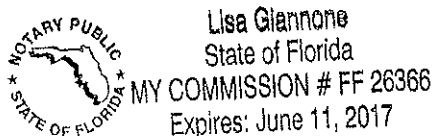
Catherine Terovolos  
Affected Property Owner's Signature

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 13 day of June, 2016, by Catherine Terovolos who is personally known to me or who has produced FL Drivers License as identification and who did/did not take an oath.

[Signature]  
Notary Public Signature

Notary Stamp:



Completed responses may be submitted via email [ZoningInternetMail@ocfl.net](mailto:ZoningInternetMail@ocfl.net) or by regular to: Orange County Zoning Division, P.O. Box 2687, Orlando, Florida 32802-2687.





ZONING DIVISION  
CAROL KNOX HOSSFELD, Manager  
201 South Rosalind Avenue, 1<sup>st</sup> 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

Vacant  
Permitting

Rocco Relvini  
Customer Relations

Bob Windom  
Project Review

**Street Name Petition**  
**Affected Property Owner Notarized Statement**

Property Owner(s): Peter Sagonias

Address: 11 W. Haven Lane, Arden, NC 28704

Parcel Identification Number: 31-24-27-0000-00-004

- ☒ Yes, I agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.
- ☐ No, I do not agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

6/13/2016  
Date

Peter Sagonias  
Affected Property Owner's Signature

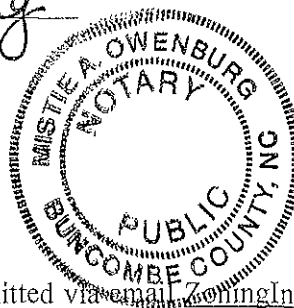
STATE OF ~~FLORIDA~~ North Carolina  
COUNTY OF ~~ORANGE~~ Buncombe

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of June, 2016 by Peter Sagonias who is personally known to me or who has produced NCDL 2574104 as identification and who did/did not take an oath.

Mistie A. Owenburg  
Notary Public Signature

Notary Stamp:

exp. 12-21-2018



Completed responses may be submitted via email [ZoningInternetMail@ocfl.net](mailto:ZoningInternetMail@ocfl.net) or by regular to: Orange County Zoning Division, P.O. Box 2687, Orlando, Florida 32802-2687.





ZONING DIVISION  
CAROL KNOX HOSSFELD, Manager  
201 South Rosalind Avenue, 1<sup>st</sup> 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

Vacant  
Permitting

Rocco Relvini  
Customer Relations

Bob Windom  
Project Review

**Street Name Petition**  
**Affected Property Owner Notarized Statement**

Property Owner(s): Lake Austin Properties I LTD

Address: 9054 Paolos Pl, Kissimmee, FL 34747-1564

Parcel Identification Number: 31-24-27-0000-00-050

☒ Yes, I agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

☐ No, I do not agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive

Date

6/14/16

Lake Austin Properties I LTD  
By: Stephen Mann, President  
Stephen Mann, Pres  
Affected Property Owner's Signature  
Stephen Mann, Pres

New York  
STATE OF ~~FLORIDA~~  
COUNTY OF ~~ORANGE~~ New York

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of June, 2016, by Stephen Mann who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

Notary Public Signature

Notary Stamp:

**IRA B WOLFF**  
Notary Public, State of New York  
No. 02WO6292697  
Qualified in Nassau County  
Commission Expires November 04, 2017

Completed responses may be submitted via email [ZoningInternetMail@ocfl.net](mailto:ZoningInternetMail@ocfl.net) or by regular to: Orange County Zoning Division, P.O. Box 2687, Orlando, Florida 32802-2687.





ZONING DIVISION  
CAROL KNOX HOSSFELD, Manager  
201 South Rosalind Avenue, 1<sup>st</sup> 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

Vacant  
Permitting

Rocco Relvini  
Customer Relations

Bob Windom  
Project Review

**Street Name Petition**  
**Affected Property Owner Notarized Statement**

Property Owner(s): Monica Anderson

Address: 25 Schoolhouse Ln, Oneonta, NY 13820-2493

Parcel Identification Number: 31-24-27-0000-00-030

☒ Yes, I agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

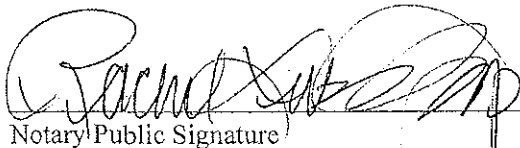
☐ No, I do not agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

June 16, 2016  
Date

  
Affected Property Owner's Signature

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of JUNE, 2016, by MONICA ANDERSON who is personally known to me or who has produced \_\_\_\_\_ as identification and who did / did not take an oath.

  
Notary Public Signature

Notary Stamp:

Rachel Lutz Jessup  
Notary Public, State of New York  
Qualified in Otsego County  
Registration # 01JE6088091  
Commission expires March 3, 2019

Completed responses may be submitted via email [ZoningInternetMail@ocfl.net](mailto:ZoningInternetMail@ocfl.net) or by regular to: Orange County Zoning Division, P.O. Box 2687, Orlando, Florida 32802-2687.





ZONING DIVISION  
CAROL KNOX HOSSFELD, Manager  
201 South Rosalind Avenue, 1<sup>st</sup> 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

Vacant  
Permitting

Rocco Relvini  
Customer Relations

Bob Windom  
Project Review

**Street Name Petition**  
**Affected Property Owner Notarized Statement**

Property Owner(s): CXA-10 CORP

Address: 7195 Dallas Pkwy, Plano, TX 75024-4922

Parcel Identification Number: 31-24-27-0000-00-036

☒ Yes, I agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

☐ No, I do not agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

JUNE 17 2016  
Date

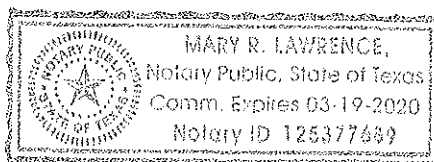
CXA-10 CORPORATION, A TEXAS CORPORATION  
BY: [Signature]  
Affected Property Owner's Signature  
JAMES ERWIN  
SENIOR VICE PRESIDENT

STATE OF ~~FLORIDA~~ TEXAS  
COUNTY OF ~~ORANGE~~ COLLIN

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of JUNE, 2016, by JAMES ERWIN who is personally known to me ~~or~~, who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

Mary R. Lawrence  
Notary Public Signature STATE OF TEXAS

Notary Stamp:



Completed responses may be submitted via email [ZoningInternetMail@ocfl.net](mailto:ZoningInternetMail@ocfl.net) or by regular to: Orange County Zoning Division, P.O. Box 2687, Orlando, Florida 32802-2687.





Arturo Interiano  
Assistant Manager

Chief Planners

Vacant  
Permitting

Rocco Relvini  
Customer Relations

Bob Windom  
Project Review

ZONING DIVISION  
CAROL KNOX HOSSFELD, Manager  
201 South Rosalind Avenue, 1<sup>st</sup> Floor • Reply To: Post Office Box 2687 • Orlando, Florida 32802-2687  
(407) 836-3111 • Fax (407) 836-5507  
www.orangecountyfl.net

**Street Name Petition**  
**Affected Property Owner Notarized Statement**

Property Owner(s): Tohopekaliga Water Authority  
Address: 951 Martin Luther King Blvd, Kissimmee, FL 34741-4929  
Parcel Identification Number: 31-24-27-0000-00-047

☒ Yes, I agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

☐ No, I do not agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

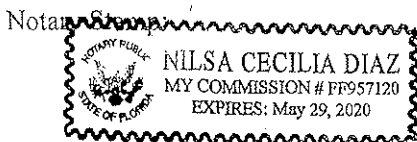
06/21/2016  
Date

Brian L. Wheeler  
Affected Property Owner's Signature

STATE OF FLORIDA  
COUNTY OF ORANGE

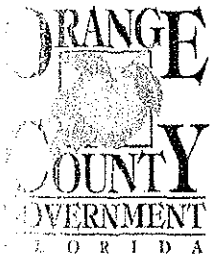
The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of June, 2016 by Brian L. Wheeler who is personally known to me or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

Nilsa C. Diaz  
Notary Public Signature



Completed responses may be submitted via email [ZoningInternetMail@ocfl.net](mailto:ZoningInternetMail@ocfl.net) or by regular to: Orange County Zoning Division, P.O. Box 2687, Orlando, Florida 32802-2687.





ZONING DIVISION

CAROL KNOX HOSSFELD, Manager

201 South Rosalind Avenue, 1<sup>st</sup> Floor • Reply To: Post Office Box 2687 • Orlando, Florida 32802-2687

(407) 836-3111 • Fax (407) 836-5507

www.orangecountyfl.net

Dr. Roberto Interiano  
Assistant Manager

Chief Planners

Vacant  
Permitting

Wesley Relvini  
Owner Relations

Bob Windom  
Project Review

**Street Name Petition**  
**Affected Property Owner Notarized Statement**

Property Owner(s): PRS INVESTORS GROUP LLP

Address: 15137 Innis Lake Rd, Caledon East On L7C-3A1, Canada

Parcel Identification Number: 31-24-27-0000-00-003 & 31-24-27-0000-00-031

☒ Yes, I agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

☐ No, I do not agree to change the name of Grande Palisades Boulevard to the new name of Grove Blossom Way or Fun Grove Drive.

June 09/2016  
Date

[Signature]  
Affected Property Owner's Signature

KURPREET SOMAL

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of June, 2016, by Kurpreet Somal who is personally known to me or who has produced ON Driver License as identification and who did/did not take an oath.  
#55323-30886-70301

[Signature]  
Notary Public Signature

**Mukund (Mike) Mody**  
Notary Stamp: **BARRISTER • SOLICITOR • NOTARY PUBLIC**  
2544 Confederation Parkway,  
Mississauga, ON L5B 1S2  
Tel: (905) 276-9110  
Fax: (905) 276-9897

Completed responses may be submitted via email [ZoningInternetMail@ocfl.net](mailto:ZoningInternetMail@ocfl.net) or by regular to: Orange County Zoning Division, P.O. Box 2687, Orlando, Florida 32802-2687.

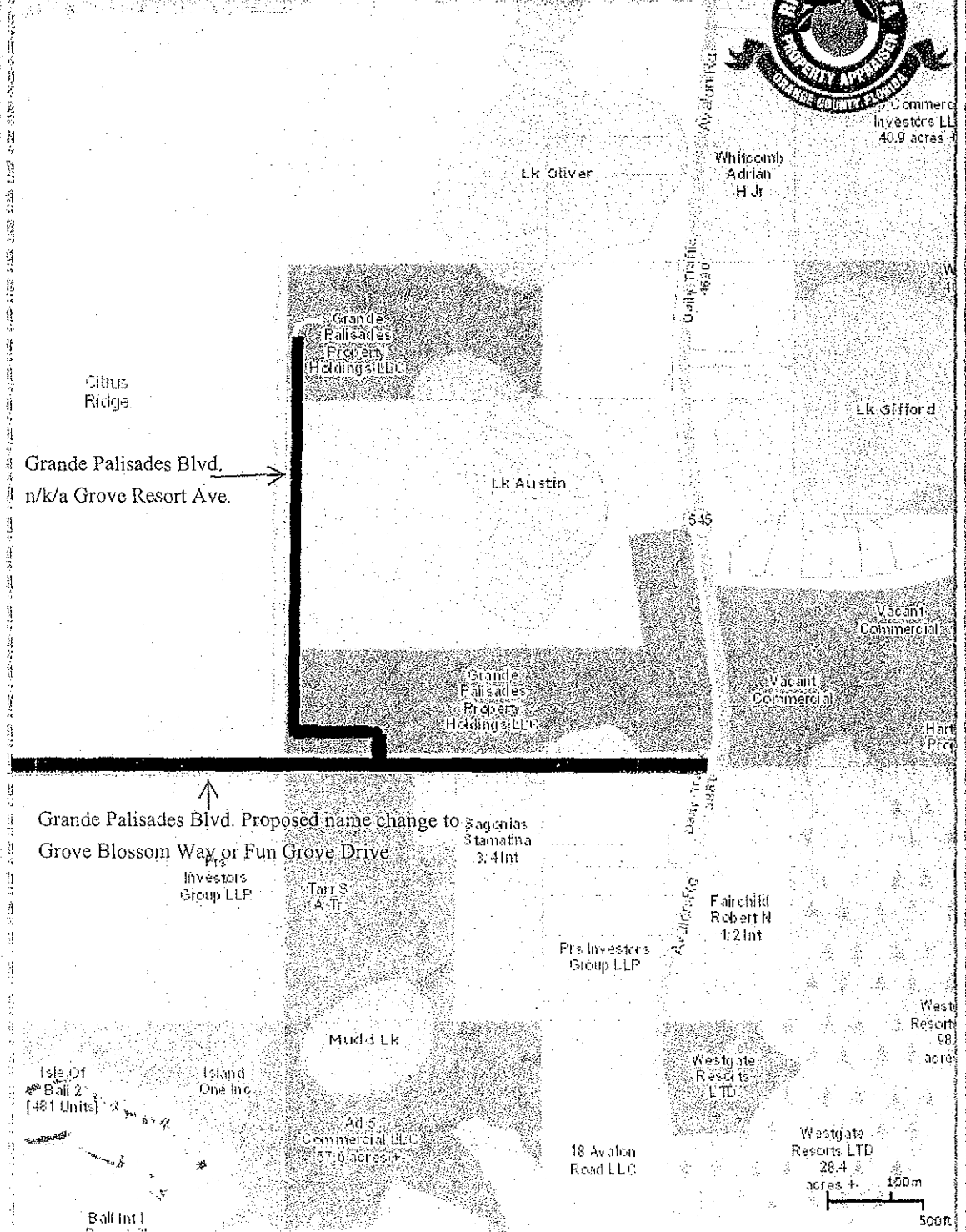


# OCPA Web Map

Florida Turnpike	Major Roads	Proposed Road	Block Line	Commercial/Institutional	Hydro	Golf Course
Interstate 4	Public Roads	Brick Road	Lot Line	Governmental/Institutional/Misc	Waste Land	Lakes and Rivers
Toll Road	Gated Roads	Rail Road	Residential	Commercial/Industrial/Vacant Land	County Boundary	Building
	Road Under Construction	Proposed SunRail	Agriculture	Agricultural Curtilage	Parks	Hospital



Courtesy Rick Singh, CFA, Orange County Property Appraiser



This map is for reference only and is not a survey.



Interoffice Memorandum

I. CONSENT AGENDA  
FAMILY SERVICES  
DEPARTMENT  
1



AGENDA ITEM

July 20, 2016

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: Florida Department of Children and Families  
Application for a License to Operate a Child Care Facility  
BCC Meeting 8/16/16 Consent Agenda/District 6

The Head Start Division requests Board approval of a renewal license application between the Florida Department of Children and Families and Orange County. This license will allow the County to provide comprehensive early childhood development for preschool children and support to their families at South Orlando YMCA Head Start. The term of this license is from October 20, 2016 through October 20, 2017. The license fee of \$60 will be paid with Head Start funds. Childcare facility licensing is a requirement of state laws and Head Start performance standards.

This is a standard application for a license that is required by Florida Department of Children and Families for all licensed childcare facilities. The County Attorney's Office and Risk Management Division have reviewed this application in the past for Head Start Centers currently in operation.

**ACTION REQUESTED: Approval and execution of Florida Department of Children and Families Application for a License to operate a Child Care Facility at South Orlando YMCA Head Start. This application is only executed by Orange County. (Head Start Division)**

SH/kp

C: George A. Ralls, M.D., Deputy County Administrator  
Wanzo Galloway, Assistant County Attorney, County Attorney's Office  
John Petrelli, Director, Risk Management and Professional Standards  
Yolanda S. Brown, Manager, Fiscal Division, Family Services Department  
Jamilie Clemens, Grants Supervisor, Finance Division  
Patria Morales, Grants Coordinator, Office of Management & Budget





# APPLICATION FOR A LICENSE TO OPERATE A CHILD CARE FACILITY

PLEASE TYPE OR PRINT LEGIBLY  
USING BLUE OR BLACK INK

**Instructions:** All information on this application must be truthful and correct. Complete this application in its entirety, as appropriate. Not all sections apply. Incomplete applications will not be accepted. Please contact the licensing agency if there are any questions relating to this application.

**\*FOR LICENSE RENEWALS ONLY:** Renewal of this license is contingent upon the payment of any fines previously imposed as a sanction against this license that was not contested, or that was affirmed at an administrative hearing. If, at the time of this license renewal application, there is a pending administrative hearing resulting from a proposed fine, it shall not affect the renewal of this license.

SECTION 1: PROGRAM INFORMATION (THIS SECTION MUST BE COMPLETED IN ITS ENTIRETY)							
Application Type (Choose One): <input type="checkbox"/> Initial <input checked="" type="checkbox"/> *Renewal Year _____ <input type="checkbox"/> Change of Ownership <input type="checkbox"/> Revision of Existing License							
Name of Facility as it is to appear on license: <div style="border: 1px solid black; padding: 2px; margin-top: 2px;">South Orlando YMCA Head Start</div>						Telephone Number (including area code): ( 407 ) 254-1011	
						Alternate Telephone Number: ( )	
Street Address of Facility (physical address): 814 West Oakridge Road				City: Orlando		County: Orange	
				Zip Code: 32809			
Mailing Address of Facility, if different (include city and zip code): 2100 E. Michigan Street Orlando 32806							
E-Mail Address: Nesreen.Hafaz@ocfl.net				E-Mail: <input type="checkbox"/> Do Not Have E-Mail <input type="checkbox"/> Do Not Wish to Provide		Fax Number (including area code): ( 407 ) 858-4752	
Is this facility located in or adjacent to the home of the owner/operator? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			If yes, all household members must be identified and background screening completed. Please attach a list of family members with their names and dates of birth.				Maximum Capacity: 60
<b>Days and Hours of Operation – please check AM or PM as applicable:</b>							
<u>Monday</u>		<u>Tuesday</u>		<u>Wednesday</u>		<u>Thursday</u>	
<u>Friday</u>		<u>Saturday</u>		<u>Sunday</u>			
<input type="checkbox"/> 24 hour care		<input checked="" type="checkbox"/> AM		<input checked="" type="checkbox"/> AM		<input type="checkbox"/> AM	
Opening Time: 7:30		<input type="checkbox"/> PM		7:30		<input type="checkbox"/> PM	
<input type="checkbox"/> AM		<input type="checkbox"/> AM		<input type="checkbox"/> AM		<input type="checkbox"/> AM	
Closing Time: 5:30		<input checked="" type="checkbox"/> PM		5:30		<input checked="" type="checkbox"/> PM	
<input type="checkbox"/> AM		<input type="checkbox"/> AM		<input type="checkbox"/> AM		<input type="checkbox"/> AM	
<input type="checkbox"/> PM		<input type="checkbox"/> PM		<input type="checkbox"/> PM		<input type="checkbox"/> PM	
Months of Operation: <input type="checkbox"/> School Year Only <input checked="" type="checkbox"/> 12 months <input type="checkbox"/> Other							
<b>Check all service options that apply:</b>						<b>Program operated as a:</b>	
Full Day <input checked="" type="checkbox"/>		Half Day <input type="checkbox"/>		Drop-In <input type="checkbox"/>		Night Care <input type="checkbox"/>	
Before School <input type="checkbox"/>		After School <input type="checkbox"/>		Weekend <input type="checkbox"/>		Infant Care (0-1) <input type="checkbox"/>	
Food Served: <input checked="" type="checkbox"/>		Transportation <input type="checkbox"/>					
						(Check Only One) <input checked="" type="checkbox"/> Child Care Facility OR <input type="checkbox"/> School-Age Child Care Program	

SECTION 2: OWNERSHIP TYPE (CHECK ONE)		
<input type="checkbox"/> Individual Ownership - Not incorporated	Individual Owner	Complete Sections A and E
<input type="checkbox"/> Corporation	Corporation Documentation required	Complete Sections B and E
<input type="checkbox"/> Partnership -- Not Incorporated	Partnership Documentation required	Complete Sections C and E
<input checked="" type="checkbox"/> Other Entity -- Not Incorporated	e.g. School Board, Local Government Before & After School programs, Parks and Recreation, Faith Based	Complete Sections D and E
Local Government		

SECTION A: INDIVIDUAL OWNERSHIP – NOT INCORPORATED (Special Instructions: One owner)			
Name (First Middle and or Maiden Last):			
Date of Birth:		Social Security Number*:	
Home Address:		City:	State: Zip Code:
Telephone Number (including area code):			

Background screening of owners, operators, and directors who by definition are child care personnel is required by 402.305(2). Social security numbers are also used for identification purposes when performing the background screening required by 402.305, and 402.308, F.S.  
CF-FSP 5017, Application For A License to Operate a Child Care Facility, July 2012, 65C-22.001(1), and 65C-22.008(2)(d), F.A.C. Page 1 of 4



**SECTION B: CORPORATION** (Special Instructions: Upon initial application for child care licensure, attach Articles of Incorporation, which must include the names, the title/office, address, and telephone number for each member of the Board of Directors. Also attach the name and telephone number of the corporation's registered agent. Failure to continuously maintain a registered office and/or registered agent in Florida is grounds for revocation of this license. For **RENEWAL** applications for child care licensure attach a current copy of Certificate of Status/Certificate of Authorization from the Department of State available through SunBiz.org.)

Name of Corporation:			Corporate And FEIN #:		
Address of Corporation:			Incorporated in which State?		
			If out of state, is the corporation registered in the State of Florida? Yes <input type="checkbox"/> No <input type="checkbox"/> If no, please register prior to submitting an application.		
City:	State:	Zip Code:	Telephone Number (including area code): (     )		
Designated Corporate Representative:			Date of Birth:		Social Security Number*:
Home Address:			City:	State:	Zip Code:

**SECTION C: PARTNERSHIP – NOT INCORPORATED** (Special Instructions: Attach a copy of the Partnership Agreement annually. Attach additional sheets as applicable if more than two partners.)

Partner #1 (First Middle (Maiden) Last):			
Date of Birth:		Social Security Number*:	
Home Address (street address):		City:	State: Zip Code:
Telephone Number (including area code): (     )			
Partner #2 (First Middle (Maiden) Last):			
Date of Birth:		Social Security Number*:	
Home Address (street address):		City:	State: Zip Code:
Telephone Number (including area code): (     )			

**SECTION D: OTHER ENTITY – NOT INCORPORATED** (Special Instructions: These are programs operated by School Boards, before and after school programs, faith based programs and other non-incorporated entities.)

Name of Entity: Orange County, Florida			
Entity's Designated Representative (First Middle and or Maiden Last):			
Address of Entity (Street Address): 2100 E. Michigan Street		City: Orlando	State: Zip Code: FL 32806
Telephone Number (including area code): ( 407 836-6590			



**SECTION E: ON-SITE DIRECTOR INFORMATION - To be completed by all applicants** (Special Instructions: An On-site Director holds a Director Credential and is responsible for the day-to-day operation of the facility and is required to be on-site the majority of operating hours. A Multi-site Director holds a Director Credential and supervises multiple before-school and after-school programs for a single organization as follows: (a) Three sites regardless of the number of children enrolled or (b) More than three sites if the combined number of children does not exceed 350.)

Name: (First Middle and or Maiden Last)			
Date of Birth:		Social Security Number*:	
Home Address:		City:	State: Zip Code:
Telephone Number (including area code): ( )		If Applicable, Name of Multi-Site Programs and enrollment:	

**SECTION 3: ATTESTATION (To be completed by all applicants)**

Has the owner, applicant, or director ever had a license denied, revoked, or suspended in any state or jurisdiction, been the subject of a disciplinary action, or been fined while employed in a child care facility?

☐ Yes ☒ No If yes, please explain: (attach additional sheet(s) if necessary)

I hereby attest that the information contained in this section is truthful and correct under penalty of perjury. \_\_\_\_\_  
Initial

Have you or anyone identified as a party to ownership ever held a license (child care, foster care, cosmetology, etc.) with any state agency in any capacity other than a driver's license?

☒ Yes ☐ No If yes, where, what type of license, license number, and under what name? FL Child Care Facility  
Certificate of License No. C09OR0345, South Orlando YMCA Head Start

Pursuant to section 402.3054, F.S., child enrichment service providers shall be of good moral character based upon screening, using level 2 standards in Chapter 435, F.S. If this facility utilizes a child enrichment service provider, it is the responsibility of the director to ensure that the child enrichment service provider is screened accordingly and parents/guardians provide written consent before a child may participate in activities conducted by the child enrichment service provider.

The Health Insurance Portability and Accountability Act (HIPAA) requires that personally identifiable health information must be protected from disclosure and maintained in a manner to prevent inadvertent disclosure to the public and to otherwise assure the privacy of such information. Your signature on this application indicates that you agree to comply with the requirements of HIPAA by protecting the confidentiality of employee and children's health records in your possession.

Pursuant to section 435.05(3), F.S., each employer must attest via signed affidavit compliance the provisions of Chapter 435.04, F.S. By signing below, I Teresa Jacobs, Applicant of South Orlando YMCA Head Start Child Care Facility, do hereby affirm that all child care personnel meet the statutory requirements for background screening.

Falsification of application information is grounds for denial or revocation of the license to operate a child care facility. Your signature on this application indicates your understanding and compliance with this law.

Signature of Owner or Organization's Designated Representative

Date

Teresa Jacobs, Orange County Mayor

Person completing application if other than Owner or Organization's Designated Representative.

Name: (Please Print)
Khadija Pirzadeh, Contract Administrator, Head Start Division
Telephone number including area code:
( 407 ) 836-8912



Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

(Check one)

☐ Affiant personally known to notary

OR

☐ Affiant produced identification

Type of identification produced: \_\_\_\_\_

**Do Not Write Below this Line -- Official Use Only**

Date Fee Received	Amount	Check Number	Received By Signature/Initials	Date Fee Forwarded to Fiscal Office
Sexual Offender Address Cross-Reference ( <a href="http://offender.idle.state.fl.us">http://offender.idle.state.fl.us</a> )	Date of Search	Conducted by Signature/Initials	Exact Address Match <input type="checkbox"/> Yes <input type="checkbox"/> No	





## YOUTH & FAMILY

Tracy Salem, Manager

1718 East Michigan Street • Orlando, Florida 32806-4935  
407-836-7645

### Interoffice Memorandum

**DATE:** July 19, 2016

**TO:** Mayor Teresa Jacobs  
And  
Board of County Commissioners

**THRU:** Lonnie C. Bell, Jr., Director  
Family Services Department

**FROM:** Tracy Salem, Manager  
Youth and Family Services Division

**CONTACT:** Keith Yannesss, Sr. Contract Administrator  
407-836-6521

**RE:** Filing of 2016 Council on Accreditation (COA) Audit Results for Youth and Family Service Division for the official County record.  
**August 16, 2016 Consent Agenda/ All Districts**

Administration  
& Support  
407-836-7432

Community  
Relations  
407-836-8938

Family Services  
407-836-6500

Great Oaks Village  
407-836-7665

Youth Services  
407-897-6370

The Youth and Family Services Division requests filing of the 2016 Council on Accreditation Audit Results for the official county record. The Council on Accreditation (COA) is an international, independent, nonprofit, human service accrediting organization. Founded in 1977 by the Child Welfare League of America and Family Service America (now the Alliance for Strong Families and Communities), whose mission is to partner with human service organizations worldwide to improve service delivery outcomes by developing, applying, and promoting accreditation standards. The audit reviewed all administrative aspects of and all of the programs of the Youth and Family Services Division with the exception of the Juvenile Assessment Center. The Youth and Family Services Division received an expedited reaccreditation through July 31, 2020 based upon full compliance of all COA fundamental practice standards, an "amazing achievement" as quoted by the Council on Accreditation.





Page 2  
Filing of 2016 Council on Accreditation Audit Results  
July 19, 2016

**ACTION REQUESTED: Receipt and filing of the 2016 Council on Accreditation  
Audit results for Youth and Family Services Division  
for the official County record.**

cc: George A. Ralls, M.D., Deputy County Administrator  
Yolanda Brown, Fiscal Manager, Family Services Department  
Richard Radin, Sr. Program Manager, YFS  
Diana, Mendez, Medical and Mental Health Administrator, YFS





4/29/2016

Tracy Salem  
Division Manager  
Orange County Government, Youth and Family Services Division  
1758 East Michigan Street  
Orlando, FL 32806

Dear Dr. Salem:

On behalf of the Council on Accreditation (COA), I am delighted to inform you that Orange County Government, Youth and Family Services Division has been reaccredited. In addition, Orange County Government, Youth and Family Services Division was expedited through the Pre-Commission Review Report (PCR) process as a result of not receiving any out of compliance ratings in any of the fundamental practice standards. Congratulations on this amazing achievement.

Because Orange County Government, Youth and Family Services Division was expedited, you will not be receiving a PCR. As a next step, I would like to encourage you to share this wonderful accomplishment with your staff, board of trustees, funders, regulatory bodies and all of your other stakeholders.

In four weeks, you will be receiving your formal reaccreditation notification letter, Final Accreditation Report, and an accreditation plaque. We encourage you to display this plaque in an accessible public space where staff and clients can easily take notice and feel confident and proud to be part of Orange County Government, Youth and Family Services Division. In addition, you will receive a web link that will enable access to COA's Promotional Tool Kit. The Promotional Tool Kit will help you maximize the value of your COA accreditation to internal and external stakeholders.

As a next step and in order to ensure accuracy of information in all of your accreditation materials including, but not limited to, the Final Accreditation Report, please go to [http://coa.formassembly.com/231879?tf\\_a\\_12=0015000000LJJvo&tf\\_a\\_25=a0r5000000BvEES](http://coa.formassembly.com/231879?tf_a_12=0015000000LJJvo&tf_a_25=a0r5000000BvEES) within the next five (5) business days to review and confirm all of your organization/program's contact information.

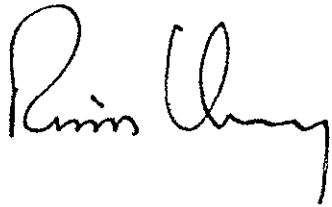


Please note that if we do not receive your confirmation or revisions within the provided time window, COA will create all of your accreditation materials with the information contained in the link.

COA's program of quality improvement is designed to identify providers that have met high performance standards and have made a commitment to their stakeholders to deliver the very best quality services. COA is proud to recognize Orange County Government, Youth and Family Services Division as one of these outstanding providers, and we wish you the very best in your continuing work with the individuals you serve.

On behalf of the COA staff and board of trustees, congratulations again on your achievement.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Klarberg". The signature is fluid and cursive, with the first name "Richard" and last name "Klarberg" clearly distinguishable.

Richard Klarberg

President & CEO

Council on Accreditation  
45 Broadway, 29th Floor, New York, NY 10006  
[www.coanet.org](http://www.coanet.org) | (212) 797-3000





April 27, 2016

Tracy Salem  
Division Manager  
Orange County Government, Youth and Family Services Division  
1758 East Michigan Street  
Orlando, FL 32806

Richard Klarberg  
President & Chief Executive Officer

Markus Trice  
Chair, Board of Trustees

**Sponsoring Organizations**

Alliance for Children and Families

Association of Jewish Family and  
Children's Agencies

Catholic Charities USA

Children's Home Society of America

Child Welfare League of America

Foster Family-based  
Treatment Association

Joint Council on International  
Children's Services

Lutheran Services in America

National Council For Adoption

National Foundation for  
Credit Counseling

National Network for Youth

National Organization of State  
Associations for Children

Volunteers of America

Dear Dr. Salem:

It is our great pleasure to inform you that the Council on Accreditation (COA) has approved the accreditation of **Orange County Government, Youth and Family Services Division** through **July 31, 2020**. Let me again say how significant this achievement is! It represents the fulfillment of countless hours of hard work and the dedication of many people—most notably your staff and the members of your board and/or leadership. Please extend my congratulations to them.

This formal notification includes a list of programs and services for which **Orange County Government, Youth and Family Services Division** is accredited, as well as your Final Accreditation Report (FAR). A plaque attesting to your agency's accredited status will be sent to you shortly.

Your Final Accreditation Report (FAR) is an important and incredibly valuable document. It contains the observations and recommendations of your Peer Reviewer colleagues based on your self-study and site visit. In essence, the FAR provides a unique view of your organization as seen through the eyes of highly experienced professionals. In it you will find a copy of the full accreditation ratings for all Purpose, Core, and Practice standards, identifying the Fundamental Practice standards. It may also contain any noted organizational strengths and areas for opportunities.

Please refer to the Promotional Tool Kit web page to find resources that can assist you with leveraging your organization's COA accreditation to internal and external stakeholders.

Private: <http://coanet.org/accreditation/private-organization-accreditation/promote-your-accreditation/>

Public: <http://coanet.org/accreditation/public-agency-accreditation/promote-your-accreditation/>

Canadian: <http://coanet.org/accreditation/canadian-organisation-accreditation/promote-your-accreditation/>

**Council on Accreditation**

45 Broadway, 29th Floor,  
New York, NY 10006  
212.797.3000  
Fax 212.797.1428  
[www.COAnet.org](http://www.COAnet.org)

At the very least, however, we recommend that you provide relevant excerpts to those members of your staff who are directly responsible for the respective findings. Should you do so, please explain that the report is intended to be *constructive*, and that the goal is to provide specific, tangible examples of how they can make your organization even stronger and even better.



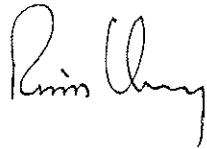
Having said that, you should know that those ratings for which you did not demonstrate implementation should be addressed through your PQI process.

Even though they did not require correction in order to achieve accreditation, they will be made a part of your file and reviewed during your next accreditation cycle. Remember, COA accreditation is not an end in and of itself. Rather, it is a process by which your organization can consistently strive for and achieve new levels of excellence.

Finally, let me say that your relationship with COA does not end with this letter. Ours is a partnership. As such, I would ask that you feel free to share with me your ideas and concerns. Additionally, please feel free to contact Christina Byrne, Senior Director of Accreditation Programs, either by email at [cbyrne@coanet.org](mailto:cbyrne@coanet.org) or by telephone at 212-797-3000, extension 280, if you have any questions. Together we can enrich the lives of children, individuals, and families in need everywhere.

We are proud to be associated with you and your colleagues. We wish you the very best in your continuing service to persons in your community. *That is the power of accreditation.*

Sincerely,



Richard Klarberg  
President and Chief Executive Officer

Attachment





Orange County Government, Youth and Family Services Division  
Organization ID: 1817  
Public Standards

Expiration date: July 31, 2020

The accreditation of Orange County Government, Youth and Family Services Division includes the following services and associated programs:

Service(s)	Service Subsection(s)	Program Name	Address
Counseling Support & Education Svs (CSE)		Family Counseling Program	1718 E. Michigan Street, Orlando, FL 32806
Fam Preserv & Stabilization Svs (FPS)		Family Preservation & Stabilization	1718 E. Michigan Street, Orlando, FL 32806
Fam Preserv & Stabilization Svs (FPS)		Oaks Community Intervention Program	823 West Central Blvd, Orlando, FL 32805
Group Living Services (GLS)		Great Oaks Village Program	1718 E. Michigan Street, Orlando, FL 32806
Shelter Services (SH)		Orange County Youth Shelter	1718 E. Michigan Street, Orlando, FL 32806
Volunteer Mentoring Services (VM)		Community Relations Administration	1718 E. Michigan Street, Orlando, FL 32806





## Organizational Strengths

Orange County Government, Youth and Family Services Division  
Organization ID# 1817

### Administrative and Management Standards

Ethical Practice (ETH), Financial Management (FIN), Governance (GOV) or Administration & Management (AM) (for Public State Systems), Human Resources (HR), Performance and Quality Improvement (PQI), Risk Prevention and Management (RPM)

- PA-AM The agency provided evidence through interviews and self-study that the leadership team at Youth and Family Services has illustrated extraordinarily how to manage successfully. The Leadership team developed a 2013-2018 Strategic Plan which is an Assessment of Strengths and Weaknesses/SWOT Analysis report. Evidence revealed that the agency, with the support of Orange County Government, are responsible for making this agency what's it is today.
- PA-ETH Orange County Youth and Family Services Division earns and sustains the public trust through honest and responsible transactions and relationships with individuals, communities, providers, businesses, donors, and government entities.
- PA-FIN The financial management of this agency appears to be efficiently operated with tight internal controls.
- PA-HR The agency provided through evidence and interviews that trainings offered by the agency as well as Orange County Government through Passport are exceptional. The agency has developed a strategic plan to monitor new employees, 40 hours of on-line trainings for older staff, as well as ongoing trainings taken off-site at universities or other organizations.
- PA-PQI The agency has developed a comprehensive performance management system used to assess agency operations.
- PA-RPM Orange County Youth and Family Services Division reduces the agency's risk, loss, and liability by using comprehensive, systematic, and effective risk prevention.



## Service Delivery Administration Standards

Administrative and Service Environment (ASE), Behavior Support and Management (BSM), Client Rights (CR), Training and Supervision (TS)

- PA-ASE Orange County Youth and Family Services Division contribute to agency productivity and effective service delivery by ensuring administration and service environments are respectful, caring, safe and accessible.
- PA-BSM The agency emphasizes the guiding principle that restraints are used only as a last resort and only for the minimal amount of time necessary to allow the youth to regain control.
- PA-CR It's clear that the agency provides clients with their rights to services and an opportunity to file grievances. They have provided documentation to show, as well as the clients themselves indicated, they understand their rights.
- PA-TS The agency provided evidence and through interviews that trainings offered by the agency as well as Orange County Government through Passport are exceptional. The agency has developed a strategic plan to monitor new employees, 40 hours on-line trainings for older staff, as well as ongoing trainings taken off-site at universities or other organizations.

## Service Standards

- PA-CSE Through services provided by Orange County Youth And Family Services Division, individuals and families who participate are assisted in building on strengths, developing skills to manage institutional change, accessing appropriate community support and resources, and improving functioning in daily activities at home, at work, and in the community.
- PA-FPS Orange County Youth and Family Services Division ensure child safety, reduce the need for out of home placement and enable children in out of home placement to return safely to their families by providing Family Preservation and Stabilization Services to improve family functioning.
- PA-GLS The agency is in a serene setting that lends itself to a homelike setting. The staff appear to be dedicated to the mission of the agency and the support of the children.
- PA-SH The agency provides top notch services to youth at shelters. The educational center is so widely used that often times judges utilize the shelter for children who are truant from schools so their educational needs are met. Both the shelter and educational center are upscale and provide a safe nurturing environment for youth.
- PA-VM There appears to be new energy in the Volunteer Mentoring program and greater focus



on the outreach and recruitment of mentors.





## AREAS FOR OPPORTUNITIES

The following ratings have not been fully implemented and we ask that you address them through your PQI process. Even though these standards did not require correction in order to achieve accreditation, they will be made a part of your file and reviewed during your next accreditation cycle. We request that you begin demonstrating implementation on all of the below standards before your next accreditation cycle.

Standard Code	Rating	Peer Team Report
---------------	--------	------------------





## FINAL RATINGS

### Public Standards

Orange County Government, Youth and Family Services Division  
Org #:1817

Standard Code	Rating	NA
PA-AM	1	<input type="checkbox"/>
PA-AM 1	1	<input type="checkbox"/>
PA-AM 1.01	1	<input type="checkbox"/>
PA-AM 1.02	1	<input type="checkbox"/>
PA-AM 2	1	<input type="checkbox"/>
PA-AM 2.01	1	<input type="checkbox"/>
PA-AM 2.02		<input checked="" type="checkbox"/>
PA-AM 2.03	1	<input type="checkbox"/>
PA-AM 2.04		<input checked="" type="checkbox"/>
PA-AM 2.05		<input checked="" type="checkbox"/>
PA-AM 2.06	1	<input type="checkbox"/>
PA-AM 2.07	1	<input type="checkbox"/>
PA-AM 3	1	<input type="checkbox"/>
PA-AM 3.01	1	<input type="checkbox"/>
PA-AM 3.02	1	<input type="checkbox"/>
PA-AM 3.03	1	<input type="checkbox"/>
PA-AM 3.04	1	<input type="checkbox"/>
PA-AM 4	1	<input type="checkbox"/>
PA-AM 4.01	1	<input type="checkbox"/>
PA-AM 4.02	1	<input type="checkbox"/>
PA-AM 4.03	1	<input type="checkbox"/>
PA-AM 4.04		<input checked="" type="checkbox"/>
PA-AM 5	1	<input type="checkbox"/>
PA-AM 5.01	1	<input type="checkbox"/>
PA-AM 5.02	1	<input type="checkbox"/>
PA-AM 5.03	1	<input type="checkbox"/>
PA-AM 5.04	2	<input type="checkbox"/>
PA-AM 6	1	<input type="checkbox"/>
PA-AM 6.01	1	<input type="checkbox"/>
PA-AM 6.02	1	<input type="checkbox"/>
PA-AM 6.03	1	<input type="checkbox"/>
PA-AM 6.04	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-AM 7	1	<input type="checkbox"/>
PA-AM 7.01	1	<input type="checkbox"/>
PA-AM 7.02	1	<input type="checkbox"/>
PA-AM 7.03	1	<input type="checkbox"/>
PA-AM 7.04	1	<input type="checkbox"/>
PA-AM 7.05	1	<input type="checkbox"/>
PA-AM 7.06	1	<input type="checkbox"/>
PA-ETH	1	<input type="checkbox"/>
PA-ETH 1	1	<input type="checkbox"/>
PA-ETH 1.01	1	<input type="checkbox"/>
PA-ETH 1.02	1	<input type="checkbox"/>
PA-ETH 1.03	2	<input type="checkbox"/>
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PA-FIN 3.07	1	<input type="checkbox"/>



Standard Code	Rating	NA
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PA-FIN 4.02	1	<input type="checkbox"/>
PA-FIN 4.03	1	<input type="checkbox"/>
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PA-HR 5.01	2	<input type="checkbox"/>
PA-HR 5.02	1	<input type="checkbox"/>
PA-HR 5.03	2	<input type="checkbox"/>
PA-HR 5.04	2	<input type="checkbox"/>
PA-HR 6	1	<input type="checkbox"/>
PA-HR 6.01	1	<input type="checkbox"/>
PA-HR 6.02	1	<input type="checkbox"/>
PA-HR 6.03	2	<input type="checkbox"/>
PA-HR 6.04	2	<input type="checkbox"/>
PA-HR 7	1	<input type="checkbox"/>
PA-HR 7.01	1	<input type="checkbox"/>



Standard Code	Rating	NA
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PA-HR 7.05	1	<input type="checkbox"/>
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PA-PQI 1.03	1	<input type="checkbox"/>
PA-PQI 2	2	<input type="checkbox"/>
PA-PQI 2.01	1	<input type="checkbox"/>
PA-PQI 2.02	2	<input type="checkbox"/>
PA-PQI 2.03	2	<input type="checkbox"/>
PA-PQI 2.04	2	<input type="checkbox"/>
PA-PQI 3	2	<input type="checkbox"/>
PA-PQI 3.01	2	<input type="checkbox"/>
PA-PQI 3.02	2	<input type="checkbox"/>
PA-PQI 3.03	2	<input type="checkbox"/>
PA-PQI 4	2	<input type="checkbox"/>
PA-PQI 4.01	2	<input type="checkbox"/>
PA-PQI 4.02	2	<input type="checkbox"/>
PA-PQI 4.03	2	<input type="checkbox"/>
PA-PQI 4.04	2	<input type="checkbox"/>
PA-PQI 4.05	2	<input type="checkbox"/>
PA-PQI 4.06	2	<input type="checkbox"/>
PA-PQI 5	2	<input type="checkbox"/>
PA-PQI 5.01	2	<input type="checkbox"/>
PA-PQI 5.02	2	<input type="checkbox"/>
PA-PQI 5.03	2	<input type="checkbox"/>
PA-PQI 6	2	<input type="checkbox"/>
PA-PQI 6.01	1	<input type="checkbox"/>
PA-PQI 6.02	2	<input type="checkbox"/>
PA-PQI 6.03	2	<input type="checkbox"/>
PA-PQI 6.04	2	<input type="checkbox"/>
PA-PQI 6.05	2	<input type="checkbox"/>
PA-PQI 7	1	<input type="checkbox"/>
PA-PQI 7.01	1	<input type="checkbox"/>
PA-PQI 7.02	1	<input type="checkbox"/>
PA-PQI 7.03	1	<input type="checkbox"/>
PA-RPM	1	<input type="checkbox"/>
PA-RPM 1	1	<input type="checkbox"/>
PA-RPM 2	1	<input type="checkbox"/>
PA-RPM 2.01	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-RPM 2.02	1	<input type="checkbox"/>
PA-RPM 2.03	1	<input type="checkbox"/>
PA-RPM 2.04	1	<input type="checkbox"/>
PA-RPM 2.05	1	<input type="checkbox"/>
PA-RPM 2.06		<input checked="" type="checkbox"/>
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PA-RPM 3.02	1	<input type="checkbox"/>
PA-RPM 3.03	1	<input type="checkbox"/>
PA-RPM 3.04	1	<input type="checkbox"/>
PA-RPM 3.05	1	<input type="checkbox"/>
PA-RPM 3.06	1	<input type="checkbox"/>
PA-RPM 4	1	<input type="checkbox"/>
PA-RPM 4.01	1	<input type="checkbox"/>
PA-RPM 4.02	1	<input type="checkbox"/>
PA-RPM 5	1	<input type="checkbox"/>
PA-RPM 5.01	1	<input type="checkbox"/>
PA-RPM 5.02	1	<input type="checkbox"/>
PA-RPM 5.03	2	<input type="checkbox"/>
PA-RPM 5.04	2	<input type="checkbox"/>
PA-RPM 6	1	<input type="checkbox"/>
PA-RPM 6.01	1	<input type="checkbox"/>
PA-RPM 6.02	1	<input type="checkbox"/>
PA-RPM 6.03	1	<input type="checkbox"/>
PA-RPM 6.04	1	<input type="checkbox"/>
PA-RPM 6.05	1	<input type="checkbox"/>
PA-RPM 7	1	<input type="checkbox"/>
PA-RPM 7.01	1	<input type="checkbox"/>
PA-RPM 7.02	1	<input type="checkbox"/>
PA-RPM 7.03	1	<input type="checkbox"/>
PA-RPM 7.04	1	<input type="checkbox"/>
PA-RPM 7.05	1	<input type="checkbox"/>
PA-RPM 7.06	1	<input type="checkbox"/>
PA-RPM 7.07	1	<input type="checkbox"/>
PA-RPM 8	1	<input type="checkbox"/>
PA-RPM 8.01	1	<input type="checkbox"/>
PA-RPM 8.02	1	<input type="checkbox"/>
PA-RPM 8.03	1	<input type="checkbox"/>
PA-RPM 9	1	<input type="checkbox"/>
PA-RPM 9.01	1	<input type="checkbox"/>
PA-RPM 9.02	1	<input type="checkbox"/>
PA-RPM 9.03	1	<input type="checkbox"/>
PA-RPM 9.04	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-RPM 9.05	1	<input type="checkbox"/>
PA-RPM 9.06		<input checked="" type="checkbox"/>
PA-RPM 9.07		<input checked="" type="checkbox"/>
PA-RPM 9.08	1	<input type="checkbox"/>
PA-RPM 9.09	1	<input type="checkbox"/>
PA-RPM 10	1	<input type="checkbox"/>
PA-RPM 10.01	1	<input type="checkbox"/>
PA-RPM 10.02	1	<input type="checkbox"/>
PA-RPM 10.03	1	<input type="checkbox"/>
PA-RPM 10.04	1	<input type="checkbox"/>
PA-RPM 10.05	1	<input type="checkbox"/>
PA-ASE	1	<input type="checkbox"/>
PA-ASE 1	1	<input type="checkbox"/>
PA-ASE 1.01	1	<input type="checkbox"/>
PA-ASE 1.02	1	<input type="checkbox"/>
PA-ASE 1.03	1	<input type="checkbox"/>
PA-ASE 1.04	1	<input type="checkbox"/>
PA-ASE 1.05	1	<input type="checkbox"/>
PA-ASE 1.06		<input checked="" type="checkbox"/>
PA-ASE 2	1	<input type="checkbox"/>
PA-ASE 2.01	1	<input type="checkbox"/>
PA-ASE 2.02	1	<input type="checkbox"/>
PA-ASE 2.03	1	<input type="checkbox"/>
PA-ASE 3	1	<input type="checkbox"/>
PA-ASE 3.01	1	<input type="checkbox"/>
PA-ASE 3.02	1	<input type="checkbox"/>
PA-ASE 4	1	<input type="checkbox"/>
PA-ASE 5		<input checked="" type="checkbox"/>
PA-ASE 6	1	<input type="checkbox"/>
PA-ASE 6.01	1	<input type="checkbox"/>
PA-ASE 6.02	1	<input type="checkbox"/>
PA-ASE 6.03	1	<input type="checkbox"/>
PA-ASE 6.04	1	<input type="checkbox"/>
PA-ASE 6.05	1	<input type="checkbox"/>
PA-ASE 6.06	1	<input type="checkbox"/>
PA-ASE 7	1	<input type="checkbox"/>
PA-ASE 7.01	1	<input type="checkbox"/>
PA-ASE 7.02	1	<input type="checkbox"/>
PA-ASE 7.03	1	<input type="checkbox"/>
PA-ASE 7.04	1	<input type="checkbox"/>
PA-ASE 8		<input checked="" type="checkbox"/>
PA-ASE 8.01		<input checked="" type="checkbox"/>
PA-ASE 8.02		<input checked="" type="checkbox"/>



Standard Code	Rating	NA
PA-BSM	2	<input type="checkbox"/>
PA-BSM 1	2	<input type="checkbox"/>
PA-BSM 1.01	1	<input type="checkbox"/>
PA-BSM 1.02	1	<input type="checkbox"/>
PA-BSM 1.03	2	<input type="checkbox"/>
PA-BSM 1.04	2	<input type="checkbox"/>
PA-BSM 2	2	<input type="checkbox"/>
PA-BSM 2.01	2	<input type="checkbox"/>
PA-BSM 2.02	1	<input type="checkbox"/>
PA-BSM 2.03	1	<input type="checkbox"/>
PA-BSM 2.04	1	<input type="checkbox"/>
PA-BSM 2.05	2	<input type="checkbox"/>
PA-BSM 2.06	2	<input type="checkbox"/>
PA-BSM 3	1	<input type="checkbox"/>
PA-BSM 3.01	1	<input type="checkbox"/>
PA-BSM 3.02	1	<input type="checkbox"/>
PA-BSM 3.03	1	<input type="checkbox"/>
PA-BSM 4	1	<input type="checkbox"/>
PA-BSM 4.01	1	<input type="checkbox"/>
PA-BSM 4.02	1	<input type="checkbox"/>
PA-BSM 4.03	1	<input type="checkbox"/>
PA-BSM 5	2	<input type="checkbox"/>
PA-BSM 5.01	2	<input type="checkbox"/>
PA-BSM 5.02	2	<input type="checkbox"/>
PA-BSM 5.03		<input checked="" type="checkbox"/>
PA-BSM 5.04		<input checked="" type="checkbox"/>
PA-BSM 5.05	1	<input type="checkbox"/>
PA-BSM 5.06	2	<input type="checkbox"/>
PA-BSM 5.07	2	<input type="checkbox"/>
PA-BSM 6	2	<input type="checkbox"/>
PA-BSM 6.01	2	<input type="checkbox"/>
PA-BSM 6.02	2	<input type="checkbox"/>
PA-BSM 6.03	2	<input type="checkbox"/>
PA-BSM 6.04	2	<input type="checkbox"/>
PA-CR	1	<input type="checkbox"/>
PA-CR 1	1	<input type="checkbox"/>
PA-CR 1.01	1	<input type="checkbox"/>
PA-CR 1.02	2	<input type="checkbox"/>
PA-CR 1.03	1	<input type="checkbox"/>
PA-CR 1.04	1	<input type="checkbox"/>
PA-CR 1.05	1	<input type="checkbox"/>
PA-CR 1.06	1	<input type="checkbox"/>
PA-CR 1.07	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-CR 1.08		<input checked="" type="checkbox"/>
PA-CR 1.09	1	<input type="checkbox"/>
PA-CR 2	1	<input type="checkbox"/>
PA-CR 2.01	1	<input type="checkbox"/>
PA-CR 2.02	1	<input type="checkbox"/>
PA-CR 2.03	1	<input type="checkbox"/>
PA-CR 2.04	1	<input type="checkbox"/>
PA-CR 2.05	1	<input type="checkbox"/>
PA-CR 3	1	<input type="checkbox"/>
PA-TS	1	<input type="checkbox"/>
PA-TS 1	1	<input type="checkbox"/>
PA-TS 1.01	1	<input type="checkbox"/>
PA-TS 1.02	1	<input type="checkbox"/>
PA-TS 1.03	1	<input type="checkbox"/>
PA-TS 2	1	<input type="checkbox"/>
PA-TS 2.01	1	<input type="checkbox"/>
PA-TS 2.02	1	<input type="checkbox"/>
PA-TS 2.03	1	<input type="checkbox"/>
PA-TS 2.04	1	<input type="checkbox"/>
PA-TS 2.05	1	<input type="checkbox"/>
PA-TS 2.06	2	<input type="checkbox"/>
PA-TS 2.07	2	<input type="checkbox"/>
PA-TS 2.08		<input checked="" type="checkbox"/>
PA-TS 2.09	2	<input type="checkbox"/>
PA-TS 2.10	1	<input type="checkbox"/>
PA-TS 3	1	<input type="checkbox"/>
PA-TS 3.01	1	<input type="checkbox"/>
PA-TS 3.02	1	<input type="checkbox"/>
PA-TS 3.03	1	<input type="checkbox"/>
PA-TS 3.04	1	<input type="checkbox"/>
PA-TS 3.05	1	<input type="checkbox"/>
PA-TS 3.06	1	<input type="checkbox"/>
PA-TS 3.07	1	<input type="checkbox"/>
PA-TS 3.08	1	<input type="checkbox"/>
PA-TS 3.09	1	<input type="checkbox"/>
PA-CSE	1	<input type="checkbox"/>
PA-CSE 1	1	<input type="checkbox"/>
PA-CSE 2	1	<input type="checkbox"/>
PA-CSE 2.01	1	<input type="checkbox"/>
PA-CSE 2.02	1	<input type="checkbox"/>
PA-CSE 2.03		<input checked="" type="checkbox"/>
PA-CSE 3	1	<input type="checkbox"/>
PA-CSE 3.01	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-CSE 3.02	1	<input type="checkbox"/>
PA-CSE 3.03	1	<input type="checkbox"/>
PA-CSE 3.04	1	<input type="checkbox"/>
PA-CSE 3.05	1	<input type="checkbox"/>
PA-CSE 3.06	1	<input type="checkbox"/>
PA-CSE 4	1	<input type="checkbox"/>
PA-CSE 4.01	1	<input type="checkbox"/>
PA-CSE 4.02	1	<input type="checkbox"/>
PA-CSE 4.03	1	<input type="checkbox"/>
PA-CSE 4.04	1	<input type="checkbox"/>
PA-CSE 4.05	1	<input type="checkbox"/>
PA-CSE 5		<input checked="" type="checkbox"/>
PA-CSE 5.01		<input checked="" type="checkbox"/>
PA-CSE 5.02		<input checked="" type="checkbox"/>
PA-CSE 5.03		<input checked="" type="checkbox"/>
PA-CSE 6	1	<input type="checkbox"/>
PA-CSE 6.01	1	<input type="checkbox"/>
PA-CSE 6.02	1	<input type="checkbox"/>
PA-CSE 6.03	1	<input type="checkbox"/>
PA-CSE 6.04	1	<input type="checkbox"/>
PA-CSE 7		<input checked="" type="checkbox"/>
PA-CSE 8	1	<input type="checkbox"/>
PA-CSE 8.01	1	<input type="checkbox"/>
PA-CSE 8.02	1	<input type="checkbox"/>
PA-CSE 8.03		<input checked="" type="checkbox"/>
PA-CSE 8.04		<input checked="" type="checkbox"/>
PA-CSE 8.05		<input checked="" type="checkbox"/>
PA-CSE 8.06	1	<input type="checkbox"/>
PA-CSE 8.07	1	<input type="checkbox"/>
PA-CSE 8.08	1	<input type="checkbox"/>
PA-CSE 9	1	<input type="checkbox"/>
PA-CSE 9.01	1	<input type="checkbox"/>
PA-CSE 9.02	1	<input type="checkbox"/>
PA-CSE 9.03	1	<input type="checkbox"/>
PA-FPS	1	<input type="checkbox"/>
PA-FPS 1	1	<input type="checkbox"/>
PA-FPS 1.01	1	<input type="checkbox"/>
PA-FPS 1.02	1	<input type="checkbox"/>
PA-FPS 2	1	<input type="checkbox"/>
PA-FPS 2.01	1	<input type="checkbox"/>
PA-FPS 2.02	1	<input type="checkbox"/>
PA-FPS 2.03	1	<input type="checkbox"/>
PA-FPS 2.04	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-FPS 2.05	2	<input type="checkbox"/>
PA-FPS 3	2	<input type="checkbox"/>
PA-FPS 3.01	1	<input type="checkbox"/>
PA-FPS 3.02	1	<input type="checkbox"/>
PA-FPS 3.03	1	<input type="checkbox"/>
PA-FPS 3.04	1	<input type="checkbox"/>
PA-FPS 3.05	1	<input type="checkbox"/>
PA-FPS 3.06	1	<input type="checkbox"/>
PA-FPS 4	2	<input type="checkbox"/>
PA-FPS 4.01	1	<input type="checkbox"/>
PA-FPS 4.02	1	<input type="checkbox"/>
PA-FPS 4.03	1	<input type="checkbox"/>
PA-FPS 4.04	1	<input type="checkbox"/>
PA-FPS 4.05	2	<input type="checkbox"/>
PA-FPS 4.06	1	<input type="checkbox"/>
PA-FPS 4.07	1	<input type="checkbox"/>
PA-FPS 5	1	<input type="checkbox"/>
PA-FPS 6	1	<input type="checkbox"/>
PA-FPS 6.01	1	<input type="checkbox"/>
PA-FPS 6.02	1	<input type="checkbox"/>
PA-FPS 6.03	1	<input type="checkbox"/>
PA-FPS 6.04	1	<input type="checkbox"/>
PA-FPS 6.05	1	<input type="checkbox"/>
PA-FPS 6.06	1	<input type="checkbox"/>
PA-FPS 7	1	<input type="checkbox"/>
PA-FPS 7.01	1	<input type="checkbox"/>
PA-FPS 7.02	1	<input type="checkbox"/>
PA-FPS 7.03	1	<input type="checkbox"/>
PA-FPS 7.04	2	<input type="checkbox"/>
PA-FPS 7.05	1	<input type="checkbox"/>
PA-FPS 7.06	2	<input type="checkbox"/>
PA-FPS 8	1	<input type="checkbox"/>
PA-FPS 9	1	<input type="checkbox"/>
PA-FPS 9.01	1	<input type="checkbox"/>
PA-FPS 9.02	1	<input type="checkbox"/>
PA-FPS 9.03	1	<input type="checkbox"/>
PA-FPS 9.04	1	<input type="checkbox"/>
PA-FPS 10	2	<input type="checkbox"/>
PA-FPS 10.01	2	<input type="checkbox"/>
PA-FPS 10.02	2	<input type="checkbox"/>
PA-FPS 10.03	2	<input type="checkbox"/>
PA-FPS 10.04	1	<input type="checkbox"/>
PA-FPS 11	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-FPS 11.01	1	<input type="checkbox"/>
PA-FPS 11.02	1	<input type="checkbox"/>
PA-FPS 11.03	1	<input type="checkbox"/>
PA-FPS 11.04	1	<input type="checkbox"/>
PA-FPS 11.05	1	<input type="checkbox"/>
PA-FPS 11.06	1	<input type="checkbox"/>
PA-FPS 11.07	1	<input type="checkbox"/>
PA-FPS 11.08	1	<input type="checkbox"/>
PA-FPS 11.09	1	<input type="checkbox"/>
PA-GLS	2	<input type="checkbox"/>
PA-GLS 1	1	<input type="checkbox"/>
PA-GLS 1.01	1	<input type="checkbox"/>
PA-GLS 1.02		<input checked="" type="checkbox"/>
PA-GLS 1.03	1	<input type="checkbox"/>
PA-GLS 1.04	1	<input type="checkbox"/>
PA-GLS 2	2	<input type="checkbox"/>
PA-GLS 2.01	1	<input type="checkbox"/>
PA-GLS 2.02	2	<input type="checkbox"/>
PA-GLS 2.03	1	<input type="checkbox"/>
PA-GLS 2.04	2	<input type="checkbox"/>
PA-GLS 2.05	2	<input type="checkbox"/>
PA-GLS 2.06	2	<input type="checkbox"/>
PA-GLS 2.07	2	<input type="checkbox"/>
PA-GLS 3	1	<input type="checkbox"/>
PA-GLS 3.01	1	<input type="checkbox"/>
PA-GLS 3.02	1	<input type="checkbox"/>
PA-GLS 3.03	1	<input type="checkbox"/>
PA-GLS 3.04	1	<input type="checkbox"/>
PA-GLS 3.05	1	<input type="checkbox"/>
PA-GLS 4	1	<input type="checkbox"/>
PA-GLS 4.01	1	<input type="checkbox"/>
PA-GLS 4.02	1	<input type="checkbox"/>
PA-GLS 4.03	1	<input type="checkbox"/>
PA-GLS 4.04	1	<input type="checkbox"/>
PA-GLS 4.05	1	<input type="checkbox"/>
PA-GLS 4.06	1	<input type="checkbox"/>
PA-GLS 4.07	1	<input type="checkbox"/>
PA-GLS 5	2	<input type="checkbox"/>
PA-GLS 5.01	1	<input type="checkbox"/>
PA-GLS 5.02	2	<input type="checkbox"/>
PA-GLS 5.03	2	<input type="checkbox"/>
PA-GLS 5.04	1	<input type="checkbox"/>
PA-GLS 5.05	2	<input type="checkbox"/>



Standard Code	Rating	NA
PA-GLS 5.06	1	<input type="checkbox"/>
PA-GLS 6	1	<input type="checkbox"/>
PA-GLS 6.01	1	<input type="checkbox"/>
PA-GLS 6.02	1	<input type="checkbox"/>
PA-GLS 6.03	2	<input type="checkbox"/>
PA-GLS 6.04	2	<input type="checkbox"/>
PA-GLS 6.05	1	<input type="checkbox"/>
PA-GLS 7	1	<input type="checkbox"/>
PA-GLS 7.01	2	<input type="checkbox"/>
PA-GLS 7.02	1	<input type="checkbox"/>
PA-GLS 7.03	2	<input type="checkbox"/>
PA-GLS 7.04	1	<input type="checkbox"/>
PA-GLS 7.05	1	<input type="checkbox"/>
PA-GLS 7.06	1	<input type="checkbox"/>
PA-GLS 7.07	1	<input type="checkbox"/>
PA-GLS 8	1	<input type="checkbox"/>
PA-GLS 8.01	1	<input type="checkbox"/>
PA-GLS 8.02	1	<input type="checkbox"/>
PA-GLS 8.03	1	<input type="checkbox"/>
PA-GLS 8.04	1	<input type="checkbox"/>
PA-GLS 8.05		<input checked="" type="checkbox"/>
PA-GLS 8.06	1	<input type="checkbox"/>
PA-GLS 8.07	1	<input type="checkbox"/>
PA-GLS 9	1	<input type="checkbox"/>
PA-GLS 9.01	1	<input type="checkbox"/>
PA-GLS 9.02	1	<input type="checkbox"/>
PA-GLS 9.03	1	<input type="checkbox"/>
PA-GLS 9.04	1	<input type="checkbox"/>
PA-GLS 9.05	2	<input type="checkbox"/>
PA-GLS 10		<input checked="" type="checkbox"/>
PA-GLS 10.01		<input checked="" type="checkbox"/>
PA-GLS 10.02		<input checked="" type="checkbox"/>
PA-GLS 10.03		<input checked="" type="checkbox"/>
PA-GLS 10.04		<input checked="" type="checkbox"/>
PA-GLS 10.05		<input checked="" type="checkbox"/>
PA-GLS 10.06		<input checked="" type="checkbox"/>
PA-GLS 10.07		<input checked="" type="checkbox"/>
PA-GLS 10.08		<input checked="" type="checkbox"/>
PA-GLS 11	1	<input type="checkbox"/>
PA-GLS 11.01	1	<input type="checkbox"/>
PA-GLS 11.02	1	<input type="checkbox"/>
PA-GLS 11.03	1	<input type="checkbox"/>
PA-GLS 12	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-GLS 12.01	1	<input type="checkbox"/>
PA-GLS 12.02	1	<input type="checkbox"/>
PA-GLS 12.03	2	<input type="checkbox"/>
PA-GLS 12.04	1	<input type="checkbox"/>
PA-GLS 12.05	1	<input type="checkbox"/>
PA-GLS 13	2	<input type="checkbox"/>
PA-GLS 13.01	1	<input type="checkbox"/>
PA-GLS 13.02	1	<input type="checkbox"/>
PA-GLS 13.03	1	<input type="checkbox"/>
PA-GLS 13.04	2	<input type="checkbox"/>
PA-GLS 13.05	2	<input type="checkbox"/>
PA-GLS 13.06	1	<input type="checkbox"/>
PA-GLS 14	1	<input type="checkbox"/>
PA-GLS 14.01	1	<input type="checkbox"/>
PA-GLS 14.02	1	<input type="checkbox"/>
PA-GLS 14.03		<input checked="" type="checkbox"/>
PA-GLS 14.04	1	<input type="checkbox"/>
PA-GLS 14.05	1	<input type="checkbox"/>
PA-GLS 14.06	1	<input type="checkbox"/>
PA-GLS 14.07	1	<input type="checkbox"/>
PA-GLS 15	2	<input type="checkbox"/>
PA-GLS 15.01	2	<input type="checkbox"/>
PA-GLS 15.02	2	<input type="checkbox"/>
PA-GLS 15.03	1	<input type="checkbox"/>
PA-GLS 15.04	1	<input type="checkbox"/>
PA-GLS 15.05	1	<input type="checkbox"/>
PA-GLS 15.06	2	<input type="checkbox"/>
PA-GLS 16	1	<input type="checkbox"/>
PA-GLS 16.01	2	<input type="checkbox"/>
PA-GLS 16.02	2	<input type="checkbox"/>
PA-GLS 16.03	1	<input type="checkbox"/>
PA-GLS 16.04	1	<input type="checkbox"/>
PA-GLS 16.05	2	<input type="checkbox"/>
PA-GLS 16.06	1	<input type="checkbox"/>
PA-GLS 16.07	1	<input type="checkbox"/>
PA-GLS 16.08	1	<input type="checkbox"/>
PA-GLS 16.09	1	<input type="checkbox"/>
PA-GLS 16.10	2	<input type="checkbox"/>
PA-GLS 17	1	<input type="checkbox"/>
PA-GLS 17.01	1	<input type="checkbox"/>
PA-GLS 17.02	1	<input type="checkbox"/>
PA-GLS 17.03		<input checked="" type="checkbox"/>
PA-GLS 17.04	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-GLS 17.05	1	<input type="checkbox"/>
PA-GLS 18		<input checked="" type="checkbox"/>
PA-GLS 18.01		<input checked="" type="checkbox"/>
PA-GLS 18.02		<input checked="" type="checkbox"/>
PA-GLS 18.03		<input checked="" type="checkbox"/>
PA-GLS 18.04		<input checked="" type="checkbox"/>
PA-GLS 19	1	<input type="checkbox"/>
PA-GLS 19.01	2	<input type="checkbox"/>
PA-GLS 19.02	1	<input type="checkbox"/>
PA-GLS 19.03	1	<input type="checkbox"/>
PA-GLS 19.04	1	<input type="checkbox"/>
PA-GLS 19.05	1	<input type="checkbox"/>
PA-GLS 19.06	2	<input type="checkbox"/>
PA-SH	1	<input type="checkbox"/>
PA-SH 1	2	<input type="checkbox"/>
PA-SH 2	1	<input type="checkbox"/>
PA-SH 2.01	1	<input type="checkbox"/>
PA-SH 2.02	1	<input type="checkbox"/>
PA-SH 2.03	1	<input type="checkbox"/>
PA-SH 2.04	1	<input type="checkbox"/>
PA-SH 2.05	2	<input type="checkbox"/>
PA-SH 2.06	1	<input type="checkbox"/>
PA-SH 3	2	<input type="checkbox"/>
PA-SH 3.01	2	<input type="checkbox"/>
PA-SH 3.02	2	<input type="checkbox"/>
PA-SH 3.03	2	<input type="checkbox"/>
PA-SH 3.04	2	<input type="checkbox"/>
PA-SH 3.05	2	<input type="checkbox"/>
PA-SH 3.06	2	<input type="checkbox"/>
PA-SH 4	1	<input type="checkbox"/>
PA-SH 5	1	<input type="checkbox"/>
PA-SH 5.01	1	<input type="checkbox"/>
PA-SH 5.02	1	<input type="checkbox"/>
PA-SH 5.03	1	<input type="checkbox"/>
PA-SH 5.04	1	<input type="checkbox"/>
PA-SH 5.05	1	<input type="checkbox"/>
PA-SH 5.06	1	<input type="checkbox"/>
PA-SH 5.07	1	<input type="checkbox"/>
PA-SH 6	1	<input type="checkbox"/>
PA-SH 6.01	1	<input type="checkbox"/>
PA-SH 6.02	1	<input type="checkbox"/>
PA-SH 6.03	2	<input type="checkbox"/>
PA-SH 6.04	1	<input type="checkbox"/>



Standard Code	Rating	NA
PA-SH 7	1	<input type="checkbox"/>
PA-SH 7.01	1	<input type="checkbox"/>
PA-SH 7.02	1	<input type="checkbox"/>
PA-SH 7.03	1	<input type="checkbox"/>
PA-SH 7.04		<input checked="" type="checkbox"/>
PA-SH 7.05		<input checked="" type="checkbox"/>
PA-SH 7.06	1	<input type="checkbox"/>
PA-SH 7.07		<input checked="" type="checkbox"/>
PA-SH 8	1	<input type="checkbox"/>
PA-SH 9		<input checked="" type="checkbox"/>
PA-SH 9.01		<input checked="" type="checkbox"/>
PA-SH 9.02		<input checked="" type="checkbox"/>
PA-SH 9.03		<input checked="" type="checkbox"/>
PA-SH 9.04		<input checked="" type="checkbox"/>
PA-SH 9.05		<input checked="" type="checkbox"/>
PA-SH 9.06		<input checked="" type="checkbox"/>
PA-SH 9.07		<input checked="" type="checkbox"/>
PA-SH 10	1	<input type="checkbox"/>
PA-SH 10.01	1	<input type="checkbox"/>
PA-SH 10.02	1	<input type="checkbox"/>
PA-SH 10.03	1	<input type="checkbox"/>
PA-SH 10.04	1	<input type="checkbox"/>
PA-SH 10.05	1	<input type="checkbox"/>
PA-SH 10.06	1	<input type="checkbox"/>
PA-SH 10.07	1	<input type="checkbox"/>
PA-SH 11	1	<input type="checkbox"/>
PA-SH 11.01	1	<input type="checkbox"/>
PA-SH 11.02	1	<input type="checkbox"/>
PA-SH 11.03	1	<input type="checkbox"/>
PA-SH 11.04	1	<input type="checkbox"/>
PA-SH 12	2	<input type="checkbox"/>
PA-SH 12.01	2	<input type="checkbox"/>
PA-SH 12.02	2	<input type="checkbox"/>
PA-SH 12.03	1	<input type="checkbox"/>
PA-SH 12.04	1	<input type="checkbox"/>
PA-SH 12.05	1	<input type="checkbox"/>
PA-SH 12.06	2	<input type="checkbox"/>
PA-SH 12.07	1	<input type="checkbox"/>
PA-SH 13	1	<input type="checkbox"/>
PA-SH 13.01	1	<input type="checkbox"/>
PA-SH 13.02	1	<input type="checkbox"/>
PA-SH 13.03	2	<input type="checkbox"/>
PA-SH 13.04	2	<input type="checkbox"/>



Standard Code	Rating	NA
PA-SH 13.05	2	<input type="checkbox"/>
PA-SH 13.06	1	<input type="checkbox"/>
PA-SH 13.07	1	<input type="checkbox"/>
PA-VM	2	<input type="checkbox"/>
PA-VM 1	2	<input type="checkbox"/>
PA-VM 1.01	1	<input type="checkbox"/>
PA-VM 1.02	2	<input type="checkbox"/>
PA-VM 2	2	<input type="checkbox"/>
PA-VM 2.01	2	<input type="checkbox"/>
PA-VM 2.02	1	<input type="checkbox"/>
PA-VM 3	2	<input type="checkbox"/>
PA-VM 3.01	1	<input type="checkbox"/>
PA-VM 3.02	1	<input type="checkbox"/>
PA-VM 3.03	1	<input type="checkbox"/>
PA-VM 3.04	2	<input type="checkbox"/>
PA-VM 3.05	2	<input type="checkbox"/>
PA-VM 4	1	<input type="checkbox"/>
PA-VM 4.01	1	<input type="checkbox"/>
PA-VM 4.02	1	<input type="checkbox"/>
PA-VM 4.03	1	<input type="checkbox"/>
PA-VM 5	2	<input type="checkbox"/>
PA-VM 5.01	1	<input type="checkbox"/>
PA-VM 5.02	1	<input type="checkbox"/>
PA-VM 5.03	2	<input type="checkbox"/>
PA-VM 5.04	2	<input type="checkbox"/>
PA-VM 6	1	<input type="checkbox"/>
PA-VM 6.01	1	<input type="checkbox"/>
PA-VM 6.02	1	<input type="checkbox"/>
PA-VM 6.03	1	<input type="checkbox"/>
PA-VM 6.04	1	<input type="checkbox"/>
PA-VM 7	2	<input type="checkbox"/>
PA-VM 7.01	1	<input type="checkbox"/>
PA-VM 7.02	2	<input type="checkbox"/>
PA-VM 7.03		<input checked="" type="checkbox"/>
PA-VM 7.04	2	<input type="checkbox"/>
PA-VM 8	2	<input type="checkbox"/>
PA-VM 8.01	2	<input type="checkbox"/>
PA-VM 8.02	2	<input type="checkbox"/>
PA-VM 8.03	2	<input type="checkbox"/>
PA-VM 8.04	2	<input type="checkbox"/>
PA-VM 8.05	2	<input type="checkbox"/>
PA-VM 9	2	<input type="checkbox"/>
PA-VM 9.01	2	<input type="checkbox"/>



Standard Code	Rating	NA
PA-VM 9.02	1	<input type="checkbox"/>
PA-VM 9.03	2	<input type="checkbox"/>





## Interoffice Memorandum

I. CONSENT AGENDA  
HEALTH SERVICES  
DEPARTMENT  
1

AGENDA ITEM

July 28, 2016

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

FROM: Christopher Hunter, M.D., Ph.D., Director  
Health Services Department  
**Contact: 407-836-7611**

SUBJECT: Paratransit Services License  
ProMotion Transportation Services, Inc.  
**Consent Agenda – August 16, 2016**

The EMS Office of the Medical Director requests the approval of the renewal Paratransit Services License for ProMotion Transportation Services, Inc. ProMotion Transportation Services, Inc. has submitted the attached application requesting approval of a Paratransit Services License to provide wheelchair/stretchers service within Orange County.

The EMS Office of the Medical Director has determined that all requirements have been met by ProMotion Transportation Services, Inc. as contained in Orange County Ordinance 2001-09.

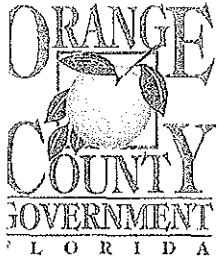
**ACTION REQUESTED:** Approval and execution of the renewal Paratransit Services License for ProMotion Transportation Services, Inc. to provide wheelchair/stretchers service. The term of this License is from September 1, 2016 through September 1, 2018. There is no cost to the County. **(EMS Office of the Medical Director)**

CH/cf

Attachments

Cc: George A. Ralls, M.D., Deputy County Administrator





## RENEWAL PARATRANSIT SERVICES:

### APPLICATION FOR LICENSE

APPLICATION DATE: July 22, 2016

#### SECTION I: GENERAL INFORMATION

1. NAME OF SERVICE: ProMotion Transportation Services, Inc.

2. BUSINESS ADDRESS (INCLUDE COUNTY):

4941 Wansley Drive

Orlando, FL 32812 Orange County

3. CONTACT INFORMATION: Name: Tom Province

Business Phone: 407-306-0366

Mobile Phone: 407-928-7403

Email: province365@bellsouth.net

4. OWNERSHIP TYPE: ☒ PRIVATE CORPORATION ☐ GOVERNMENT AGENCY ☐ OTHER

a. If other, please describe: \_\_\_\_\_

5. LEVEL OF SERVICE: ☐ WHEELCHAIR ☐ STRETCHER ☒ BOTH

6. PROOF OF CURRENT INSURANCE SUBMITTED TO EMS OFFICE:

☒ YES, DATE: 5/2016 ☐ NO



## SECTION II: VEHICLES AND STAFFING

1. NUMBER OF VEHICLES IN OPERATION: 1

2. EMPLOYEE ROSTER:

<u>NAME</u>	<u>CURRENT CPR CARD (Y/N)</u>
<u>Tom Province</u>	<u>N</u>
<u>Sarah Province</u>	<u>N</u>
<u>Jeffery Durrant</u>	<u>N</u>

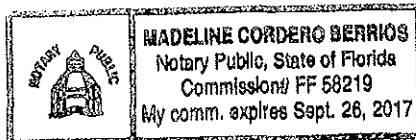
I, the undersigned representative of the service named in this application, do hereby attest the information provided in this application is truthful and honest to the best of my knowledge, and that my service meets all of the requirements for operation of a paratransit services in Orange County and 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.

Thomas M. Province  
SIGNATURE OF APPLICANT OR REPRESENTATIVE

June 30th 2016  
DATE:

NOTARY SEAL

NOTARY SIGNATURE





# License Paratransit Services

Orange County  
Board of County Commissioners  
Emergency Medical Services

This is to certify that PROMOTION TRANSPORTATION SERVICES, 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: September 1, 2016

Date of Expiration: September 1, 2018

40-18 (7/14)

\_\_\_\_\_  
Mayor, Board of County Commissioners





I. CONSENT AGENDA  
PUBLIC WORKS  
DEPARTMENT  
1

Interoffice Memorandum

July 11, 2016

TO: Mayor Teresa Jacobs  
and Board of County Commissioners

FROM: Mark V. Massaro, P.E., Director, Public Works Department

CONTACT PERSON: Ruby Dempsey Rozier, Manager  
Traffic Engineering

PHONE NUMBER: (407) 836-7890

SUBJ: Installation of Traffic Control Devices and "No Parking" signs in  
Windermere Trails Phase 3B

Our staff recommends that the following traffic control devices be installed in Windermere Trails Phase 3B:

Install "STOP" signs on:

Mammoth Cave Trail at Lookout Pointe Drive  
Bryce Canyon Avenue at Iron Mountain Trail  
Mammoth Cave Trail (WB) at Bryce Canyon Avenue  
Mammoth Cave Trail (EB) at Bryce Canyon Avenue  
Joshua Tree Trail at Lookout Pointe Drive  
Bryce Canyon Avenue at Joshua Tree Trail  
Mammoth Cave Trail at Powder Ridge Trail  
Canyon Sun Trail at Lookout Pointe Drive  
Joshua Tree Trail at Powder Ridge Trail  
Crescendo Avenue at Canyon Sun Trail  
Crescendo Avenue at Vermillion Avenue  
Canyon Sun Trail at Powder Ridge Trail

The Fire Marshal recommends that the following "No Parking" signs be installed in Windermere Trails Phase 3B:

Install "NO PARKING" signs on:

Iron Mountain Trail  
Lookout Pointe Drive  
Bryce Canyon Avenue  
Powder Ridge Trail  
Mammoth Cave Trail  
Joshua Tree Trail  
Canyon Sun Trail  
Crescendo Avenue

Action Requested: Approval of Traffic Control Devices and "No Parking" sign  
installations in Windermere Trails Phase 3B. District 1.

MVM/RDR/AHW/nad

Attachments



**WINDERMERE TRAILS PHASE 3B**  
A PORTION OF SECTION 36, TOWNSHIP 23 SOUTH, RANGE 27 EAST,  
ORANGE COUNTY, FLORIDA  
DISTRICT # 1

**STOP/STREET**

<b><u>(1)</u></b>	<b>(Ft E)</b>	<b>on Mammoth Cave Trail at Lookout Pointe Drive</b>	<b>12200 8300</b>
<b><u>(2)</u></b>	<b>(Ft S)</b>	<b>on Bryce Canyon Avenue at Iron Mountain Trail</b>	<b>8200 8100</b>
<b><u>(3)</u></b>	<b>(Ft E)</b>	<b>on Mammoth Cave Trail (WB) at Bryce Canyon Avenue</b>	<b>12100 8200</b>
<b><u>(4)</u></b>	<b>(Ft W)</b>	<b>on Mammoth Cave Trail (EB) (stop only) at Bryce Canyon Avenue</b>	<b>12100 8200</b>
<b><u>(5)</u></b>	<b>(Ft E)</b>	<b>on Joshua Tree Trail at Lookout Pointe Drive</b>	<b>12300 8400</b>
<b><u>(6)</u></b>	<b>(Ft N)</b>	<b>on Bryce Canyon Avenue at Joshua Tree Trail</b>	<b>8300 12200</b>
<b><u>(7)</u></b>	<b>(Ft W)</b>	<b>on Mammoth Cave Trail at Powder Ridge Trail</b>	<b>12100 8400</b>
<b><u>(8)</u></b>	<b>(Ft W)</b>	<b>on Joshua Tree Trail at Powder Ridge Trail</b>	<b>12200 8500</b>
<b><u>(9)</u></b>	<b>(Ft E)</b>	<b>on Canyon Sun Trail at Lookout Pointe Drive</b>	<b>13000 8500</b>
<b><u>(10)</u></b>	<b>(Ft S)</b>	<b>on Crescendo Avenue at Canyon Sun Trail</b>	<b>8500 12100</b>
<b><u>(11)</u></b>	<b>(Ft N)</b>	<b>on Crescendo Avenue at Vermillion Avenue</b>	<b>8600 12000</b>
<b><u>(12)</u></b>	<b>(Ft W)</b>	<b>on Canyon Sun Trail at Powder Ridge Trail</b>	<b>12100 8500</b>

**STOP/ALLEYWAYS**

<b><u>(13)</u></b>	<b>(Ft E)</b>	<b>on Spring Moss Alley at Bryce Canyon Avenue</b>
<b><u>(14)</u></b>	<b>(Ft W)</b>	<b>on Spring Moss Alley at Powder Ridge Trail</b>



<u>(15)</u>	(Ft S)	on Meadow Wind Alley at Spring Moss Alley
<u>(16)</u>	(Ft N)	on Meadow Wind Alley at Mammoth Cave Trail
<u>(17)</u>	(Ft S)	on Meadow Wind Alley at Mammoth Cave Trail
<u>(18)</u>	(Ft S)	on Laguna Green Alley at Mammoth Cave Trail
<u>(19)</u>	(Ft N)	on Laguna Green Alley at Gloaming Green Alley
<u>(20)</u>	(Ft E)	on Gloaming Green Alley at Lookout Pointe Drive
<u>(21)</u>	(Ft W)	on Gloaming Green Alley at Bryce Canyon Avenue
<u>(22)</u>	(Ft N)	on Meadow Wind Alley at Gloaming Green Alley
<u>(23)</u>	(Ft E)	on Gloaming Green Alley at Bryce Canyon Avenue
<u>(24)</u>	(Ft W)	on Gloaming Green Alley at Powder Ridge Trail
<u>(25)</u>	(Ft E)	on Denver Spring Alley at Lookout Pointe Drive
<u>(26)</u>	(Ft S)	on Spring Lawn Alley at Denver Spring Alley
<u>(27)</u>	(Ft W)	on Denver Spring Alley at Crescendo Avenue
<u>(28)</u>	(Ft N)	on Spring Lawn Alley at Vermillion Avenue
<u>(29)</u>	(Ft E)	on Denver Spring Alley at Crescendo Avenue
<u>(30)</u>	(Ft S)	on Brush Meadow Alley at Denver Spring Alley
<u>(31)</u>	(Ft W)	on Denver Spring Alley at Powder Ridge Trail



(32)                    (Ft N)                    on Brush Meadow Alley  
at Vermillion Avenue

NO PARKING with arrows

- (33)                    on Iron Mountain Trail extending east to Powder Ridge Trail on  
the north side
- (34)                    on Lookout Pointe Drive from Iron Mountain Trail extending  
south to Joshua Tree Trail on the east side and between Joshua  
Tree Trail and Canyon Sun Trail on the west side and from  
Canyon Sun Trail extending south to Vermillion Avenue on the  
east side
- (35)                    on Bryce Canyon Avenue from Iron Mountain Trail  
extending south to Spring Moss Alley on the east side and  
from Spring Moss Alley extending south to Mammoth  
Cave Trail on the east and west sides and from  
Mammoth Cave Trail extending south to Gloaming  
Green Alley on the east side and from Gloaming Green  
Alley extending south to Joshua Tree Trail on the west  
side
- (36)                    on Powder Ridge Trail from Iron Mountain Trail extending  
south to Vermillion Avenue on the west side
- (37)                    on Mammoth Cave Trail from Lookout Pointe Drive extending  
east to Powder Ridge Trail on the north and south sides
- (38)                    on Joshua Tree Trail from Lookout Pointe Drive extending  
east to Powder Ridge Trail on the north side
- (39)                    on Canyon Sun Trail from Lookout Pointe Drive extending  
east to Powder Ridge Trail on the south side
- (40)                    on Crescendo Avenue from Canyon Sun Trail extending  
south to Denver Spring Alley on the east side

ahw/

7/11/2016





PUBLIC WORKS DEPARTMENT  
JOSEPH C. KUNKEL, P. E., *Deputy Director*  
4200 South John Young Parkway ■ Orlando, Florida 32839-9205  
407-836-7972 ■ Fax 407-836-7766  
e-mail: Joe.Kunkel@ocfl.net

November 16, 2015

Mr. Neil Klaproth  
Meritage Homes of Florida, Inc.  
5337 Millenia Lakes Drive, Suite 410  
Orlando, Florida 32839


Subject: **Issuance of Certificate of Completion**  
**Windermere Trails (aka Sharpe Property) Phase 3B**

Dear Mr. Klaproth:

This letter verifies that on November 5, 2015 the County Engineer issued a Certificate of Completion for the construction of Windermere Trails (aka Sharpe Property) Phase 3B, Plat Book 85, Pages 133-142, Orange County Records.

Please be advised that this certificate does not relieve the developer of responsibility for the materials, workmanship, structural integrity, functioning, and maintenance of the required public improvements during the one (1) year period following issuance of the Certificate of Completion, or at the time the County Engineer issues the Approval for Maintenance.

Sincerely,

  
Joseph C. Kunkel, P.E.

JCK/sa

Enclosure

ORANGE COUNTY  
NOV 17 2015  
TRAFFIC ENGINEERING

cc: Robert Dudas, Utilities Distribution Section Manager  
Jorge Reyes, Utilities Supervisor, Field Services Division  
Brian Matejcek, Project Manager, Field Services Division  
Brad Bell, Chief Utilities Inspector, Utilities Engineering Division  
County Surveyor, Survey Section, Public Works Engineering Division  
✓ Arthur Woods, Traffic Engineering Division  
Maricela Torres, Roads and Drainage Division  
George Shupp, Roads and Drainage Division (As-Built)  
Mirian Haughee, Stormwater Management Division  
Engineer of Record  
SJR/SF Water Management District



CERTIFICATE OF COMPLETION

THIS IS TO CERTIFY THAT THE FACILITIES CONSTRUCTED BY:

DEVELOPER: Meritage Homes of Florida

ADDRESS: c/o Neil Klaproth, 5337 Millenia Lakes Blvd., suite 410, Orlando, FL 32839

IN THE DEVELOPMENT OF: Sharpe Property (Windermere Trails) Phase 3B

PROJECT NUMBER: 14-S-048

S-T-R 36-23-27

AS RECORDED IN PLAT BOOK 85, PAGES 133-142, ORANGE COUNTY RECORDS HAVE BEEN COMPLETED IN FORM AND MANNER ACCEPTABLE FOR FUTURE MAINTENANCE BY ORANGE COUNTY, FLORIDA.

CONTRACTOR: The Briar Team

FACILITIES AND IMPROVEMENTS COMPLETEREQUIRED DOCUMENTS

YES	NOT REQUIRED
X	
X	
X	
X	
X	
	X
	X
X	
	X
	X

STREETS

DRAINAGE FACILITIES

WATER SYSTEM

SANITARY SYSTEM

RECLAIMED WATER SYSTEM

EXTERNAL SIDEWALKS

SCREENING

ELECTRICAL SERVICE

UNDERDRAINS

ENVIRONMENTAL SWALES

YES

YES	NOT REQUIRED
X	
X	
X	
	X
X	
	X
	X
X	
	X
X	
	X

ENGINEER CERTIFICATION

SURVEYOR CERTIFICATION

LETTER OF CREDIT

CASH GUARANTEE

"AS-BUILT" DRAWINGS

APPROVAL OF AUDIO-OVERRIDE  
DEVICERETENTION POND MAINTENANCE  
GUARANTEEUNDERDRAIN CERTIFICATION  
AND PERFORMANCE GUARANTEECERTIFIED UTILITY COST AND  
"BILL OF SALE"PAYMENT FOR STREET AND  
TRAFFIC SIGNSVALUE OF TRANSFERRED  
PROPERTY FORM

## ROADWAY CATEGORY

New ConstructionLane MilesRoadway Type

<input type="checkbox"/>	Arterial
<input type="checkbox"/>	Collector
<input checked="" type="checkbox"/>	Subdivision (local)
<input type="checkbox"/>	Alternative Surface

	Single lane miles
	Single lane miles
2.65	Single lane miles
	Single lane miles

<input type="checkbox"/>	Private
<input type="checkbox"/>	Private
<input type="checkbox"/>	Private
<input type="checkbox"/>	Private

<input type="checkbox"/>	Public
<input type="checkbox"/>	Public
<input checked="" type="checkbox"/>	Public
<input type="checkbox"/>	Public

2.65 TOTAL LANE MILES

SENIOR INSPECTOR

CHIEF ENGINEER

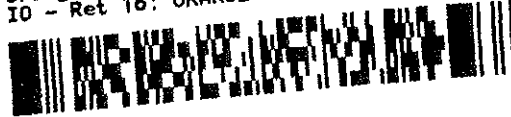
MANAGER, DEVELOPMENT ENGINEERING

COUNTY ENGINEER, PUBLIC WORKS



This instrument prepared by:  
James Rickman PSM  
16 East Plant Street  
Winter Garden  
Florida 34787

DOCH 20160044757  
01/26/2016 04:06:30 PM Page 1 of 4  
Rec Fee: \$35.50  
Martha O. Haynie, Comptroller  
Orange County, FL  
IO - Ret To: ORANGE COUNTY PUBLIC WORK



After recording return to:  
Matthew Kalus  
Development Engineering Division  
Orange County Public Works Dept.  
4200 South John Young Parkway  
Orlando, Florida 33839

-----SPACE ABOVE THIS LINE FOR RECORDING DATA-----

**AFFIDAVIT CONFIRMING ERROR ON A RECORDED PLAT**  
**(Recorded in accordance with Florida Statutes 177.141)**

This affidavit describes the nature and extent of an error or omission and the appropriate correction that in the affiant's professional opinion should be substituted for the erroneous data shown on the plat or added to the data on the plat. When this affidavit is filed, it is the duty of the circuit court clerk to record the affidavit, and he or she must place in the margin of the recorded plat a notation that the affidavit has been filed, the date of filing, and the official book and page where it is recorded. The notation must also be placed on all copies of the plat used for reproduction purposes. The affidavit shall have no effect upon the validity of the plat.

(This is a Plat Related document)

This writing has been prepared to confirm and correct a scrivener's error detected on the plat of **WINDERMERE TRAILS PHASE 3B** as recorded in **Plat Book 85, Pages 133 through 142** of the Public Records of Orange County, Florida.

BEFORE ME, the undersigned authority, personally appeared *Surveyor Name*, who after being duly sworn, deposes and says:

1. Affiant is a Professional Surveyor and Mapper in accordance with Chapter 472 of the Statutes of the State of Florida, License No. 5633.
2. The street name "Lookout Pointe Drive" was incorrectly shown on sheets 3, 4, and 5 of the abovementioned recorded plat adjacent to the North line of Lots 1 through 6, Lot 45, Lot 85 and Tract OS-4.
3. This incorrect street name has been revised to read "Iron Mountain Trail" and is depicted on the attached Exhibits "A", "B" and "C"

FURTHER AFFIANT SAYETH NAUGHT.

*James Rickman*  
Professional Surveyor & Mapper  
License Number: 5633

STATE OF FLORIDA  
COUNTY OF ORANGE

Sworn to and subscribed before me this 22 day of Jan, 2016 by *Surveyor Name*, who is personally known to me OR produced Identification \_\_\_\_\_ (Type of Identification Produced).

Signature of Person Taking Acknowledgment:  
Notary Stamp: *Charline P. Griffith*



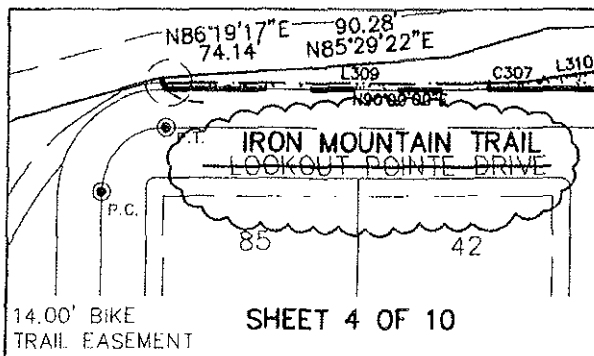
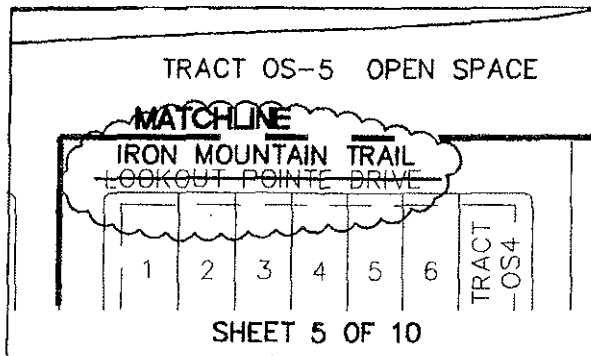
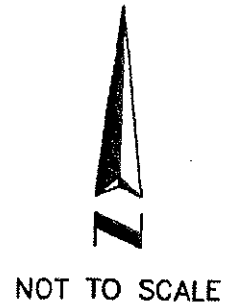
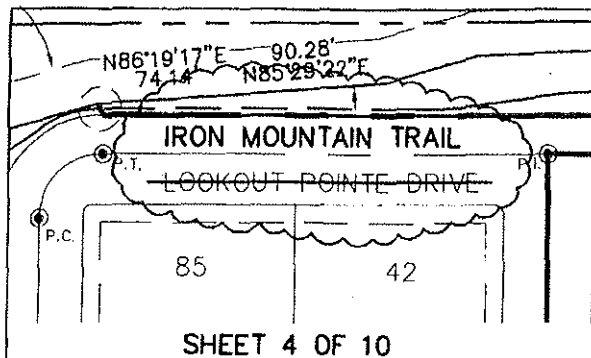
Print Name: CHARLINE P. GRIFFITH  
Title: Notary Public  
Commission Number: 162489  
Commission Expires: 10-16-2016

*JCR*  
1-25-16  
WRM 305  
1/26/16



# EXHIBIT A

EXTRACT FROM SHEET 3 OF 10,  
PLAT OF WINDERMERE TRAILS PHASE 3B  
PLAT BOOK 85, PAGES 133 THROUGH 142  
PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA



THIS IS NOT A SURVEY:

JOB NO. 20120010	CALCULATED BY: JLR
DATE: 1-21-2016	DRAWN BY: PJR

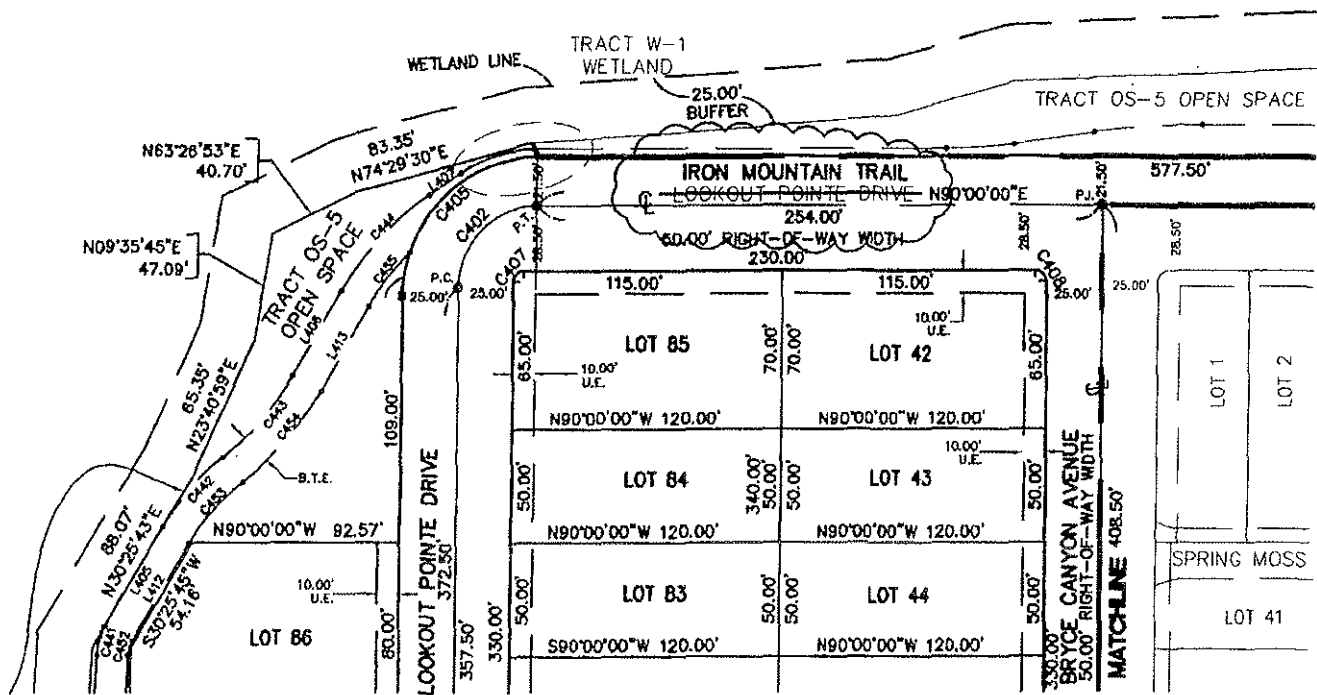


## EXHIBIT B

EXTRACT FROM SHEET 4 OF 10,  
 PLAT OF WINDERMERE TRAILS PHASE 3B  
 PLAT BOOK 85, PAGES 133 THROUGH 142  
 PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA



NOT TO SCALE



THIS IS NOT A SURVEY:

JOB NO. 20120020

CALCULATED BY: JLR

DATE: 1-22-2016

DRAWN BY: PJR

N/A

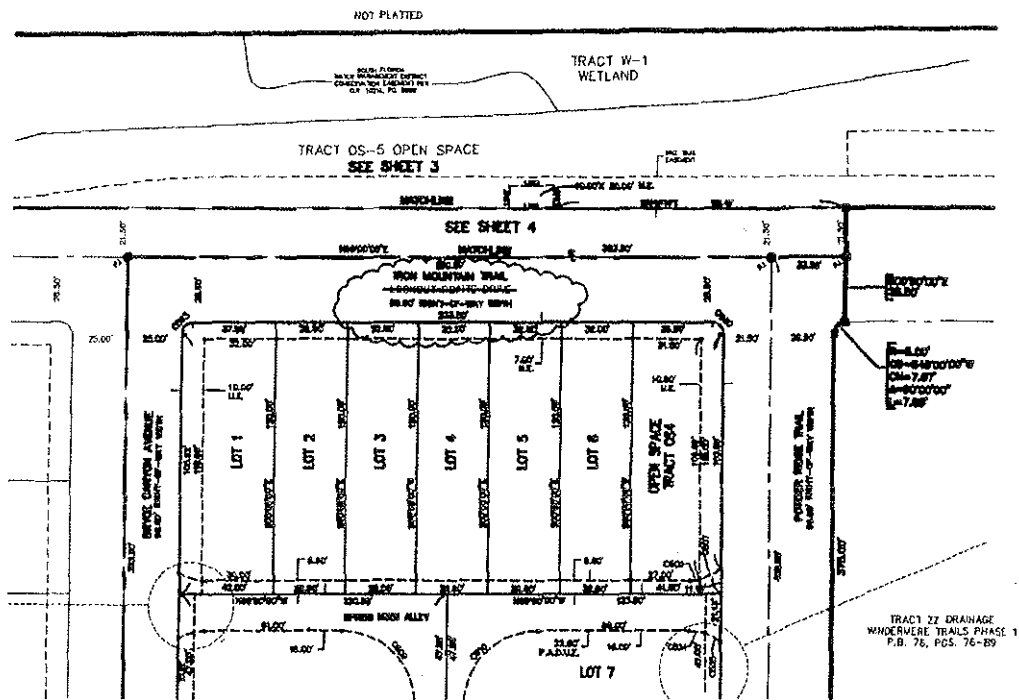


# EXHIBIT C

EXTRACT FROM SHEET 5 OF 10,  
PLAT OF WINDERMERE TRAILS PHASE 3B  
PLAT BOOK 85, PAGES 133 THROUGH 142  
PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA



NOT TO SCALE



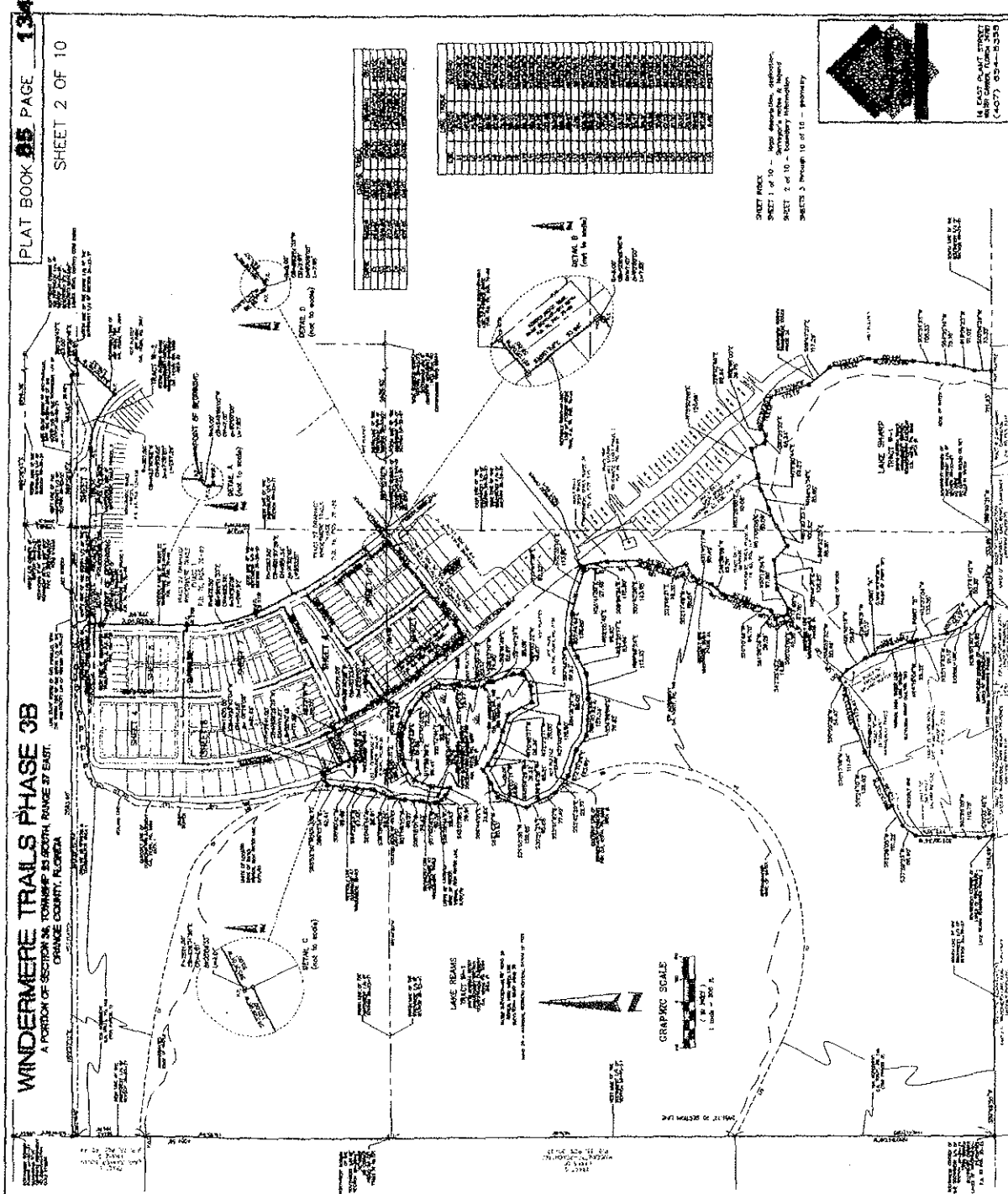
THIS IS NOT A SURVEY:

JOB NO. 20120010	CALCULATED BY: JLR
DATE: 1-21-2016	DRAWN BY: PJR
N/A	







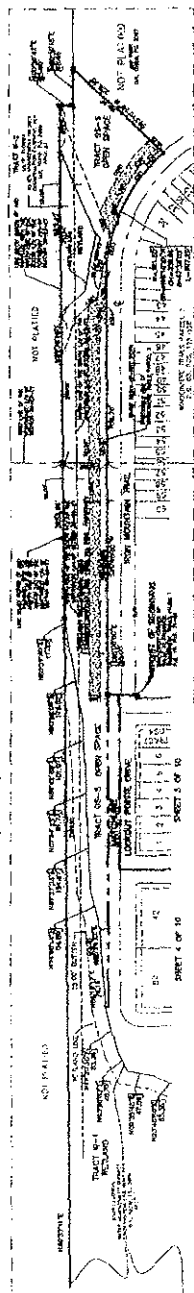
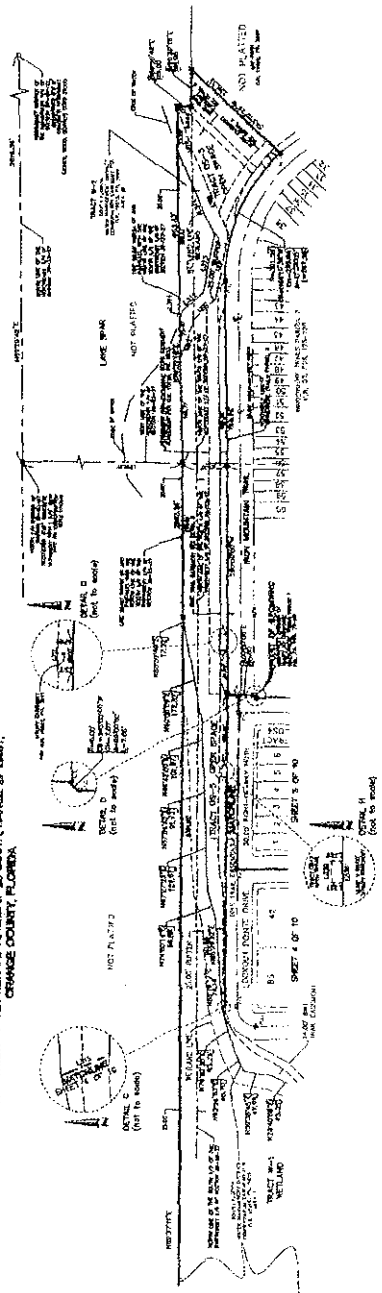




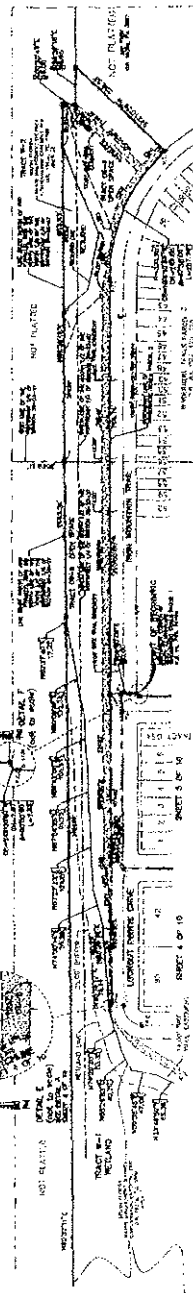
# WINDERMERE TRAILS PHASE 3B

A PORTION OF SECTION 36, TOWNSHIP 28 SOUTH, RANGE 27 EAST,  
ORANGE COUNTY, FLORIDA

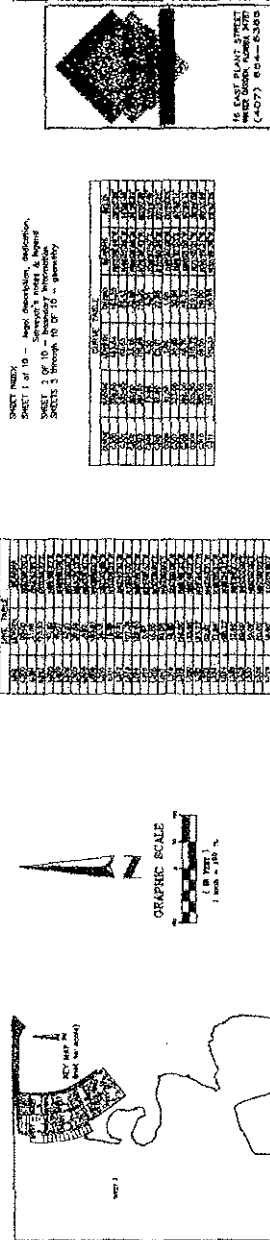
SHEET 3 OF 10 PLAT BOOK 85 PAGE 135



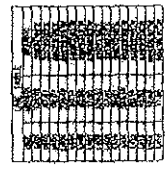
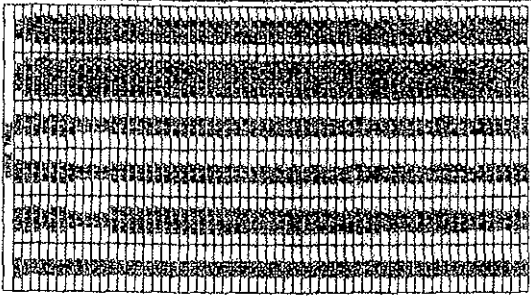
DETAIL A (slope easement)



DETAIL B (Bike Trail Easement)

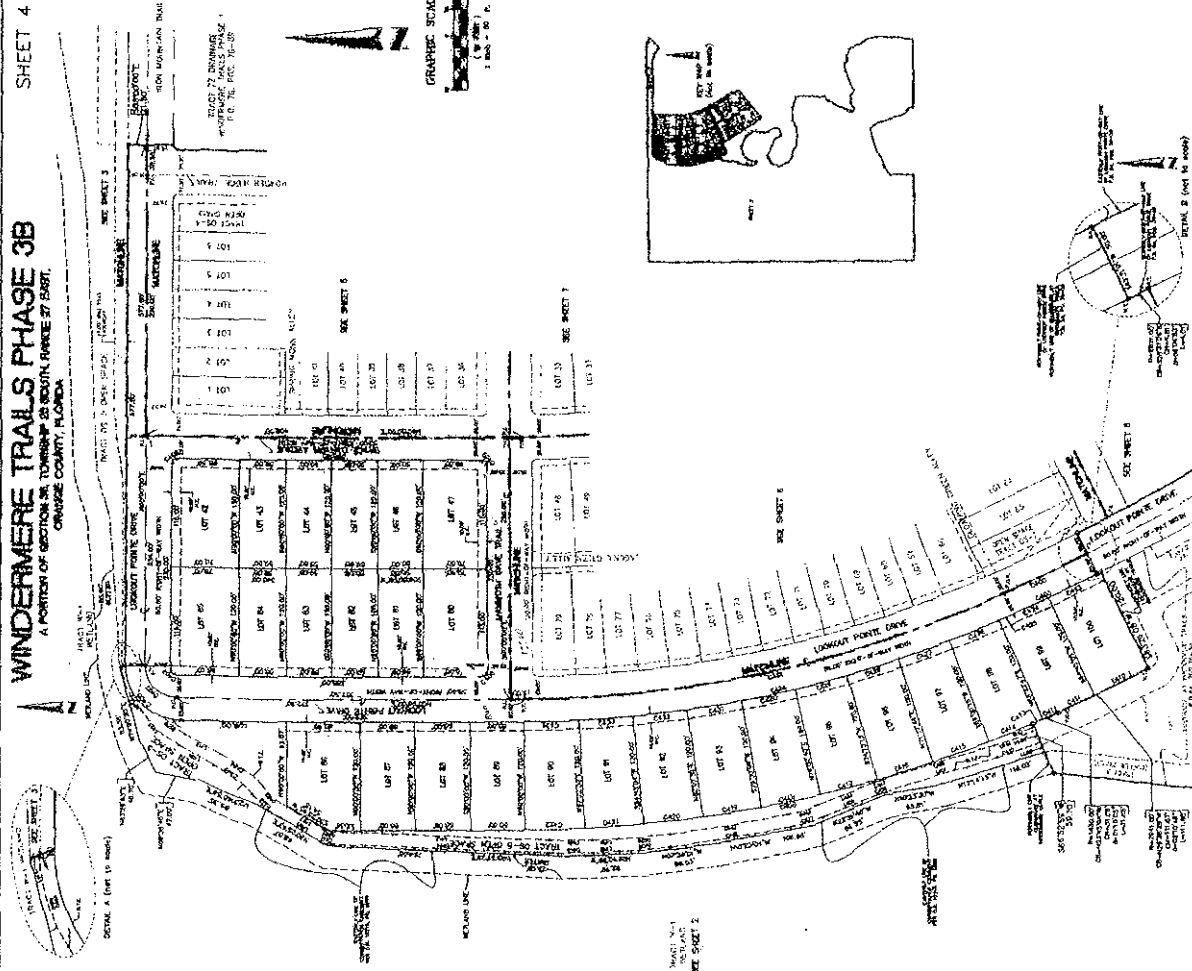
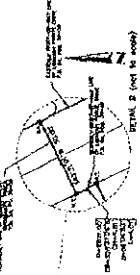
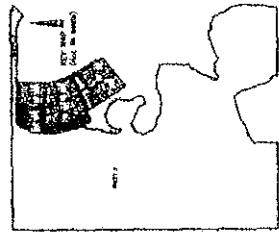






NO EAST PLANT REMOVAL  
WATER BODIES, FLOOD ZONE  
(407) 85-5355

SHEET INDEX  
SHEET 1 OF 10 - Road description, easements,  
survey's notes & report  
SHEET 2 OF 10 - Preliminary information  
SHEET 3 OF 10 - Final plat



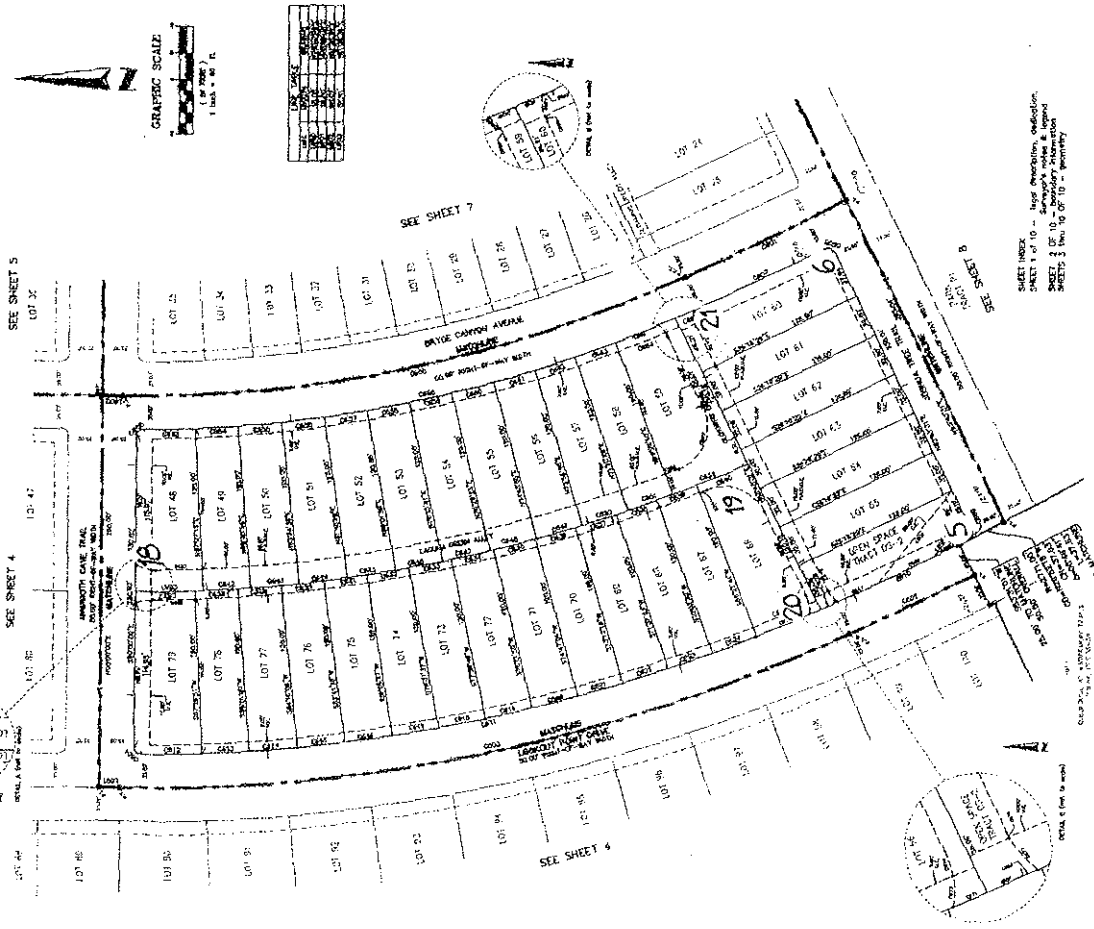






# WINDERMERE TRAILS PHASE 3B

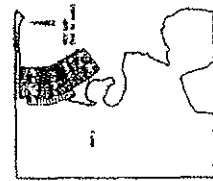
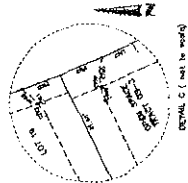
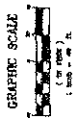
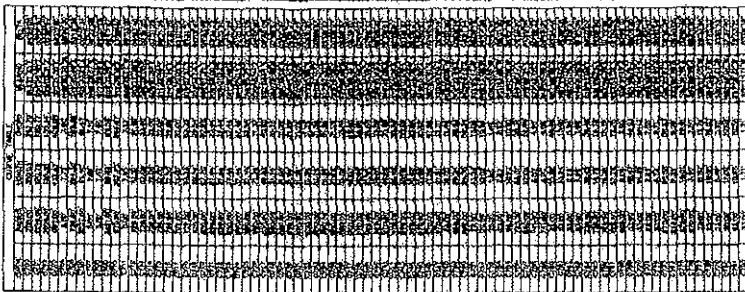
A PORTION OF SECTION 36, TOWNSHIP 28 SOUTH, RANGE 27 EAST,  
ORANGE COUNTY, FLORIDA



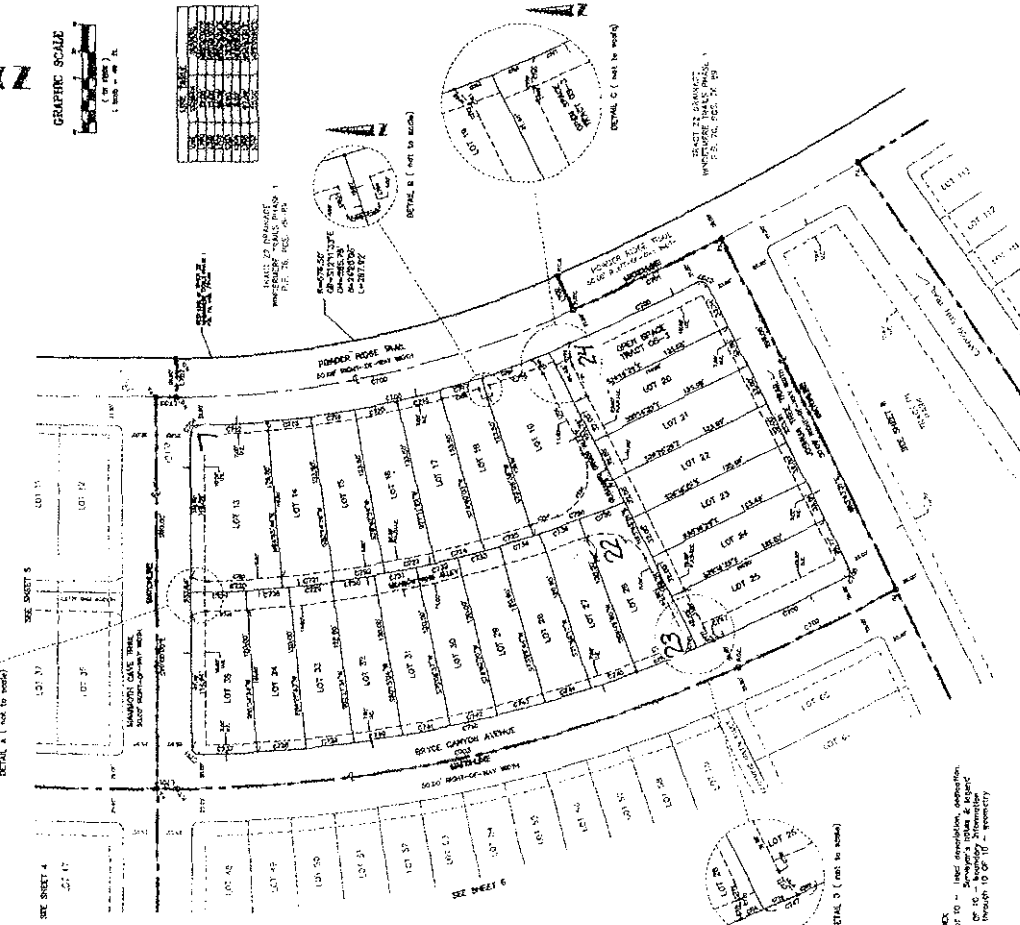
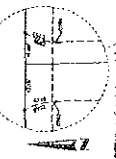


# WINDERMERE TRAILS PHASE 3B

A PORTION OF SECTION 36, TOWNSHIP 28 SOUTH, RANGE 27 EAST,  
ORANGE COUNTY, FLORIDA



18. EAST PLANT STREET  
WHITE OAKS, FLORIDA 32805  
(407) 654-3885



SHEET INDEX  
SHEET 1 OF 10 - Initial development, dedication  
SHEET 2 OF 10 - Final development, dedication  
SHEET 3 OF 10 - Final development, dedication  
SHEET 4 OF 10 - Final development, dedication  
SHEET 5 OF 10 - Final development, dedication  
SHEET 6 OF 10 - Final development, dedication  
SHEET 7 OF 10 - Final development, dedication  
SHEET 8 OF 10 - Final development, dedication  
SHEET 9 OF 10 - Final development, dedication  
SHEET 10 OF 10 - Final development, dedication



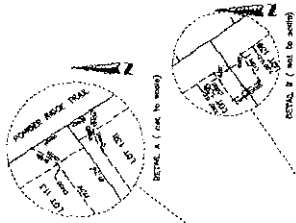
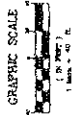
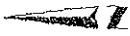
FROM 38, TOWNSHIP 23 SOUTH, RANGE 27 EAST,  
ORANGE COUNTY, FLORIDA



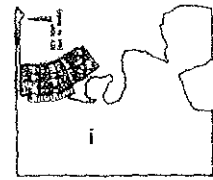
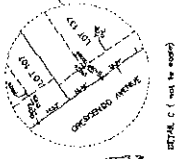




**WINDERMERE TRAILS PHASE 3B**  
A PORTION OF SECTION 36, TOWNSHIP 28 SOUTH, RANGE 27 EAST,  
CHANDLER COUNTY, FLORIDA



TRACT 27, CHANDLER  
WINDERMERE TRAILS PHASE 1  
2010 224877



16 EAST PLANT STREET  
CHANDLER COUNTY, FLORIDA  
(407) 655-3365

SHEET 10 OF 10 - Large development, containing  
all of the property shown on this sheet.  
SHEETS 1 OF 10 - Street layout, showing  
all of the property shown on this sheet.

REMOVED FROM THE RECORD  
FOR THE COUNTY, FLA. 2005





Interoffice Memorandum

July 5, 2016

TO: Mayor Teresa Jacobs  
and the Board of County Commissioners

FROM: Mark V. Massaro, P.E., Director, Public Works Department

CONTACT PERSON: Renzo Nastasi, AICP, Manager RN  
Transportation Planning Division

PHONE NUMBER: (407) 836-8072

SUBJ: State of Florida Department of Transportation Local Agency Program  
Supplemental Agreement for Intersection Improvements on Corporate  
Boulevard at Alafaya Trail (SR 434)

On June 03, 2014 the Orange County Board of County Commissioners (BCC) approved the Local Agency Program Agreement and Resolution No. 2014-M-27 for the design of the intersection improvements at Corporate Boulevard and Alafaya Trail. This intersection improvement will provide two eastbound left turn lanes, an eastbound thru lane and an eastbound right turn lane onto Alafaya Trail. The Florida Department of Transportation (FDOT) has made available \$300,000 for design through the LAP agreement. The Orange County Public Works Department issued the notice to proceed for a design task authorization made through a federalized continuing services contract for \$218,351 on March 31, 2016.

The FDOT is requesting Orange County to approve a supplemental agreement to account for a lower than estimated design fee for the intersection project. The County Attorney's Office, the Risk Management Division, Public Works Engineering Division and the Transportation Planning Division have reviewed the subject agreement and find it acceptable.

Action Requested: Approval and execution of State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN 435526-1-38-01 between Florida Department of Transportation and Orange County for Intersection Improvement on Corporate Boulevard at Alafaya Trail (SR 434). District 5.

MM/RN/BH/am

Attachment



SUPPLEMENTAL NO. 1  DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 435526-1-38-01 CONTRACT NO. ARH60
--	---	--

The Department of Transportation and Orange County Board of County Commissioners desires to supplement the original Agreement entered into and executed on 06/17/2014 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

### PROJECT DESCRIPTION

Name Intersection Improvement on Corporate Boulevard Length ~.001 miles

Termini at Alafaya Trail (SR 434)

#### Description of Work:

The design project includes intersection improvements of Corporate Boulevard at Alafaya Trail (SR 434). The project begins 785-ft west of Alafaya Trail and ends at the intersection of Corporate Boulevard and Alafaya Trail. The existing roadway is an urban four (4) lane section, curb and gutter with a raised, landscaped median terminating at the intersection with SR 434.

The design should include the removal of asphalt and raised landscaped median for the project limits to develop additional roadway width to provide two (2) additional designated eastbound left turn lanes onto northbound Alafaya Trail, a designated eastbound right turn lane onto southbound Alafaya Trail, and a designated eastbound thru lane for eastbound traffic.

Additional services include full depth roadway reconstruction, reconstruction of the raised median, and private sign relocation. Resetting or removing a 35-ft brick paver section just west of the intersection will be required on Corporate Boulevard for both eastbound and westbound directions. Signing and pavement markings will be required throughout the project limits, and will be used to develop a left turn lane for westbound traveling vehicles entering a private driveway to the south, approximately 660-ft west of the intersection. Spread calculations will be required for the additional turn lanes and should be part of the drainage design.

Additional inlets and piping may be required for the proposed impervious area. Irrigation will require relocation or removal depending on the type of raised median chosen during design. A structural analysis shall be completed for accommodation of additional signal heads. Signal timing and traffic signal head installation with associated control devices should be included in design. Design and R/W survey will be reimbursed.

Post design will not be reimbursed.

Permitting may be required. R/W from the Quadrangle Corporation will be required

#### Reason for Supplement and supporting engineering and/or cost analysis:

1. Reduce design consultant services by (81,649.00), as outlined on Exhibit "B", from \$300,000.00 to \$218,351.00, reflecting the total design award amount of \$218,351.00.



ADJUSTED EXHIBIT B SCHEDULE OF FUNDING

Page 2 of 3

SUPPLEMENTAL NO. 1	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 435526-1-38-01 CONTRACT NO. ARH60
DUNS NO. 80-939-7102		

TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
FY: 2013-2014	\$300,000.00	(\$81,649.00)	\$218,351.00		\$218,351.00
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Design Cost	\$300,000.00	(\$81,649.00)	\$218,351.00	\$0.00	\$218,351.00
<b>Right-of-Way</b>					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total Construction Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction Engineering and Inspection (CEI)</b>					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Construction & CEI Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$300,000.00</b>	<b>(\$81,649.00)</b>	<b>\$218,351.00</b>	<b>\$0.00</b>	<b>\$218,351.00</b>



SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 435526-1-38-01 CONTRACT NO. ARH60
--	---	--

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY :Orange County Board of County Commissioners

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Name:  
Title: .

By: \_\_\_\_\_  
Name: Frank J. O'Dea, P.E.  
Title: Director of Transportation Development

Attest: \_\_\_\_\_  
Name:  
Title:

Attest: \_\_\_\_\_  
Name:  
Title: Executive Secretary

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Legal Review:

\_\_\_\_\_  
See attached Encumbrance Form for date of funding approval by Comptroller.



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM AGREEMENT**

525-010-40  
PRODUCTION SUPPORT  
08/06  
Page 18

**EXHIBIT "1"**

**SINGLE AUDIT ACT**

**Federal Resources Awarded to the Recipient Pursuant to This Agreement Consist of the Following:**

**Federal Agency:** Federal Highway Administration

**CFDA #:** 20.205 Highway Planning and Construction

**Amount:** \$ 218,351.00

**Compliance Requirement:**

**Allowable Activities:** To be eligible, most projects must be located on public roads that are not functionally classified as local. The major exceptions are the Highway Bridge Replacement and Rehabilitation Program, which provides assistance for bridges on and off the federal-aid highways, highway safety activities, bicycle and pedestrian projects, transportation enhancement activities, the recreational trails program, and planning, research, development, and technology transfer. Proposed projects meeting these and other planning, design, environmental, safety, etc., requirements can be approved on the basis of state and local priorities within the limit of the funds apportioned or allocated to each state.

**Allowable Costs:** Eligible activities and allowable costs will be determined in accordance with Title 23 and Title 49 C.F.R. and the OMB cost principles applicable to the recipient/sub-recipient.

**Eligibility:** By law, the federal-aid highway program is a federally assisted state program that requires each state to have a suitably equipped and organized transportation department. Therefore, most projects are administered by or through State Departments of Transportation (State DOTs). Projects to be funded under the federal-aid highway program are generally selected by state DOTs or Metropolitan Planning Organizations (MPOs), in cooperation with appropriate local officials, as specified in 23 U.S.C. and implementing regulations. Territorial highway projects are funded in the same manner as other federal-aid highway projects, with the territorial transportation agency functioning in a manner similar to a state DOT. Most Federal Land Highway Program (FLHP) projects are administered by the Federal Highway Administration (FHWA) Office of Federal Lands Highway and its Divisions or by the various Florida Land Management Agencies (FLMAs). Under the FLHP, projects in the Indian Reservation Road (IRR) Program are selected by Tribal Governments and are approved by the Bureau of Indian Affairs (BIA) and the FHWA. Due to recent legislation, Tribal Governments meeting certain requirements may now administer various IRR projects on behalf of the BIA and FHWA. The Fish and Wildlife Service (FWS) and the National Park Service (NPS) select projects in the Refuge Road and Park Roads and Parkways Programs, respectively. For the Forest Highway Program, the Forest Service, the States and the FHWA jointly select projects.

**Compliance Requirements Applicable to the Federal Resources Awarded Pursuant to This Agreement Are As Follows:** The recipient of Local Agency Program (LAP) funding must comply with the statutory requirements in Sections 112.061, 215.422, 339.12, and 339.135, Florida Statutes, and Title 23 and Title 49, C.F.R.





July 21, 2016

TO: Mayor Teresa Jacobs  
and Board of County Commissioners

FROM: Mark V. Massaro, P.E., Public Works Director

CONTACT PERSON: Mark V. Massaro, P.E., Director  
Public Works Department

PHONE NUMBER: (407) 836-7970

SUBJECT: **Transfer of Deed from Orange County, Florida to the City of Winter Garden, Florida Regarding Tildenville School Road Between Brick Road and Tildenview Road.**

The City of Winter Garden (City) has requested Orange County (County) transfer the Deed for Tildenville School Road from the north Right-of-way line of Brick Road to southwest corner of Tildenview Road.

In accordance with Florida Statutes, a resolution and County Deed have been prepared which transfer to the City all interest, authority and responsibility over the portion of Tildenville School Road. Approval of this Resolution also transfers responsibility for maintaining Tildenville School Road to the City. The Orange County Attorney's Office and Risk Management Division have reviewed the resolution and found it acceptable.

**Action Requested: Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Authorization to convey certain County Property Interests to the City of Winter Garden, Florida between Orange County and the City of Winter Garden and approval and execution of County Deed for conveyance of right-of-way to the City of Winter Garden. District 1.**

MVM/CP

Attachments



# RESOLUTION

*of the*

## ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

### AUTHORIZATION TO CONVEY CERTAIN COUNTY PROPERTY INTERESTS TO THE CITY OF WINTER GARDEN, FLORIDA

Resolution No. 2016-M-\_\_\_\_\_

**WHEREAS**, Orange County (“County”), a charter county and political subdivision of the State of Florida, pursuant to its home rule power and Section 125.38 of the Florida Statutes, has authority to determine that certain County property is not needed for County purposes and to convey said property, for nominal price or otherwise, to the State of Florida or any political subdivision or agency thereof, or any municipality of the State of Florida, or any corporation or non-profit entity organized for the purpose of promoting community interest and welfare; and

**WHEREAS**, the County has operated and maintained Tildenville School Road, referenced in Exhibit “A”; and

**WHEREAS**, by virtue of various annexations, the road right-of-way named above is now located within the jurisdictional limits of the City of Winter Garden; and

**WHEREAS**, pursuant to the that certain Interlocal Agreement regarding Jurisdiction to Operate and Maintain Certain Local Roads entered into and between



Orange County and the City of Winter Garden, with an effective date of July 11, 2011, Tildenville School Road is covered by Section 2.B., Annexations Along or Adjacent to Other Local Roads: 50%+ Rule of the agreement; and

**WHEREAS**, the County has determined that the defined road right-of-way should be conveyed to the City of Winter Garden, and such conveyance is in the public interest; and

**WHEREAS**, the City of Winter Garden is qualified, as a municipality under the laws of the State of Florida, to receive this County road right-of-way pursuant to Section 125.38, Florida Statutes.

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

1. The Board hereby determines that the road right-of-way is not needed for County purposes and that it is in the best interest of Orange County that its interest in the road right-of-way be conveyed to the City of Winter Garden.
2. The Board directs that all of the County's right, title, and interest in the above road right-of-way be conveyed to the City of Winter Garden and, as consideration, the City of Winter Garden will assume all of the County's rights, duties, and obligations.
3. The Board directs the Orange County Mayor to execute and deliver a County Deed to effectuate such conveyance, and that staff do all things necessary and appropriate to conclude this transaction.
4. The Board hereby directs that a certified copy of this Resolution shall be forwarded forthwith to the City of Winter Garden.



5. This Resolution shall become effective upon its adoption by the Board.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: \_\_\_\_\_  
Teresa Jacobs  
Orange County Mayor

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

By: \_\_\_\_\_  
Deputy Clerk



*Project: Tildenville School Road*

### **COUNTY DEED**

THIS DEED, made the \_\_\_\_ day of \_\_\_\_\_ A.D., 2016, by Orange County, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the City of Winter Garden, a municipal corporation, under the laws of the state of Florida, whose address is 300 West Plant Street, Florida 34787, GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the County of Orange, State of Florida, to-wit:

### **SEE ATTACHED EXHIBIT "A"**

**Property Appraiser's Parcel Identification Folio Number:**

**Unassigned**

THIS COUNTY DEED is in accordance with Section 2.B. of that certain Interlocal Agreement between the City of Winter Garden and Orange County regarding Jurisdiction to Operate and Maintain Certain Local Roads, effective July 11, 2011.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in any ways appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.



**Project:**        *Tildenville School Road*

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.

(Official Seal)

**ORANGE COUNTY, FLORIDA**  
By Board of County Commissioners

BY: \_\_\_\_\_  
Teresa Jacobs,  
Orange County Mayor

DATE: \_\_\_\_\_, 2016

ATTEST:     Martha O. Haynie, County  
                 Comptroller, Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Printed Name

**This instrument prepared by:**  
Virginia G. Williams, a staff employee  
in the course of duty with the  
Real Estate Management Division  
of Orange County, Florida.




## APPENDIX "A"

### Legal Description

That portion of right of way for Tildenville School Road lying within Section 21, Township 22 South, Range 27 East and Section 22, Township 22 South, Range 27 East, Orange County, Florida being more particularly described as follows:

Commence at the Northeast corner of the Southeast quarter of Section 21, Township 22 South, Range 27 East, Orange County, Florida; thence run South 01°39'53" East along the East line of the Southeast quarter of said Section 21 a distance of 333.04 feet more or less to a point, said point also lying on the North right of way line of Brick Road; thence run South 88°26'26" West along the existing right of way line of Brick Road a distance of 261.03 feet more or less to the Point of Beginning, said point also lying on the East right of way line of Tildenville School Road; thence run North 01°39'53" West along the existing East right of way line of Tildenville School Road a distance of 333.04 feet more or less to a point, said point lying on the South line of the Northeast quarter of said Section 21; thence run North 04°38'42" West along the existing East right of way line of Tildenville School Road a distance of 933.46 feet more or less to a point on the North right of way line of the former ACL Railroad (now known as CSX Railroad), also being the Northwest corner of Tract 1, as per Official Records Book 4519, Pages 2821 - 2822, Public Records of Orange County, Florida, said point also lying on the South right of way line of Tildenville School Road; thence run North 68°06'27" East along the South right of way line of Tildenville School Road a distance of 1241.73 feet more or less to a point on the Northwesterly boundary of said Tract 1; thence run North 88°43'36" West a distance of 32.29 feet more or less as per said Official Records Book 4519, Pages 2821 - 2822, Public Records of Orange County, Florida; thence run North 68°06'27" East a distance of 442.57 feet more or less to a point lying on the Northeasterly corner of said Tract 1; thence run North 04°38'42" West a distance of 14.47 feet more or less to a point on the North right of way line of Tildenville School Road; thence run South 68°06'27" West a distance of 41.53 feet more or less to a point, said point lying on the Northerly right of way line of Tildenville School Road, said point also lying on the Westerly line of Tildenville School Road as per Official Records Book 10361, Page 7487, and Official Records Book 9649, Pages 4086 - 4088, Public Records of Orange County, Florida; thence run South 68°06'27" West along the North right of way line of Tildenville School Road a distance of 337.16 feet more or less as per Official Records Book 10361, Page 7487, Public Records of Orange County, Florida; thence run South 68°06'27" West along the North right of way line of Tildenville School Road a distance of 310.81 feet more or less as per Official Records Book 9649, Pages 4086 - 4088, Public Records of Orange County, Florida to a point lying on the Southeast corner of Lakeview Reserve, as per Plat Book 46, Pages 149 - 151, Public Records of Orange County, Florida; thence run North 05°08'14" West a distance of 33.10 feet more or less to a point lying on the Southeast corner of Lot 1 of said plat; thence run South 68°06'27" West a distance of 1008.08 feet more or less to a point lying on the Southwest corner of Lot 62 of said plat; thence run South 04°20'54" West a distance of 92.64 feet more or less to a point lying on the South right of way line of Civitas Way of Oakland Park Unit 2A, Plat Book 84, Pages 15 - 17, Public Records of Orange County, Florida; point also being on the South right of way line of Civitas Way; thence run South 17°10'16" East a distance of 14.87 feet more or less to a point at the Southeast corner of Tract H2 of said plat; thence run North 68°06'27" East a distance of 11.36 feet to a point lying on the Southeast corner of same plat, said point also lying on the Northeast corner of that certain parcel of land as described and recorded in Official Records Book 4683, Pages 283 - 284, Public Records of Orange County, Florida; thence run South 04°38'55" East a distance of 41.15 feet more or less; thence run South 68°06'27" West a distance of 18.21 feet more or less to a point on the East boundary of a parcel of land identified as

DRAWN BY: Alvarez			DATE: 06/28/2016	SECTION: 21, 22	 <p>PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940</p>	PREPARED FOR: Real Estate Management
CHECKED BY: Daynes			JOB No: 7824	TOWNSHIP: 22		DRAWING SCALE:
APPROVED BY: Daynes			DRAWING FILE:	RANGE: 27		PROJECT NUMBER
REVISION 330			Tildenville School Road	SHEET 1 OF 5		7824 330




## APPENDIX "A"

### Legal Description

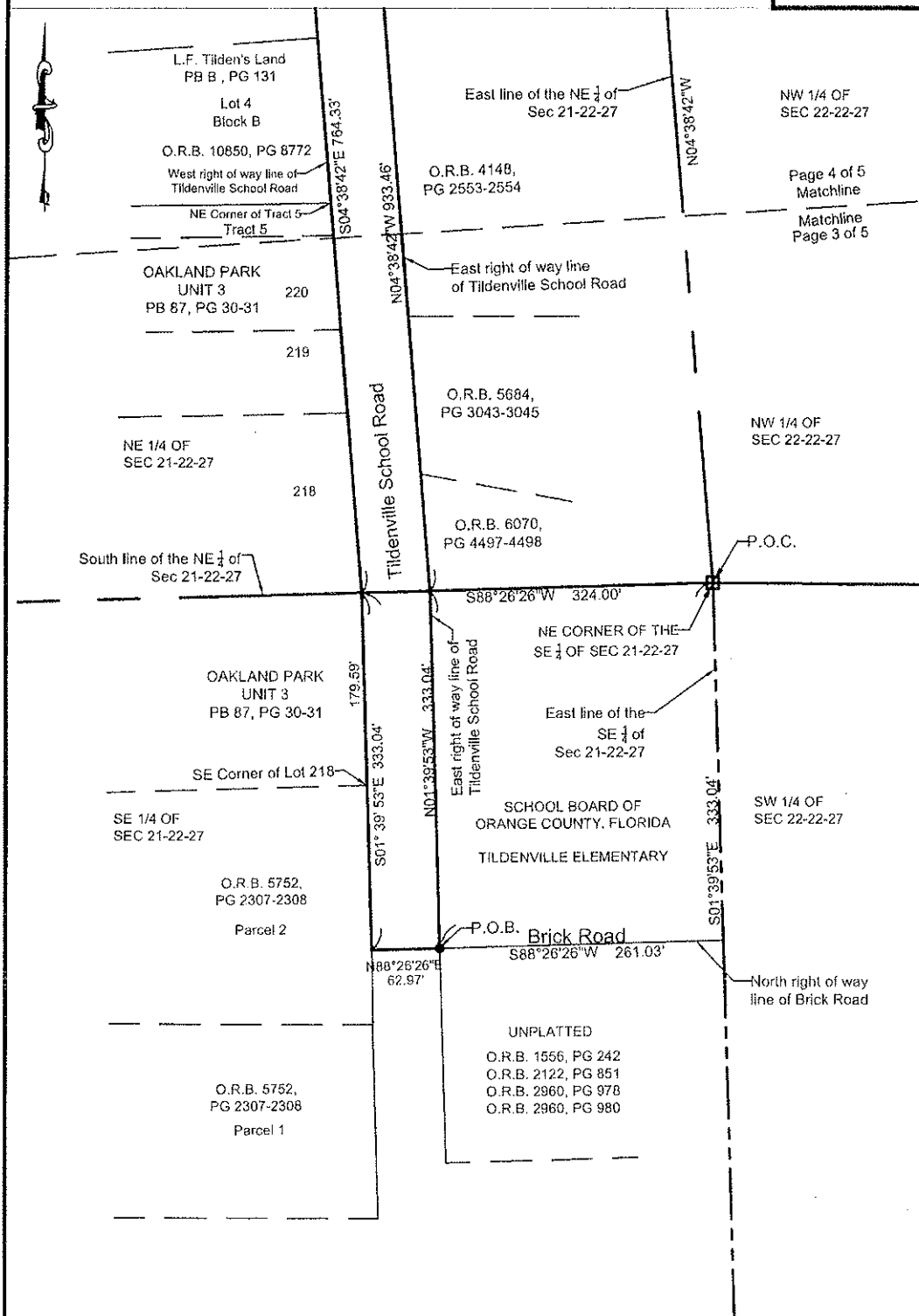
"Home Place Property, Tract 2" as per Official Records Book 5495, Pages 2932 - 2935, Public Records of Orange County, Florida; thence run South 04°38'42" East along the West right of way line of Tildenville School Road a distance of 764.33 feet more or less to a point on the South line of the Northeast Quarter of Section 21, Township 22 South, Range 27 East, Orange County, Florida; thence run South 01°39'53" East along the East line of Oakland Park Unit 3, Plat Book 87, Pages 30 - 31, Public Records of Orange County, Florida, also being the West right of way line of Tildenville School Road a distance of 333.04 feet to a point; thence run North 88°26'26" East a distance of 62.97 feet more or less to the Point of Beginning.

Containing 3.42 acres more or less.

			PREPARED FOR: Real Estate Management	
DRAWN BY: Alvarez	DATE: 06/28/2016	SECTION: 21, 22		DRAWING SCALE:
CHECKED BY: Daynes	JOB No: 7824	TOWNSHIP: 22		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27		7824
REVISION 330	DATE:	Tildenville School Road		SHEET 2 OF 5
			PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940	331



**APPENDIX "A"**  
**SKETCH OF DESCRIPTION**  
**Purpose: Road Right of Way**



I HEREBY AFFIRM THAT THIS SKETCH OF DESCRIPTION REPRESENTED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. IT HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN CHAPTER 53.17, F.A.C., PURSUANT TO CHAPTER 117 AND 112, OF THE FLORIDA STATUTES, AND LAMLS 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931

Mark A. Daynos  
REGISTERED LAND SURVEYOR  
AND MAPPER  
STATE OF FLORIDA LICENSE NO. 5479

**SKETCH AND DESCRIPTION**  
THIS IS NOT A SURVEY, NOR HAS FIELD  
WORK BEEN PERFORMED IN ACCORDANCE  
WITH 5J-17, FLORIDA ADMINISTRATIVE  
CODE FOR PREPARATION OF THIS DRAWING.

**NOTES:**

1. BEARINGS ARE BASED ON THE EAST LINE OF THE NE 1/4 OF SECTION 21, TOWNSHIP 23 SOUTH, RANGE 27 EAST, ORANGE COUNTY, FLORIDA BEING N04°38'42"W, ASSUMED.
2. THIS SKETCH OF DESCRIPTION AND LEGAL DESCRIPTION WAS PREPARED BY ORANGE COUNTY ENGINEERING DIVISION, SURVEY SECTION.
3. THERE MAY BE OTHER RECORDS FOUND IN ORANGE COUNTY RECORDS AFFECTING THIS PROPERTY. A COMPLETE TITLE RECORD SEARCH WAS NOT PERFORMED.

PREPARED FOR:  
Real Estate  
Management

DRAWING SCALE:  
1"=150'

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PROJECT NUMBER

DRAWN BY: Alvarez	DATE: 06/28/2016	SECTION: 21, 22
CHECKED BY: Daynes	JOB No: 7824	TOWNSHIP: 22
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27
REVISION DATE: 3-30-16	Tildenville School Road	SHEET 3 OF 5

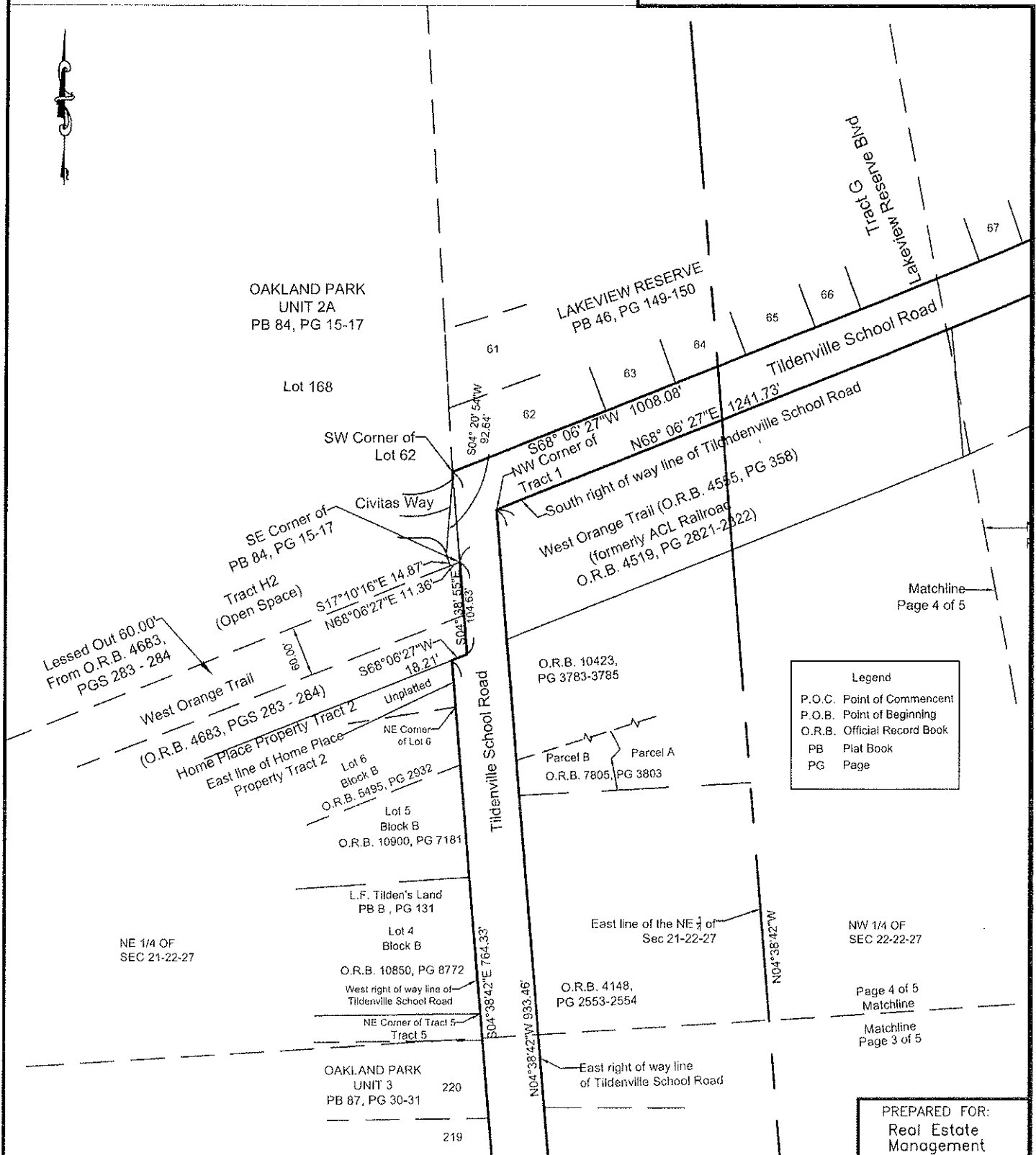
PUBLIC WORKS  
ENGINEERING DIVISION  
SURVEY SECTION  
4200 SOUTH JOHN YOUNG PARKWAY  
ORLANDO, FLORIDA 32839-9205  
(407) 836-7940




332



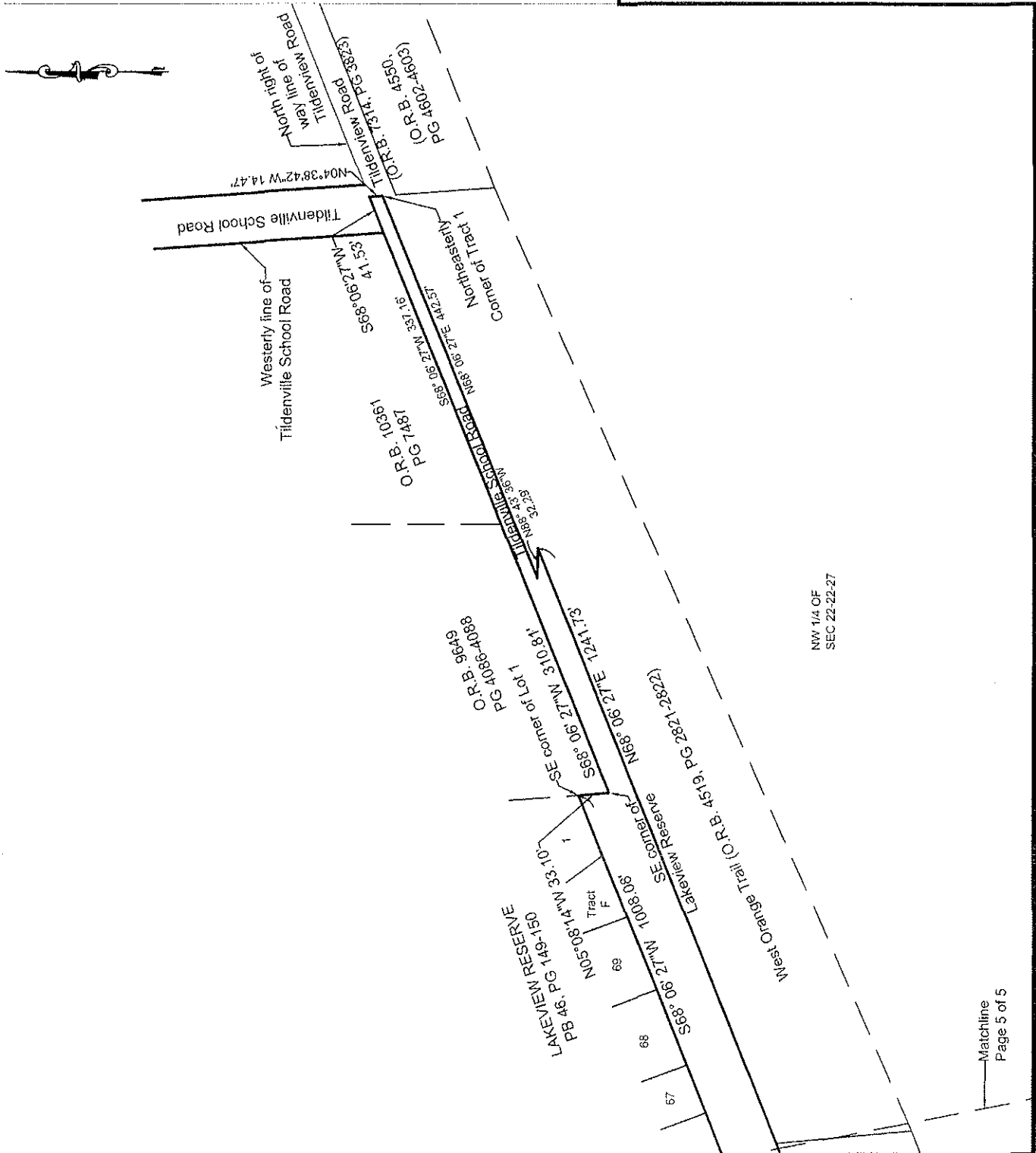
# **APPENDIX "A"** **SKETCH OF DESCRIPTION** **Purpose: Road Right of Way**




DRAWN BY: Alvarez	DATE: 06/28/2016	SECTION: 21, 22	<div><div>PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION</div><div>4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940</div></div> <div><div>ORANGE COUNTY GOVERNMENT FLORIDA</div></div>	DRAWING SCALE: 1"=150'
CHECKED BY: Daynes	JOB No: 7824	TOWNSHIP: 22		PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27		7824. 333
REVISION DATE:	Tildenville School Road	SHEET 4 OF 5		



# APPENDIX "A" SKETCH OF DESCRIPTION Purpose: Road Right of Way



					PREPARED FOR: Real Estate Management
DRAWN BY: Alvarez	DATE: 06/28/2016	SECTION: 21, 22	PUBLIC WORKS ENGINEERING DIVISION SURVEY SECTION 4200 SOUTH JOHN YOUNG PARKWAY ORLANDO, FLORIDA 32839-9205 (407) 836-7940		DRAWING SCALE: 1"=150'
CHECKED BY: Daynes	JOB No: 7824	TOWNSHIP: 22			PROJECT NUMBER
APPROVED BY: Daynes	DRAWING FILE:	RANGE: 27			7824
REVISION DATE:	Tildenville School Road	SHEET 5 OF 5			3





**Interoffice Memorandum**

I. CONSENT AGENDA  
UTILITIES DEPARTMENT  
1

August 1, 2016

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

**FROM:** Raymond E. Hanson, P. E., Director  
Orange County Utilities

A handwritten signature in black ink, appearing to read "Raymond E. Hanson", is written over the "FROM:" line.

**SUBJECT: BCC Agenda Item – Consent Agenda  
August 16, 2016 BCC Meeting  
First Amendment to Agreement No. 28423 between St. Johns  
River Water Management District and Orange County Utilities for  
the Water\$mart Customers Conserve Project  
Contact Person: Jacqueline W. Torbert, Manager  
Utilities Water Division  
407-254-9850**

On April 26, 2016, the Board of County Commissioners approved the funding agreement to pilot test WaterSmart Software, a water-use efficiency program in the St. Johns River Water Management District's jurisdiction.

The timing of finalizing the agreement with St. Johns River Water Management District for funding and the subsequent agreement with the vendor caused a need to shift the due date of the project term by three months. The St. Johns River Water Management District requires a formal change in the contract itself to amend the project term date. The amendment to the agreement is a no cost impact and changes the project term from September 30, 2016 to December 31, 2016.

**Action Requested: Approval and execution of First Amendment to the Cost-Share Agreement Between the St. Johns River Water Management District and Orange County, D/B/A Orange County Utilities for Water\$mart Customers Conserve Project Contract #28423 Amendment #1 by and between the Governing Board of the St. Johns River Water Management District and Orange County.**

**All Districts.**



**FIRST AMENDMENT TO THE COST-SHARE AGREEMENT BETWEEN  
THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT  
AND ORANGE COUNTY, D/B/A ORANGE COUNTY UTILITIES  
FOR WATER\$MART CUSTOMERS CONSERVE PROJECT**

THIS AMENDMENT is entered into by and between the GOVERNING BOARD of the ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ("District"), whose mailing address is 4049 Reid Street, Palatka, Florida 32177, and ORANGE COUNTY, a charter county and political subdivision of the State of Florida, d/b/a/ Orange County Utilities ("Recipient"), whose address is 201 S. Rosalind Avenue, Orlando, Florida 32801, and is effective on the date the last party has executed same.

**PREMISES:**

The parties entered into Agreement No. 28423 on May 26, 2016, to provide funding for Recipient's Water\$mart Customers Conserve project ("Agreement").

The parties desire to amend the Agreement.

NOW, THEREFORE, in consideration of the above premises, which are hereby made a part of this amendment, the mutual covenants contained herein, and other good and valuable consideration, the parties hereby agree to amend the Agreement as follows:

1. Paragraph 1(a) TERM; WITHDRAWAL OF AGREEMENT: delete this paragraph and replace it with the following paragraph:
  - (a) The term of this Agreement is from May 26, 2016 ("Effective Date") until December 31, 2016 ("Completion Date"). Time is of the essence for every aspect of this Agreement, including any time extensions. Timely requests to extend beyond the new Completion Date of the Agreement may only be approved by the District's Governing Board. Notwithstanding specific mention that certain provisions survive termination or expiration of this Agreement, all provisions of this Agreement that by their nature extend beyond the Completion Date, for example, delivery of a final report, will remain in full force and effect after the Completion Date as necessary to effect performance.
2. All other terms and conditions of the Agreement, including any subsequent amendments, are hereby ratified and continue in full force and effect.



IN WITNESS WHEREOF, the parties hereto have duly executed this amendment on the date set forth below.

ST. JOHNS RIVER WATER  
MANAGEMENT DISTRICT

ORANGE COUNTY

By: \_\_\_\_\_  
Ann B. Shortelle, Ph.D., Executive Director  
(or designee)

By: \_\_\_\_\_  
Teresa Jacobs, Orange County Mayor  
(or designee)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Attest: Martha O. Haynie  
County Comptroller as Clerk of the Board of  
County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

1

Last updated: 12-15-11





OFFICE OF THE COMPTROLLER

---

ORANGE  
COUNTY  
FLORIDA

MARTHA O. HAYNIE, CPA  
County Comptroller  
201 South Rosalind Avenue  
Post Office Box 38  
Orlando, FL 32802  
Telephone: 407-836-5690  
Fax: 407-836-5599  
[www.occcompt.com](http://www.occcompt.com)

**COUNTY COMMISSION AGENDA**  
**Tuesday, August 16, 2016**

**COUNTY COMPTROLLER**

**Informational only – No Board action required**

Receipt of the following items to file for the record:

- a. City of Orlando adopted Ordinance with Orlando Sentinel Notice of Proposed Enactment, Exhibit A & B (Legal Descriptions), Exhibits C & D (Annexed Area Map and Zoning Map), and Fiscal Impact Statements. Ordinance No. 2016-13 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 Butler Dr., east of S. Orange Ave., south of E. Pineloch Ave., and west of Center St. and Oak Pl., and comprised of 10.678 acres of land, more or less; amending the City's Official Zoning Maps to designate the newly annexed land along with land already existing within the corporate limits of the city as the AC-2 Urban Activity Center District, in part, and the AC-2 Urban Activity Center District along with the Orange/Michigan Special Plan Overlay District, in part, such land comprised of 11.391 acres of land, more or less; providing for severability, correction of scrivener's errors, and an effective date.
- b. Orange County Research and Development Authority (dba Central Florida Research Park) FY 2016-17 Budget.
- c. Minutes of the September 10, October 8, November 12 and, December 10, 2015, Charter Review Commission

Items filed for the record can be accessed at [www.occcompt.com](http://www.occcompt.com). Then navigate to Clerk of the BCC.





## Interoffice Memorandum

### III. DISCUSSION AGENDA ADMINISTRATIVE SERVICES DEPARTMENT

1

July 25, 2016

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: Consultant Selection, Request for Proposals Y16-904-PH,  
Engineering Services for Continuing Water Resources Program

#### RECOMMENDATION

Selection of one firm and an alternate to provide Engineering Services for Continuing Water Resources Program, Request for Proposals Y16-904-PH, from the following firms listed alphabetically. Further recommend the Board authorize execution of the final contract by the Procurement Division to establish hourly rates for future requirements. The contract's performance period will be five years with three 1-year renewals.

Parsons Brinckerhoff, Inc.  
Tetra Tech, Inc.

This item was evaluated by the Procurement Committee on July 20, 2016. Commissioner Siplin was assigned to the Procurement Committee.

#### PURPOSE

To select one firm for negotiation of a contract to provide engineering services to support the County's water resources program.

#### DISCUSSION

The program will emphasize a system-wide approach to prioritizing and solving the future water resources challenges facing the County. Interrelationships among the available water resources such as groundwater, reclaimed (reuse) water, potable water, and stormwater will be addressed on a long-term basis. The program will consider the various County departments, local municipalities, regulatory agencies, institutions, and various stakeholders in the County's future water resource solutions.



This approach, combined with cooperative solutions, will allow the County's groundwater, surface water, reclaimed water, and stormwater resources to be used in the most effective and beneficial manner. The management of all of these water resources will enhance the reuse of reclaimed water and stormwater, optimize recharge of aquifers, mitigate the effects of groundwater withdrawal, provide augmentation of water supplies, and develop sustainable sources of water.

Orange County Utilities successfully provides water service to over 190,000 customers and wastewater service to over 198,000 customers in Orange County. Potable water demand is anticipated to increase from 66 MGD today to approximately 95 MGD by 2025. Orange County currently obtains 100% of its potable water from the Floridan aquifer, however projects are in the planning phase that will result in the use of alternate water supplies, such as surface water.

During the same period, reclaimed water capacity is expected to increase significantly. Use of reclaimed water currently consists of residential, commercial, agricultural, and golf course irrigation systems, rapid infiltration basins (RIB's), constructed wetlands, and cooling water for electrical power generation.

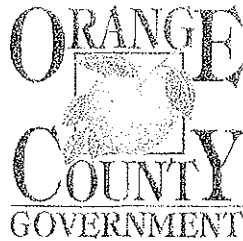
The County also maintains a network of stormwater canals, detention/retention ponds, control structures, gauging stations, pumping facilities, and drain wells. These facilities provide flood protection and improve the quality of stormwater runoff by removing pollutants. Future stormwater management and possible use of stormwater as a potential new water source to supplement existing water supplies is needed in addition to promoting water quality and flood protection goals. Currently water supply, reclaimed water, and stormwater facilities are generally managed independently of each other. Adoption of an integrated management approach is expected to provide numerous benefits and cost savings.

The County continues to invest in new infrastructure to provide service to our customers and to continually improve customer satisfaction. To support ongoing and future projects it is necessary to solicit professional services to provide both general consulting services and program management services for the Orange County Water Resources Program.



RFP#: Y16-904-PH	PROJECT		PROJECT		PROJECT		M/WBE		LOCATION		VOLUME		SCOPE		Vetrans		Wage RCP		TOTAL
CONTINUING WATER RESOURCES PROGRAM	MANAGER		ENGINEER		TEAM														
WEIGHT	10		10		20		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	RAW SCORE	WEIGHTED SCORE	
Parsons Brinckerhoff, Inc.	5.0	50.0	5.0	50.0	5	100.0	4	60	5	50	4	60	5	100.0	0	0	0	0	470.0
Tetra Tech, Inc.	3.0	30.0	5.0	50.0	4	80.0	4	60	5	50	4	60	4	80.0	1	2	0	0	412.0





Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

July 19, 2016

TO: Patty Hobbs, Senior Contract Administrator, Procurement Division  
FROM: <sup>A.B.</sup> Angela Brown, Senior Contract Administrator, Business Development  
SUBJ: Y16-904 PH / Continuing Water Resources Program  
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. TETRA TECH, INC. Majority Prime		
<u>M/WBE Subconsultants:</u>		
Barnes, Ferland and Associates, Inc. (African American Male)	10%	Hydrogeological Support, Well, Construction, Water Resources, Survey
EPIC Group, LLC (Asian Islander Male)	8%	GIS, Water Resources
3E Consultants, Inc. (African American Male)	6%	Ecological, Ground Water Monitoring, Water Resources
CPW Construction, Inc. (African American Female)	3%	Construction, Ground Water Monitoring, SRF Assistance
Total M/WBE Participation:	27%	
EEO Staff:	30%	
Points:	4	



**BONUS POINTS:**

No Welfare Recipient(s) Proposed

Registered Service Disabled Veteran(s)  
Proposed:

Gator Environmental & Aquifer Restoration, Inc.	1	Groundwater Quality and Sampling
<b>Total Bonus Points:</b>	<b>2</b>	

**2. PARSONS BRINCKERHOFF, INC.  
Majority Prime**

**M/WBE Subconsultants:**

Liquid Solutions Group, LLC (Hispanic Male)	22%	Civil Engineering, Environmental Engineering, and Other Engineering Services
Barnes, Ferland and Associates, Inc. (African American Male)	4%	Geology, Survey, Environmental Consulting, Water and Wastewater Management, Groundwater Management
Environmental Management & Design, Inc. (White Female)	1%	Environmental and Water Resource Consulting Services
<b>Total M/WBE Participation:</b>	<b>27%</b>	
<b>EEO Staff:</b>	<b>37%</b>	
<b>Points:</b>	<b>4</b>	

**BONUS POINTS:**

No Welfare Recipient(s) Proposed

No Registered Service Disabled Veteran(s)  
Proposed

<b>Total Bonus Points:</b>	<b>0</b>
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Interoffice Memorandum

III. DISCUSSION AGENDA  
FAMILY SERVICES  
DEPARTMENT  
1

July 12, 2016

To: Mayor Teresa Jacobs  
and  
Board of County Commissioners

Thru: Lonnie C. Bell, Jr., Director *DC For LCB*  
Family Services Department

From: Angela Chestang, Acting Manager *Angela Chestang*  
Citizens' Commission for Children Division  
Contacts: Angela Chestang, (407) 836-6541  
Lynnsey Hicks, (407) 836-8944

Subj: Professional Opportunities Program for Students (POPS)  
Program Accomplishments  
BCC Meeting 8/16/16 Consent Agenda/All Districts

This discussion item is intended to share students' successes and workforce skills learned during the POPS program summer internship opportunity.

Members of POPS, community partners, staff, youth and many members of the community will be in attendance during the presentation.

**ACTION REQUESTED:** This item is being presented for information purposes only and no action is being requested of the Board.

c: Carol Clark, Special Assistant to the Mayor  
George A. Ralls, M.D., Deputy County Administrator  
Angela Chestang, Acting Manager, Citizens' Commission for Children





AGENDA ITEM

June 16, 2016

TO: Mayor Teresa Jacobs

-AND-

Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director  
Family Services Department

*DC LCB*

FROM: Lavon B. Williams, Manager, Esq., AICP  
Neighborhood Preservation and Revitalization Division

*LBW*

SUBJECT: Discussion Agenda Item – August 16, 2016  
Pine Hills Neighborhood Improvement District Annual Report

On December 2, 2011 the Board created the Pine Hills Neighborhood Improvement District (NID) and an Advisory Council to oversee the activities of the district. The Advisory Council has submitted an annual report and developed an outline for the 2016-17 work plan. The presentation will provide an overview of the annual activities of the Pine Hills NID. The printed NID Annual Report will be provided separately.

Should you have questions or need additional information, please contact me at extension 65614.

**REQUESTED ACTION:**      **Acceptance of the Pine Hills Neighborhood Improvement District Annual Report and recommendations.**

LBW/ydl

c: Michelle A. Owens, Executive Director, Pine Hills NID  
Tim Haberkamp, Chairman, Pine Hills NID Advisory Council





Interoffice Memorandum

III. DISCUSSION AGENDA  
UTILITIES DEPARTMENT

1

August 1, 2016

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

**FROM:** Raymond E. Hanson, P. E., Director  
Utilities Department

A handwritten signature in cursive script, likely belonging to Raymond E. Hanson.

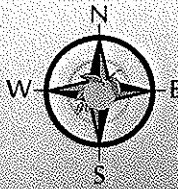
**SUBJECT: BCC AGENDA ITEM - Discussion Agenda**  
**August 16, 2016 BCC Meeting**  
**Solid Waste Collection Update**  
**Contact Person: James Becker, Manager**  
**Utilities Solid Waste Division**  
**407-254-9660**

Utilities Department staff will provide an update on the 1-1-1 Automated Residential Garbage and Recycling Collection Program for the first 180 days of service that began on January 1, 2016.

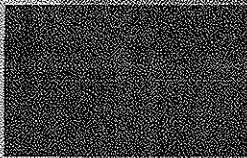
Board action is not required at this time.

All Districts.





**Orange County  
Community,  
Environmental  
&  
Development  
Services  
Department,  
Planning Division**

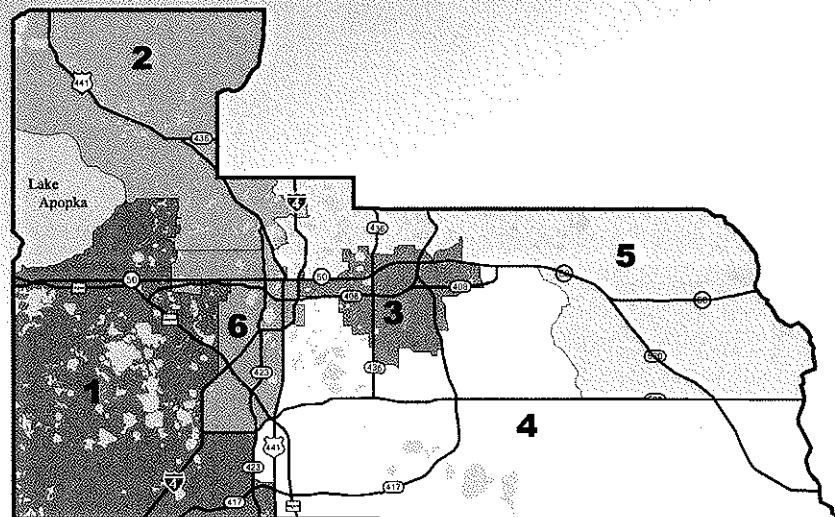


**Comprehensive  
Planning  
Development  
Review  
Research and  
Intergovernmental  
Coordination  
Community Planning  
& Placemaking**



Orange County, Florida

# **Planning and Zoning Commission/ Local Planning Agency**



## **Recommendations**

**JULY 21, 2016**

Prepared by  
**Orange County Community, Environmental &  
Development Services Department,  
Planning Division, Development Review Section**



## **Planning and Zoning Commission / Local Planning Agency (PZC / LPA)**



James Dunn	District #1
Marvin Barrett	District #2
Tina Demostene	District #3
Pat DiVecchio	District #4
Rick V. Baldocchi	District #5
JaJa J. Wade Vice - Chairman	District #6
Paul Wean	At Large
Yog Melwani	At Large
Jose Cantero Chairman	At Large



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**July 21, 2016**

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**Planning and Zoning Commission**  
**July 21, 2016**

<b><u>Case #</u></b> <b><u>Applicant</u></b>	<b><u>Request</u></b>	<b><u>Commission</u></b> <b><u>District</u></b>	<b><u>Recommendations</u></b> <b><u>Staff</u></b>	<b><u>PZC</u></b>	<b><u>BCC Hearing</u></b> <b><u>Required</u></b>
<b>I. CONVENTIONAL REZONING PUBLIC HEARINGS</b>					
RZ-16-07-018 Lisa Colon	<i>A-2 to I-1 / I-5</i>	3	Approval with three (3) restrictions	Approval with three (3) restrictions	No
RZ-16-07-019 Kelly Miller Levine	<i>R-1A to R-1</i>	3	Approval with two (2) restrictions	Approval with two (2) restrictions	No
RZ-16-07-021 Peter Pensa	<i>R-1 to C-1</i>	5	Approval with three (3) restrictions	Approval with three (3) restrictions	No



# SITE and BUILDING REQUIREMENTS

## Orange County Code Section 38-1501. Basic Requirements

District	Min. lot area (sq. ft.) †††	Min. living area (sq. ft.)	Min. lot width (ft.)	*Min. front yard (ft.)	*Min. rear yard (ft.)	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
A-1	21,780 (½ acre)	850	100	35	50	10	35	*
A-2	21,780 (½ acre)	850	100	35	50	10	35	*
A-R	108,900 (2½ acres)	1,000	270	35	50	25	35	*
R-CE	43,560 (1 acre)	1,500	130	35	50	10	35	*
R-CE-2	2 acres	1,200	250	45	50	30	35	*
R-CE-5	5 acres	1,200	185	50	50	45	35	*
R-1AAAA	21,780 (½ acre)	1,500	110	30	35	10	35	*
R-1AAA	14,520 (1/3 acre)	1,500	95	30	35	10	35	*
R-1AA	10,000	1,200	85	25†	30†	7.5	35	*
R-1A	7,500	1,200	75	20†	25†	7.5	35	*
R-1	5,000	1,000	50	20†	20†	5†	35	*
R-2	One-family dwelling, 4,500	1,000	45*****	20†	20†	5†	35	*
	Two dwelling units (DUs), 8,000/9,000	500/1,000 per DU	80/90*****	20†	20†	5†	35	*
	Three DUs, 11,250	500 per DU	85†	20†	30	10	35**, ***	*
	Four or more DUs, 15,000	500 per DU	85†	20†	30	10****	35**, ***	*
R-3	One-family dwelling, 4,500	1,000	45*****	20†	20†	5	35	*
	Two DUs, 8,000/ 9,000	500/1,000 per DU	80/90*****	20†	20†	5†	35	*
	Three dwelling units, 11,250	500 per DU	85†	20†	30	10	35**, ***	*
	Four or more DUs, 15,000	500 per DU	85†	20†	30	10****	35**, ***	*
R-L-D	N/A	N/A	N/A	10 for side entry garage, 20 for front entry garage	15	0 to 10	35***	*
R-T	7 spaces per gross acre	Park size min. 5 acres	Min. mobile home size 8 ft. x 35 ft.	7.5	7.5	7.5	N/A	*
R-T-1								
SFR	4,500*****	45*****	1,000	25/20 ††	25/20 ††	5	35	*
Mobile home	4,500*****	45*****	Min. mobile home size 8 ft. x 35 ft.	25/20 ††	25/20 ††	5	35	*
R-T-2	6,000	60	SFR 500	25	25	6	N/A	*
(prior to 1/29/73)			Min. mobile home size 8 ft. x 35 ft.					
(after 1/29/73)	21,780 ½ acre	100	SFR 600	35	50	10	N/A	*
			Min. mobile home size 8 ft. x 35 ft.					



<i>District</i>	<i>Min. lot area (sq. ft.) †††</i>	<i>Min. living area (sq. ft.)</i>	<i>Min. lot width (ft.)</i>	<i>*Min. front yard (ft.)</i>	<i>*Min. rear yard (ft.)</i>	<i>Min. side yard (ft.)</i>	<i>Max. building height (ft.)</i>	<i>Lake setback (ft.)</i>
NR	One-family dwelling, 4,500	1,000	45*****	20	20	5	35/3 stories ††	*
	Two DUs, 8,000	500 per DU	80/90*****	20	20	5	35/3 stories ††	*
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories ††	*
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50/4 stories ††	*
NAC	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories ††	
	Non-residential and mixed use development, 6,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	50 feet ††	*
	One-family dwelling, 4,500	1,000	45*****	20	20	5	35/3 stories ††	*
	Two DUs, 8,000	500 per DU	80*****	20	20	5	35/3 stories ††	*
NC	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories ††	*
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	50 feet/4 stories, 65 feet with ground floor retail ††	*
	Townhouse, 1,800	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories ††	*
	Non-residential and mixed use development, 8,000	500	50	0/10 maximum, 60% of building frontage must conform to max. setback	15, 20 adjacent to single-family zoning district	10, 0 if buildings are adjoining	65 feet ††	*
P-O	One-family dwelling, 4,500	1,000	45*****	20	20	5	35/3 stories ††	*
	Two DUs, 8,000	500 per DU	80*****	20	20	5	35/3 stories ††	*
	Three DUs, 11,250	500 per DU	85	20	20	10	35/3 stories ††	*
	Four or more DUs, 1,000 plus 2,000 per DU	500 per DU	85	20	20	10	65 feet, 80 feet with ground floor retail ††	*
C-1	Townhouse	750 per DU	20	25, 15 for rear entry driveway	20, 15 for rear entry garage	0, 10 for end units	40/3 stories ††	*
	10,000	500	85	25	30	10 for one- and two-story bldgs., plus 2 for each add. story	35** ***	*
C-1	6,000	500	80 on major streets (see Art. XV); 60 for all other streets#; 100 ft. for corner lots on major streets (see Art. XV)	25	20	0; or 15 ft. when abutting residential district; side street, 15 ft.	50; or 35 within 100 ft. of all residential districts	*



District	Min. lot area (sq. ft.) †††	Min. living area (sq. ft.)	Min. lot width (ft.)	*Min. front yard (ft.)	*Min. rear yard (ft.)	Min. side yard (ft.)	Max. building height (ft.)	Lake setback (ft.)
C-2	8,000	500	100 on major streets (see Art. XV); 80 for all other streets ##	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	50; or 35 within 100 feet of all residential districts	*
C-3	12,000	500	125 on major streets (see Art. XV); 100 for all other streets ###	25, except on major streets as provided in Art. XV	15; or 20 when abutting residential district	5; or 25 when abutting residential district; 15 for any side street	75; or 35 within 100 feet of all residential districts	*

District	Min. front yard (feet)	Min. rear yard (feet)	Min. side yard (feet)	Max. building height (feet)
I-1A	35	25	25	50, or 35 within 100 ft. of all residential districts; 100, when 500 ft. or more from residential districts
I-1 / I-5	35	25	25	50, or 35 within 100 ft. of all residential districts; 100, when 500 ft. or more from residential districts
I-2 / I-3	25	10	15	50, or 35 within 100 ft. of all residential districts; 100, when 500 ft. or more from residential districts
I-4	35	10	25	50, or 35 within 100 ft. of all residential districts; 100, when 500 ft. or more from residential districts

**NOTE:** These requirements pertain to zoning regulations only. The lot areas and lot widths noted are based on connection to central water and wastewater. If septic tanks and/or wells are used, greater lot areas may be required. Contact the Health Department at 407-836-2600 for lot size and area requirements for use of septic tanks and/or wells.

#### FOOTNOTES

- \* Setbacks shall be a minimum of 50 feet from the normal high water elevation contour on any adjacent natural surface water body and any natural or artificial extension of such water body, for any building or other principal structure. Subject to the lakeshore protection ordinance and the conservation ordinance, the minimum setbacks from the normal high water elevation contour on any adjacent natural surface water body, and any natural or artificial extension of such water body, for an accessory building, a swimming pool, swimming pool deck, a covered patio, a wood deck attached to the principal structure or accessory structure, a parking lot, or any other accessory use, shall be the same distance as the setbacks which are used per the respective zoning district requirements as measured from the normal high water elevation contour.
- \*\* Buildings in excess of 35 feet in height may be permitted as a special exception.
- \*\*\* Buildings in excess of 1 story in height within 100 feet of the property line of any single-family residential district may be permitted as a special exception.
- \*\*\*\* Side setback is 30 feet where adjacent to single-family district.
- \*\*\*\*\* For lots platted between 4/27/93 and 3/3/97 that are less than 45 feet wide or contain less than 4,500 sq. ft. of lot area, or contain less than 1,000 square feet of living area shall be vested pursuant to Article III of this chapter and shall be considered to be conforming lots for width and/or size and/or living area.
- \*\*\*\*\* For attached units (common fire wall and zero separation between units) the minimum duplex lot width is 80 feet and the duplex lot size is 8,000 square feet. For detached units the minimum duplex lot width is 90 feet and the duplex lot size is 9,000 square feet with a minimum separation between units of 10 feet. Fee simple interest in each half of a duplex lot may be sold, devised or transferred independently from the other half. For duplex lots that:
  - (i) are either platted or lots of record existing prior to 3/3/97, and
  - (ii) are 75 feet in width or greater, but are less than 90 feet, and
  - (iii) have a lot size of 7,500 square feet or greater, but less than 9,000 square feet are deemed to be vested and shall be considered as conforming lots for width and/or size.
- # Corner lots shall be 100 [feet] on major streets (see Art. XV), 80 [feet] for all other streets.
- ## Corner lots shall be 125 [feet] on major streets (see Art. XV), 100 [feet] for all other streets.
- ### Corner lots shall be 150 [feet] on major streets (see Art. XV), 125 [feet] for all other streets.
- ‡ For lots platted on or after 3/3/97, or un-platted parcels. For lots platted prior to 3/3/97, the following setbacks shall apply: R-1AA, 30 feet, front, 35 feet rear, R-1A, 25 feet, front, 30 feet rear, R-1, 25 feet, front, 25 feet rear, 6 feet side; R-2, 25 feet, front, 25 feet rear, 6 feet side for one (1) and two (2) dwelling units; R-3, 25 feet, front, 25 feet, rear, 6 feet side for two (2) dwelling units. Setbacks not listed in this footnote shall apply as listed in the main text of this section.
- † Attached units only. If units are detached, each unit shall be placed on the equivalent of a lot 45 feet in width and each unit must contain at least 1,000 square feet of living area. Each detached unit must have a separation from any other unit on site of at least 10 feet.



- ++ Maximum impervious surface ratio shall be 70%, except for townhouses, nonresidential, and mixed use development, which shall have a maximum impervious surface ratio of 80%.
- +++ Based on gross square feet.

***These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction.***



# BUFFER YARD REQUIREMENTS

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## Orange County Code Section 24-5.

Buffer yards prescribed are intended to reduce, both visually and physically, any negative impacts associated with abutting uses. Buffer yards shall be located on the outer perimeter of a lot or parcel, extending to the parcel boundary. Buffer yards shall not be located on any portion of an existing or dedicated public or private street or right-of-way.

### (a) **Buffer classifications:**

- (1) **Type A, opaque buffer:** This buffer classification shall be used to separate heavy industrial (I-4 and M-1) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least eight (8) feet and shall be a minimum of fifty (50) feet wide. The type A buffer shall utilize a masonry wall.
- (2) **Type B, opaque buffer:** This buffer classification shall be used to separate commercial (general and wholesale) (C-2 and C-3) and industrial (general and light) (I-2/I-3 and I-1/I-5) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of twenty-five (25) feet wide. The type B buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be four (4) feet high and seventy (70) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (3) **Type C, opaque buffer.** This buffer classification shall be used to separate neighborhood retail commercial (C-1), industrial-restricted (I-1A) and multi-family uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of fifteen (15) feet wide. The type C buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (4) **Type D, opaque buffer:** This buffer classification shall be used to separate professional office (P-O) uses from all residential uses. This buffer shall be completely opaque from the ground up to a height of at least six (6) feet and shall be a minimum of ten (10) feet wide. The type D buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof which maintains a completely opaque buffer. This buffer must be three (3) feet high and fifty (50) percent opaque at planting and be capable of attaining full height and opacity within three (3) years.
- (5) **Type E, mobile home and RV park buffer:** This buffer classification shall be used to separate mobile home and RV parks from all abutting uses. This buffer shall be twenty-five (25) feet wide. Where the park abuts an arterial highway, the buffer shall be fifty (50) feet wide. This buffer shall not be considered to be part of an abutting mobile home space, nor shall such buffer be used as part of the required recreation area or drainage system (ditch or canal). This buffer may utilize a masonry wall, berm, planted and/or existing vegetation or any combination thereof. This buffer must be at least five (5) feet in height and fifty (50) percent opaque within eighteen (18) months after installation.
- (6) **Type F, residential subdivision buffer:** See subdivision regulations (Chapter 34, Orange County Code).

***These requirements are intended for reference only; actual requirements should be verified in the Zoning Division prior to design or construction.***



**CASE # RZ-16-07-018**

Commission District: # 3

**GENERAL INFORMATION**

<b>APPLICANT</b>	Lisa Colon, Orlando Sign Company
<b>OWNERS</b>	Evangel Assembly of God Inc of Orlando Florida
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>A-2</b> (Farmland Rural District) <b>to</b> <b>I-1 / I-5</b> (Industrial District)
<b>LOCATION</b>	5838 Hoffner Avenue; or generally on the south side of Hoffner Avenue, approximately 1,000 feet east of S. Semoran Boulevard.
<b>PARCEL ID NUMBER</b>	22-23-30-0000-00-001
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing extended beyond 800 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two-hundred forty-six (246) notices were mailed to those property owners in the mailing area. A community meeting was not required for this application.
<b>TRACT SIZE</b>	9.66 gross acres
<b>PROPOSED USE</b>	Church ( <i>existing</i> ) with an Electronic Message Center (EMC) monument sign

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested I-1 / I-5 (Industrial District) zoning, subject to the following restrictions:**

1. New billboards and pole signs shall be prohibited;
2. Any Electric Message Center (EMC) component of a monument sign shall be turned off between the hours of 11:00 PM and 6:00 AM; and
3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate I-1 / I-5 uses.



## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The I-1 / I-5 (Industrial District) zoning would allow for development that is consistent 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 Industrial (IND). The I-1 / I-5 (Industrial District) zoning is consistent with the IND FLUM designation and the following Comprehensive Plan provisions:

**FLU1.4.16** states the Future Land Use Map shall reflect appropriate locations for industrial use. Proposed industrial changes shall be evaluated relative to the need to maintain adequate industrial sites to serve the projected market demand and corresponding needs for job creation and economic development.

**FLU1.4.18** states that the Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, create more of a jobs/housing balance, avoid large concentrations of industrial traffic, provide adequate and sufficient locations for industrial uses, and provide a variety of locations with different transportation accessibility opportunities.

**FLU8.1.1** states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

**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.



## **SITE DATA**

<b>Existing Use</b>	Church
<b>Adjacent Zoning</b>	N: R-1 (Single-Family Dwelling District) (1957) E: A-2 (Farmland Rural District) (1957) W: I-2 / I-3 (Industrial District) (1997) S: R-3B / AN (Medium Intensity Development / Airport Noise Overlay) (City of Orlando)
<b>Adjacent Land Uses</b>	N: Single-Family Residential E: Single-Family Residential W: Office Buildings S: Multi-Family Residential (Fountains at Lee Vista Apartments)

## **I-1 / I-5 (INDUSTRIAL DISTRICT) DEVELOPMENT STANDARDS\***

Max. Height:	50 ft. (35 ft. within 100 ft. of all residential districts, 100 ft. when 500 ft. or more from residential districts)
Max. Floor Area Ratio:	0.50
Building Setbacks:	
Front:	35 ft.
Rear:	25 ft. (50 ft. if abutting a residential district)
Side:	25 ft. (50 ft. if abutting a residential district)

*\*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**

The I-1 / I-5 (Industrial District) zoning district is composed of lands and structures used primarily for the operation of general industrial uses.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code. Permitted uses include, but are not limited to, religious institutions, warehouses, offices, contractors storage and offices, food processing and packaging; woodchipping, mulching, and composting; textile manufacturing; garment manufacturing; manufacturing of furniture and fixtures; manufacturing of medicinal chemicals and botanical products; manufacturing of commercial and industrial machinery; motor vehicle assembly; boat manufacturing; aluminum recycling collection drop-off sites; community correction centers; juvenile correction homes; etc.



## **SPECIAL INFORMATION**

### **Subject Property Analysis**

The subject 9.66-gross acre parcel is currently developed as the Evangel Assembly of God Church and is located at 5838 Hoffner Avenue; or generally on the south side of Hoffner Avenue, approximately 1,000 feet east of S. Semoran Boulevard.

The immediate Hoffner Avenue corridor is primarily commercial and industrial in nature, with single-family subdivisions and multi-family residential complexes located along Hoffner Avenue and to the south of the subject parcel. Continuation of commercial and industrial development along Hoffner Avenue is anticipated, especially as the roadway is improved to accommodate increased traffic.

The purpose of the rezoning is to allow for the installation of a church monument sign with an Electronic Message Center (EMC), which is not permitted in the existing A-2 zoning district.

### **Comprehensive Plan (CP) Amendment**

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Industrial (IND) 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.

### **Joint Planning Area (JPA)**

The subject property is not located within a JPA; however, City of Orlando Planning Division staff was notified of the request, and provided no comments or objections.

### **Overlay District Ordinance**

The subject property is not located within an overlay district.

### **Airport Noise Zone**

The subject property is located within Airport Noise Zone "D". As a non-residential use, the development would not subject to the land use restrictions stated in Orange County Code Article XV – "Airport Noise Impact Areas".



### **Environmental**

Wetlands are located on this property, south and east of the existing development. New construction in or adjacent to the wetland areas will require a completed Orange County Conservation Area Determination (CAD) before county permits are issued, consistent with Orange County Code Chapter 15, Article X Wetland Conservation Areas. There is no record that a CAD or impact permit that includes this site has been issued by the Environmental Protection Division (EPD). If these permits have been obtained, or if historical documents are located, then submit a copy to EPD for verification.

### **Transportation / Access**

The applicant is requesting to rezone property in order to erect a church monument sign with an Electronic Message Center (EMC) component. With no increase in project trips, a transportation analysis was not required.

### **Code Enforcement**

There are no active Code Enforcement violations on the subject property.

### **Water / Wastewater / Reclaim**

	<u>Existing service or provider</u>	
Water:	Orange County Utilities	A 10-inch water main is located along Hoffner Avenue
Wastewater:	Orange County Utilities	A 4-inch wastewater main is located along Hoffner Avenue
Reclaim Water:	Orange County Utilities	There are no reclaimed water mains in the vicinity of this property

### **Schools**

Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

### **Parks and Recreation**

Orange County Parks and Recreation did not comment on this case, as it does not involve an increase in residential units or density.

### **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 requested I-1 / I-5 (Industrial District) zoning, subject to the following restrictions:**

1. New billboards and pole signs shall be prohibited;
2. Any Electric Message Center (EMC) component of a monument sign shall be turned off between the hours of 11:00 PM and 6:00 AM; and
3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate I-1 / I-5 uses.

### **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 I-1 / I-5 (Industrial District) zoning, subject to three (3) restrictions.

Staff indicated that two hundred forty-six (246) notices were mailed to surrounding property owners within a buffer extending beyond 800 feet from the subject property, with zero (0) responses received in favor or in opposition to this request. The City of Orlando was also notified of the request but did not provide any objections or concerns. The applicant was present and agreed with the staff recommendation.

Following brief discussion by the PZC a motion was made by Commissioner Demostene to find the request to be consistent with the Comprehensive Plan and to recommend **APPROVAL** of the I-1 / I-5 (Industrial District) zoning, subject to three (3) restrictions. Commissioner Baldocchi seconded the motion, which was then carried on an 8-0 vote.

**Motion / Second**

*Tina Demostene / Rick Baldocchi*

**Voting in Favor**

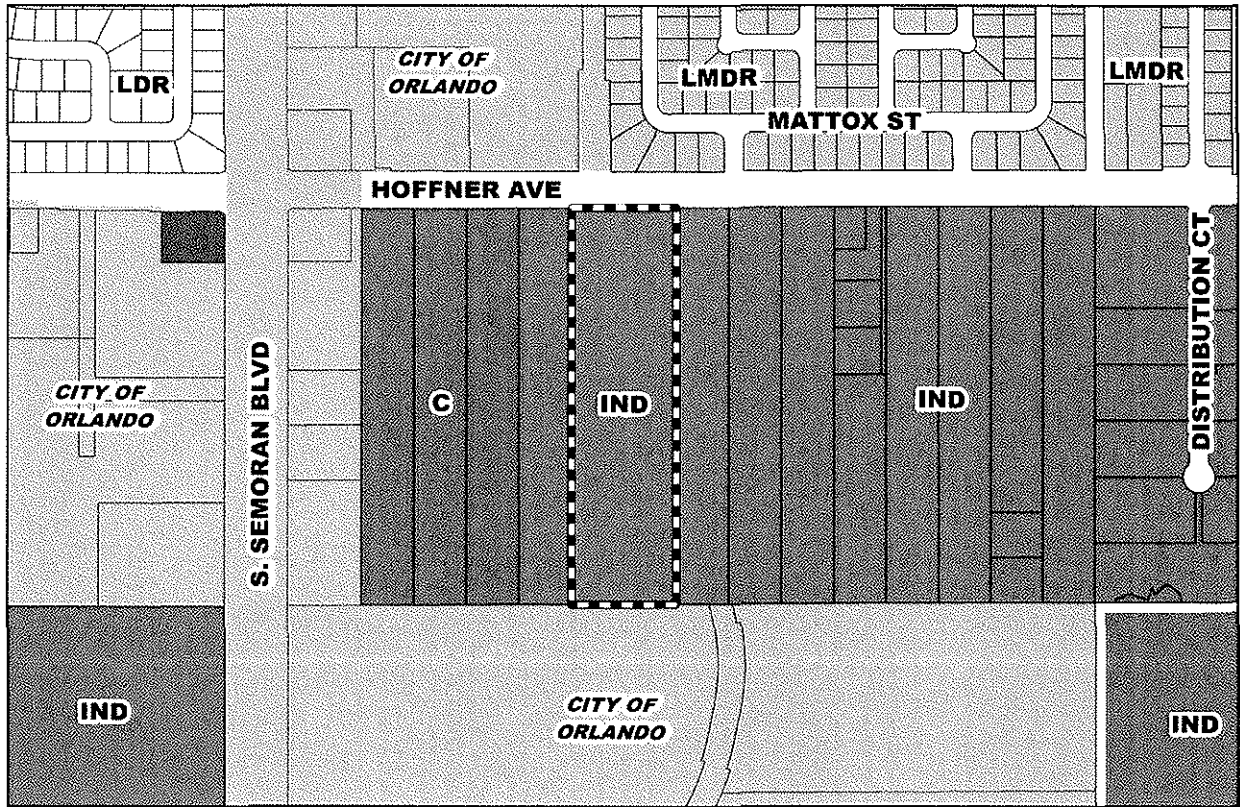
*Tina Demostene, Rick Baldocchi, Pat DiVecchio, Jimmy Dunn, Paul Wean, Jose Cantero, Yog Melwani, and JaJa Wade*

**Absent**

*Marvin Barrett*



RZ-16-07-018



 Subject Property



★ Subject Property

### Future Land Use Map

FLUM: Industrial (IND)

APPLICANT: Lisa Colon, Orlando Sign Company

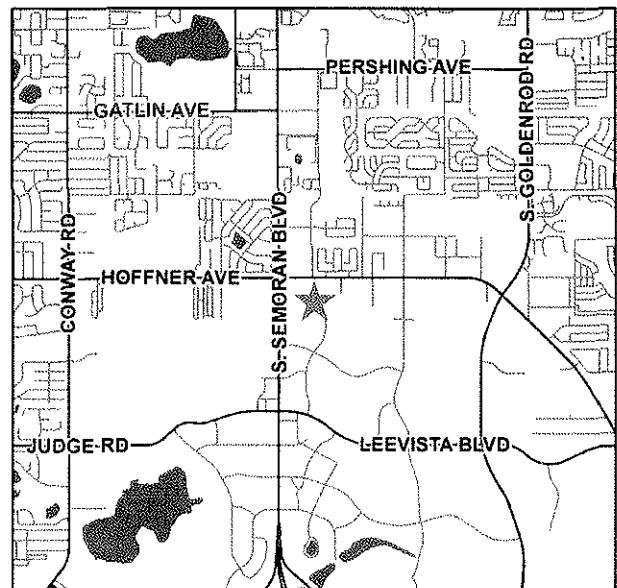
LOCATION: 5838 Hoffner Avenue; or generally on the south side of Hoffner Avenue, approximately 1,000 feet east of S. Semoran Boulevard.

TRACT SIZE: 9.66 gross acres

DISTRICT: # 3

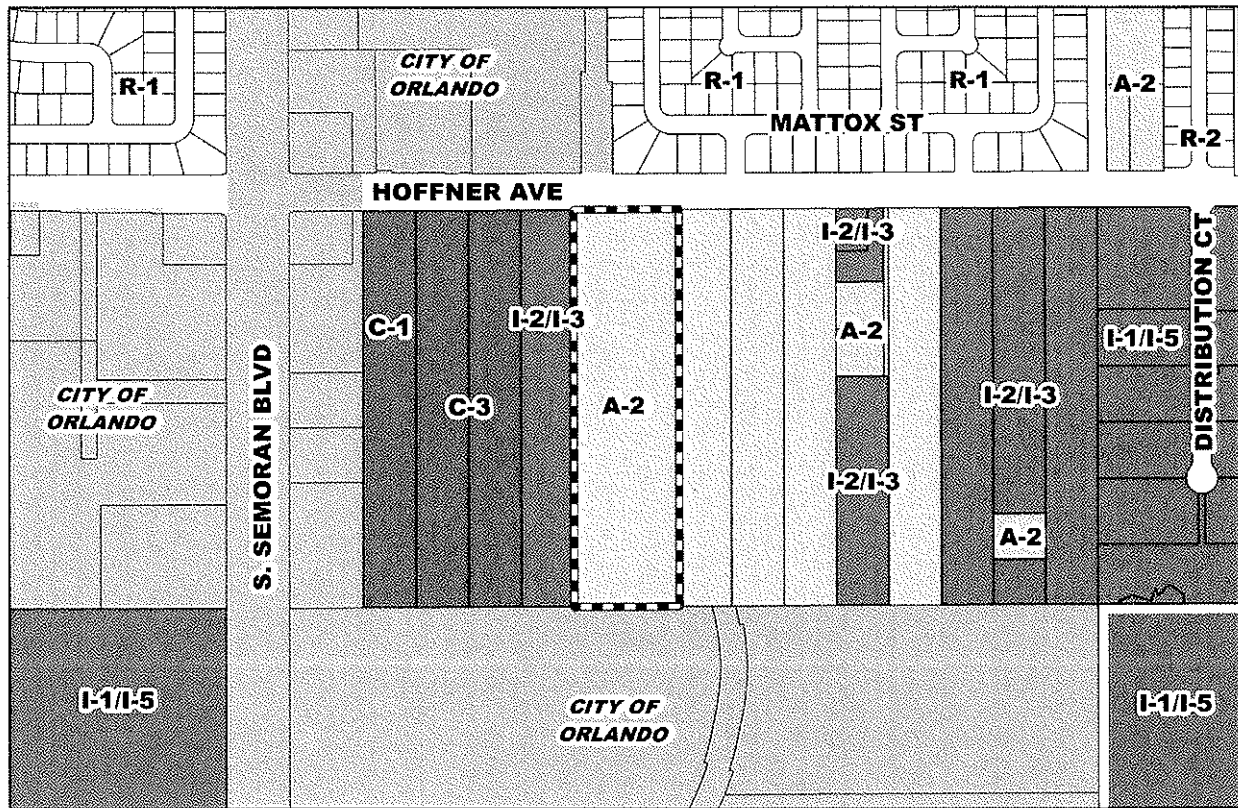
S/T/R: 22/23/30

1 inch = 500 feet





RZ-16-07-018



Subject Property



Subject Property

### Zoning Map

**ZONING:** A-2 (Farmland Rural District) to  
I-1/I-5 (Industrial District)

**APPLICANT:** Lisa Colon, Orlando Sign Company

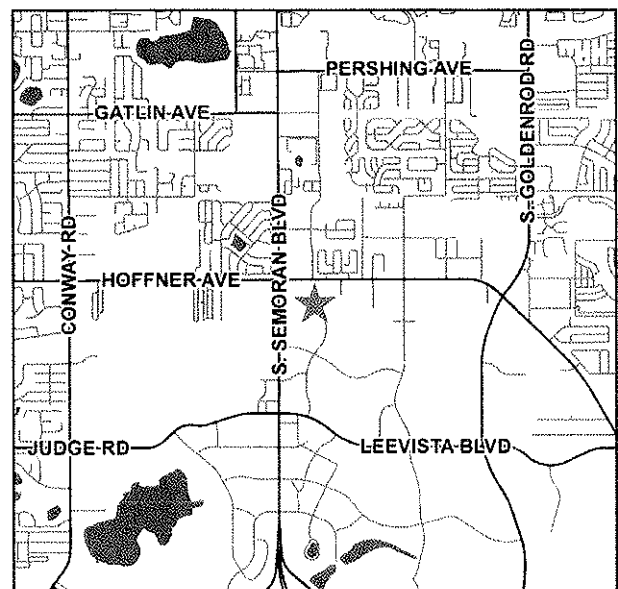
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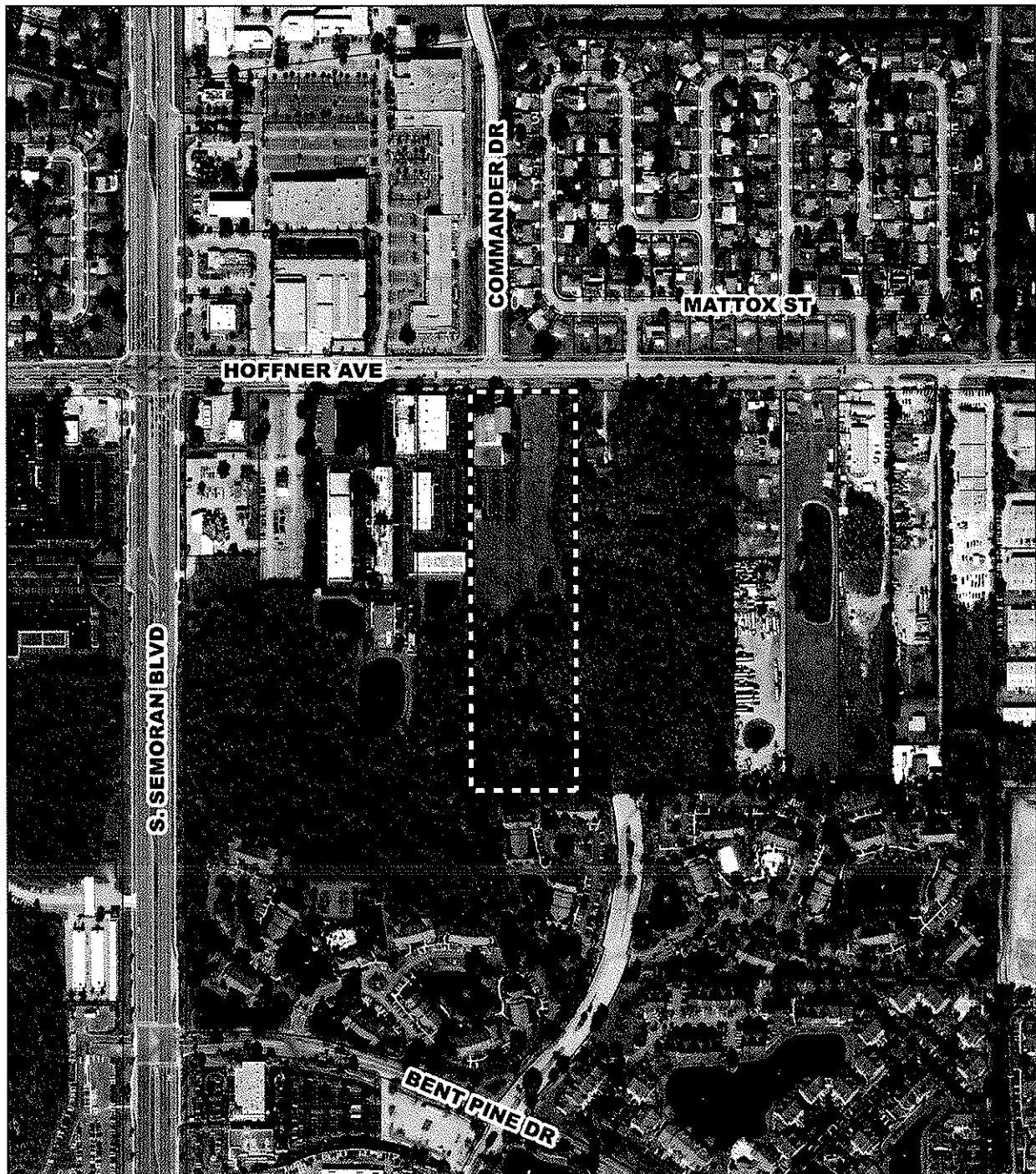
**S/T/R:** 22/23/30

1 inch = 500 feet

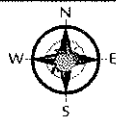




RZ-16-07-018



Subject Property



1 inch = 417 feet



Case Planner:  
Steven Thorp

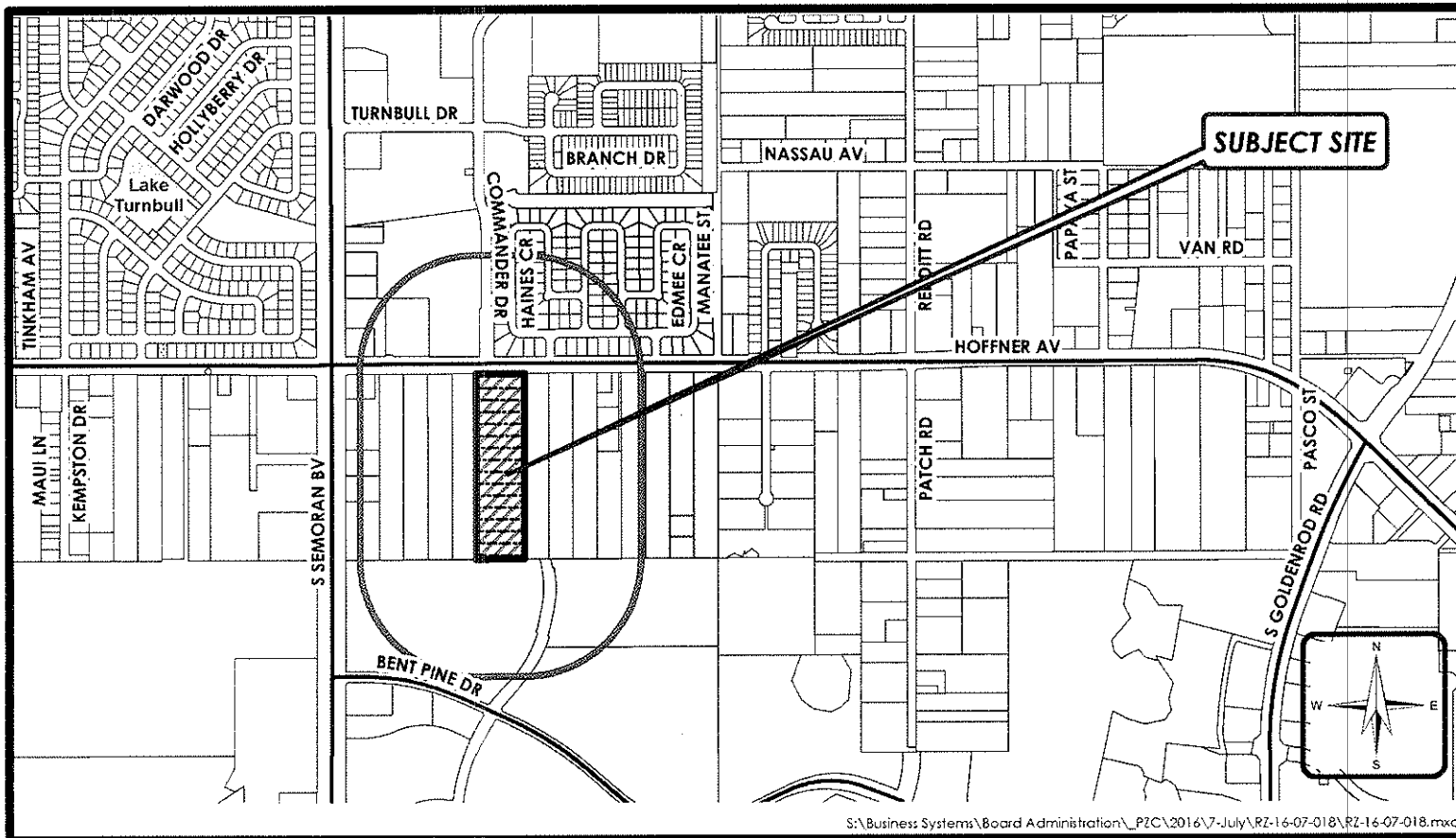
Rezoning Staff Report  
Orange County Planning Division  
PZC Hearing Date: July 21, 2016

## Notification Map

### Public Notification Map

RZ-16-07-018

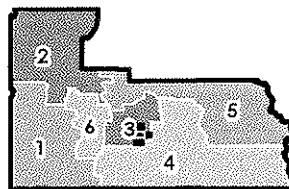
800 FT BUFFER, 246 NOTICES



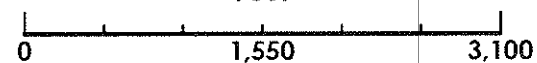
S:\Business Systems\Board Administration\PZC\2016\7-July\RZ-16-07-018\RZ-16-07-018.mxd

#### MAP LEGEND

	SUBJECT		NOTIFIED_PARCELS
	800FT_BUFFER		ADDITIONAL SELECTION
	HYDROLOGY		PARCELS



1 inch = 976 feet  
Feet





**CASE # RZ-16-07-019**

Commission District: # 3

**GENERAL INFORMATION**

<b>APPLICANT</b>	Kelly Miller Levine
<b>OWNER</b>	Nascosto Investments, LLC
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>R-1A</b> (Single-Family Dwelling District) <b>to</b> <b>R-1</b> (Single-Family Dwelling District)
<b>LOCATION</b>	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
<b>PARCEL ID NUMBER</b>	24-23-29-3400-00-178
<b>PUBLIC NOTIFICATION</b>	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. A community meeting was not required for this application.
<b>TRACT SIZE</b>	1.03 gross acres
<b>PROPOSED USE</b>	Three (3) lots / 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.



## **SITE DATA**

<b>Existing Use</b>	Undeveloped Residential
<b>Adjacent Zoning</b>	N: C-2 (General Commercial District) (1975) E: R-1A (Single-Family Dwelling District) (1957) W: R-1 (Single-Family Dwelling District) (2016) R-1A (Single-Family Dwelling District) (1957) S: R-1A (Single-Family Dwelling District) (1957)
<b>Adjacent Land Uses</b>	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-1AA and R-1A 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. Given the applicable front, rear and side setbacks of the R-1 (Single-Family Dwelling District) zoning, and the applicant's desire to construct three (3) single family units, the applicant has been advised of potential development constraints and required zoning variances.

### **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**

	<u>Existing service or provider</u>	
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**

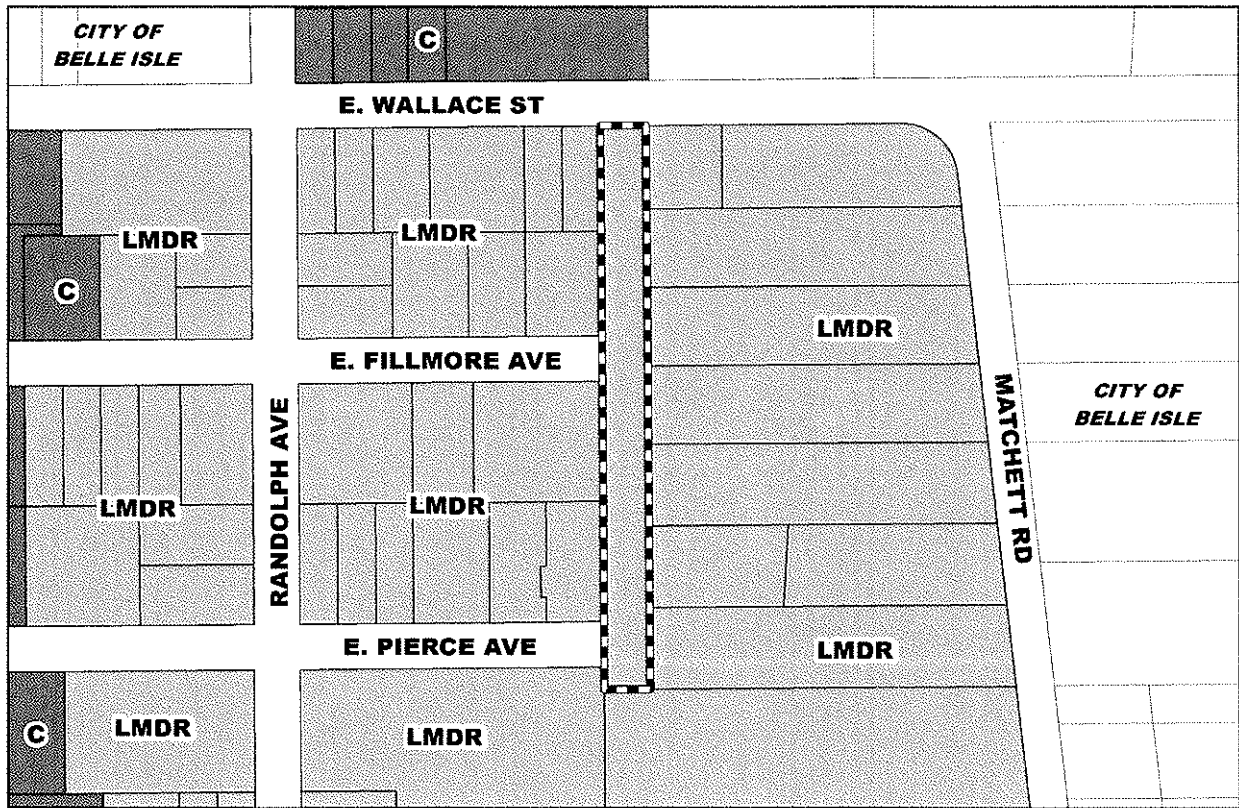
*Rick Baldocchi*

**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

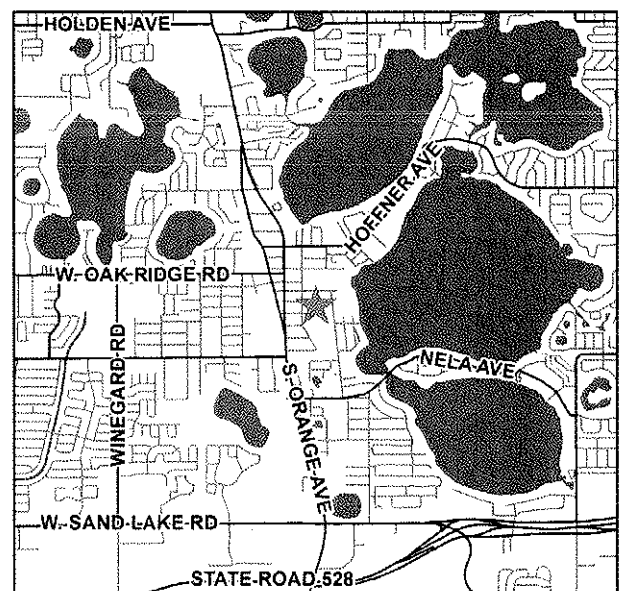
LOCATION: 1050 E. Wallace Street; or generally on the south side of E. Wallace Street, and immediately east of the E. Fillmore Avenue terminus and the E. Pierce Avenue terminus

TRACT SIZE: 1.032 gross acres

DISTRICT: # 3

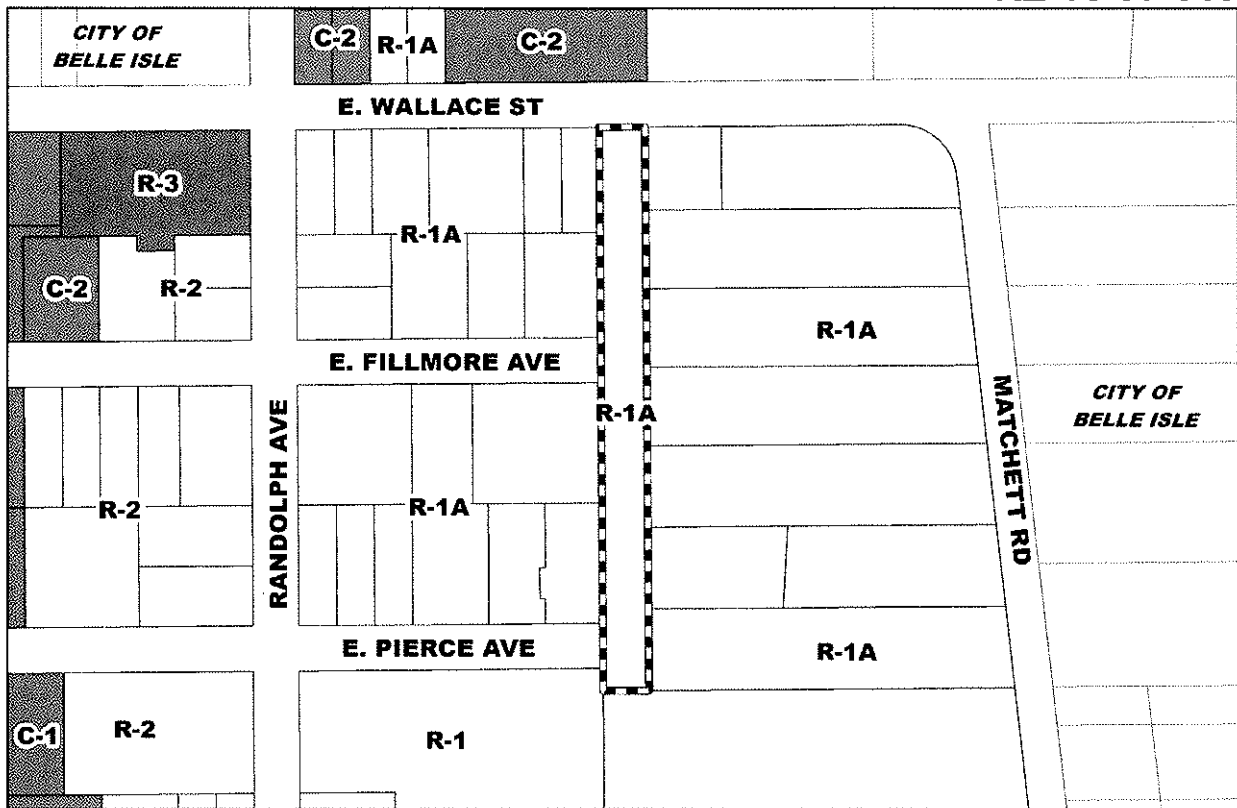
S/T/R: 24/23/29

1 inch = 208 feet





RZ-16-07-019



 Subject Property



★ Subject Property

### Zoning Map

**ZONING:** R-1A (Single-Family Dwelling District) to  
R-1 (Single-Family Dwelling District)

**APPLICANT:** Kelly M. Levine

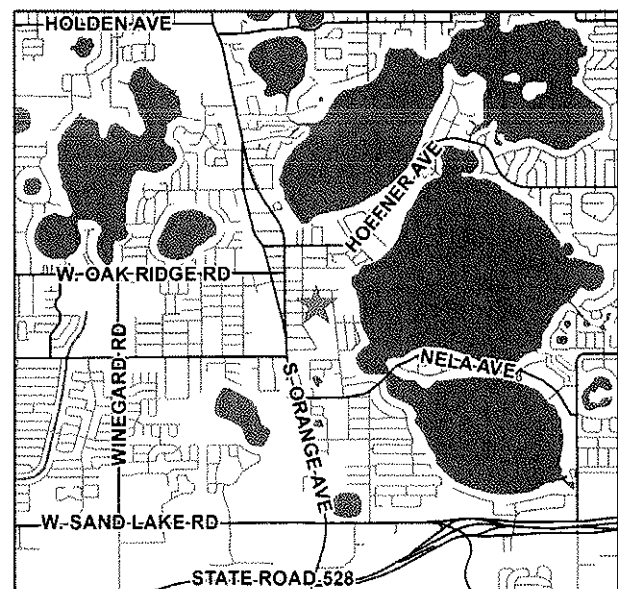
**LOCATION:** 1050 E. Wallace Street; or generally on the  
south side of E. Wallace Street, and  
immediately east of the E. Fillmore Avenue  
terminus and the E. Pierce Avenue  
terminus

**TRACT SIZE:** 1.03 gross acres

**DISTRICT:** # 3

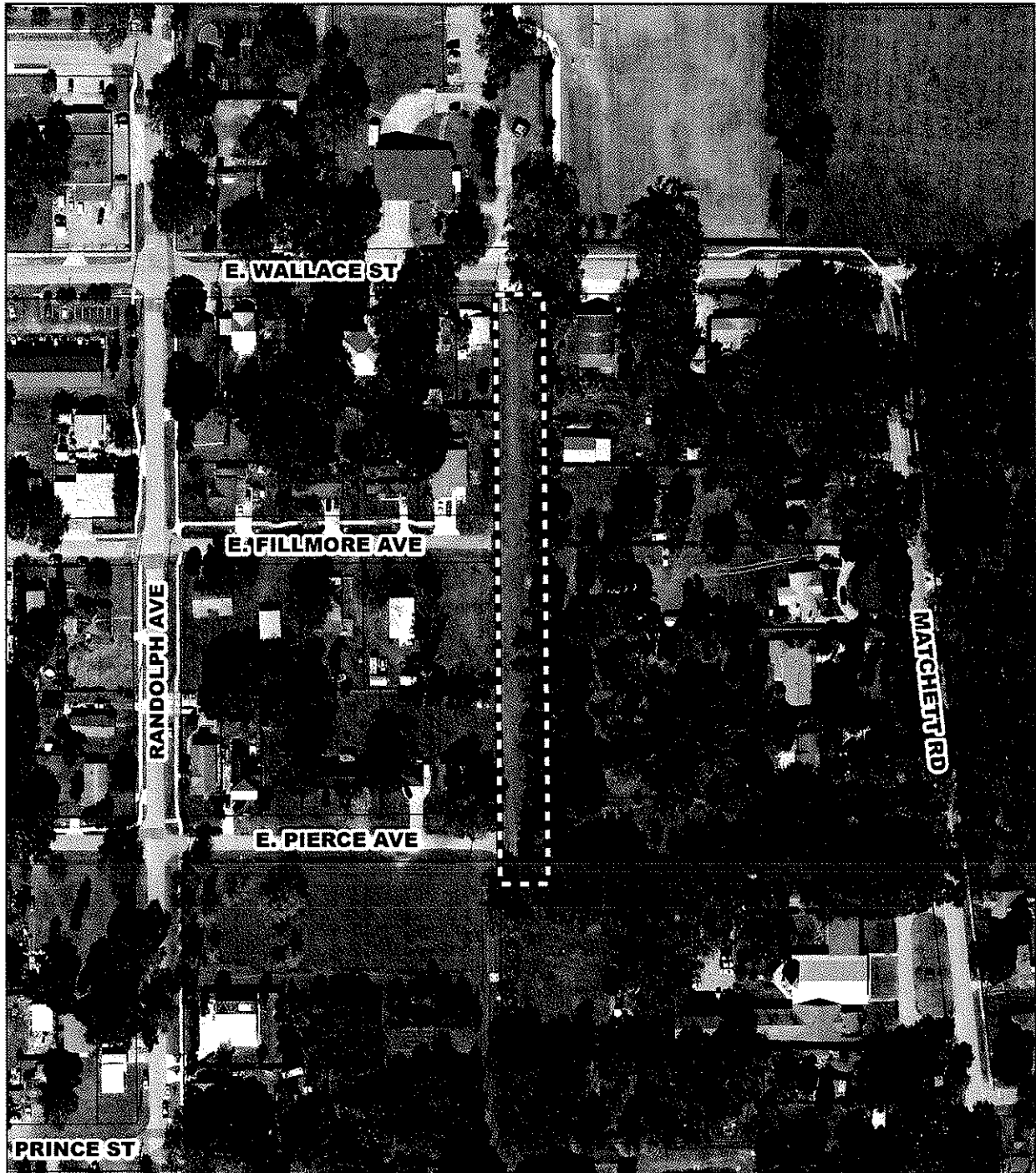
**S/T/R:** 24/23/29

1 inch = 208 feet

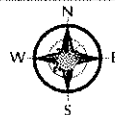




RZ-16-07-019



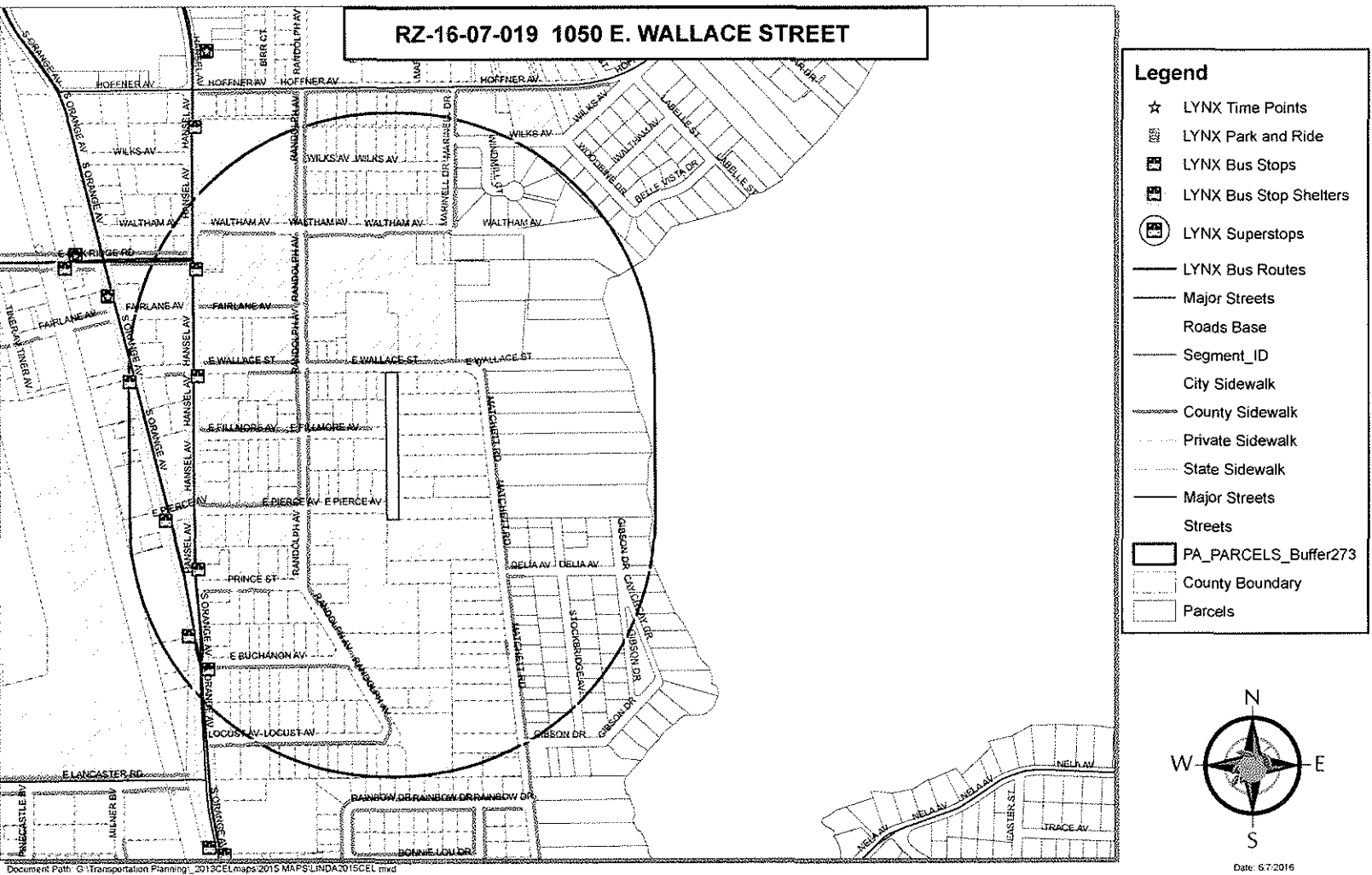
Subject Property



1 inch = 167 feet



## Alternative Mobility Area Context Map







# Public Notification Map

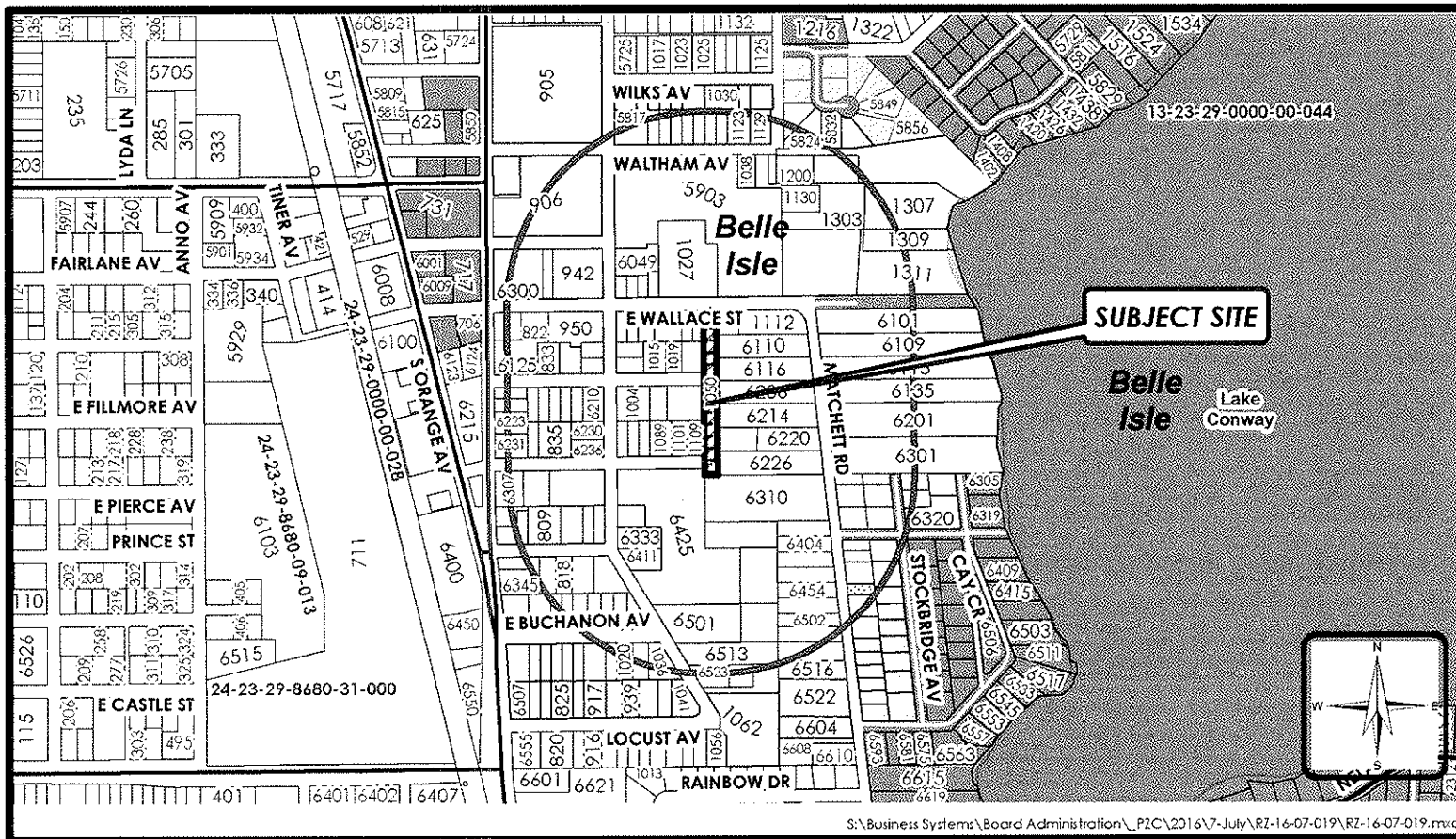
RZ-16-07-019

900 FT BUFFER, 252 NOTICES

Case Planner:  
Steven Thorp

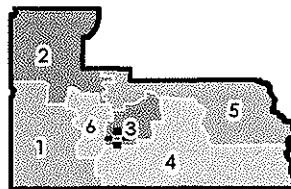
## Notification Map

Rezoning Staff Report  
Orange County Planning Division  
PZC Hearing Date: July 21, 2016

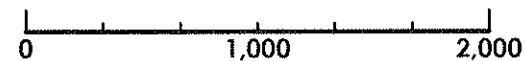


### MAP LEGEND

- |  |               |  |                      |  |                    |
|--|---------------|--|----------------------|--|--------------------|
|  | SUBJECT       |  | NOTIFIED PARCELS     |  | PARCELS            |
|  | 900_FT_BUFFER |  | ADDITIONAL_SELECTION |  | ADDITIONAL_PARCELS |
|  | HYDROLOGY     |  |                      |  |                    |



1 inch = 651 feet



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**CASE # RZ-16-07-021**

Commission District: # 5

**GENERAL INFORMATION**

<b>APPLICANT</b>	Peter Pensa, AVID Group
<b>OWNERS</b>	Tamney Partnership, LTD
<b>HEARING TYPE</b>	Planning and Zoning Commission
<b>REQUEST</b>	<b>R-1</b> (Single-Family Dwelling District) <b>to</b> <b>C-1</b> (Retail Commercial District)
<b>LOCATION</b>	12701 E. Colonial Drive; or generally located on the north side of E. Colonial Drive, approximately 250 feet east of State Road 408, and 750 feet west of Bonneville Drive.
<b>PARCEL ID NUMBER</b>	23-22-31-0000-00-006
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing extended beyond 1,300 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two-hundred sixty (260) notices were mailed to those property owners in the mailing area. A community meeting is not required for this application.
<b>TRACT SIZE</b>	0.81-gross acre
<b>PROPOSED USE</b>	Self Storage Facility

**STAFF RECOMMENDATION**

**PLANNING**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the C-1 (Retail Commercial District) zoning, subject to the following restrictions:**

1. New billboards and pole signs shall be prohibited;
2. A Type "C" buffer shall be used to separate neighborhood commercial (C-1) uses from all residential areas. The buffer shall be a minimum of twenty-five (25) feet wide, and must consist of a completely opaque feature such as a masonry wall, berm, planted and/or existing vegetation or any combination thereof. At a minimum, plantings must be three (3) feet high and fifty (50) percent opaque at planting and capable of attaining full height and opacity within three (3) years; and
3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the



expansion of any existing structures or new site improvements to accommodate C-1 uses.

## **IMPACT ANALYSIS**

### **Land Use Compatibility**

The C-1 (Retail Commercial District) zoning would allow for development that is compatible with the development and character of the surrounding area along the E. Colonial Drive corridor, 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 Commercial (C). The C-1 (Retail Commercial District) zoning is consistent with the Commercial FLUM designation and the following applicable CP provisions:

**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.

**FLU1.4.2** states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

**FLU8.1.1** states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

**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.



## **SITE DATA**

<b>Existing Use</b>	Undeveloped Residential
<b>Adjacent Zoning</b>	N: R-2 (Residential District) (1994) E: C-1 (Retail Commercial District) (1957) W: C-1 (Retail Commercial District) (1957) S: PD (Planned Development District) (2010) (Aristocrat VW PD/LUP)
<b>Adjacent Land Uses</b>	N: Undeveloped Residential E: Undeveloped Commercial W: Pet Resort S: Automobile Dealership / Retention Pond

### **C-1 (Retail Commercial District) Development Standards\***

Min. Lot Area:	6,000 sq. ft.
Min. Lot Width:	80 ft. (on major streets, see Article XV) 60 ft. (on all other streets)
Max. Height:	50 ft. (35 ft. within 100 ft. of all residential districts)
Min. Floor Area:	500 sq. ft.
Building Setbacks:	
Front:	25 ft.
Rear:	20 ft.
Side:	0 ft. (15 ft. when abutting residential districts)
Side Street:	15 t.

*\*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**

The intent and purpose of this C-1 retail commercial district are as follows: this district is composed of lands and structures used primarily for the furnishing of selected commodities and services at retail. This district is encouraged:

- (1) At intersections of collectors and/or arterials;
- (2) Where it will not direct commercial traffic through residential districts;
- (3) Where adequate public facilities and services are available, as defined in the comprehensive policy plan;



- (4) Where compatible with adjacent areas or where buffers can be provided to ensure compatibility; and
- (5) To a limited extent in rural settlements throughout the county to meet the needs of an identified community, or in growth centers as defined in the comprehensive policy plan.

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 0.81-acre subject property is generally located on the north side of E. Colonial Drive, east of State Road 408, and west of Bonnevill Drive. The property is currently undeveloped, but through this request, the applicant is seeking to rezone the subject parcel from R-1 (Single-Family Dwelling District) to C-1 (Retail Commercial District) with the intent to develop a self-storage facility.

This segment of E. Colonial Drive can be characterized as a commercial corridor with single and multi-family residential activity located to the north and south of the commercial parcels. This subject parcel is also located near the major interchange of E. Colonial Drive and State Road 408.

### **Comprehensive Plan (CP) Amendment**

A CP amendment is not required for this application, as the requested zoning is consistent with the underlying Commercial (C) 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.

### **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**

Wetlands may be located within and/or adjacent to the site. Prior to approval of any Orange County permits or development plans, the Environmental Protection Division (EPD) will require a completed Conservation Area Determination (CAD), consistent with Chapter 15, Article X Wetland Conservation Areas. If a prior determination or impact permit exists, or if historical documents are located, then the applicant / development must submit a copy to EPD for consideration. Approval of the rezoning request would not authorize any direct or indirect impacts to conservation areas or protective buffers.

This site is also located within the geographical limits of the Econlockhatchee River Protection Ordinance, where basin-wide regulations apply. Such regulations include, but are not limited to, wetland buffers, wildlife habitat preservation and landscaping with native plant species.

If new construction is proposed, the applicant is advised to use caution to prevent erosion along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will also require Best Management Practices (BMPs) for erosion control.

Finally, 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 (FDEP) by the applicant / developer.

**Transportation / Access**

Based on the Concurrency Management System database dated June 20, 2016, there are multiple failing roadways within a one mile radius of this project. As a result, a traffic study and a proportionate share agreement will be required to mitigate the project's impacts. These must be completed prior to obtaining an approved Capacity Encumbrance Letter (CEL).

**Code Enforcement**

There are no active Code Enforcement violations on the subject property.

**Water / Wastewater / Reclaim**

	<u>Existing service or provider</u>	
Water:	Orange County Utilities	A 24-inch main is located within the adjacent Colonial Drive right of way.
Wastewater:	Orange County Utilities	A 16-inch main is located within the Colonial Drive right of way.



Case Planner:  
Steven Thorp

**Rezoning Staff Report**  
**Orange County Planning Division**  
**PZC Hearing Date: July 21, 2016**

Reclaim:	Orange County Utilities	There are currently no mains in the vicinity of the site
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**Schools**

Orange County Public Schools (OCPS) did not comment on this case, as it does not involve an increase in residential units or density.

**Parks and Recreation**

Orange County Parks and Recreation did not comment on this case, as it does not involve an increase in residential units or density.

**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 C-1 (Retail Commercial District) zoning, subject to the following restrictions:**

1. New billboards and pole signs shall be prohibited;
2. A Type "C" buffer shall be used to separate neighborhood commercial (C-1) uses from all residential areas. The buffer shall be a minimum of twenty-five (25) feet wide, and must consist of a completely opaque feature such as a masonry wall, berm, planted and/or existing vegetation or any combination thereof. At a minimum, plantings must be three (3) feet high and fifty (50) percent opaque at planting and capable of attaining full height and opacity within three (3) years; and
3. The applicant / developer shall submit a site plan to demonstrate compliance with all Orange County Code requirements (including landscaping) prior to the expansion of any existing structures or new site improvements to accommodate C-1 uses.

**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 C-1 (Retail Commercial District) zoning, subject to three (3) restrictions.

Staff indicated that two-hundred sixty (260) notices were mailed to surrounding property owners within a buffer extending beyond 1,300 feet from the subject property, with one (1) response received in opposition. The opposition stated that the property should be used a buffer between E. Colonial Drive and the residential properties to the north. The applicant



Case Planner:  
Steven Thorp

**Rezoning Staff Report**  
**Orange County Planning Division**  
**PZC Hearing Date: July 21, 2016**

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was present, and expressed support for the staff recommendation. No members of the public were present to speak in favor or opposition to the request.

A motion was made by Commissioner Baldocchi to find the request to be consistent with the Comprehensive Plan and to recommend **APPROVAL** of the C-1 (Retail Commercial District) zoning, subject to three (3) restrictions. Commissioner Dunn seconded the motion, which was then carried on an 8-0 vote.

**Motion / Second**

*Rick Baldocchi / Jimmy Dunn*

**Voting in Favor**

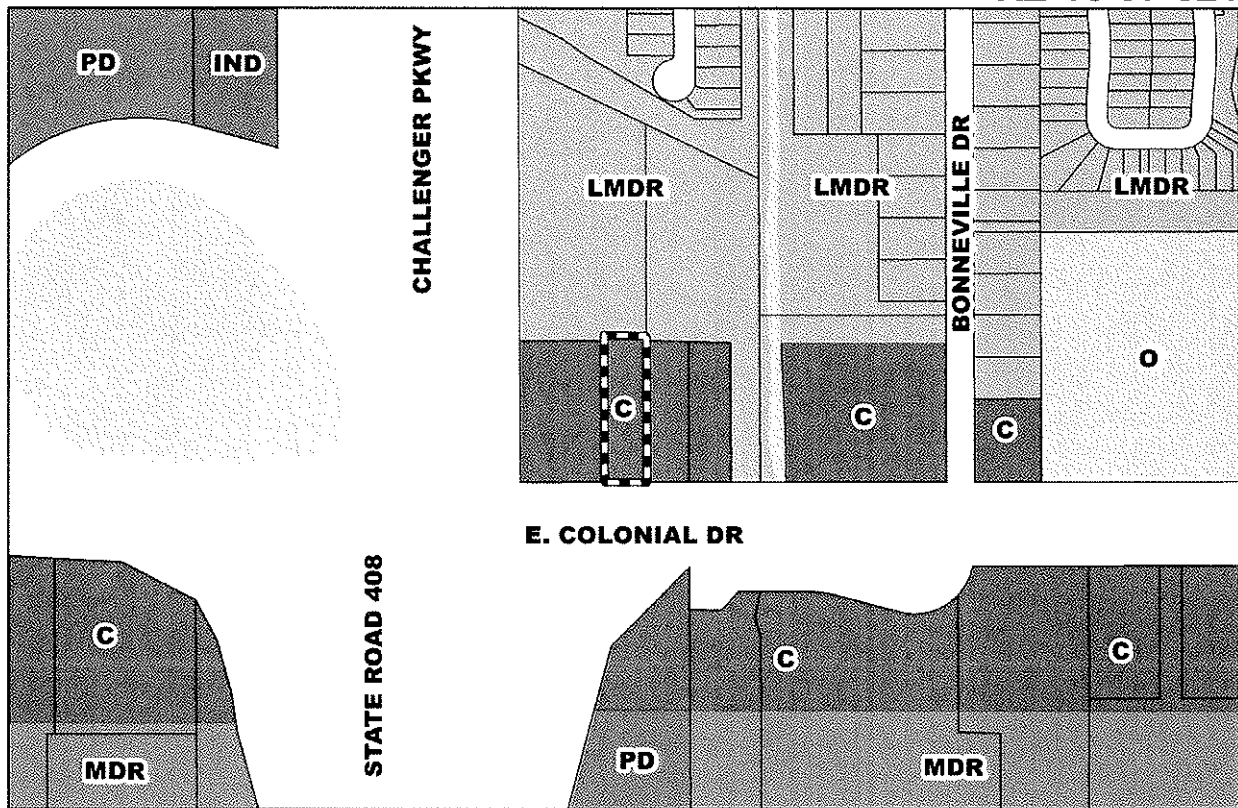
*Rick Baldocchi, Jimmy Dunn, JaJa Wade, Jose Cantero, Paul Wean, Tina Demostene, Yog Melwani, and Pat DiVecchio*

**Absent**

*Marvin Barrett*



RZ-16-07-021



Subject Property



★ Subject Property

### Future Land Use Map

FLUM: Commercial (C)

APPLICANT: Peter Pensa, AVID Group

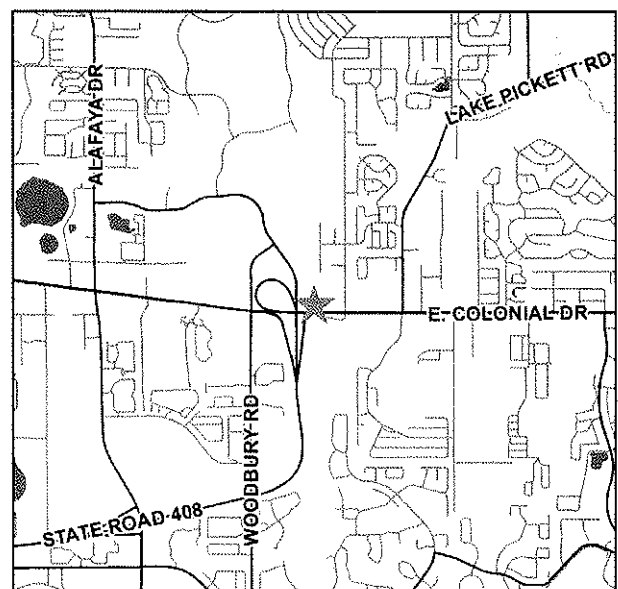
LOCATION: 12701 E. Colonial Drive; or generally located on the north side of E. Colonial Drive, approximately 250 feet east of State Road 408, and 750 feet west of Bonneville Drive

TRACT SIZE: 0.808 gross acre

DISTRICT: # 5

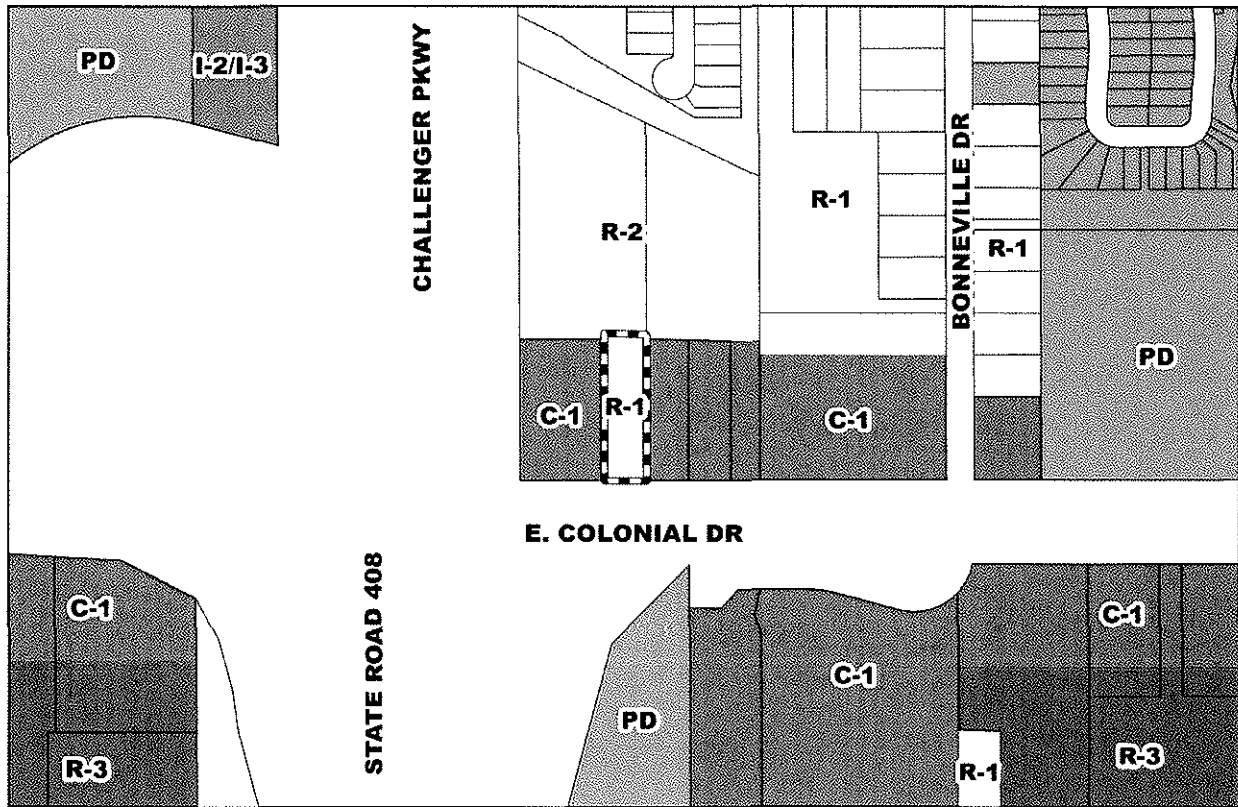
S/T/R: 23/22/31

1 inch = 375 feet





RZ-16-07-021



Subject Property



Subject Property

### Zoning Map

**ZONING:** R-1 (Single-Family Dwelling District) to C-1 (Retail Commercial District)

**APPLICANT:** Peter Pensa, AVID Group

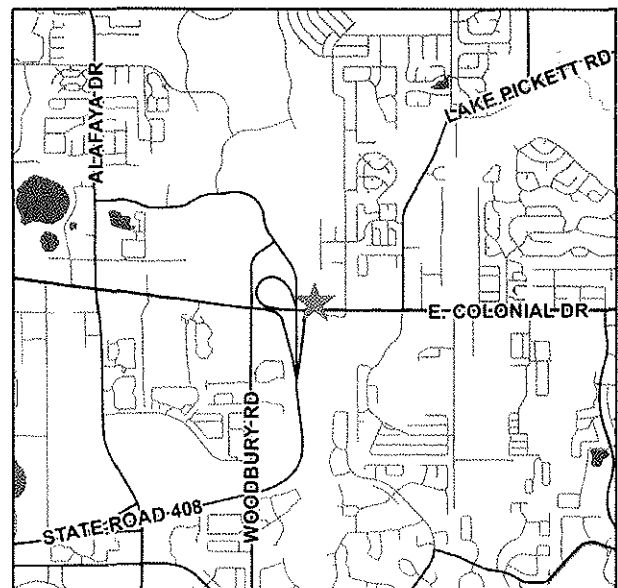
**LOCATION:** 12701 E. Colonial Drive; or generally located on the north side of E. Colonial Drive, approximately 250 feet east of State Road 408, and 750 feet west of Bonneville Drive

**TRACT SIZE:** 0.808 gross acre

**DISTRICT:** # 5

**S/T/R:** 23/22/31

1 inch = 375 feet

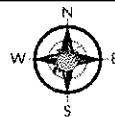




RZ-16-07-021



Subject Property

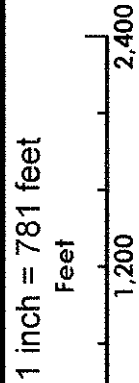
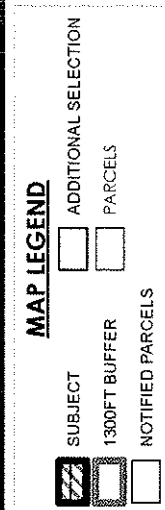
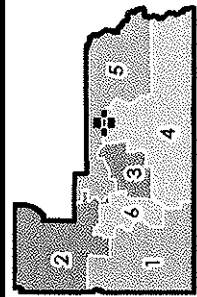
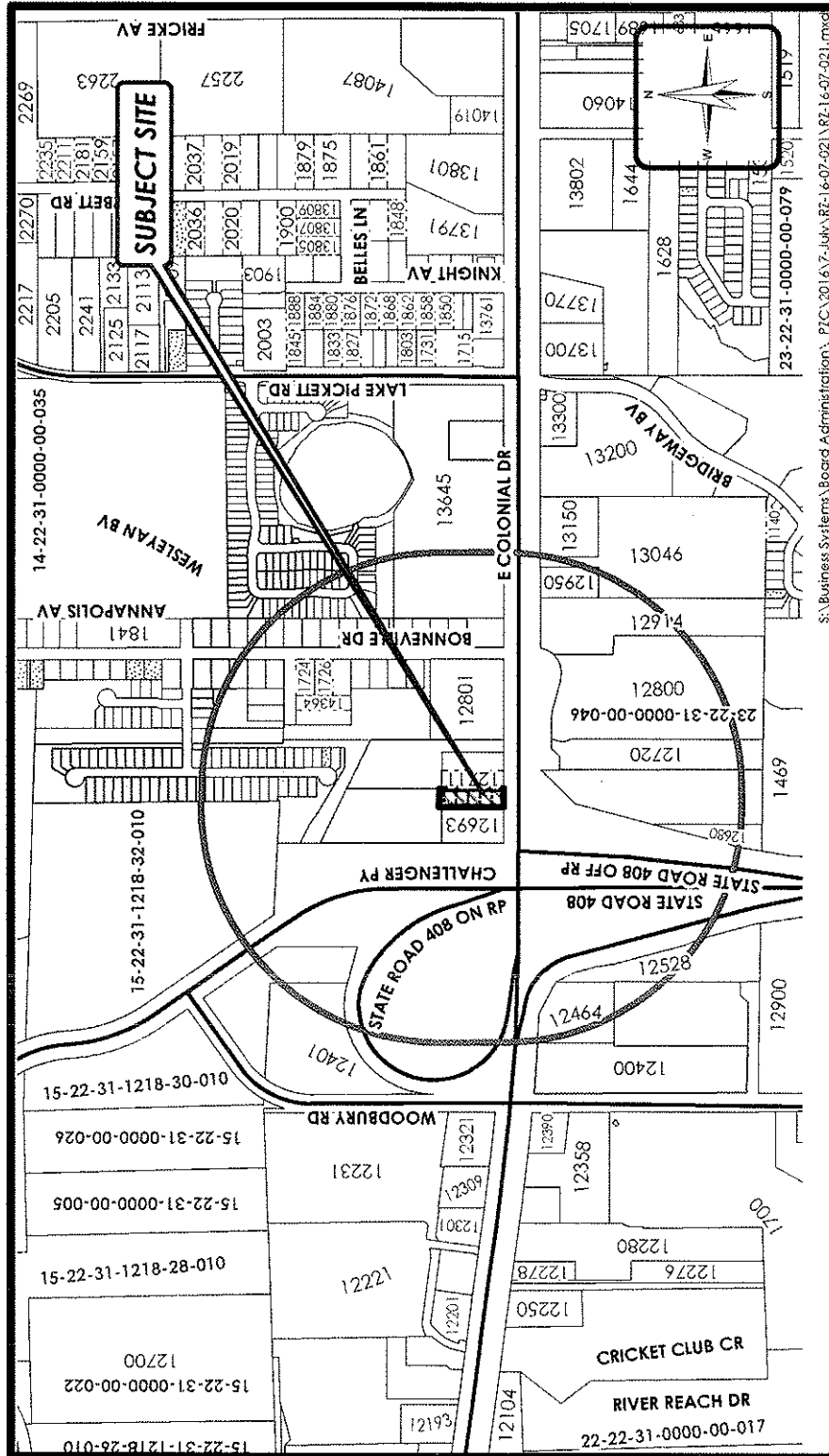


1 inch = 208 feet



## Notification Map

### Public Notification Map RZ-16-07-021 1300 FT BUFFER, 260 NOTICES







## Interoffice Memorandum

DATE August 4, 2016

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

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

CONTACT PERSON: Carol L. Knox, Manager, Zoning Division *CK*  
407-836-5585

SUBJECT: August 16, 2016 – BCC Appeal Public Hearing  
Applicant/Appellant: Iglesia El Shaddai Church  
BZA Case #SE-16-06-065, June 2, 2016; District #3

Case #SE-16-06-065, located at 8703 Curry Ford Rd. in District #3, is a BCC appeal public hearing to be heard on August 16, 2016. On June 2, 2016, Iglesia El Shaddai Church (applicant/appellant) went before the Board of Zoning Adjustment (BZA) to request a special exception to construct a 400 seat sanctuary with ancillary uses (13,435 sq. ft.), a 3,290 sq. ft. structure for conducting religious retreats, 6 smaller cabins (each with 960 sq. ft. of floor area and no cooking facilities) to be used for weekend religious retreats, and a variance to allow grassed parking. The driving aisles will be paved.

The subject property is located on the north side of Curry Ford Rd., approximately 950 ft. east of S. Chickasaw Trail. On May 25, 2010, a prior owner, Iglesia De Restauracion Elohim, received approval from the BCC for a 8,100 sq. ft. sanctuary consisting of two modular units and a day care for up to 45 children.

During the June 2, 2016 BZA public hearing, a spokesperson for the Monaco Subdivision, adjacent to the east and several other residents spoke in opposition. They had concerns about these uses infringing on their privacy rights as many of the lots back up to this project. The BZA determined that the requests would cause a detrimental intrusion to the Monaco Subdivision residents that have rear yards facing the project and denied the request (4-0; 3 absent).

Subsequent to the BZA's recommendation, the applicant submitted a revised proposal. The new proposal is for a 9,862 sq. ft. sanctuary with ancillary uses, and a capacity of only 200 worshippers. The 3290 sq. ft. retreat building and 6 retreat cabins are not included in the revised proposal. On Wednesday, July 27, 2016, a community meeting was held to discuss the revised proposal with the neighbors. Approximately 24 persons attended.



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 denial of June 2, 2016.  
District #3.**



**COMMUNITY ENVIRONMENTAL DEVELOPMENT  
SERVICES DEPARTMENT  
ZONING DIVISION PUBLIC HEARING REPORT  
August 16, 2016, 2016**

The following is a BCC appeal public hearing before the Board of County Commissioners on August 16, 2016 at 2:00 p.m.

**APPELLANT/APPLICANT:** IGLESIA EL SHADDAI CHURCH

**REQUEST:** Special Exception and Variance in the R-1 zoning district for a religious use facility as follows:

1) Special Exception: To construct a 400 seat sanctuary classrooms for religious education and Sunday School, a 3,290 sq. ft. assembly hall, and six buildings (960 sq. ft. each) to be used for weekend overnight retreat stays; and,

2) Variance: To permit grassed parking with paved drive aisles.

**LOCATION:** North side of Curry Ford Rd., approximately 950 ft. east of S. Chickasaw Trail

**TRACT SIZE:** 4.32 acres

**ZONING:** R-1

**DISTRICT:** #3

**PROPERTIES NOTIFIED:** 118

**BOARD OF ZONING ADJUSTMENT (BZA) HEARING SYNOPSIS ON REQUEST:**

Staff noted that the property was quite narrow in general, and even more narrow in the rear than up along Curry Ford Road. Further, there would not be much room to provide buffering. Staff noted that there had been a previous approval for a religious facility on this property in the past, which expired. However, that approval was for a much less intense use.

Staff noted having received nine (9) correspondence in opposition to this request, plus a letter of opposition from the Monaco Community Association. Staff also noted that several of the opponents had indicated that the Church was actually using the site at night for services, and provided a report from the Code Enforcement Division indicating the violation which was filed in April, 2016.



Staff concluded that this use was not compatible with the residential character of the area, and would serve as an intrusion on the existing residents, recommending denial. The architect for the Church explained the mission and intent of the Church; further, noting that they understood concerns over privacy and would be a good neighbor.

Four (4) residents appeared in opposition to the request and indicated that the narrow width of the subject property, and the small size of their lots provided no separation between the proposed use and their homes.

Several members of the Church congregation noted that they did not actually hold services on the property, but rather was performing work on the existing building and property in preparation for the construction of the project.

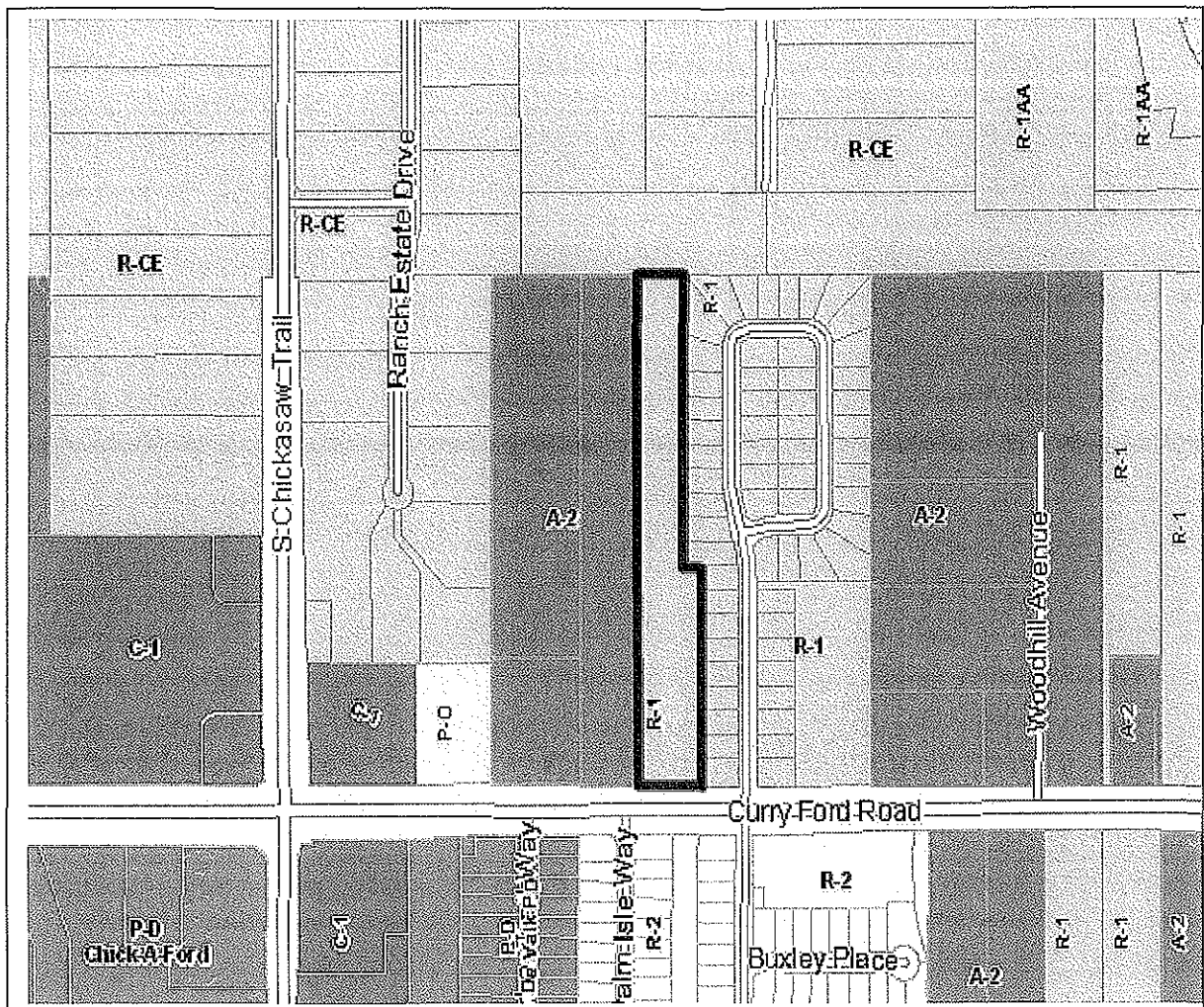
The BZA asked staff if the violation from code enforcement indicated religious services. Staff confirmed that this violation was the case. The BZA concluded that this request was not an appropriate location of the proposed use for the following reasons: the traffic would be an issue with no median break on Curry Ford Road; the site was too narrow to be able to provide adequate separation; the use would be an intrusion into the existing neighborhoods; and, would not be compatible with the existing patterns of development.

A motion was made and seconded to recommend denial of the request. The motion was approved unanimously.

#### **BZA HEARING DECISION:**

A motion was made by Tony Rey, seconded by Eugene Roberson and unanimously carried to deny 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 (unanimous). (4-0; 3 absent)





**Applicant:** Iglesia El Shaddai Church

**BZA Number:** SE-16-06-065

**BZA Date:** 06/02/2016

**District:** 3

**Sec/Twn/Rge:** 01-23-30-SE-D

**Tract Size:** 4.32 acres

**Address:** 8703 Curry Ford Rd., Orlando, FL 32825

**Location:** North side of Curry Ford Rd., approximately 950 ft. east of S. Chickasaw Trail



**IGLESIA EL SHADDAI CHURCH**  
**SE-16-06-065**

---

**REQUEST:** Special Exception and Variance in the R-1 zoning district for a religious use facility as follows:  
1) Special Exception: To construct a 400 seat sanctuary classrooms for religious education and Sunday School, a 3,290 sq. ft. assembly hall, and six buildings (960 sq. ft. each) to be used for weekend overnight retreat stays; and,  
2) Variance: To permit grassed parking with paved drive aisles.

**ADDRESS:** 8703 Curry Ford Rd., Orlando, FL 32825

**LOCATION:** North side of Curry Ford Rd., approximately 950 ft. east of S. Chickasaw Trail

**S-T-R:** 01-23-30

**TRACT SIZE:** 4.32 acres

**DISTRICT#:** 3

**LEGAL:** COMM SE COR OF SW1/4 OF SE1/4 RUN N 30 FT W 154 FT FOR POB TH W 177.29 FT N 1300.92 FT E 126.88 FT S 730.72 FT E 51.08 FT S 570 FT TO POB (LESS R/W ON S) IN SEC 01-23-30

**PARCEL ID:** 01-23-30-0000-00-010

**NO. OF NOTICES:** 118

**DECISION:** **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; and, **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 in favor, 3 absent).

**SYNOPSIS:** Staff noted that the property was quite narrow in general, and even more narrow in the rear than up along Curry Ford Road. Further, there would not be much room to provide buffering. Staff noted that there had been a previous approval for a religious facility on this property in the past, which expired. However, that approval was for a much less intense use.

Staff noted having received nine (9) correspondence in opposition to this request, plus a letter of opposition from the Monaco Community Association. Staff also noted that several of the opponents had indicated that the Church was actually using the site at night for services, and provided a report from the Code Enforcement Division indicating the violation which was filed in April, 2016.

Staff concluded that this use was not compatible with the residential character of the area, and would serve as an intrusion on the existing residents, recommending denial.



The architect for the Church explained the mission and intent of the Church; further, noting that they understood concerns over privacy and would be a good neighbor.

Four (4) residents appeared in opposition to the request and indicated that the narrow width of the subject property, and the small size of their lots provided no separation between the proposed use and their homes.

Several members of the Church's congregation noted that they did not actually hold services on the property, but rather they went there so do work on the existing building and property in preparation for the construction of the project.

The BZA asked staff if the violation from code enforcement indicated religious services. Staff confirmed that this was the case. The BZA concluded that this request was not an appropriate location for the proposed use. Traffic would be an issue with no median break on Curry Ford Road, and the site was too narrow to be able to provide adequate separation.

The BZA further concluded that the use would be an intrusion into the existing neighborhoods, and would not be compatible with the existing patterns of development. A motion was made and seconded to recommend denial of the request. The motion was approved unanimously.





2886 Aloma Oaks Drive, Oviedo, Florida 32765  
Phone: (407) 346-2873; email: gsharp@cfl.rr.com

April 20<sup>th</sup>, 2016

Fla. Lic. # AA26002910

Development Coordinator  
Orange County Zoning Division  
201 S. Rosalind Ave.  
Orlando, FL 32801  
Attn: Mr. David C. Nearing, AICP

Re: Iglesia El Shaddai, Inc.  
Special Exception Application

Dear Mr. Nearing,

Attached please find the Special Exception Application Package for the 'Iglesia El Shaddai' Church. This request is for the use of the subject property for Religious Use. The property is currently zoned R-1.

The Iglesia El Shaddai Church site is located on the north side of Curry Ford Road., between Chickasaw Trail and Econlockhatchee Trail. The Project is within Section 1, Township 23 South, Range 30 East, Orange County, Florida. The site address is 8703 Curry Ford Rd., Orlando, FL 32825. Parcel Id # is: 01-23-30-0000-00-010.

The site has an existing 1,849 S.F. residential structure, and a 751 S.F. storage building. Note, storage building is planned to be demolished at the time of site improvement under this application.

The proposed Project consists of:

Phase 1 (see attached sketch SD-1):

- 1) A religious use facility of approximately 13,435 S.F. — See sketches A-1, A-2 & A-3 attached.
  - A. To include a 400 seat sanctuary.
  - B. Seven (7) Classrooms for Sunday School and religious education
  - C. Pastoral and administrative offices.
- 2) Site improvements to include:
  - A. Parking
  - B. Stormwater management system

**RECEIVED**  
**APR 20 2016**  
**Zoning Division**



- C. Landscaping
- D. Water and sewer utilities to serve the facility

Phase 2: (see attached sketch SD-2):

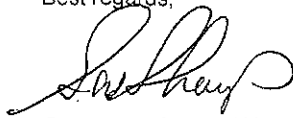
- 3) An assembly building of approximately 3,290 S.F. for use during retreat gatherings which would take place up to four (4) times per year.
- 4) Six (6) Buildings, approx. 940 S.F. each, for overnight stay of congregants during retreat weekends (Friday night through Sunday afternoon). See Sketches A-4 and A-5 attached.

The Church will operate from 11 am to 6 pm on Sundays, 7 to 10 pm on Wednesdays and Fridays. The retreats will operate between 5 pm Friday and 4 pm Sunday on the Retreat weekends. The pastoral offices will operate between 8 am and 6 pm weekdays. The adult bible study will operate between 8 to 9:30 pm on Wednesdays. Outdoor events will be Easter Sunday, one day for a summer picnic, summer day camps (children), Halloween Night (children) and a Christmas nativity.

The project will be developed in two (2) phases. Phase I will consist of the Church Sanctuary, parking, storm collection system and underground utilities. Phase II will consist of the retreat buildings (6) and an Assembly Hall. It is estimated that the Church will start Phase II of the Project within 10 years of the opening of Phase I.

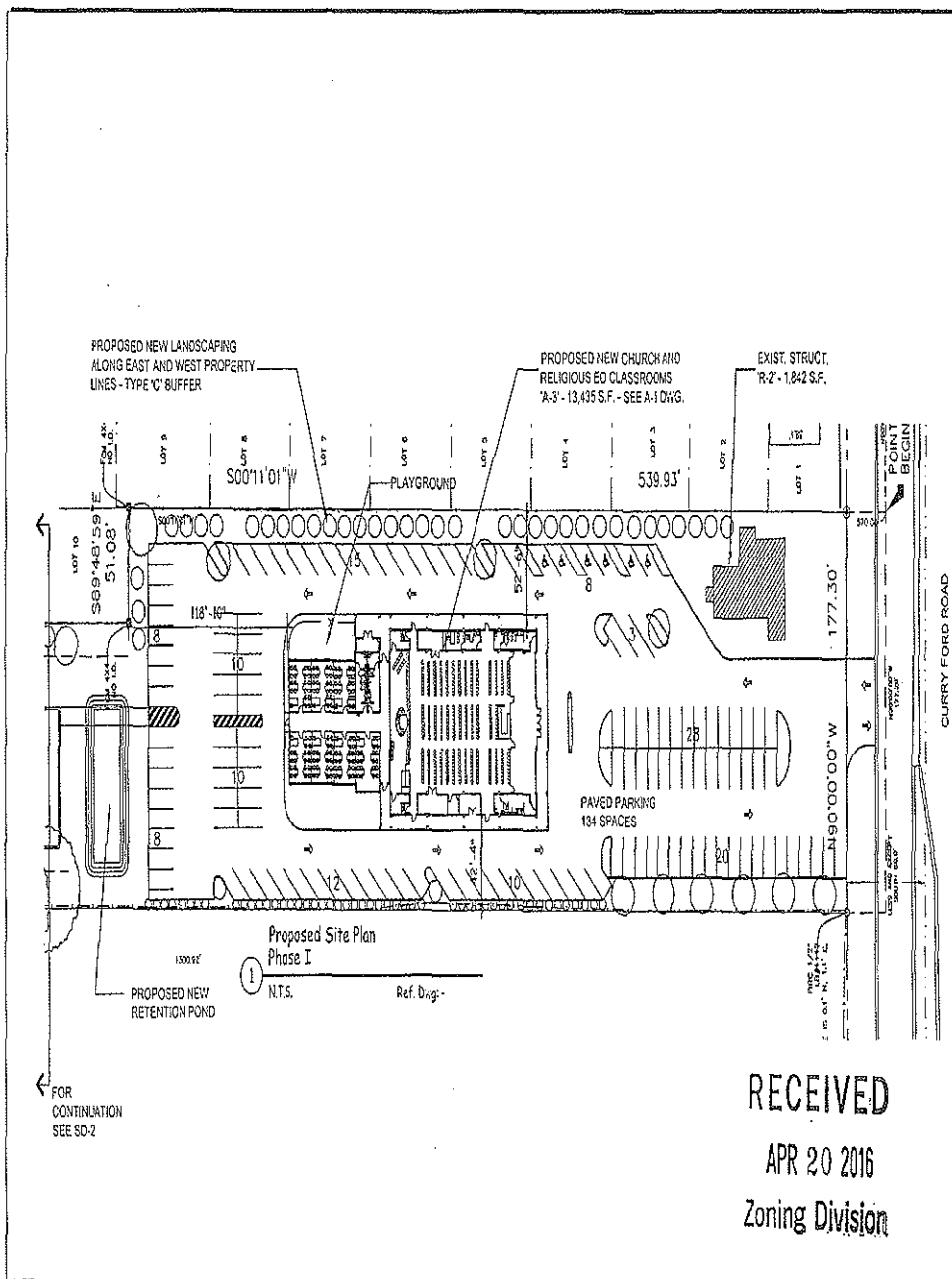
Should you have any further questions and or concerns, or need additional information, please feel free to contact our office.

Best regards,



George W. Sharp, AIA  
Architect/Applicant





RECEIVED  
APR 20 2016  
Zoning Division

**SA SHARP**  
ARCHITECTURE, LLC

2886 Altona Oaks Drive  
Oviedo, Florida 32765-7991  
(407) 346-2873 FL Lic. # AA26002910



Iglesia El Shaddai, Inc.

2516 Post Ave.  
Orlando, FL 32805

Iglesia El Shaddai  
2516 Post Ave.  
Orlando, FL 32805

Proposed Site Development Plan - Phase 1

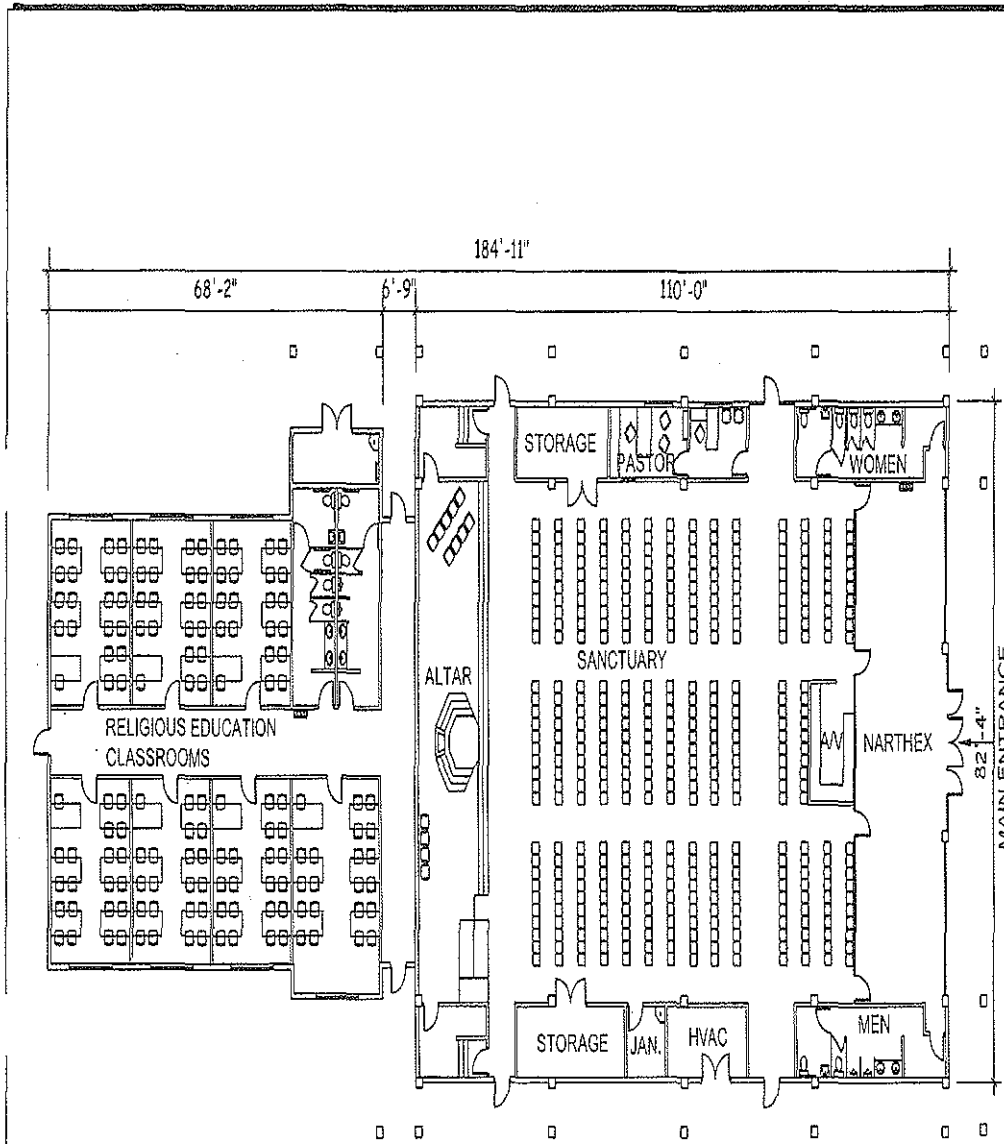
60101  
4.19.16  
N.Y.S.

SD-1









Proposed Sanctuary  
Floor Plan

1

N.T.S.

Ref. Dwg: -

OCCUPANCY GROUP - A-3  
400 SEATS  
13,435 S.F.

**SA SHARP**  
ARCHITECTURE, LLC

2886 Aloma Oaks Drive  
Oviedo, Florida 32765-7991  
(407) 346-2873 Fl. Lic. # AA26002910

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**Iglesia El Shaddai, Inc.**  
2616 Peel Ave.  
Orlando, FL

**Iglesia El Shaddai**  
8703 Curry Ford Road  
Orlando, FL

Proposed Sanctuary Floor Plan

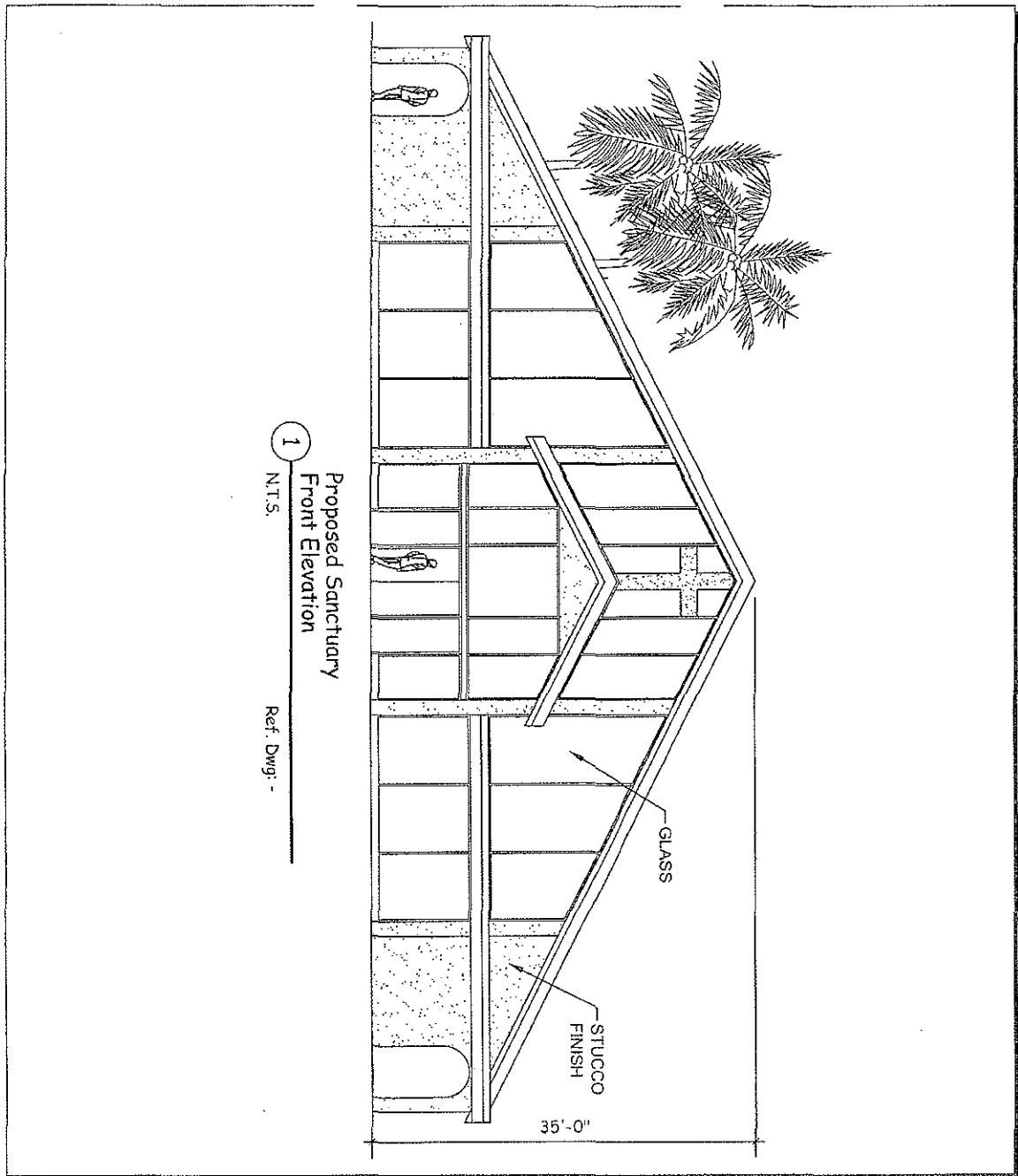
PROJECT NUMBER  
60101

DATE  
4.19.16

SCALE  
N.T.S.

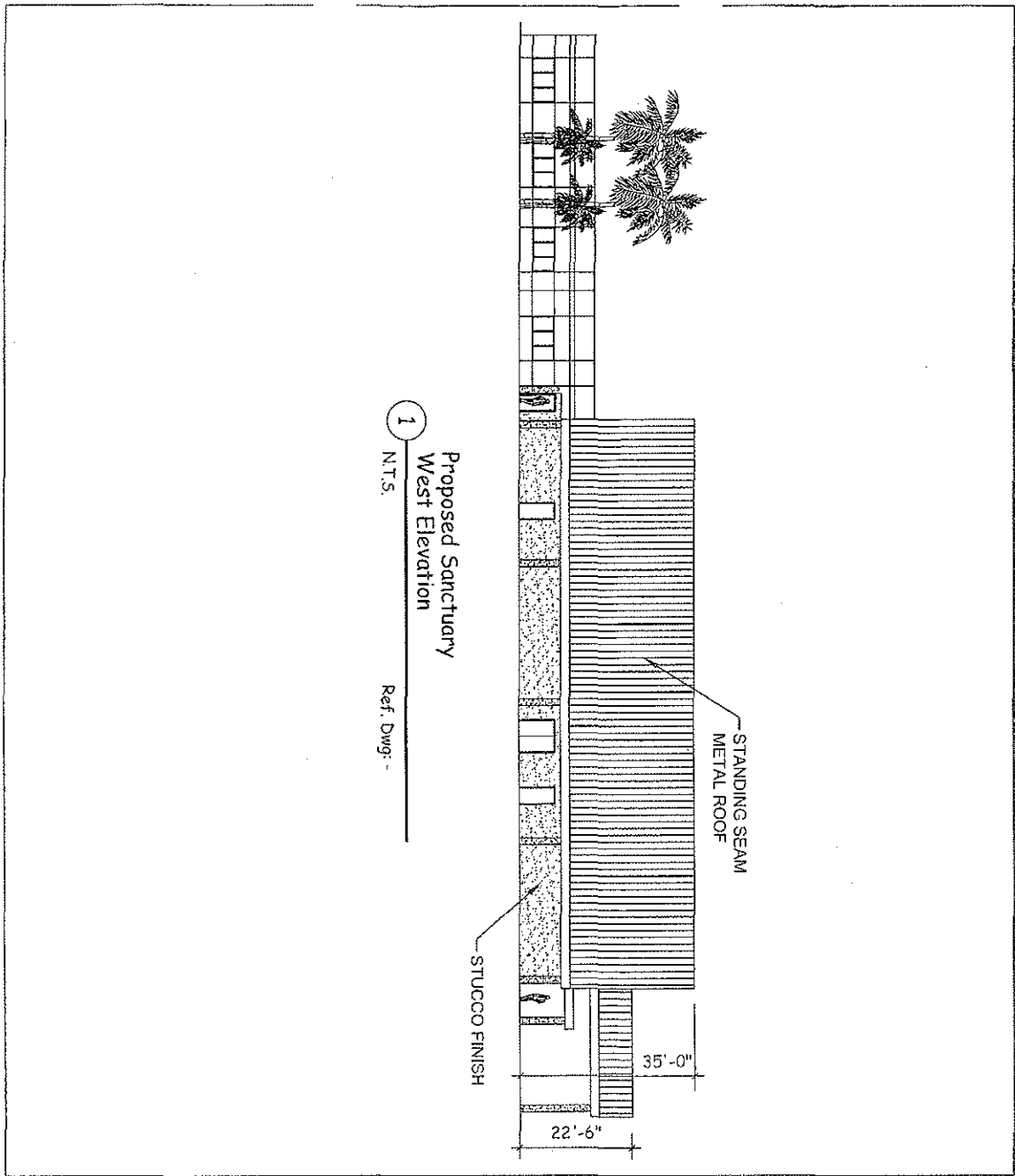
SHEET  
A-1

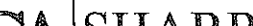




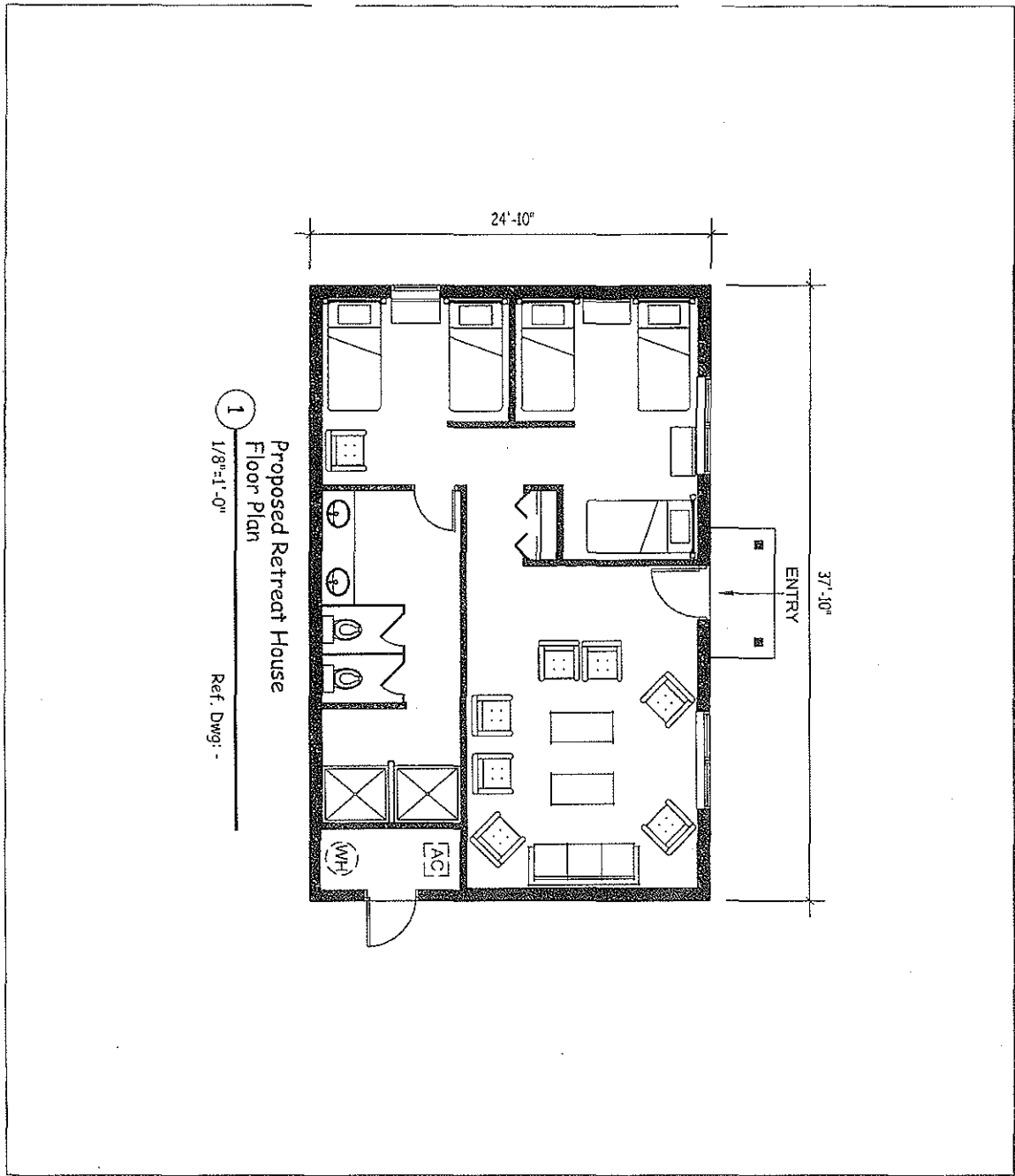
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DATE 4.19.16	PROJECT NAME Iglesia El Shaddai 8703 Curry Ford Road Orlando, FL	OWNER Iglesia El Shaddai, Inc. 2616 Peel Ave. Orlando, FL	<b>SA SHARP</b> ARCHITECTURE, LLC 2886 Aloma Oaks Drive Oviedo, Florida 32765-7991 (407) 346-2873 FL Lic. # AA26002910
SCALE N.T.S.			
SHEET A-2	Sanctuary Front Elevation		





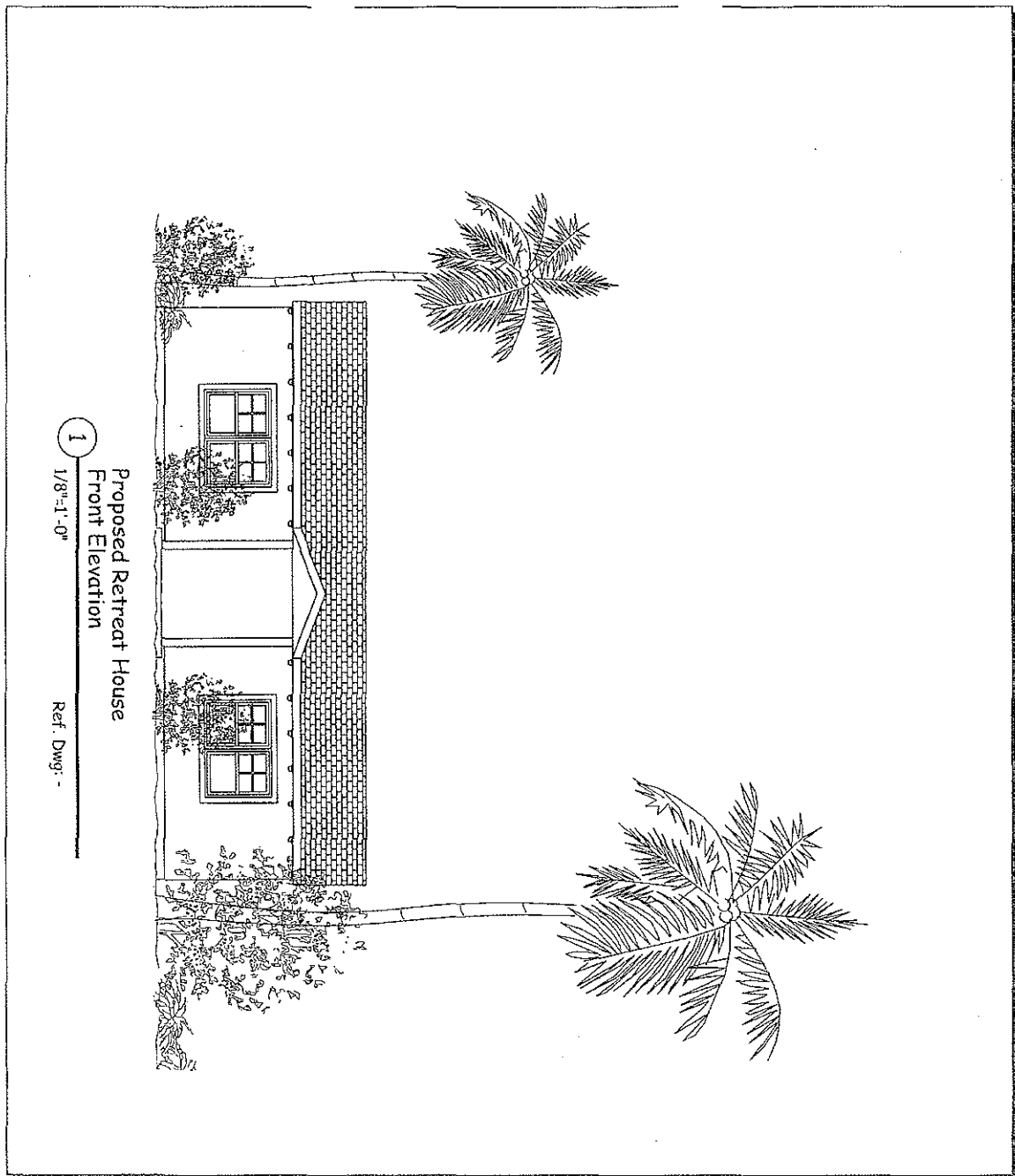
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DATE 4.19.16	PROJECT NAME Iglesia El Shaddai 8703 Curry Ford Road Orlando, FL	OWNER Iglesia El Shaddai, Inc. 2616 Peel Ave. Orlando, FL	 2886 Aloma Oaks Drive Oviedo, Florida 32765-7991  (407) 346-2873 FL Lic. # AA26002910
SCALE N.T.S.	Sanctuary Side Elevation		
SHEET A-3			





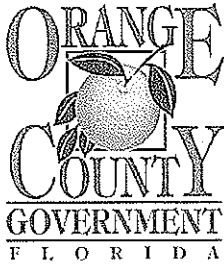
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DATE 4.19.16	PROJECT NAME Iglesia El Shaddai 8703 Curry Ford Road Orlando, FL	OWNER Iglesia El Shaddai, Inc. 2616 Peel Ave. Orlando, FL
SCALE 1/8"=1'-0"	Retreat House	
SHEET A-4		
<div> <div>SA</div> <div>SHARP ARCHITECTURE, LLC</div> </div> <div>           2886 Aloma Oaks Drive            Oviedo, Florida 32765-7991            (407) 346-2873 FL Lic. # AA26002910         </div>		





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DATE <b>4.19.16</b>	PROJECT NAME <b>Iglesia El Shaddai 8703 Curry Ford Road Orlando, FL</b>	OWNER <b>Iglesia El Shaddai, Inc. 2616 Peel Ave. Orlando, FL</b>
SCALE <b>1/8"=1'-0"</b>		
SHEET <b>A-5</b>		
	<b>SHARP ARCHITECTURE, LLC</b> 2886 Aloma Oaks Drive Oviedo, Florida 32765-7991 (407) 346-2873 FL Lic. # AA26002910	





STAFF REPORT  
CASE #SE-16-06-065  
Orange County Zoning Division  
Planner: David Nearing  
Board of Zoning Adjustment  
June 2, 2016  
Commission District: 3

**GENERAL INFORMATION:**

APPLICANT: Iglesia El Shaddai Church

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exception and Variance in the R-1 zoning district for a religious use facility as follows:

- 1) Special Exception: To construct a 400 seat sanctuary classrooms for religious education and Sunday School, a 3,290 square feet assembly hall, and six (6) buildings (960 square feet each) to be used for weekend overnight retreat stays; and,
- 2) Variance: To permit grassed parking with paved drive aisles.

LOCATION: North side of Curry Ford Rd., approximately 950 ft. east of S. Chickasaw Trail

PROPERTY ADDRESS: 8703 Curry Ford Road

PARCEL ID: 01-23-30-0000-00-010

TRACT SIZE: 4.32 acres

DISTRICT #: 3

ZONING: R-1

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): Religious Institution

SURROUNDING USES: The site is surrounded by single family detached homes.



## **STAFF FINDINGS AND ANALYSIS:**

1. The applicant is requesting a two-phased approval of a religious institution.  
Phase I will consist of:
  - a) A 13,435 square feet sanctuary building with seating for up to 400 persons in the sanctuary;
  - b) Seven (7) classrooms Sunday school and religious education classes; and,Administrative offices;  
Phase II will consist of:
  - a) A 3,290 square feet assembly/fellowship building for retreat weekends (four (4) times per year); and,
  - b) Six (6) 960 square feet buildings to be used to house those attending the weekend retreats.
2. Hours of operation for the Place of Worship are to be Sundays from 11:00 a.m. to 6:00 p.m., and Wednesdays and Fridays from 7:00 p.m. to 10:00 p.m. Hours of operation on the four (4) retreat weekends will be from Friday evening to Sunday afternoon. The pastoral offices will be open weekdays from 8:00 a.m. to 6:00 p.m.
3. On May 25, 2010, the Board of County Commissioners (BCC) approved a less intense religious use and child daycare use for the property. That approval was for two (2) portable building to use for a church use and to convert the existing residence into a child daycare center for forty-five (45) children. That approval was for a different applicant (Iglesia De Restauracion Elohim, Inc.). This is a new proposal, and is more intense than the previous one.
4. The current request is for sixty-five percent (65%) more seats and an additional 5,335 square feet of floor area in the sanctuary.
5. The area is generally zoned for single family detached housing such as the one located immediately east of the subject property.
6. The request represents a detrimental intrusion to the existing platted homes to the east. In addition, the proposed uses are not similar and compatible with the surrounding land uses (single family residential). Staff cannot support this request.

## **STAFF RECOMMENDATIONS:**

Denial as the request does not comply with Special Exception Criteria 38-78-(2) and 38-78-(3). Specifically, the request is not similar and compatible with the surrounding area and the request acts as a detrimental intrusion into the surrounding single family uses in the area.



However, should the BZA find that the application meets the criteria for a Special Exception and variance, staff recommends that the following conditions be imposed on the Special Exception:

1. Development in accordance with site plan dated April 20, 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. Construction plans shall be submitted within 3 years or this approval becomes null and void;
5. Phase I shall be completed within \_\_\_\_ years of commencement of construction. Construction plans for Phase II of the proposed plan shall be submitted within \_\_\_\_ years of completion of Phase I, or Phase II will require re-approval by the BZA. Phase II shall be completed within \_\_\_\_ years of commencement of construction. These time-frames may be extended by the Zoning Manager for a period of six (6) months if it can be demonstrated that delays were not the result of action or inaction on the part of the applicant/owner. Failure to adhere to this timeframe shall require any incomplete construction to be re-approved by the BZA;
6. Access, drainage, roadway improvements and concurrency management shall be determined by the Public Works Department;
7. If applicable, approval of this request does not constitute approval of the use of wells and/or septic tanks. The use of septic tanks and wells shall be in accordance with all applicable regulations;



8. A Type C landscape buffer and a six (6) foot high vinyl fence shall be constructed along the entire eastern and western property lines. Said fences shall be supplemented with mature trees twelve (12) feet in height at planting, and spaced at forty (40) feet on center. All other landscaping shall comply with Chapter 24 of the Orange County Code. To the greatest extent possible, all existing trees, excluding exotics and invasives, in excess of four (4) inches caliper shall be preserved, except those preventing the installation of the fencing along the property lines;
9. All outdoor lighting shall be in accordance with Chapter 9, Orange County Code;
10. Signage shall be in accordance with 31.5, Orange County Code;
11. The play area on the east side of the sanctuary building shall be relocated to the west side of the sanctuary building;
12. Any detached accessory structures not identified on the site plan for retention shall be removed prior to issuance of a Certificate of Occupancy (CO) for the sanctuary;
13. All buildings located at the site shall be of same or complimentary exterior colors (muted earth tones). No caricatures or designs shall be painted on or affixed to the building exterior;
14. No outdoor speakers or other audio amplification shall be used on the property;
15. No more than six (6) outdoor special events shall take place in any calendar year. These events shall be limited to the hours of 8:00 a.m. and 10:00 p.m., with the exception of October 31st, where the event may extend to 11:00 p.m.;
16. Noise and sound shall be regulated by Chapter 15, Orange County Code; and,
17. Failure to comply with the above conditions shall be deemed a code violation, and shall result in action by the Code Enforcement Board rather than the BZA.

cc: George Sharp  
Sharp Architecture, LLC  
2886 Aloma Oaks Drive  
Oviedo, Florida 32765

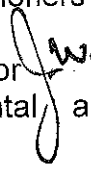





Interoffice Memorandum

DATE August 4, 2016

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 L. Knox, Manager, Zoning Division   
407-836-5585

SUBJECT: August 16, 2016 – BCC Appeal Public Hearing  
Applicant/Appellant: Faith Center Ministries, Inc.  
BZA Case #SE-16-06-069, June 2, 2016; District #2

Case #SE-16-06-069, located at 4630 N. Hiawassee Rd. in District #2, is a BCC appeal public hearing to be heard on August 16, 2016. Faith Center Ministries, Inc. (applicant/appellant) is requesting a special exception to convert an existing single family residence into a religious use facility for up to 55 members and a variance to allow grassed parking in lieu of paved parking. The driving aisles will be paved.

The subject property is located on the west side of N. Hiawassee Rd., approximately 350 ft. south of Hyland Oaks Dr.

On May 13, 2014, the Board of County Commissioners (BCC) upheld a recommendation by the Board of Zoning Adjustment (BZA) at its May 1, 2014 meeting, to deny a prior request by this applicant to convert the house into both a church and a school. The current request before the BCC is for conversion of the house into a religious institution only, omitting the school proposal completely.

During the June 2, 2016 BZA public hearing, several residents of the Hyland Oaks Subdivision to the north spoke in opposition. They had concerns about land use compatibility, safety relative to the turn at Hiawassee Rd. and Hyland Oaks Dr., and routing traffic onto Hyland Oaks Dr. The BZA determined that the requests would cause a detrimental intrusion into the Hyland Oaks neighborhood and unanimously denied the request (6-0; 1 absent).

Staff has received a request by the applicant to continue this matter to a future date due to a scheduling conflict. The applicant did not specify any future date to which they



would like the hearing continued. The District 2 office has indicated that they do not object to the continuance.

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: Continue this application to the August 23, 2016 BCC meeting at 2 p.m. District #2.**



# FAITH CENTER MINISTRIES, INC

July 27, 2016

Orange County Government Florida  
Zoning Division  
201 South Rosalind Avenue, 1<sup>st</sup> Floor  
P. O. Box 2687  
Orlando, Fl 32802-2687

Attention: Martha O Haynie, County Comptroller

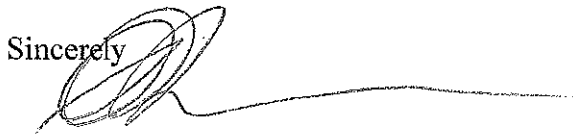
RE: Request to Postpone Public Hearing /SE-16-06-069 Faith Center Ministries set for 8-16-2016

This is to acknowledge receipt of your Notice of Public Hearing for August 16, 2016 on the above BZA appeal for Special Exception SE-16-06-069 Faith Center Ministries.

We are requesting that the hearing be postponed for a later date as the Appellant has a schedule conflict. Appellant will be out of the state at a previously schedule meeting and will not be able to be there on August 16, 2016.

Please contact me so we can set up a mutually agreeable date for the Hearing. Thanks for your help.

Sincerely



Linton Morris, for  
Faith Center Ministries, Inc.



**COMMUNITY ENVIRONMENTAL DEVELOPMENT  
SERVICES DEPARTMENT  
ZONING DIVISION PUBLIC HEARING REPORT  
August 16, 2016, 2016**

The following is a BCC appeal public hearing before the Board of County Commissioners on August 16, 2016 at 2:00 p.m.

**APPELLANT/APPLICANT:** FAITH CENTER MINISTRIES, INC.

**REQUEST:** Special Exception and Variance in the A-1 zoning district as follows:

- 1) Special Exception: To convert existing single family residence into a religious use facility for up to 55 members; and,
- 2) Variance: To permit grassed parking spaces with paved drive aisles.

(Note: No school is proposed. No new construction is proposed.)

**LOCATION:** West side of N. Hiawassee Rd., approximately 350 ft. south of Hyland Oaks Dr.

**TRACT SIZE:** 2.75 acres

**ZONING:** A-1

**DISTRICT:** #2

**PROPERTIES NOTIFIED:** 67

**BOARD OF ZONING ADJUSTMENT (BZA) HEARING SYNOPSIS ON REQUEST:**

The applicant proposes to convert the existing house into a church. Services are planned for Sundays and Wednesday nights. No school is proposed. The site is 2.4 acres in size and the building is setback approximately 200 feet from Hiawassee Road.

Staff gave a brief overview of the project's history. In 2014, the Board of County Commissioners denied this applicant's request. At such time, the applicant requested approval for a church and school.

This application is for the church only. Several neighbors spoke in opposition. They reside in the Hyland Oaks Subdivision which is adjacent to the north. The neighbors had



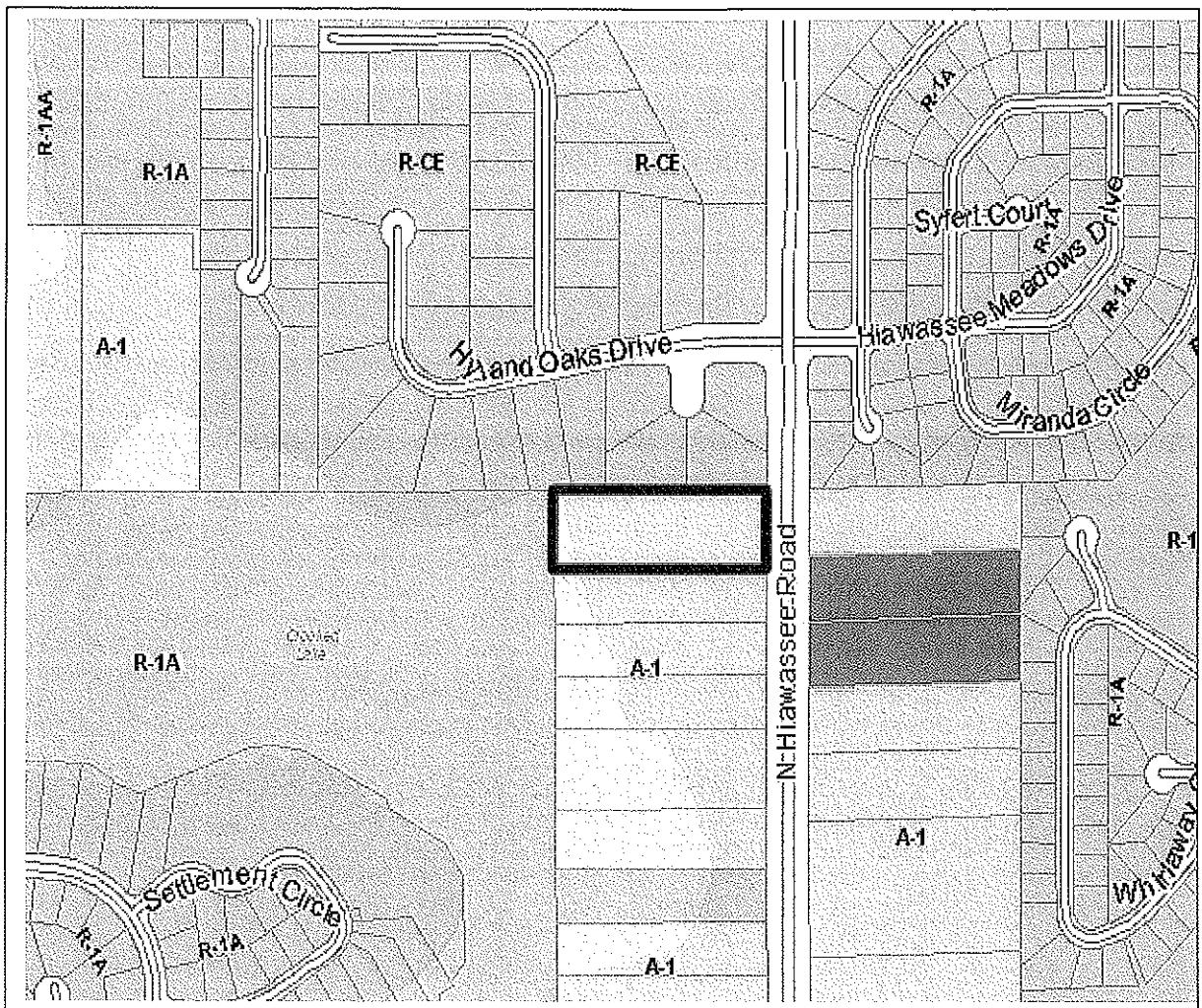
concerns about the invasion of privacy, code enforcement issues, noise impacts, and, a lack of land use compatibility.

The BZA concluded this request represented an intrusion into the residential lifestyle of the adjacent residents and denied the request.

**BZA HEARING DECISION:**

A motion was made by Gregory A. Jackson, seconded by Tony Rey and unanimously carried to deny 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 (unanimous). (6-0; 1 absent)





**Applicant:** Faith Center Ministries, Inc.

**BZA Number:** SE-16-06-069

**BZA Date:** 06/02/2016

**District:** 2

**Sec/Twn/Rge:** 02-22-28-SE-D

**Tract Size:** 2.75 acres

**Address:** 4630 N. Hiawasse Rd., Orlando, FL 32818

**Location:** West side of N. Hiawasse Rd., approximately 350 ft. south of Hyland Oaks Dr.



**FAITH CENTER MINISTRIES, INC.**  
**SE-16-06-069**

---

**REQUEST:** Special Exception and Variance in the A-1 zoning district as follows:  
1) Special Exception: To convert existing single family residence into a religious use facility for up to 55 members; and,  
2) Variance: To permit grassed parking spaces with paved drive aisles.  
(Note: No school is proposed. No new construction is proposed).

**ADDRESS:** 4630 N. Hiawassee Rd., Orlando, FL 32818

**LOCATION:** West side of N. Hiawassee Rd., approximately 350 ft. south of Hyland Oaks Dr.

**S-T-R:** 02-22-28

**TRACT SIZE:** 2.75 acres

**DISTRICT#:** 2

**LEGAL:** THE N 198 FT OF THE E1/2 OF THE SE1/4 OF THE SE1/4 OF SEC 02-22-28 (LESS THE E 30 FT THEREOF FOR RD R/W

**PARCEL ID:** 02-22-28-0000-00-017

**NO. OF NOTICES:** 67

**DECISION: 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; and, **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) (6 in favor, 1 absent).

**SYNOPSIS:** The applicant proposes to convert the existing house into a church. Services are planned for Sundays and Wednesday nights. No school is proposed. The site is 2.4 acres in size and the building is setback approximately 200 feet from Hiawassee Road.

Staff gave a brief overview of the project's history. In 2014, the Board of County Commissioners denied this applicant's request. At such time, the applicant requested approval for a church and school.

This application is for the church only. Several neighbors spoke in opposition. They reside in the Hyland Oaks Subdivision which is adjacent to the north. The neighbors had concerns about the invasion of privacy, code enforcement issues, noise impacts, and, a lack of land use compatibility.

The BZA concluded this request represented an intrusion into the residential lifestyle of the adjacent residents and denied the request.



## FAITH CENTER MINISTRIES, INC

April 19, 2016

Orange County Board Of Zoning Adjustment  
201 S Rosalind Ave, 1st Floor  
Orlando, FL 32801

Re: Special Exception Request, Faith Center Ministries, Inc. 4630 N Hiawasse Rd, Orlando, FL

ATTENTION : David Nearing

Attached please find the Special Exception Application and documents for Faith Center Ministries, Inc.

Faith Center Ministries, Inc. is a Christian Church that owned the property at 4630 N. Hiawasse Road. The property is currently zoned A-1 and religious activities/church is permitted. The Applicant intends to use the existing 3,044 SF residential structure as its meeting location which can accommodate about 55 members to exercise their religious practices.

Operationally, the religious services are held every Sunday morning 10:30 AM to 1:30 PM, Sunday evenings from 6:00 PM to 8:00 PM, Wednesday evenings from 7:00 PM to 8:00 PM, with additional services during Easter, Christmas and other liturgical events.

We believe that this application meets Section 38-78, of the Orange County Code specific criteria as follows:

**1. Consistent with comprehensive policy plan**

This Special Exception Application and Variance is consistent with the Comprehensive policy plan.

**2. Use shall be similar and compatible with surrounding area and development.**

The use is similar and compatible with the the surrounding area and development.

(i) There are two churches and a school not far from the subject property.

(ii) Directly across from subject property is another property that is zoned PD-commercial.

(iii) There are two commercial farms that are no longer in operation within a 3000-foot radius of subject property.

**3. Use shall not act as a detrimental intrusion into surrounding area.**

The subject property has its own ingress and egress off Hiawasse Road, which is a major 4-lane road. Further, one does not have to intrude on any surrounding area to access this site. The boundary on the north is fenced and has shrubbery; the west is bordered by Crooked Lake; on the east is the 4-lane Hiawasse roadway, and on the South is a similarly zoned A-1 property that supports this application.

**4. Use shall meet performance standards of District**

The use meets all the performance standards of the District.

Faith Center Ministries, Inc. P. O. Box 683345, Orlando, Florida 32868 (321) 877-5758 Email: irepent@hotmail.com



5. Use shall be similar in noise, vibration, dust, glare, heat with majority of uses currently permitted in zoning district.

There are several commercial properties in close proximity that are currently permitted within the A-1 Zoning District. This application's requested use will be similar with the current uses.

6. Landscape buffer yards shall be in accordance with Sect 24-5 of OC code.

The landscape buffer yard is compliant with Section 24-5 per site plan.

Should you have any questions or comments, please do not hesitate to call me at (321) 877-5758.

Sincerely,



Linton Morris, President  
Faith Center Ministries, Inc.,  
P. O. Box 683345  
Orlando, FL 32868  
(321) 877-5758



# SITE DATA

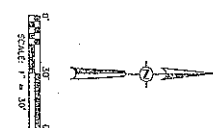
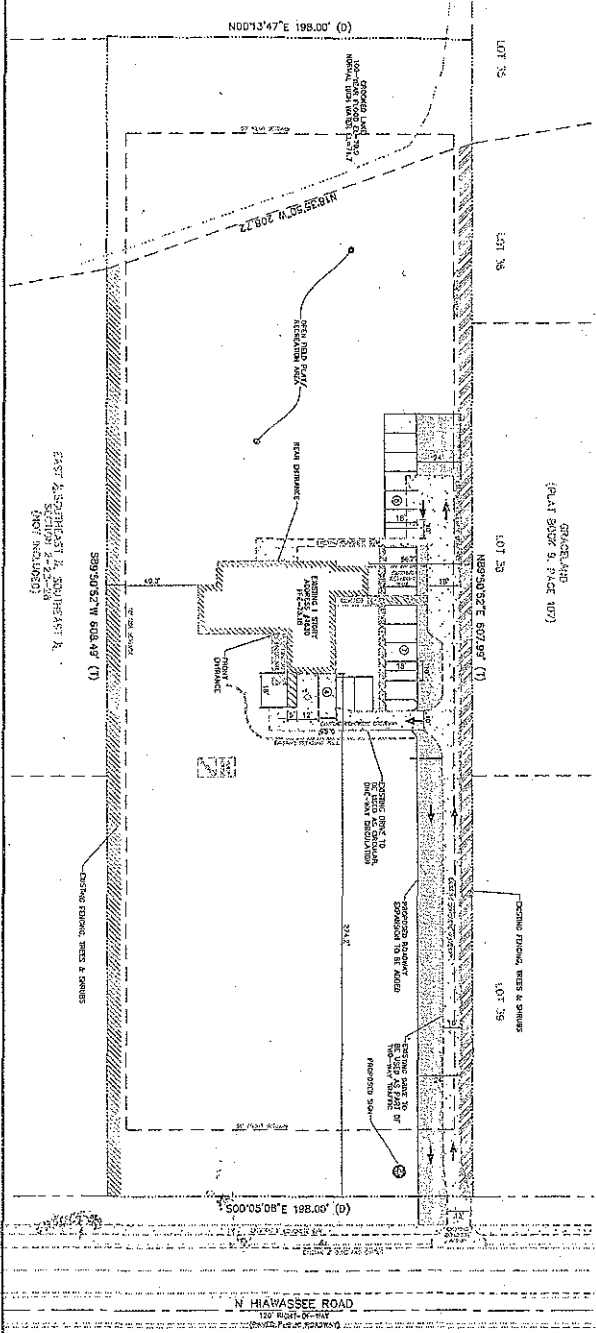
PROPERTY LOCATION:  
4630 N HIAWASSEE ROAD  
ORLANDO, FL 32818  
PARCEL: 25-28-0000-00-017  
LAND OWNER:  
FAITH CENTER MINISTRIES  
ORLANDO, FL 32818-1345  
PROPERTY ZONING:  
A-1 (COMMERCIAL, DISTRICT)  
SETBACK REQUIREMENTS:  
FRONT (ft) 10  
SIDE (ft) 10  
REAR (ft) 25  
EXISTING PROPERTY USE:  
3,881 SF SINGLE-FAMILY RESIDENTIAL  
PROPOSED PROPERTY USE:  
EXISTING 1,881 SF BUILDING TO BE USED FOR RELIGIOUS ACTIVITIES.  
MAXIMUM BUILDING HEIGHT:  
PROPOSED = 15' (CASTING STRUCTURE)  
ALLOWED = 35'  
PROPOSED HEIGHTS OF OPERATION:  
SOUNDY BUILDINGS BETWEEN 8:00 AM AND 1:00 PM  
SOUNDY BUILDINGS BETWEEN 1:00 PM AND 8:00 PM  
INDEPENDENTLY EXCEEDS BETWEEN 7:00 PM AND 8:00 PM  
PARKING REQUIREMENTS:  
RELIGIOUS MINISTRIES  
1 SPACE PER 200 SF  
1,881 / 200 = 9.4 SPACES REQUIRED  
TOTAL PARKING REQUIRED = 19 SPACES  
PARKING PROPOSED:  
TOTAL = 19 PARKING SPACES  
TOTAL = 19 PARKING SPACES

# SITE LEGEND

SITE BOUNDARY LINE  
CENTER LINE OF ROAD  
EASEMENT LINE  
EXISTING EDGE OF PAVEMENT  
EXISTING FENCING, TREES & SHRUBS  
EXISTING CONCRETE  
PROPOSED UNPAVED PARKING  
PROPOSED TYPE "V" BUFFER  
PROPOSED CONCRETE DRIVE  
SIDEWALK  
LINEAR FEET  
SQUARE FEET  
HANDICAP PARKING  
HANDICAP  
TYPICAL  
5' PARKING SPACES

# LEGAL DESCRIPTION

THE NORTH 100 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 28-22-24, RANGE 28, NORTH-36-W-4, DEER CREEK, FLORIDA (OFFICIAL RECORDS BOOK 00000, PAGE 000-0000)



RECEIVED

APR 20 2016

Zoning Division

PROJECT NAME SHEET NO. C-1	FAITH CENTER MINISTRIES 4630 N HIAWASSEE RD, ORLANDO, FL	FAITH CENTER MINISTRIES, INC.	CivilCorp Engineering, Inc. 3000 W. 17th Ave. Altamonte Springs, FL 32714 Phone: 407-255-1122 Fax: 407-255-1123 www.civilcorp.com	Project No.	072-001	Drawn By	STA
	SHEET NAME SPECIAL EXCEPTION PLAN			Scale	1"=30'	Date	01/12/14





STAFF REPORT  
CASE #SE-16-06-069  
Orange County Zoning Division  
Planner: Rocco Relvini  
Board of Zoning Adjustment  
June 2, 2016  
Commission District: 2

**GENERAL INFORMATION:**

APPLICANT: Faith Center Ministries, Inc.

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exception and Variance in the A-1 zoning district as follows:

- 1) Special Exception: To convert existing single family residence into a religious use facility for up to fifty-five (55) members; and,
- 2) Variance: To permit grassed parking spaces with paved drive aisles.  
(Note: No school is proposed. No new construction is proposed.)

LOCATION: West side of N. Hiawassee Road, approximately 350 feet south of Hyland Oaks Drive

PROPERTY ADDRESS: 4630 N. Hiawassee Road

PARCEL ID: 02-22-28-0000-00-017

PUBLIC NOTIFICATION: 67

TRACT SIZE: 2.75 acres

DISTRICT #: 2

ZONING: A-1

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): 55 Seat Place of Worship

SURROUNDING USES: There are single family residence to the north, east and south. A small lake is to the west.



### **STAFF FINDINGS AND ANALYSIS:**

1. On May 13, 2014, the Board of County Commissioners (BCC) denied the same applicant's request for a school (K-12; 63 students), and a religious use facility. The predominant reason the BCC denied the request was due to safety concerns about accessing the site via U Turns on Hiawassee Road and intense public opposition. The proposed school use was the primary concern students and their parents would have to make U turns at Hiawassee Road and Hyland Oaks Drive.
2. The applicant has lessened the impacts by proposing a religious use only. The school use is not proposed. The only days for the proposed religious use are to be on Sundays and Wednesday evenings during off-peak traffic hours. Although the U turn concern still exists, the proposed church use will use the facility only two (2) days a week rather than six (6) days a week that the previous uses were going to use it.
3. Staff inspected the site and recommends that all the shrubs located on the north property line from the existing six (6) feet high chain link fence (not the four (4) feet high chain link fence) to Hiawassee Road shall be removed and replaced with a six (6) feet high vinyl fence. The remaining part of the north line where the six (6) feet high chain link fence exists shall remain as is.
4. Staff's position is the church use represents a significant reduction in the proposed land use intensity since it will only be used two (2) days a week. In addition, no new construction is proposed and a religious use along Hiawassee Road (four (4) lane divided arterial roadway) is reasonable.

### **STAFF RECOMMENDATIONS:**

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated April 20, 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. There shall be no school or educational facility;
5. Signage shall be limited to one (1) ground sign no greater than thirty-two (32) square feet;
6. Outdoor play areas shall be fenced in;
7. Landscaping along the east and south property lines shall be in accordance with Chapter 24, Orange County Code. A six (6) feet high vinyl fence shall be constructed along the north property line from Hiawassee Road to the existing six (6) feet high chain link fence. Said fence shall meander around any mature oaks. The balance of the north property line may remain as is;
8. Access, drainage, roadway improvements, and concurrency management shall be determined by the Public Works Department;
9. Prior to the issuance of any permits the applicant is required to obtain a Capacity Encumbrance Letter;
10. Driving aisles and handicapped parking spaces shall be paved. Parking spaces may be unpaved;
11. The religious use shall not operate until all permits are obtained. Plans shall be submitted within two (2) years or this approval becomes null and void;
12. No outdoor sound devices or music;
13. No more than four (4) outdoor special events per calendar year; and,
14. Failure to comply with the above conditions shall result in code enforcement action.

cc: Linton Morris, Applicant  
Faith Center Ministries, Inc.  
P.O. Box 683345  
Orlando, Florida 32868





## Interoffice Memorandum

DATE: August 4, 2016

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

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

CONTACT PERSON: Carol L. Knox, Manager, Zoning Division *CLK*  
407-836-5585

SUBJECT: August 16, 2016 – BCC Appeal Public Hearing  
Applicant: Crown Castle USA  
BZA Case #VA-16-04-008, May 5, 2016; District #1

Case #VA-16-04-008, located in District #1 is a BCC appeal public hearing to be heard on August 16, 2016. Crown Castle USA (applicant/appellant) is requesting a special exception to construct a 140 ft. high communications cell tower camouflaged as a pine tree (mono-pine). The subject property is located on the east side of Winter-Garden Vineland Rd., ¼ mile south of Overstreet Rd. The site is owned by Orange County and developed with Fire Station #35. The applicant/appellant has entered into a contract with Orange County to construct the proposed mono-pine tower. The subject property is located adjacent to Sunset Park Elementary School.

Section 38-1427(n)(5), Orange County Code requires the BZA/BCC to determine if the proposed cell tower is camouflaged. If the BZA/BCC determines the proposed cell tower to be camouflaged then variances from the off-site use separation distances are not required. If the BZA/BCC determines the proposed cell tower is not camouflaged then 34 variances from the off-site use separation distances are required.

On March 2, 2016, a community meeting was held at Sunset Park Elementary School. The majority of the attendees were opposed to this request. There are no structures in the area that are comparable in height to the proposed cell tower. The BZA concluded the special exception request was a detrimental intrusion into the surrounding area and recommended denial of the request.

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 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 denial of May 5, 2016. District #1.**

JVW/CH:rr



**COMMUNITY ENVIRONMENTAL DEVELOPMENT  
SERVICES DEPARTMENT  
ZONING DIVISION PUBLIC HEARING REPORT  
August 16, 2016, 2016**

The following is a BCC appeal public hearing before the Board of County Commissioners on August 16, 2016 at 2:00 p.m.

**APPELLANT/APPLICANT:** CROWN CASTLE USA

**REQUEST:** Special Exception in the P-D zoning district to construct a 140 ft. high communications cell tower camouflaged as a pine tree (mono-pine tower). If the BZA determines the tower is camouflaged then no variances are required because the residential separation requirement is 350 ft. and no residential homes are located within 350 ft. of the tower. If the BZA determines the tower is not camouflaged then variances are required from 34 homes/platted lots (36 properties) that are within the 700 ft. off-site use separation requirement.

**LOCATION:** East side of Winter Garden Vineland Rd., 1/4 mile south of Overstreet Rd.

**TRACT SIZE:** 5.6 acres

**ZONING:** P-D

**DISTRICT:** #1

**PROPERTIES NOTIFIED:** 359

**BOARD OF ZONING ADJUSTMENT (BZA) HEARING SYNOPSIS ON REQUEST:**

The applicant proposes a 140 foot high communications cell tower camouflaged as a pine tree. It will be located at Fire Rescue Station #35, owned by Orange County. Staff advised the BZA that they were required by code to make a determination as to whether the proposed tower was camouflaged. If the BZA determines the tower to be camouflaged, then all off-site use distance separations are being met. Staff also advised the BZA of federal law which prohibits local government from using RF emissions as the basis for making their recommendation. Staff advised the BZA that the landscape includes structures ranging from twenty-five (25) feet to fifty (50) feet. There are no



structures in the general area that are 140 feet in height. In conclusion, staff recommended the request was not consistent with the existing pattern of development in the area.

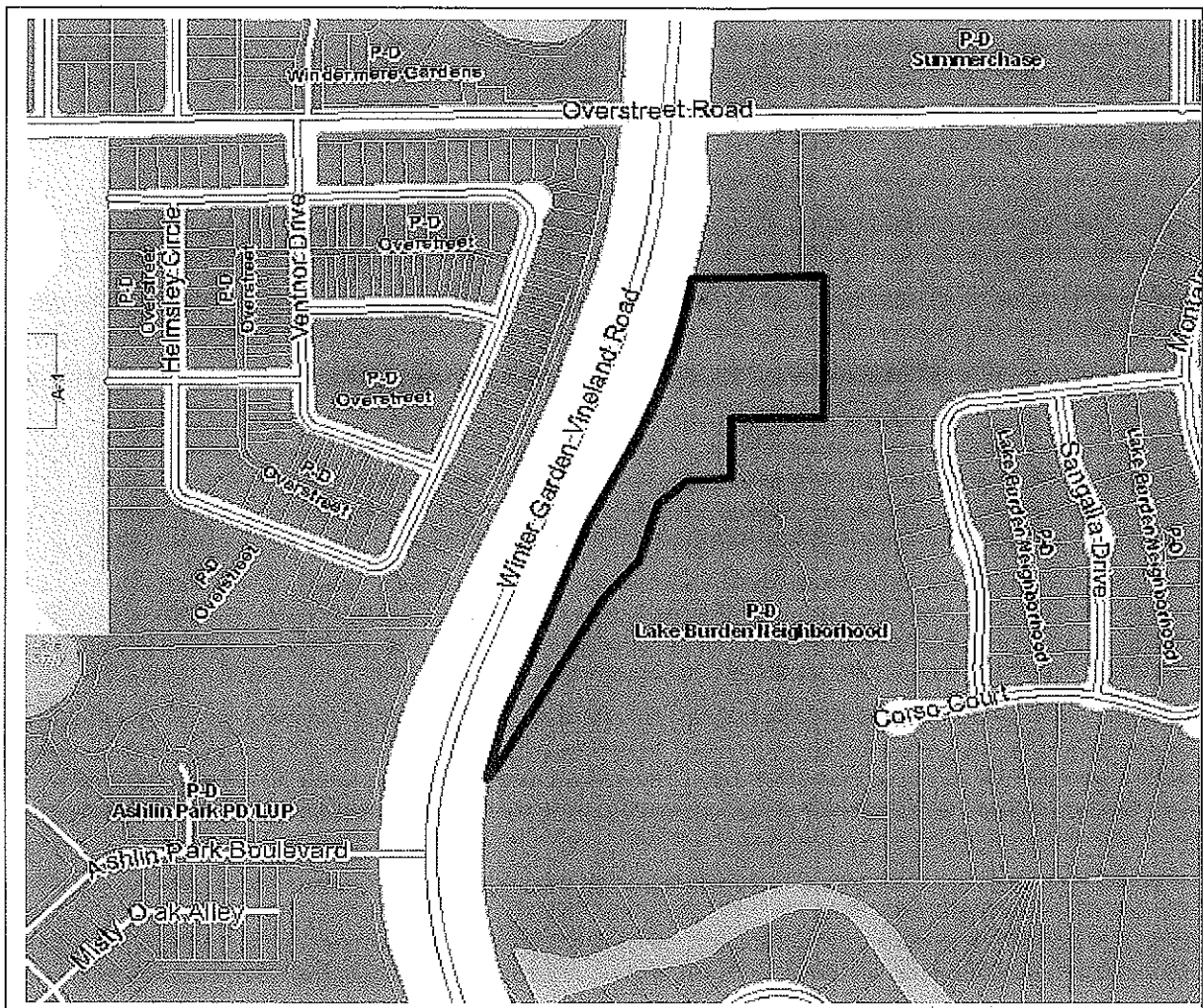
The applicant gave a presentation. She addressed the process, the Community Meeting, and the need for the tower. She showed the BZA numerous other towers in the region, the closest of which was almost two (2) miles away. Some of the towers were three (3) to five (5) miles away in undeveloped areas.

Four (4) persons spoke in opposition, one of which represented a local builder building new homes in the area. Lengthy discussion ensued by the BZA. As a result, the BZA made three (3) separate motions. The first two (2) motions failed. The third (3rd) motion passed. It was for denial. The BZA concluded the request was detrimental to the area.

#### **BZA HEARING DECISION:**

A motion was made by Gregory A. Jackson seconded by Chuck Norman and carried to deny the application for a Special Exception for a 140 ft. high mono-pine communications cell tower due to the detrimental intrusion to the residents pursuant to Section 38-78(3). Motion carried with four (4) members in favor, two (2) members in opposition, and one (1) member absent.





**Applicant:** Crown Castle USA

**BZA Number:** VA-16-04-008

**BZA Date:** 05/05/2016

**District:** 1

**Sec/Twn/Rge:** 25-23-27-NE-A, 25-23-27-SE-D

**Tract Size:** 5.6 acres

**Address:** 7435 Winter Garden Vineland Rd., Windermere, FL 34786

**Location:** East side of Winter Garden Vineland Rd., 1/4 mile south of Overstreet Rd.



**CROWN CASTLE USA**  
**VA-16-04-008**

---

**REQUEST:** **Special Exception** in the P-D zoning district to construct a 140 ft. high communications cell tower camouflaged as a pine tree (mono-pine tower). If the BZA determines the tower is camouflaged then no variances are required because the residential separation requirement is 350 ft. and no residential homes are located within 350 ft. of the tower. If the BZA determines the tower is not camouflaged then variances are required from 34 homes/platted lots (36 properties) that are within the 700 ft. off-site use separation requirement.

**ADDRESS:** 7435 Winter Garden Vineland Road, Windermere, FL 34786

**LOCATION:** East side of Winter Garden Vineland Rd., 1/4 mile south of Overstreet Rd.

**S-T-R:** 25-23-27

**TRACT SIZE:** 5.6 acres

**DISTRICT#:** 1

**LEGAL:** FIRE STATION NO 35 73/2 LOT 1

**PARCEL ID:** 25-23-27-2671-01-000

**NO. OF NOTICES:** 359

**DECISION:** **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(3), and that the granting of the Special Exception does adversely affect general public interest. (4 in favor, 2 opposed, and 1 absent).

**SYNOPSIS:** The applicant proposes a 140 foot high communications cell tower camouflaged as a pine tree. It will be located at Fire Rescue Station #35, owned by Orange County.

Staff advised the BZA that they were required by code to make a determination as to whether the proposed tower was camouflaged. If the BZA determines the tower to be camouflaged, then all off-site use distance separations are being met. Staff also advised the BZA of federal law which prohibits local government from using RF emissions as the basis for making their recommendation. Staff advised the BZA that the landscape includes structures ranging from twenty-five (25) feet to fifty (50) feet. There are no structures in the general area that are 140 feet in height. In conclusion, staff recommended the request was not consistent with the existing pattern of development in the area.

The applicant gave a presentation. She addressed the process, the Community Meeting, and the need for the tower. She showed the BZA numerous other towers in the region, the closest of which was almost two (2) miles away. Some of the towers were three (3) to five (5) miles away in undeveloped areas.



Four (4) persons spoke in opposition, one of which represented a local builder building new homes in the area.

Lengthy discussion ensued by the BZA. As a result, the BZA made three (3) separate motions. The first two (2) motions failed. The third (3<sup>rd</sup>) motion passed. It was for denial. The BZA concluded the request was detrimental to the area.



# Law Office of Lauralee G. Westine, P.A.

---

800 Tarpon Woods Boulevard, Suite E-1  
Palm Harbor, Florida 34685  
Telephone: (727) 773-2221  
Facsimile: (727) 773-2616

## SENT VIA OVERNIGHT DELIVERY

April 13, 2016

Rocco Relvini  
Orange County Zoning Division  
201 S. Rosalind Avenue, 1<sup>st</sup> Floor  
Orlando, Florida 32802

RECEIVED  
APR 14 2016  
ORANGE COUNTY  
ZONING DIVISION

**RE: Crown Castle USA Inc. BU#819814 - Fire Station #35**  
**Application for a Special Exception to allow a 140' Monopine Communication Tower and Related Facility**

Dear Mr. Relvini:

Enclosed herein please find the following in support of my client's, Crown Castle USA Inc. (Crown Castle), Variance Application:

- 1 Original Special Exception Application
- \$922.00 Check payable to Orange County BCC
- 1 Original Relationship Disclosure Form
- 1 Original Orange County Specific Project Expenditure Report
- Agent of Record Letter from Crown Castle to Lauralee G. Westine, Esq.
- Agent of Record Letter from Verizon Wireless to Lauralee G. Westine, Esq.
- Telecommunications Tower Site Analysis, Development, Lease Marketing and Property Management Services between Crown Castle USA Inc. and Orange County Board of County Commissioners
- Email dated November 4, 2014 from Ruby Fortson, approval of location
- Email dated March 29<sup>th</sup> 2016 from Orange County Real Estate Division
- Email dated March 31<sup>st</sup> 2016 from Orange County Fire Rescue
- Orange County Utility Interoffice Memorandum dated September 10, 2015
- Warranty Deed
- Legal Descriptions on 8 ½ x 11
- Neighborhood Letter dated November 10, 2014 including mailing list
- Copies of Collocation Letters dated June 8, 2014
- Fall Zone Radius Letter dated November 30, 2015
- FAA Notice Criteria Tool dated October 20, 2014
- VZW RF Package
- Tower Inventory List
- Property Appraiser Aerial (see aerial included in plans)



- 1 set of Photo-simulations
- 3 Sets of Signed and Sealed Zoning Drawings – 2 – 11 x 17, 1 – 8 ½ x 11
- 3 Signed and Sealed Surveys – 2 – 11 x 17, 1 – 8 ½ x 11
- CD with all items

#### **Project Summary**

Crown Castle is proposing to construct a 140' monopine tower at the Lake Burden Fire Station #35; Parcel ID 25-23-27-2671-01-000. The parent tract consists of 5.6 acres and is also known as Tract F, Parcel 7 Fire Station #35, in the Lake Burden Neighborhood PD.

Crown Castle is simultaneously applying for a LUP Change (CDR-15-10-289) to allow for the 140' Monopine to be an allowable use within the Lake Burden Neighborhood PD and a Special Exception for a camouflaged determination for a Monopine communication tower. The Monopine has been designed to support 3 sets of antennas in addition to the Orange County Utility omni antenna and shall be located within an 80' x 80' lease area surrounded by an 8' high chain link fence covered with black vinyl fence, topped with 3 strands of barbed wire.

Please see below how this application complies with the applicable Land Development Regulations:

#### **Article IX. General Supplemental Regulations - Sec. 38-1427. Communication towers.**

(a) *Legislative findings, intent and purpose.* The board of county commissioners has on numerous occasions and with increasing frequency been confronted with requests to site communications towers. Prior to the adoption of this section, no specific procedures existed to address recurrent issues related to siting communication towers. Accordingly, the board of county commissioners finds that the promulgation of this section is warranted and necessary:

...

(4) To accommodate the growing need for communication towers;

**Crown Castle has proposed to construct a Monopine to service the needs of Orange County Utility Department, Verizon Wireless, and the surrounding community.**

(5) To promote and encourage shared use/co-location of existing and new communication towers as a primary option rather than construction of additional single-use towers;

**Crown Castle is proposing a Monopine that will support up to 3 sets of antennas in addition to the Orange County Utility omni antenna.**



(6) To consider the public health and safety of communication towers;

**The proposed Monopine will meet all FAA and FCC requirements. See included FAA Notice Criteria Tool.**

(7) To avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

**The Monopine is setback from the adjacent properties as follows: North 40'; South 325'; East 115'; West 203'. The Monopine has been designed with a collapse point of 40'. See Sheet C-1 and Fall Zone Radius Letter.**

...

(c) *Permitted uses and special exceptions.* The allowable use of communication towers as either permitted uses or special exceptions in the several zoning districts shall be as set forth in sections 38-77 and 38-79 of this chapter.

**Crown Castle has applied to amend the LUP for Lake Burden Neighborhood PD to allow the Monopine and related facility as a permitted use.**

(d) *Performance standards.*

(1) *Setbacks.*

a. Communication tower setbacks shall be measured from the base of the tower to the property line of the parcel on which it is located. Communication towers shall comply with the minimum setback requirements of the district in which they are located and the major street setbacks outlined in article XV of this chapter, zoning, of the County Code. In cases where there is a conflict between the minimum setback requirements and the major street setbacks, the greater setback shall apply.

b. For towers located in planning developments (P-D's), the setback requirements for the parcel upon which the tower is located as required by the P-D shall apply.

**The proposed Monopine is setback from the adjacent property lines as follows: North 40'; South 325'; East 115'; West 203'. These setbacks exceed the Lake Burden Neighborhood PD setbacks of Front 10'; Sides 10'; Rear 10'.**

...



(2) *Separation from off-site uses/designated areas.*

- a. Communication tower separation shall be measured from the base of the tower to the closest point of off-site uses and/or designated areas as specified in the table set forth in subsection (d)(2)d.
- b. Separation requirements for communication towers shall comply with the minimum standards established in the table set forth in subsection (d)(2)d.
- c. Separation distances may be reduced by the zoning manager when notarized written consent is obtained from those affected property owners within the applicable separation distance.
- d. Communication tower separation from off-site uses/designated areas. (See "Exhibit B," below.)



## TABLE INSET:

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Proposed Tower Types	Single-Family or Duplex Residential Units <sup>1,4</sup>	Vacant Single-Family or Duplex Residentially-Zoned Platted Lands <sup>2</sup>	Vacant Unplatted Residentially-Zoned Lands <sup>2,3</sup>	Existing Multiple-Family Residential Units	Non-Residentially Zoned Lands or Non-Residential Uses
Lattice tower	1,250 feet or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	1,250 feet or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	825 feet or 200% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	825 feet or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	None; only district setbacks apply
Guyed tower	1,000 feet or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	1,000 feet or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	625 feet or 200% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	625 feet or 700% of height of tower, whichever is greater, but limited to a maximum of 1,500 feet	None; only district setbacks apply
Monopole higher than 140 feet	980 feet or 700% of height of tower, whichever is greater	980 feet or 700% of height of tower, whichever is greater	280 feet or 200% of height of tower, whichever is greater	980 feet or 700% of height of tower, whichever is greater	None; only district setbacks apply
Monopole between 80 feet and 140 feet	400 feet or 500% of height of tower, whichever is greater	400 feet or 500% of height of tower, whichever is greater	160 feet or 200% of height of tower, whichever is greater	400 feet or 500% of height of tower, whichever is greater	None; only district setbacks apply
Monopole lower than 80 feet	175 feet or 500% of height of tower, whichever is greater	175 feet or 500% of height of tower, whichever is greater	70 feet or 200% of height of tower, whichever is greater	175 feet or 500% of height of tower, whichever is greater	None; only district setbacks apply

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2 Separation measured from base of tower to closest building setback line.

4 For purposes of implementation of this subsection only, single-family or duplex residential units shall be considered to include hotel, motel, and timeshare units located in the Tourism District. However, if each of the following criteria are met--(1) the affected hotel, motel, or



timeshare unit facility is approached by the service provider to place a communication antenna on top of the hotel/motel/timeshare facility in a manner consistent with subsection 38-1427(g); (2) the placement of such antenna is technically feasible; and (3) the service provider and hotel/motel/timeshare facility deal with each other in good faith to provide lease rental compensation consistent with reasonable market rates comparable for such usage--and the hotel, motel, or timeshare unit facility refuses to allow the service provider to locate the communication antenna on such facility, then the zoning manager shall determine that the hotel, motel, or timeshare facility is to be treated as non-residentially zoned lands for the purpose of implementation of this subsection. The zoning manager's determination under this subsection shall be appealable to a hearing officer, generally following the procedures set forth in subsection 38-1427(m) with the term "co-location" interpreted to mean "request for placement of a communication antenna on top of a hotel, motel, or timeshare unit facility."

**Crown Castle is proposing a camouflage tower type (Monopine). If approved by the BZA, the required separation distance is reduced by 50%. The result is the proposed Monopine exceeding the distance separation of 350' from all residentially zoned and used parcels. See pages C-1A and S-1.**

(3) *Separation distances between communication towers.*

a. Separation distances between communication towers shall be applicable for and measured between the proposed tower and those towers that are existing and/or have received county land use or building permit approval after September 8, 1995 (the effective date of this section). The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as follows:



## EXISTING TOWERS--TYPES

TABLE INSET:

Proposed towers--			Monopole greater than 170 ft.	Monopole 80 ft. to 170 ft.	Monopole less than 80 ft.
Types	Lattice	Guyed	in height	in height	in height
Lattice	5,000	5,000	3,500	2,500	500
Guyed	5,000	5,000	3,500	2,500	500
Monopole greater than 170 ft. in height	3,500	3,500	3,500	2,500	500
Monopole 80 ft. to 170 ft. in height					
Monopole less than 80 ft. in height	2,500	2,500	2,500	1,500	500
	500	500	500	500	500

NOTE: Tower separation requirements shall not be applicable where the existing tower(s) and the proposed tower are both located within any industrial (I-1 through I-4) and heavy commercial (C-3) zoning districts.

Crown Castle's proposed Monopine exceeds the required separation distance from other existing towers. See page N-1 Notes and C-1A. The closest tower is located 1.37 miles to the east.

...

(5) *Illumination.* Communication towers shall not be artificially lighted except to assure human safety or as required by the Federal Aviation Administration. At time of construction of the communication tower in cases where there are residential uses located within a distance which is three hundred (300) percent of the height of the tower from the tower, dual mode lighting shall be requested from the FAA.

See page N-1, Notes.

(6) *Finished color.* Communication towers not requiring FAA painting/markings shall have either a galvanized finish or painted a noncontrasting blue, gray, or black finish.

The proposed Monopine shall be painted brown. See pages N-1, Notes and S-1.



(7) *Structural design.* Communication towers shall be constructed to the EIA/TIA 222-E Standards, as published by the Electronic Industries Association, which may be amended from time to time, and all county construction/building codes. Further, any improvements and/or additions (i.e., antenna, satellite dishes, etc.) to existing communication towers shall require submission of site plans sealed and verified by a professional engineer which demonstrate compliance with the EIT/TIA 222-E Standards in effect at the time of such improvement or addition. Such plans shall be submitted to and reviewed and approved by the county building department at the time building permits are requested.

**At building permit submission, Crown Castle shall submit signed and sealed construction plans which comply with all required building code standards. See page N-1, Notes.**

(8) *Public notice.* For purposes of this section, any special exception request, land use plan approval in a P-D, substantial change in a P-D land use plan, or appeal of the zoning manager's decision regarding this section, shall require public notice to all abutting property owners and all property owners of properties that are located within five hundred (500) feet of the perimeter of the parent parcel upon which the proposed communication tower is located. Further, authorized representatives of homeowners' and property owners' associations registered with or known to the county planning department within one thousand five hundred (1,500) feet of the perimeter of the parent parcel upon which the proposed communication tower is located will be provided public notice on a courtesy basis; however, inadvertent failure to supply such courtesy notice shall not invalidate the hearing procedure. For purposes of this section, any variance request shall require public notice to all abutting property owners and all property owners of properties that are located within the corresponding separation distance listed in subsection (d)(2).

**Crown Castle shall comply with this section.**

(9) *Public information signage.*

- a. Within twenty (20) days after final approval of a special exception, variance, land use plan approval in a P-D, substantial change to a P-D land use plan, or appeal of the zoning manager's decision by the applicant regarding this section, the communication tower owner/operator shall cause to be placed on the parcel signage designating the site as a future communication tower site.
- b. One four-foot by four-foot sign shall be placed along each right-of-way frontage bordering the parcel within a distance such that the copy is visible and legible from the right-of-way.
- c. Each sign shall be weather durable and include in addition to the designation, the company name of the communication tower owner/operator, and a phone number and contact person from whom additional information may be obtained.
- d. Appropriate county building permits shall be obtained prior to installation of the signage.
- e. Such signage may not be removed prior to the start of construction of the communication tower but shall be removed prior to the issuance of a certificate of completion for the



communication tower. If the approval listed in subsection (d)(9)a. expires or otherwise becomes void, the signage shall be removed immediately.

f. Other than the above requirements, such signage shall be exempt from all other provisions of the County Code regarding outdoor signs.

**Crown Castle shall submit signed and sealed construction plans which comply with all required code standards.**

(10) *Fencing.* A chain link fence or wall not less than eight (8) feet in height from finished grade shall be provided around each communication tower. Barbed wire shall be used along the top of the fence or wall. Access to the tower shall be through a locked gate.

**Crown Castle is proposing an 8' chain link fence covered with black vinyl topped with 3 strands of barbed wire. See page C-5.**

(11) *Landscaping.* The visual impacts of a communication tower shall be mitigated for nearby viewers through landscaping or other screening materials at the base of the tower and ancillary structures. The following landscaping and buffering of communication tower shall be required around the perimeter of the tower and accessory structures, except that the standards may be waived by the zoning manager for those sides of the proposed tower that are located adjacent to undeveloped lands and lands not in public view. Landscaping shall be installed on the outside of fences. Further, the use of existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute of or in supplement toward meeting landscaping requirements.

a. A row of shade trees a minimum of eight (8) feet tall and a maximum of ten (10) feet apart shall be planted around the perimeter of the fence;

b. A continuous hedge at least thirty (30) inches high at planting capable of growing to at least thirty-six (36) inches in height within eighteen (18) months shall be planted in front of the tree line referenced above;

c. All landscaping shall be of the evergreen variety;

d. All landscaping shall xeriscape tolerant or irrigated and properly maintained to ensure good health and viability.

**Crown Castle will comply with the required landscaping. See page C-2.**

...



(e) *Variances.* Any request to deviate from any of the requirements of this section shall require variance approval from the board of zoning adjustment.

N/A

(f) *Abandonment of communication towers.*

...

(2) *Abandonment.* In the event the use of any communication tower has been discontinued for a period of one hundred eighty (180) consecutive days, the tower shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the zoning manager who shall have the right to request documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage. Failure or refusal for any reason by the owner/operator to respond within twenty (20) days to such a request shall constitute prima facie evidence that the communication tower has been abandoned. Upon a determination of abandonment and notice thereof to the owner/operator, the owner/operator of the tower shall have an additional one hundred eighty (180) days within which to: (i) reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower within the one-hundred-eighty-day period, or (ii) dismantle and remove the tower. At the earlier of one hundred eighty-one (181) days from the date of abandonment without reactivation or upon completion of dismantling and removal, any special exception and/or variance approval for the tower shall automatically expire.

**Crown Castle shall comply with this provision. See page N-1, Notes.**

...

(l) Application submission requirements for special exception, variance, appeal of zoning manager decision, and building permit requests. The following information shall be submitted concurrent with special exception, variance, appeal of zoning manager decision, or building permit applications. The application may utilize any combination of site plans, surveys, maps, technical reports or written narratives necessary to convey the following information.

(1) A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower, and any other proposed structures.

**Please see submitted plans.**



(2) A current tax map and aerial as provided by the county property appraiser's office showing the location of the proposed tower.

**See page C-1A.**

(3) Legal description of the parent tract and leased parcel (if applicable).

**See included survey and legal descriptions.**

(4) If not within the subsection (d)(2)d. separation distance from residential areas, approximate distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties. If within the subsection (d)(2)d. separation distance requirements, then exact distances, locations and identifications of said properties shall be shown on an updated tax map.

**See page C-1A.**

(5) If within the subsection (d)(3) separation distance from another tower, then the exact distance, location, and identification of other towers shall be shown on an updated tax map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.

**See page N-1, Notes.**

(6) A landscape plan showing specific landscape materials.

**See page C-2.**

(7) Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.

**See page C-5.**

(8) A notarized letter signed by the applicant stating the tower will comply with all EIT/TIA 222-E Standards and all applicable county codes.

**Crown Castle shall comply with all current building code and county code standards in the construction of the proposed Monopine. This document, notarized below, in conjunction with the submitted Agent of Record letter from Crown Castle to Lauralee G. Westine, Esq., shall serve to satisfy this requirement.**



(9) A statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users.

**The Monopine is designed to support 3 sets of antennas in addition to the Orange County Utility omni antenna. See page S-1.**

(10) An inventory of all communication towers located in Orange County which are under the applicant's control and/or are being used by the applicant. Information on each tower listed shall include:

- a. The type of tower or structure;
- b. The height of the tower including antennas;
- c. Latitude and longitude location;
- d. Street address; and
- e. Indication whether the site is co-located and, if so, with whom.

**See Inventory list.**

(11) a. A copy of the recorded memorandum of lease evidencing co-location, if such memorandum exists.

**See included Telecommunications Tower Site Analysis, Development, Lease Marketing and Property Management Services between Crown Castle and Orange County.**

b. When there is no memorandum of lease filed with the permit application, the application shall be held by the zoning manager for forty-five (45) days, and:

1. Within fifteen (15) days of permit application being submitted to the county the applicant shall send by registered mail notice to each FCC-licensed service provider in the applicant's search ring and each FCC-licensed service provider who has registered for notice under this provision with Orange County. The notice shall include the location of the proposed tower (by street address and longitude and latitude), the height of the proposed tower, and a statement identifying the fair market value of leasing space on the tower for a second antenna by another service provider;
2. After notice, if another service provider desires to locate on the proposed tower, but cannot reach agreement with the tower applicant then, prior to expiration of the forty-five-day period, the service provider may request a hearing under subsection 38-1427(m);
3. The zoning manager shall take action on the permit application either after the forty-five-day period has run or upon final resolution of a matter forwarded to the hearing officer pursuant to subsection 38-1427(m), whichever is later;
4. The applicant may provide registered mail notice to those service providers as required in subsection 1. above any time thirty (30) days before application is made to the county. Upon



documentation of registered mail being sent, the forty-five-day period shall be reduced by the amount of days notice was sent prior to the application being filed.

**See copies of collocation letters dated June 8, 2014.**

(12) If deemed necessary by the county, the zoning manager may require the applicant to hold a community meeting prior to the board of zoning adjustment hearing meeting in addition to the other requisite notice requirements.

**Crown Castle participated in a community meeting requested by county staff on March 2<sup>nd</sup> 2016 at the Sunset Park Elementary School Cafeteria. Furthermore, on November 10<sup>th</sup>, 2014, this office mailed an informational letter to the surrounding residences within the PD notice radius. See included copy of letter and mailing list.**

(13) For all special exception and/or variance requests the applicant shall provide the RF search ring used to determine the location of the applicant's request. In addition, the applicant shall supply a report that other parcels within the applicant's search ring have been reviewed and, where appropriate, contacted. The applicant shall provide adequate documentation to substantiate the applicant's determination of feasibility of the selected site.

**Please see VZW RF Package.**

...

(m) *Co-location condition for towers eighty (80) feet in height and taller.*

(1) Every special exception for a communication tower which is eighty (80) feet in height or taller and which is issued after June 23, 1997, shall include the following conditions:

a. All new communication towers shall be designed and constructed to accommodate at least one (1) other service provider.

**Crown Castle has designed this Monopine to accommodate 3 sets of antennas in addition to the Orange County Utility omni antenna.**

b. The applicant for a new communication tower shall provide a notarized letter acknowledging that the communication tower is designed and will be constructed to accommodate at least one (1) other service provider.

**The proposed anchor tenants for this Monopine are Orange County Utility Department and Verizon Wireless.**



c. All service providers shall cooperate in good faith with other service providers to accomplish co-location of additional antennas on communication towers which are existing, permitted, or otherwise authorized by Orange County, where feasible.

**Crown Castle shall cooperate in good faith and under commercially reasonable terms with other service providers to allow collocation on this Monopine if approved.**

...

(2) *Balloon test.* The purpose of this test is to assist the BZA in determining aesthetic impact with respect to height and closeness of a communication tower in proximity to nearby residential uses and zoning. The following criteria shall be met:

a. Balloon specifications:

1. Balloon diameter no less than four (4) feet;
2. Balloon color restricted to red, orange, or yellow;
3. Balloon is anchored to the ground;
4. The height at which the balloon is flown shall be the same as the combined height of the tower and its antennas up to one hundred ninety-nine (199) feet; balloons for towers taller than one hundred ninety-nine (199) feet shall be flown at one hundred ninety-nine (199) feet;

b. The balloon shall be flown after the public hearing poster is required to be erected on-site. Balloons shall be flown at a minimum, continuously between the hours of 7:00 a.m. and 10:00 a.m. each day it is required to be flown. The balloon shall be flown for a minimum of two (2) days. Failure to maintain the balloon as specified above may result in a delay of the public hearing in order to achieve compliance with same.

c. Each notice required pursuant to section 30-44 of this Code shall include a statement that the balloon will be flown at least two (2) days during the morning hours prior to the public hearing date.

**Crown Castle performed the required balloon fly on March 29<sup>th</sup> 2016 and March 30<sup>th</sup> 2016, pictures have been submitted to staff.**

(3) *Visual aides.* In addition to the balloon test, the applicant may take and submit for BZA review photographs and/or a video taping of the subject site showing the balloon and of the subject site depicting the balloon in its relationship and proximity to neighboring residential lands and uses. The photographs/video may be accompanied by a corresponding written visual impact analysis prepared by the applicant.

**Please see submitted photo simulation of the proposed Monopine.**

(4) *Additional information.* The applicant may submit any other bona fide documentation or evidence that he or she feels may assist the BZA in determining visual impact. Any person or



party opposing the applicant's special exception request should submit bona fide evidence or documentation that a proposed tower will have a substantial adverse aesthetic impact on his/her property.

**Noted.**

(5) *Camouflaged facilities.* The purpose of this subsection is to assist the BZA in determining whether or not a tower as a camouflaged facility is appropriate in a given area. The applicant may use a camouflage agent in order to achieve compatibility with the nature and character of the surrounding area. Camouflaging shall be determined on a case-by-case basis. Any proposed camouflaging shall be submitted in conjunction with the special exception application. It shall include the following documentation:

- a. Colorized pictorial representation, artist's rendering, or the like;
- b. Design specifications as follows: total height, diameter, and colorations;
- c. A corresponding statement accompanying the graphic representation explaining the following:
  1. What is the nature and character of the area within which the camouflaged tower is proposed, with respect to: land use, surrounding environment, building heights and designs, and building/environment density;
  2. How will the proposed camouflaged agent blend in and harmonize with the nature and character of the area.

The Monopine has been proposed to blend with an existing stand of trees which buffer the Fire Station from the existing commercial to the north and existing school to the east. Furthermore, the 140' height is below the approved heights of towers closest to the proposed Monopine along Winter Garden Vineland Road. See Photosimulations and page S-1.

(6) *Separation distance reduction for camouflaged facilities.* In the event the BZA, using the standards set forth in subsection (n)(5) above, determines the camouflaging agent is compatible with the surrounding area then the distance separation requirements set forth in subsections (d)(2)d. and (d)(3) for the proposed communication tower as a camouflaged facility shall be reduced by one-half (1/2) of the applicable monopole height requirement. This reduction should only be applicable to the placement of the camouflaged tower and the measurement of distance separation from other new towers to the camouflaged tower shall not be reduced.

The proposed Monopine exceeds the required tower to tower separation of 2,500'. The closest tower is 1.37 miles. Provided the Monopine is determined to be camouflaged, the proposed setback is reduced to 350' from residential. The proposed Monopine is setback North 40'; South 325'; East 115'; West 203' which exceeds this requirement. The closest residential use is 425' to the southeast. See page C-1A.



(7) *BZA special exception criteria.* In determining a special exception request for a communication tower in addition to those criteria set forth in subsection 30-43(2) of this Code and section 38-78 of this chapter, the BZA shall take into consideration whether or not the proposed tower will have substantial adverse aesthetic impact on neighboring residential lands and compatibility of a camouflaged tower in a given area. The BZA's determination shall be based on relevant and competent evidence, documentation, and testimony received at the public hearing from the staff, the applicant and any party in support or opposition, or their respective representatives. The BZA shall utilize the following criteria in determining if a special exception is deemed approvable:

a. *Aesthetic impact.* This means view of a tower that is not camouflaged. Aesthetic impact shall take into consideration, but not be limited to, the amount of the tower that can be viewed from surrounding residential zones in conjunction with its proximity (distance) to the residential zone, mitigation landscaping, existing character of surrounding area, or other visual options proposed by the applicant.

N/A

b. *Compatibility.* This means the degree to which a tower is designed and located to be compatible with the nature and character of other land uses and/or with the environment within which the tower proposes to locate. The tower may be placed, designed or camouflaged to assist with mitigating the overall aesthetic impact of a tower. A camouflage agent shall be designed to be compatible with the surrounding land uses and the environment.

**Crown Castle is proposing a Monopine tower on the Lake Burden Fire Station #35. The parent tract consists of 5.6 acres owned by Orange County. The Monopine is proposed within an existing stand of trees. Please see page S-1.**

(8) *Minimum standards.* In addition to the above, the minimum performance standards with respect to separation between towers, separation between residences and towers, etc., as referenced herein, shall be met. These standards, however, are minimum standards; the BZA is empowered to impose more restrictive conditions to a special exception in order to recommend approval so as to achieve the desired protection with respect to aesthetic impact and harmony and compatibility with the surrounding community. The determination by the BZA to impose more restrictive conditions shall be based on substantial competent evidence that supports the modification and the consistency of the modification with the purpose and intent of this section.

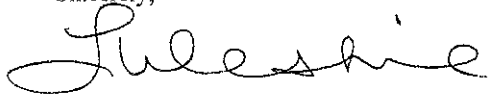
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Please do not hesitate to contact me to provide you with additional data or to discuss this matter in more detail.

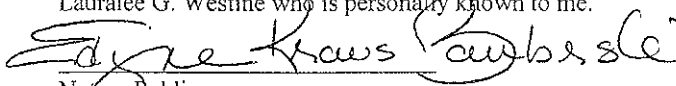
Sincerely,



Lauralee G. Westine, Esq.

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of April 2016, by  
Lauralee G. Westine who is personally known to me.



Notary Public

Edyne Kraus Bambergski

Printed Name of Notary

[SEAL]

My Commission Expires

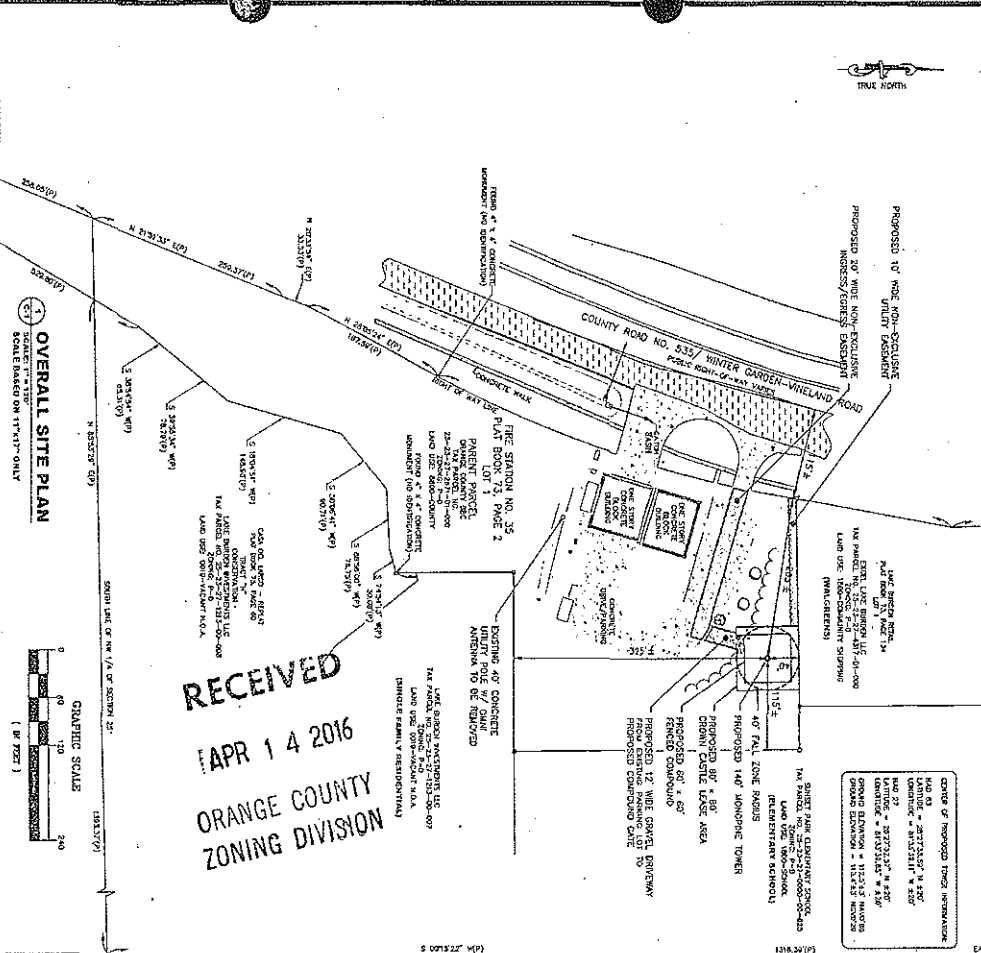
December 20, 2018

FF 153214

Notary Public Under Seal

STATE OF FLORIDA





**FLOOD NOTE**

THIS PROPERTY APPEARS TO BE IN FLOOD ZONE "X" ACCORDING TO THE FLOOD INSURANCE RATE MAP OF ORANGE COUNTY, FLORIDA MAP NUMBER 12019-0003, DATED SEPTEMBER 23, 2009.

**SITE DATA**

1. ZONING: P-0  
 2. PARCEL NUMBER: 25-23-27-2671-01-000  
 3. PLANNED TRACT AREA: 5.62 ACRES (±)  
 4. PROPOSED CASTLE ESTATE AREA: 8,400 SF (±)  
 5. PROPOSED IMPROVED AREA: 8,400 SF (±)  
 6. PROPOSED IMPROVED AREA: 8,400 SF (±)  
 7. TOTAL IMPROVED AREA: 25,200 SF (±)

**OWNER:**  
 C/O REAL ESTATE HOLD. SEPT.  
 P.O. BOX 1393  
 ORLANDO, FL 32816-1393

**ASSOCIATION:**  
 ORANGE COUNTY  
 201 SOUTH ROSSING AVENUE  
 ORLANDO, FL 32816

2. VEHICULAR USE: APPROXIMATELY ONE SITE VISIT PER CARPENTER PER MONTH (PER SITE VISIT PER MONTH MAXIMUM).  
 3. TRAVEL AND SERVICE: COMMUNICATION FACILITY SHALL NOT BE SERVED BY WATER OR SINK.  
 4. USE: UNLIMITED TELECOMMUNICATIONS RELAY EQUIPMENT.  
 5. STORM WATER MANAGEMENT: SITE SHALL COMPLY WITH ALL STATE AND COUNTY STORM WATER REGULATIONS.  
 6. THERE ARE NO ASSOCIATED ANTENNAS SHALL NOT INTERFERE WITH PUBLIC SAFETY.  
 7. THERE IS NO PROJECTED ADVERSE IMPACT TO ON-SITE OR OFF-SITE SURFACE WATERS.  
 8. THERE ARE NO ACTIVE PRIVATE OR PUBLIC RIGHTS WITHIN (1) MILE OF PROPOSED TOWER.  
 9. NO SPREAD AREAS SHALL BE PLACED ON THE FRONT OF THE TOWER OR SURROUNDING AREAS SHALL BE PLACED ON THE FRONT OF THE TOWER OR SURROUNDING AREAS.

**BIDDING STACK (L2/L3):**  
 NORTH: 40' ±  
 EAST: 35' ±  
 WEST: 20' ±  
 SOUTH: 20' ±

**PROPOSED STACK (L2/L3):**  
 NORTH: 10' ±  
 EAST: 35' ±  
 WEST: 20' ±  
 SOUTH: 20' ±

**PREPARED BY:** CROWN CASTLE  
 1511 NORTH SHIRAZ AVENUE  
 SUITE 210  
 TAMPA, FL 33614

**DATE:** 08/27/2015  
 1130 SOUTH GOLF COURSE  
 SUITE 102  
 TAMPA, FL 33614  
 OFFICE: 813.884.0324  
 FAX: 813.884.0325

**STATE OF FLORIDA**  
 COUNTY OF ORANGE  
 NO. 72513

**REVISIONS:**

NO.	DATE	DESCRIPTION
1	07/21/15	DESIGNED TO ADDRESS
2	07/21/15	DESIGNED TO ADDRESS
3	07/21/15	DESIGNED TO ADDRESS
4	07/21/15	DESIGNED TO ADDRESS
5	07/21/15	DESIGNED TO ADDRESS
6	07/21/15	DESIGNED TO ADDRESS
7	07/21/15	DESIGNED TO ADDRESS
8	07/21/15	DESIGNED TO ADDRESS
9	07/21/15	DESIGNED TO ADDRESS
10	07/21/15	DESIGNED TO ADDRESS

**FIRE STATION #33**  
 BU #819814

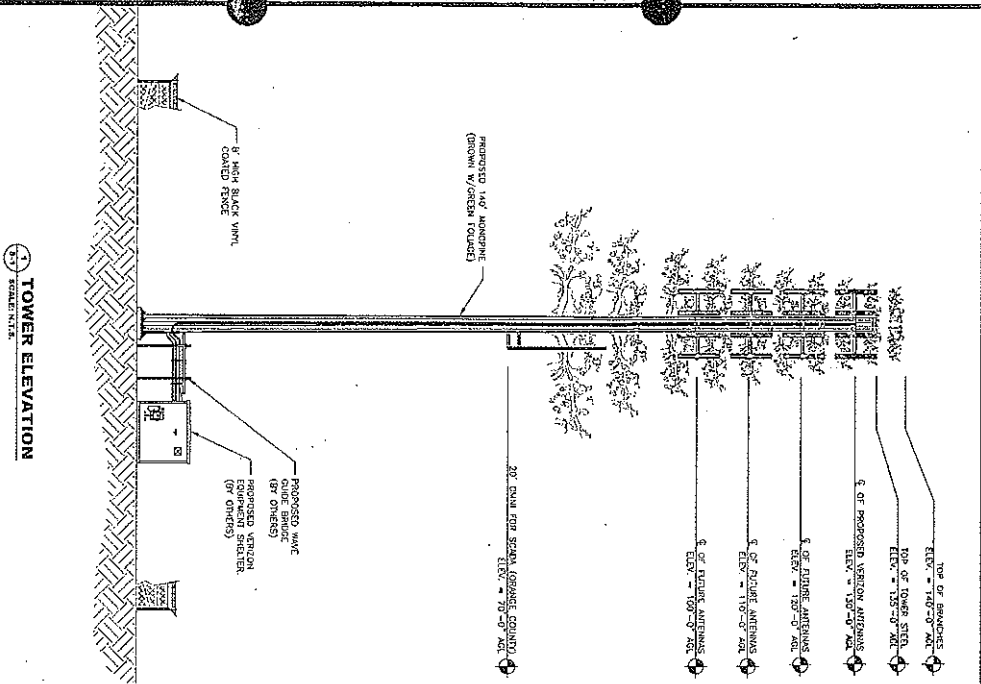
**SHEET NUMBER:** C-1

**Sunshine 811**  
 One Call  
 CALL FLORIDA 811  
 ONE CALL - DIAL 811  
 CALL 3 WORKING DAYS  
 BEFORE ANY DIGGING  
 1-800-685-0297



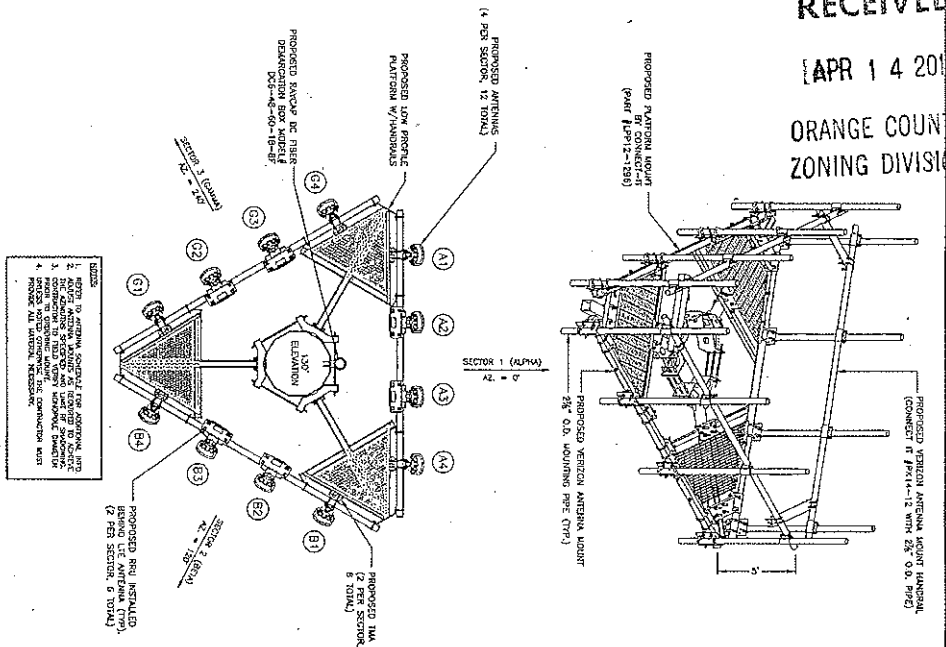






1. TOWER ELEVATION

2. PROPOSED ANTENNAS (PLANS BY OTHERS)



<p>PREPARED BY: <b>CC CASTLE</b> 4511 NORTH JAMES AVENUE SUITE 210 TAMPA, FL 33614</p>		<p>STATE OF FLORIDA REGISTERED PROFESSIONAL ENGINEER NO. 72613</p>		<p>COMMUNICATIONS 2100 45th Ave. S.W. SUITE 102 MARIETTA, GA 30067 770-440-0000 www.crown-castle.com</p>	
<p>PROJECT: <b>FIRE STATION #35</b> BU #610914</p>		<p>DATE: 04/07/16 BY: [Signature] CHECKED BY: [Signature]</p>		<p>1. 100' DIA. RIG. SPAN. (BRASS, COATED) 2. 10' OF TOWER ARM ELEV. = 130'-0" AGL. 3. 10' OF TOWER ARM ELEV. = 140'-0" AGL. 4. 10' OF TOWER ARM ELEV. = 150'-0" AGL. 5. 10' OF TOWER ARM ELEV. = 160'-0" AGL. 6. 10' OF TOWER ARM ELEV. = 170'-0" AGL. 7. 10' OF TOWER ARM ELEV. = 180'-0" AGL. 8. 10' OF TOWER ARM ELEV. = 190'-0" AGL. 9. 10' OF TOWER ARM ELEV. = 200'-0" AGL. 10. 10' OF TOWER ARM ELEV. = 210'-0" AGL.</p>	
<p>TOWER ELEVATION AND DETAILS</p>		<p>SHEET NO. 001/02</p>		<p>S-1</p>	





CASE #VA-16-04-008  
Orange County Zoning Division  
Planner: Rocco Relvini  
Board of Zoning Adjustment  
05/05/2016  
Commission District: 1

GENERAL INFORMATION:

APPLICANT: CROWN CASTLE USA

REQUEST: Special Exception in the P-D zoning district to construct a 140 ft. high communications cell tower camouflaged as a pine tree (mono-pine tower). If the BZA determines the tower is camouflaged then no variances are required because the residential separation requirement is 350 ft. and no residential homes are located within 350 ft. of the tower. If the BZA determines the tower is not camouflaged then variances are required from 34 homes/platted lots (36 properties) that are within the 700 ft. off-site use separation requirement.

LOCATION: East side of Winter Garden Vineland Rd., 1/4 mile south of Overstreet Rd.

PROPERTY ADDRESS: 7435 Winter Garden Vineland Rd.,

PARCEL ID: 25-23-27-2671-01-000

TRACT SIZE: 5.6 acres

DISTRICT #: 1

ZONING: P-D

STAFF FINDINGS AND ANALYSIS:

1. The applicant is proposing to construct a 140 ft. high monopole communications cell tower at Fire Station #35. The applicant proposes to camouflage the tower as a pine tree (mono-pine tower).



2. Section 38-1427(n)(5) of the Orange County Code authorizes the BZA to determine if a proposed communications cell tower is camouflaged. In the past the BZA and BCC have determined that mono-pine tower, a flag pole, a church spire tower and a unipole tower are camouflaged towers.
3. There is an existing 60 ft. high utility pole and antenna on the site used by Orange County Public Utilities. The Public Utilities Division has stated they can place their antenna on the mono-pine tower.
4. If the BZA determines the tower is camouflaged, then the residential separation distance requirement of 700 ft. is reduced by 50%. There are no homes located within 350 ft. of the base of the proposed tower. If the BZA determines the mono-pine tower is not an adequate camouflaging agent then the residential distance requirement is 700 ft. There are 34 homes within 700 ft. of the base of the tower.
5. The Federal Telecommunications Act of 1996 states, "No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." Health concerns about radiation and the like are considered to fall under this provision regarding 'environmental effects.' Citizens are not prohibited from expressing this kind of concern, as explained by the Fourth Circuit Court of Appeal in 2014 in the attached case, but the Act prohibits a local government from acting on those concerns.
6. Since this is a special exception request, the application must comply with the Special Exception Criteria outlined in Section 38-78, Orange County Code. Section 38-78 (2) states "the use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development". The proposed use is a 140 ft. high mono-pine cell tower. The surrounding landscape does not have any similar height structures. The surrounding structures are 25-50 ft. in height. The proposed use is not compatible with the surrounding structures in the area nor is it consistent with the pattern of surrounding development. For these reasons staff cannot support this request.

STAFF RECOMMENDATION:

Denial of the request because the request does not comply with Section 38-78 (2), Orange County Code.



If the BZA approves this request the following conditions should be imposed:

1. Development in accordance with site plan dated April 14, 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. There shall be no height extensions without further BZA approval.
5. Construction plans shall be submitted within 2 years or this approval becomes null and void.





## Interoffice Memorandum

August 4, 2016

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

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

CONTACT PERSON: John Smogor, Chairman *JS*  
Development Review Committee  
Planning Division  
(407) 836-5616

SUBJECT: August 16, 2016 - Public Hearing  
Lauralee G. Westine, Esq.  
Lake Burden Neighborhood Planned Development (PD)  
Substantial Change – Case # CDR-15-10-289 / District 1

The Lake Burden Neighborhood PD is located within the Lakeside Village Specific Area Plan (SAP) of Horizon West, and was originally approved on May 15, 2001. The approved PD development program provides for 1,226 residential dwelling units. More specifically, the subject tract (PD Parcel 7) is designated as an Adequate Public Facilities (APF) Park, but is developed as Orange County Fire Station #35.

With this PD substantial change, and a related variance request, the applicant is seeking to add a 140-foot high monopole communication tower within PD Parcel 7 in support of a private telecommunications and Orange County Utilities (OCU) Supervisory Control and Data Acquisition (SCADA) system. Existing PD entitlements are unaffected.

As summarized in the attached staff report, this request received a recommendation of approval by the Development Review Committee (DRC) on May 25, 2016, subject to conditions, and subject to scheduling this item simultaneously with the Board of Zoning Adjustment (BZA) appeal.

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 (CP) and approve the substantial change to the Lake Burden Neighborhood Planned Development / Land Use Plan (PD/LUP) dated "Received April 26, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report, and subject to scheduling this item simultaneously with the Board of Zoning Adjustment (BZA) appeal. District 1**

Attachment



**CASE # CDR-15-10-289**

Commission District: # 1

**GENERAL INFORMATION**

<b>APPLICANT</b>	Lauralee G. Westine, Esq.
<b>OWNER</b>	Orange County Board of County Commissioners
<b>PROJECT NAME</b>	Lake Burden Neighborhood Planned Development / Land Use Plan (PD/LUP)
<b>PARCEL ID NUMBERS</b>	25-23-27-2671-01-000
<b>TRACT SIZE</b>	287.5 gross acres ( <i>overall PD</i> ) 5.62 gross acres ( <i>affected parcel</i> )
<b>LOCATION</b>	Generally located on the east side of Winter Garden Vineland Road and south of Overstreet Road.
<b>REQUEST</b>	A PD Change Determination Request (CDR) to add a joint-use 140-foot high monopole communications tower within PD Parcel 7.
<b>PUBLIC NOTIFICATION</b>	A notification area extending beyond fifteen hundred (1,500) feet was used for this application [ <i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i> ]. Three-hundred fifty nine (359) notices were mailed to those property owners in the notification buffer area.

**IMPACT ANALYSIS**

**Special Information**

The Lake Burden Neighborhood PD is located within the Lakeside Village Specific Area Plan (SAP) of Horizon West, and was originally approved on May 15, 2001. The approved PD development program provides for 1,226 residential dwelling units. More specifically, the subject tract (PD Parcel 7) is designated as an Adequate Public Facilities (APF) Park, but is developed as Orange County Fire Station #35.

With this PD substantial change, and a related variance request, the applicant is seeking to add a 140-foot high monopole communication tower within PD Parcel 7 in support of a private telecommunications and Orange County Utilities (OCU) Supervisory Control and Data Acquisition (SCADA) system. Existing PD entitlements are unaffected.

**Land Use Compatibility**

On May 5, 2016, and despite efforts to screen the proposed 140-foot monopole telecommunications tower (in the form of a pine tree), the Board of Zoning Adjustment (BZA) found the use to be incompatible with the surrounding residential area and



recommended denial of the required variance. However, on May 25, 2016 the Development Review Committee (DRC) determined that tower would be compatible, given tower's location and proposed screening methods.

**Comprehensive Plan (CP) Consistency**

The affected parcel has underlying Future Land Use Map (FLUM) designation of Village (V) and is within the Lakeside Village Sector Area Plan (SAP) of Horizon West. Excluding wetlands, the overall Lake Burden Neighborhood PD contains the SAP land use designations of Estate Home District, Village Home District, Townhouse/Apartment District, Neighborhood Center District, and Adequate Public Facility (APF) Elementary School and Park tracts.

More specifically, the parcel affected by this request is designated as an APF Park tract, but is developed with an Orange County Fire Station. Through this request, the applicant is seeking to construct a joint-use 140-foot high monopole communications tower that would support both private telecommunications and an Orange County Utilities (OCU) Supervisory Control and Data Acquisition (SCADA) system. Aside from the question of compatibility, the PD substantial change is consistent with the underlying FLUM / SAP designation and other applicable provisions of the CP.

**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**

This request would not result in any environmental impacts.

**Transportation / Concurrency**

This request would not result in any transportation impacts..

**Schools**

This request would not result in any impacts to Orange County Public Schools.

**Parks and Recreation**

This request would not result in any impacts to Orange County Parks.

**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 – (May 25, 2016)**

**Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Lake Burden Neighborhood Planned Development / Land Use Plan (PD/LUP) dated "Received April 26, 2016", subject to the following conditions, and subject to scheduling this item simultaneously with the Board of Adjustment (BZA) appeal:**

1. Development shall conform to the Lake Burden Neighborhood Planned Development / Land Use Plan (PD/LUP) dated "Received April 26, 2016," 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 April 26, 2016," 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. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
7. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 9, 2004, shall apply:
  - a. The elevation of the drug store shall be consistent with the renderings submitted at the March 9, 2004, Board of County Commissioners' public hearing.
  - b. A waiver to allow the main entrance to face interior rather than exterior to the site.
  - c. All previous conditions of approval shall apply:
    - 1) Prior to construction plan approval, a Master Stormwater Management Plan for the PD shall be submitted and approved by the County Engineer.



- 2) The following uses are not permitted in the neighborhood commercial parcel: free standing alcohol sales, lounges, and bars. If commercial is located near the school site, liquor package sales and video arcades shall be prohibited.
- 3) This project shall provide seven and one-half (7 ½) percent gross developable land area permanently allocated for public park space in lieu of five (5) percent (as required by Section 38-1382).
- 4) Billboards and pole signs shall be prohibited.
- 5) Public, community, or commercial watercraft access to Lake Burden shall be prohibited and no public boat ramps shall be permitted on Lake Burden.
- 6) Retail, commercial, and professional office uses shall be prohibited within the estate home district and the village home district.
- 7) Prior to permitting, the master homeowners' association shall establish an Architectural Review Committee that shall review all permits for single-family residences and verify compliance within the Lakeside Village design guidelines.
- 8) The developer shall obtain water, wastewater, and reclaimed water service from Orange County subject to County rate resolutions and ordinances.
- 9) Master wastewater, water, and reclaimed water plans for the Lake Burden neighborhood, sized for the village-wide requirements, shall be approved prior to construction plans.
- 10) The developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the project to accommodate the ultimate flows for the entire Lakeside Village. Utilities infrastructure shall be built connecting to the proposed County system at Reams Road and Bay Court intersection for wastewater; to the proposed 24-inch water main on C.R. 535 for water; and to the proposed Conserve II distribution system extension at Reams Road and Porter Road. The County, subject to review of the master utility plan, may consider alternative connection points.
- 11) The developer shall prepay 215 ERUs of wastewater capacity at the time of preliminary subdivision plan (PSP) approval and 500 ERCs of water capacity at time of construction plan approval. This requirement is a village-wide requirement that applies to the first PSP and the first construction plans approved in Lakeside Village.
- 12) This development shall comply with the requirements of the approved Lakeside Village Specific Area Plan (SAP).
- 13) This approval is for construction of townhomes only. Any proposal for apartments shall be processed through the Board of Zoning Adjustment (BZA) for a special exception in accordance with 38-1387(3). Townhomes in the Village Home District shall also require BZA approval. As a prerequisite



to granting any special exception for apartments, the developer shall present design guidelines that include, at a minimum, elevations, block lengths, and other aesthetic requirements, and conditions of the special exception, if approved, shall incorporate the design guidelines.

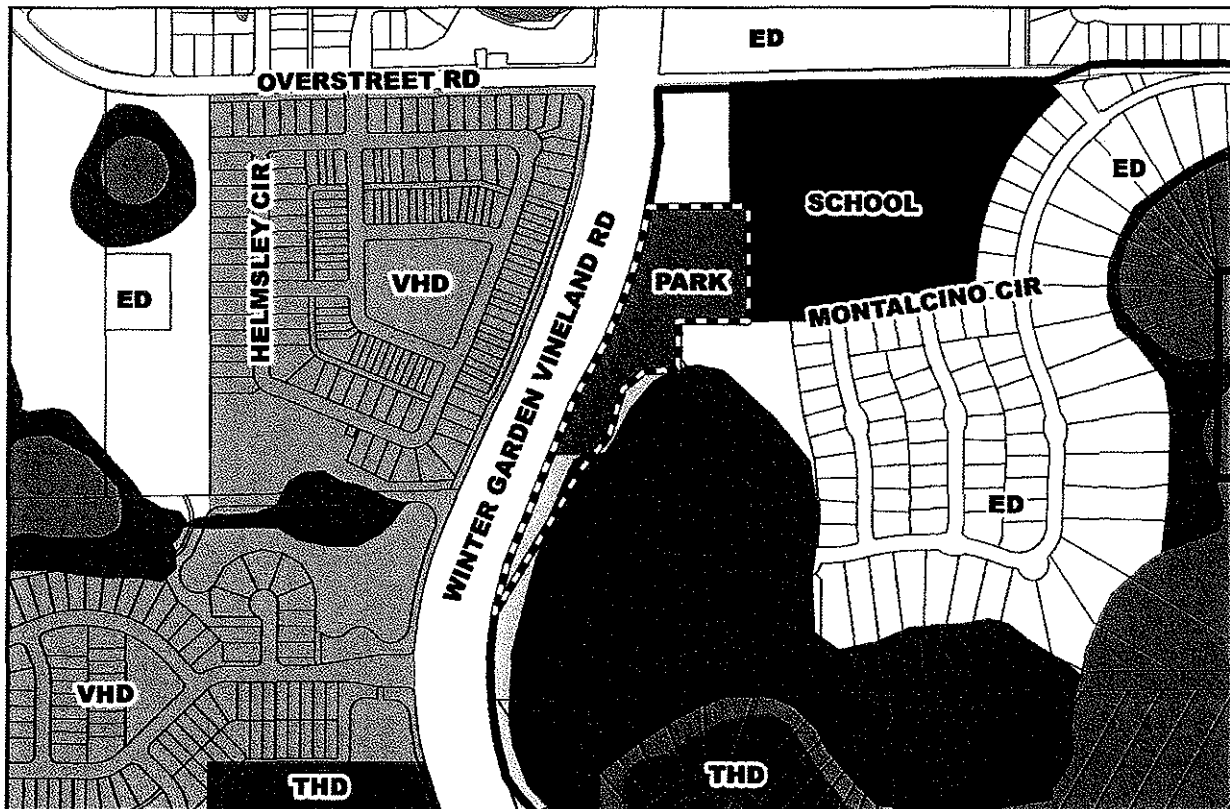
- 14) Single-family residences shall be a minimum of 1,700 square feet.
- 15) Of the 961 residential units allowed in the townhouse/apartment district, no more than 360 units may be operated commercially as rental units. All other units in the district shall be marketed, sold, and conveyed individually and in fee-simple ownership, whether constructed as townhomes or apartments. This restriction shall be recorded as a deed restriction at the time of platting.
- 16) To ensure compatibility with the approved single-family subdivision to the east of parts 4 and 5, development of the single-family and townhouse components of parcels 4 and 5 shall comply with the "Compatibility Plan" presented to the Planning and Zoning Commission on February 15, 2001.
- 17) The maximum block length for townhouse development shall be 300 feet.
- 18) Short-term rental of any townhouse development is prohibited.

**PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (March 9, 2004)**

Upon a motion by Commissioner Jacobs, seconded by Commissioner Sindler, and carried with all members voting AYE by voice vote; Commissioner Johnson was absent; the Board made a finding of consistency with the Comprehensive Policy Plan; and further, approved the request by Dwight Saathoff, Akerman Senterfitt & Edison, P.A., Lake Burden Planned Development / Land Use Plan (PD/LUP) to amend the LUP for the following changes: 1) to allow a drug store as a permitted use within the Neighborhood Center District; 2) grant a waiver to permit a drive-through with the drug store; and 3) grant a waiver to allow the main entrance to face interior rather than exterior to the site; which constitutes a substantial change to the development of the above-described property; subject to conditions.



CDR-15-10-289



Subject Property  
 PD Boundary



★ Subject Property

### Future Land Use Map

**FLUM:** Village (V), Lakeside Village Specific Area Plan (SAP), Park District

**APPLICANT:** Lauralee G. Westine, Esq.

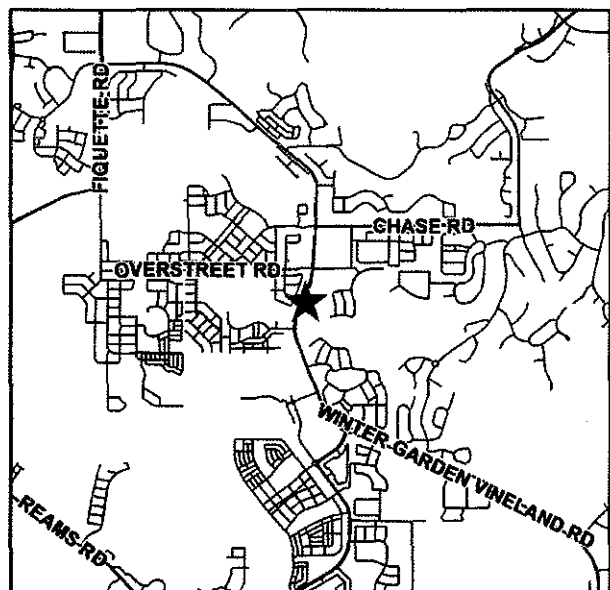
**LOCATION:** Generally located on the east side of Winter Garden Vineland Road and south of Overstreet Road

**TRACT SIZE:** 287.50 gross acres (overall PD)  
 5.62 gross acres (affected parcel only)

**DISTRICT:** # 1

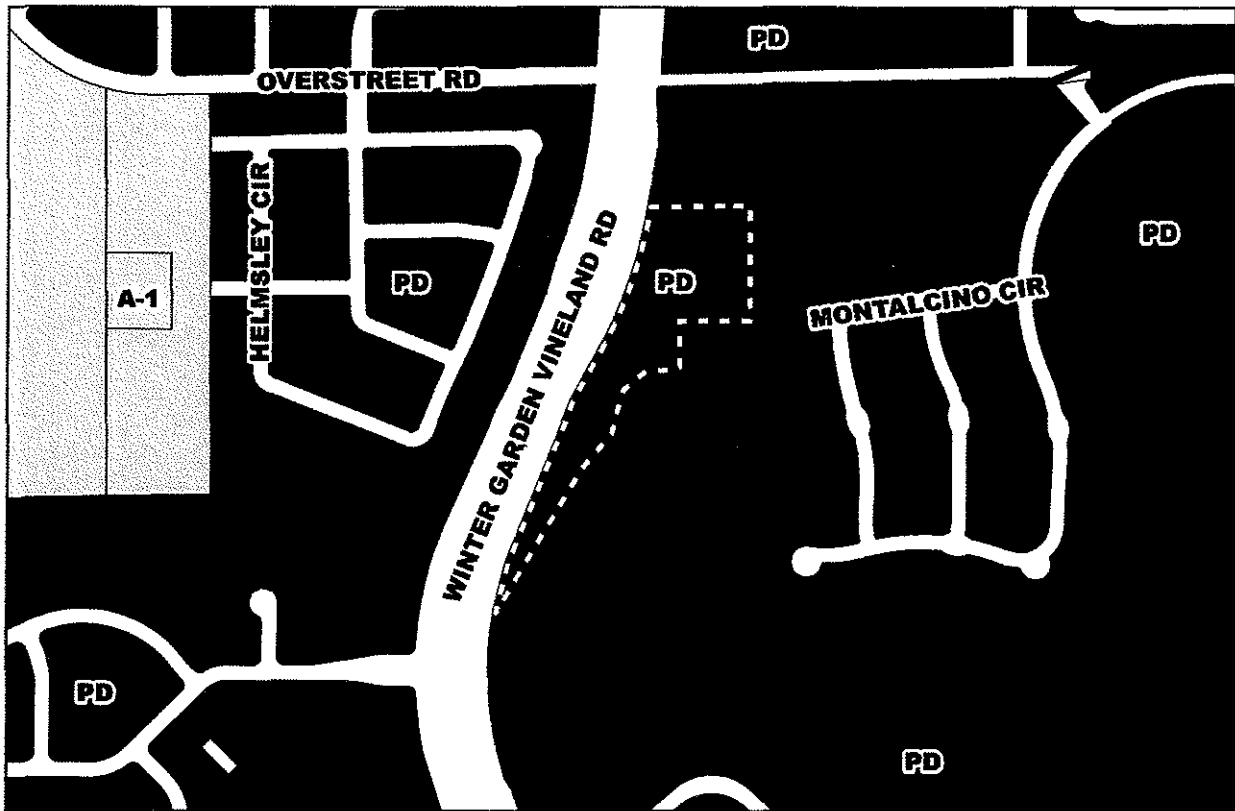
**S/T/R:** 25/23/27

1 inch = 500 feet





CDR-15-10-289



Subject Property  
 PD Boundary

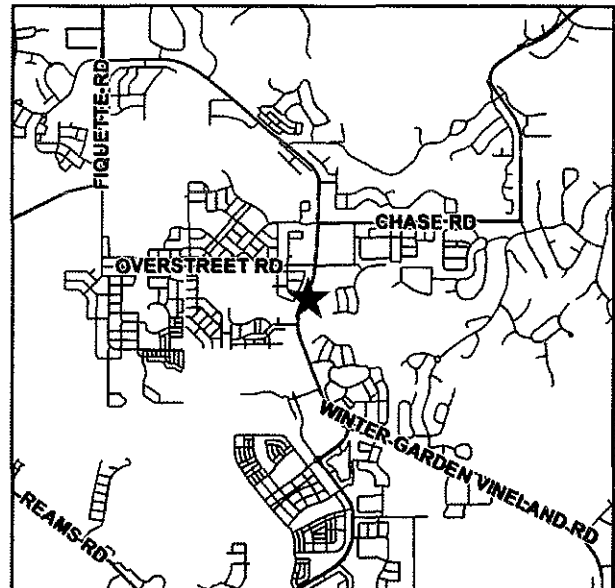


★ Subject Property

### Zoning Map

**ZONING:** PD (Planned Development District)  
**APPLICANT:** Lauralee G. Westine, Esq.  
**LOCATION:** Generally located on the east side of Winter Garden Vineland Road and south of Overstreet Road  
**TRACT SIZE:** 287.50 gross acres (overall PD)  
                   5.62 gross acres (affected parcel only)  
**DISTRICT:** # 1  
**S/T/R:** 25/23/27

1 inch = 500 feet

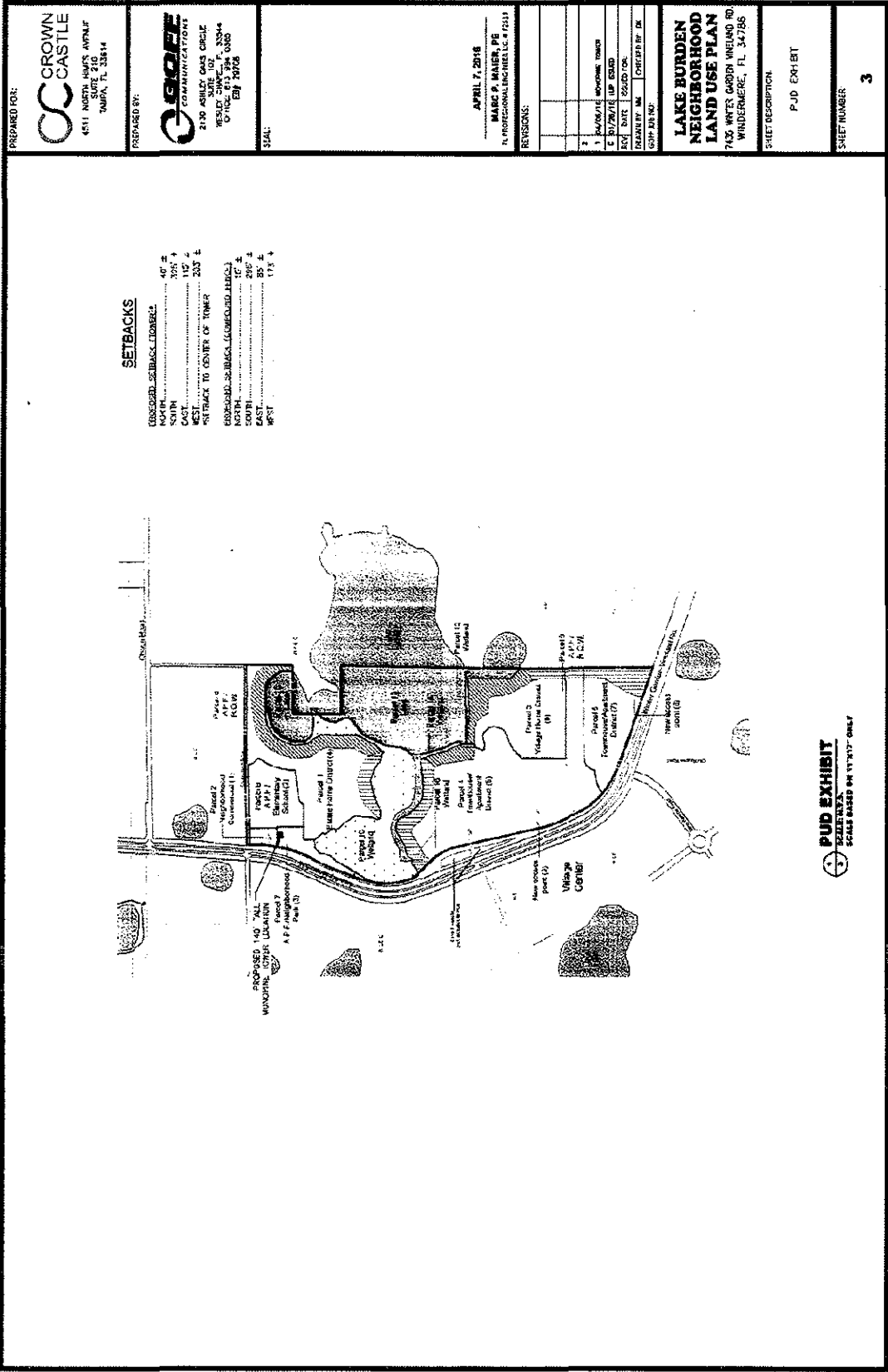








Lake Burden Neighborhood PD / LUP (Tower Location)







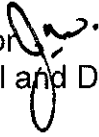




## Interoffice Memorandum

August 5, 2016

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: August 16, 2016 – Public Hearing  
Applicant: Ms. Susan Lorentz, Interplan, LLC  
Meadow Woods PD / Parcel 12.1 – Lot 2 Preliminary  
Subdivision Plan –  
Case # CDR-16-04-133

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of June 22, 2016, to approve a substantial change to the Meadow Woods PD / Parcel 12.1 – Lot 2 Preliminary Subdivision Plan to add 4,000 square feet of commercial use on 2.82 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 Meadow Woods PD / Parcel 12.1 – Lot 2 Preliminary Subdivision Plan dated "Received May 13, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 4

JVW/JS/lme  
Attachments



**CASE # CDR-16-04-133**

Commission District # 4

## 1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of June 22, 2016, to approve a substantial change to the Meadow Woods PD / Parcel 12.1 – Lot 2 Preliminary Subdivision Plan to add 4,000 square feet of commercial use on 2.82 acres.

## 2. PROJECT ANALYSIS

- A. Location: North of State Road 417 / West of Landstar Boulevard
- B. Parcel IDs: 25-24-29-5562-01-000; 25-24-29-5562-02-000  
(affected parcels only)
- C. Total Acres: 2.82 (affected lots only)
- 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 Uses: 119,869 square feet of commercial and office uses
- J. Site Data: Maximum Building Height: 50'  
Building Setbacks:
  - 35' Front
  - 10' Side
  - 30' Major Road
  - 10' Rear
- K. Fire Station: 55 – 801 Greenway Professional Court
- L. Transportation: The Meadow Woods PD is vested from Transportation Concurrency under vested rights certificate 92-056. A copy of this certificate must be included with the application for a building permit.



### 3. COMPREHENSIVE PLAN

The subject property is designated on the Future Land Use Map (FLUM) as Low Density Residential and Commercial (LMDR & C). The request is consistent with the Comprehensive Plan.

### 4. ZONING

PD (Planned Development District)

### 5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Meadow Woods PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Parcel 12.1 - Lot 2 Preliminary Subdivision Plan dated "Received May 13, 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. 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 May 13, 2016," 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.

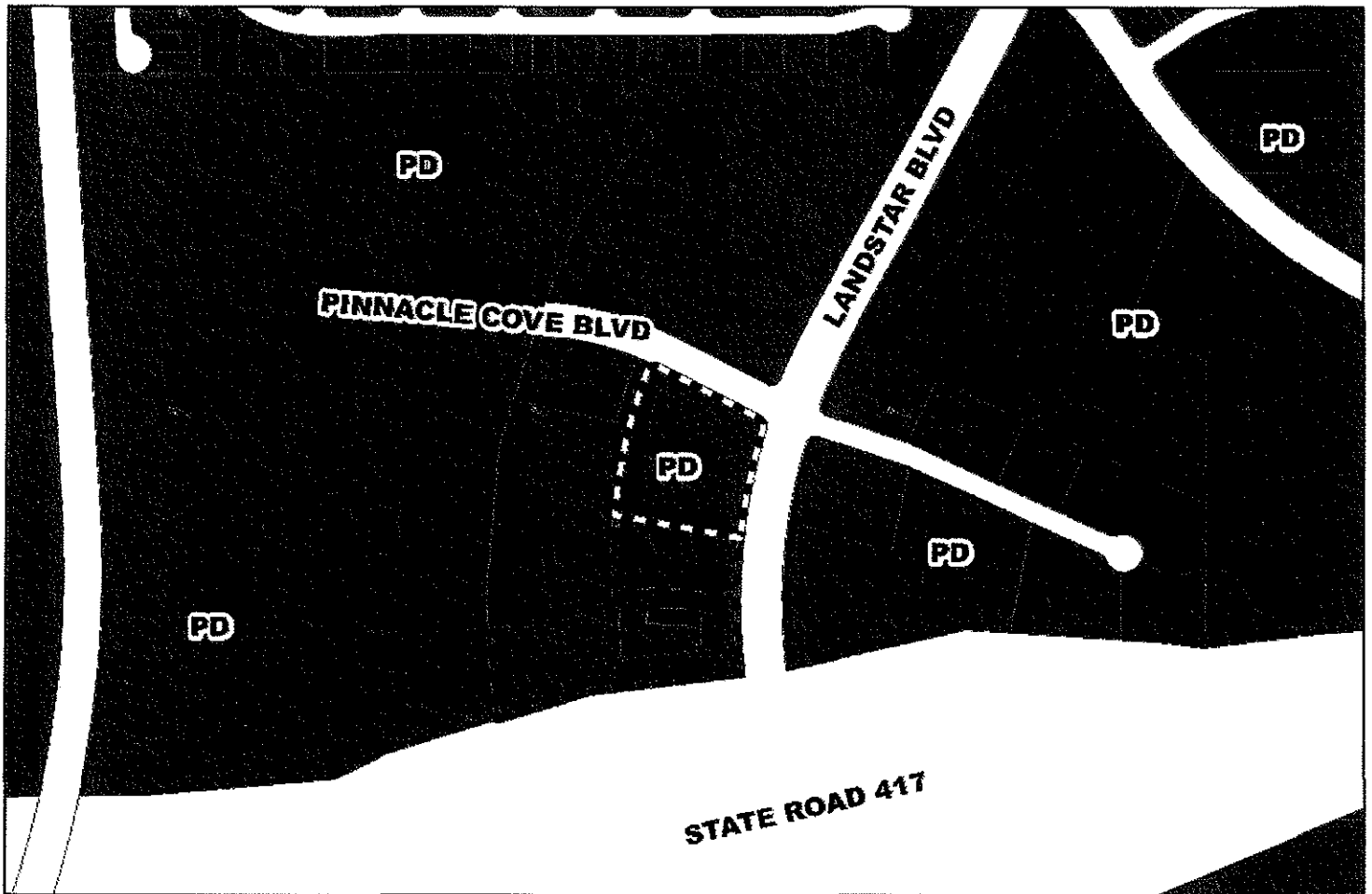


3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit 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. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the PSP, and that construction plans are consistent with an approved Master Utility Plan for the PD.
7. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
8. Outside sales, storage, and display shall be prohibited.



9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 8, 2008, shall apply:
  - a. Prior to earthwork or construction, 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.





**Subject Property**  
**PSP Boundary**



**★ Subject Property**

## Zoning Map

**ZONING:** PD (Planned Development District)

**APPLICANT:** Susan Lorentz, Interplan, LLC

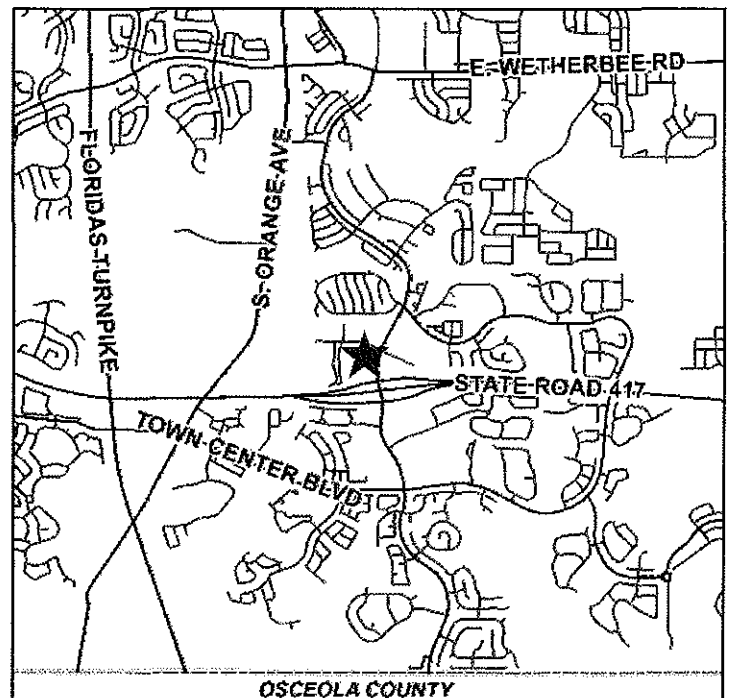
**LOCATION:** North of State Road 417 / West of Landstar Blvd

**TRACT SIZE:** 2.82 gross acres

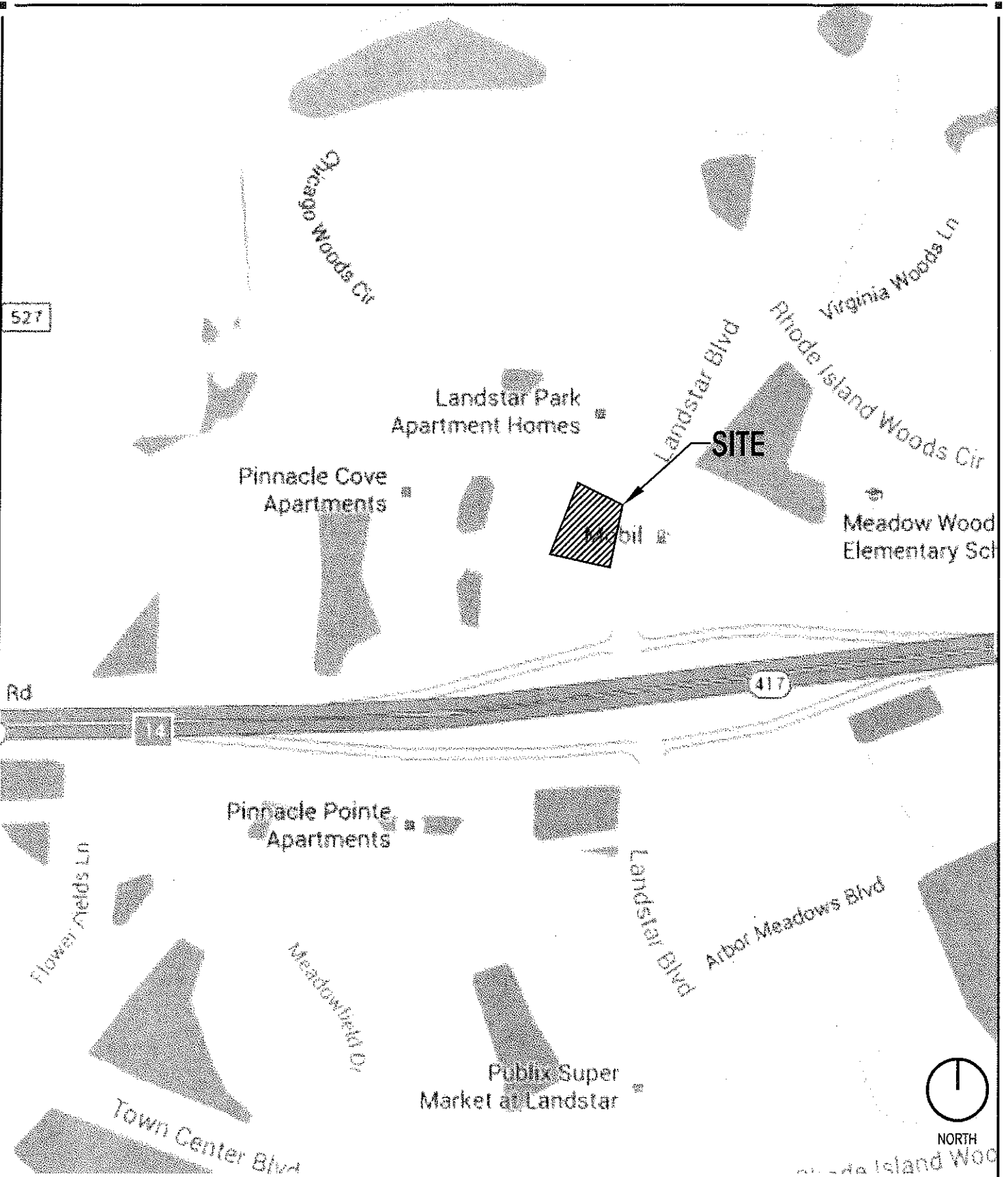
**DISTRICT:** # 4

**S/T/R:** 25/24/29

1 inch = 458 feet







## LOCATION MAP

### INTERPLAN

ARCHITECTURE / ENGINEERING  
INTERIOR DESIGN  
PROJECT MANAGEMENT

604 COURTLAND STREET  
SUITE 100  
ORLANDO, FLORIDA 32804  
PH 407.645.5008  
FX 407.629.9124

AA 003420 CA 8660

## MEADOW WOODS SELF STORAGE

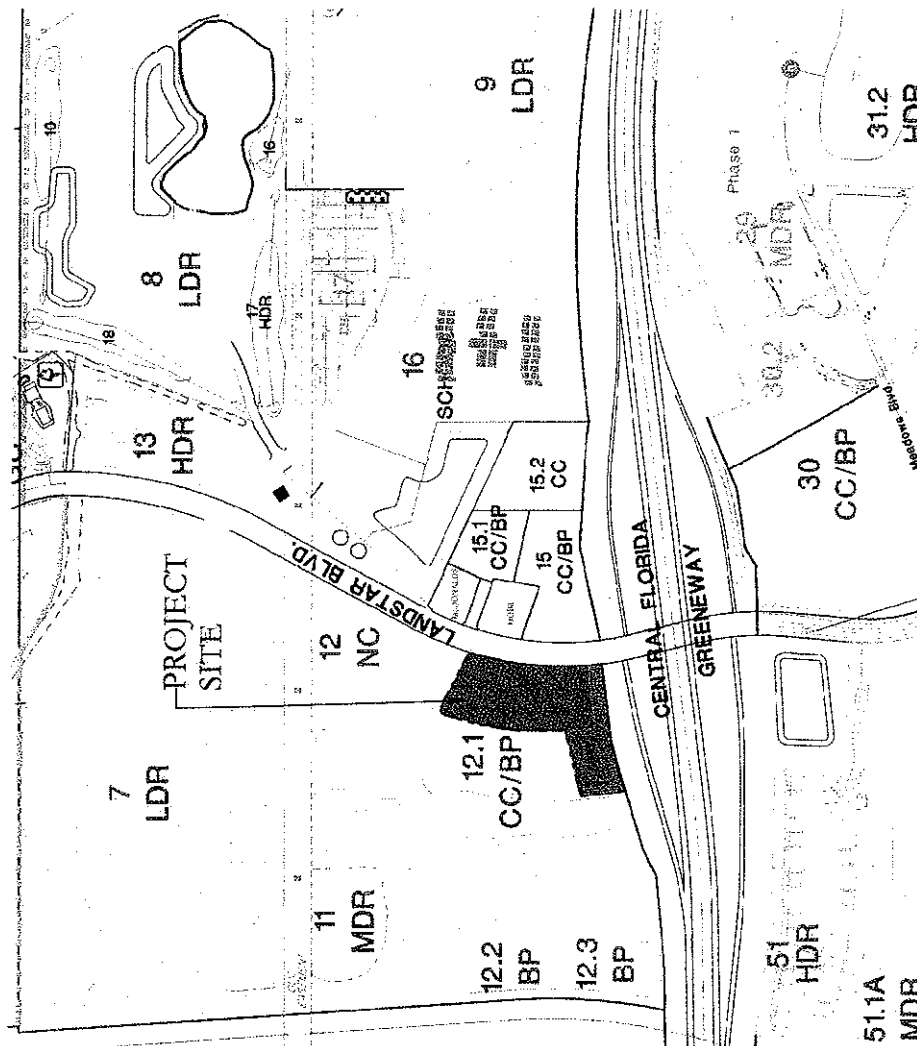
LANDSTAR BLVD  
ORLANDO, FL

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COPYRIGHT & OTHER RIGHTS  
RESTRICTING THESE  
DOCUMENTS TO THE  
ORIGINAL SITE OR PURPOSE  
FOR WHICH THEY WERE  
PREPARED. REPRODUCTIONS,  
CHANGES OR ASSIGNMENTS  
ARE PROHIBITED.

PROJECT NO: 2016.0054  
DATE: 6/27/2016

CHECKED:





NOTES:  
IN ACCORDANCE WITH SECTION 39-1227 AND VARIATIONS  
FROM COUNTY CODE UNIFORM STANDARDS REPRESENTED ON  
THIS PLAN THAT HAVE NOT BEEN EXPRESSLY APPROVED BY  
THE BEC ARE INVALID

**OPEN SPACE**  
OPEN SPACE REQUIRED WITHOUT THE LOADS OF THIS PUP SHALL NOT BE LESS THAN THE FOLLOWING: A MINIMUM OF 100 FT. FROM THE FRONT OF THE PUP TO THE FIRST OBSTACLE; A MINIMUM OF 100 FT. FROM THE REAR OF THE PUP TO THE FIRST OBSTACLE; A MINIMUM OF 100 FT. FROM THE SIDE OF THE PUP TO THE FIRST OBSTACLE.

OPEN SPACE CALCULATIONS				
TOTAL SPACE REQUIRED = 7.57 AC. ± 5% = 10 AC.				
PARCEL NUMBER	ACRES	ALLOCATED OPEN SPACE	PERCENTAGE	
PARCEL 1	1.37 AC.	0.1 AC.	7.25%	
PARCEL 2	1.39 AC.	0.1 AC.	7.25%	
PARCEL 3	1.37 AC.	0.1 AC.	7.25%	
PARCEL 4	1.39 AC.	0.1 AC.	7.25%	
POND TRACT 4	1.85 AC.	0.1 AC.	5.41%	
TOTAL AC.	10 AC.			100 %

COMMUNITY COMMERCIAL SHALL BE CONSISTENT WITH C-1 ZONING  
BUSINESS PARK SHALL BE CONSISTENT WITH P-O ZONING

PAVING ZONE: FD  
TOTAL NUMBER OF ACRES: 7.5 AC.  
TOTAL NUMBER OF LOTS: 4  
MAX. LOT OR AREA ALLOTTED: 6.50 (648  
MAX. INTERVENE AREA: 70%  
MAX. PERMITS: 312,000 + 4,000 = 316,000  
MAX. BUILDING SIZE: 50,000 SQ. FT.  
MAX. BUILDING HEIGHT: 35' 0"

WATER SERVICE  
SEWER SERVICE  
ELECTRIC SERVICE  
TOD PROTECTION  
AVERAGE DAILY TRAFFIC  
PRICE  
AIRPORTS USING:

<b>CYBERSIDE/MANTENANCE</b>	<b>ARTICLE XXII OF CHAPTER 15 OF THE ORANGE COUNTY CODE</b>
BROADWAY INTERNAL	PRIVATE TO BE OWNED AND MAINTAINED BY THE MUNICIPAL LOT OWNER
POTABLE WATER EXTERNAL	PRIVATE TO BE OWNED AND MAINTAINED BY THE MUNICIPAL LOT OWNER
SEWAGE SINK	PRIVATE TO BE OWNED AND MAINTAINED BY THE MUNICIPAL LOT OWNER
STORM WATER PLANTS	PRIVATE TO BE OWNED AND MAINTAINED BY THE PROPERTY OWNER. DAMAGE CAUSED BY STORMS, COUNTY, PRIVATE DRAINAGE TO INDIVIDUAL LOT OWNERS
DROVE ACCIDENT/DAMAGE	

NOTES:

1. FRESH ACTION & REPLY MATERIAL TO PARAG 14 SHALL BE PROVIDED ACTION PARAGS 14 AND ALONG CARRYING PARAG 22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-


**WASH DOWN HAZARDOUS**

USAID/OWH/POC-4  
COMBINE ACQUISITION DEVELOPMENT PROGRAM M&A C/42228  
Contract No. 45-5627-74-0001  
Per SUP Invoices, A10116  
MIS 0016

[illegible]

OFFICE OF THE ATTORNEY GENERAL					
NAME		DATE	\$	CENTS	HOW PAID
Paying Office Balance at			51.280		
S. H. Spencer & Co.		1907-1911			Per Pay Receipt, ad B.O.
Totaling \$100.00 for Equipment Fund				0.470	

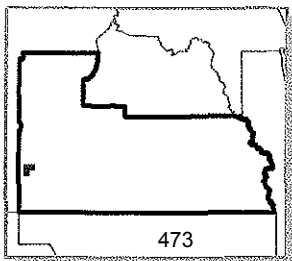






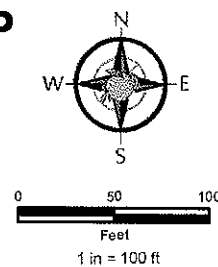


Kucera International, Inc.



## Meadow Woods PD / Parcel 12.1 – Lot 2 PSP Substantial Change

Parcels	Jurisdiction
Subject Property	Hydrology



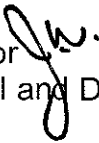




## Interoffice Memorandum

August 3, 2016

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

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

**CONTACT PERSON: Renzo Nastasi, AICP, Manager  
Transportation Planning Division  
(407) 836-8072**

SUBJECT: August 16, 2016 – Public Hearing  
North Boggy Creek Road Roadway Widening from Jeff Fuqua  
Boulevard to Wetherbee Road

Orange County Public Works is completing design for the widening of Boggy Creek Road from two lanes to four lanes from Jeff Fuqua Boulevard to Wetherbee Road, a length of approximately 1.29 miles. This project is being performed as a public private partnership between Orange County and AMB Orlando Park and Crockett Development, LLC. through an approved roadway agreement.

The improvements will consist of a four-lane divided urban roadway with on-road bicycle lanes, sidewalks, stormwater ponds and street lighting. The project also includes constructing a new bridge over Boggy Creek. The purpose of the proposed improvements is to provide additional traffic capacity and to enhance safety for motorists, bicyclists and pedestrians.

The improvements recommended for the North Boggy Creek Road project were found consistent with Policies T1.3.1, T1.3.7, and T2.2.4 of the Transportation Element of the Orange County Comprehensive Plan by the Land Planning Agency on July 21, 2016. These policies speak to the need to provide new road capacity, participate in public/private partnerships, prioritize safety and provide multi-modal transportation choices for all users, and preserve the level of service on constrained roadway facilities.



Page Two

August 16, 2016 – Public Hearing

North Boggy Creek Road Roadway Widening from Jeff Fuqua  
Boulevard to Wetherbee Road

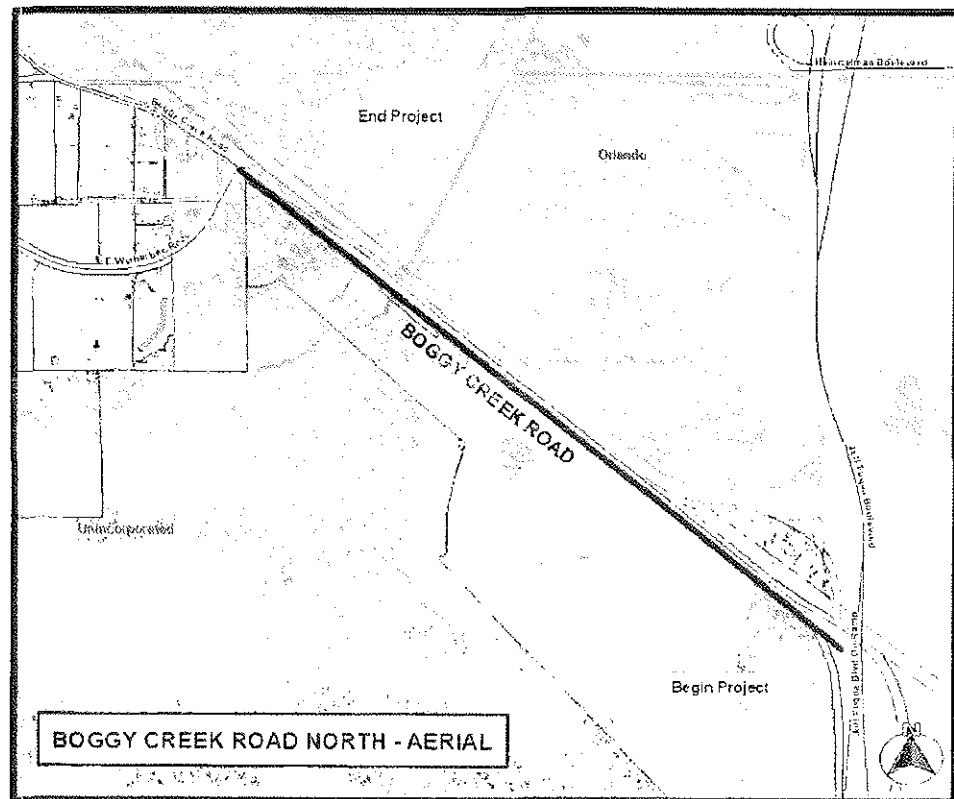
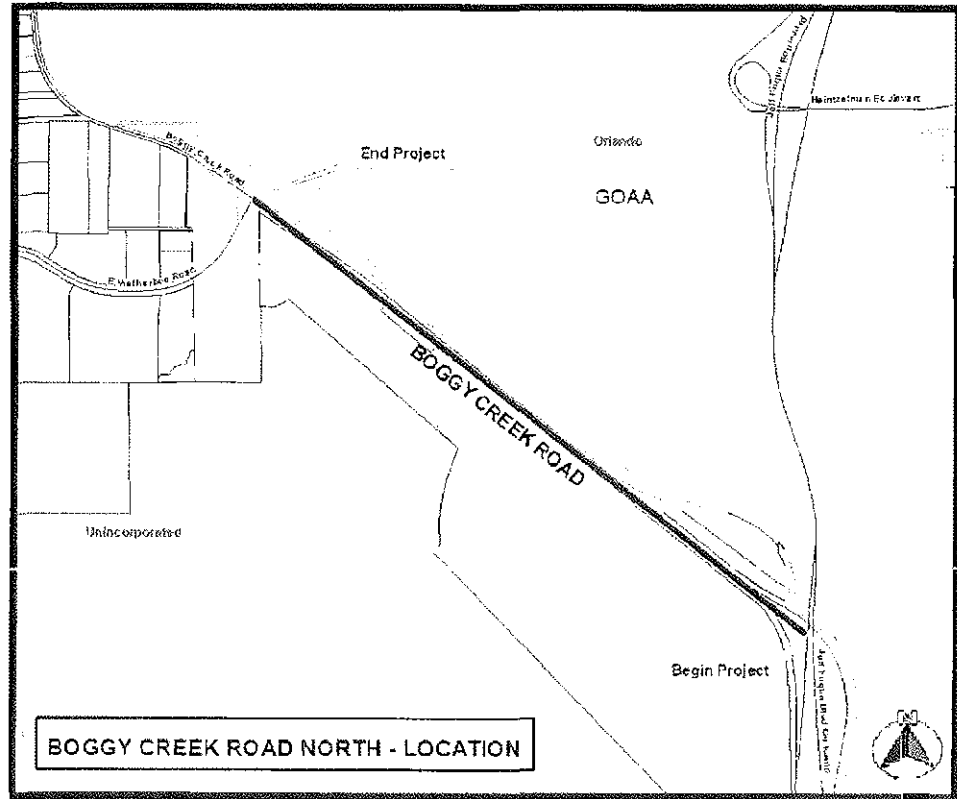
We would like to present the Roadway Widening Design to the Board of County Commissioners (BCC) at its August 16, 2016 public hearing. We ask that the BCC find the project and design of the roadway consistent with the Orange County Comprehensive Plan and make a recommendation to construct North Boggy Creek Road.

**ACTION REQUESTED: Make a finding of the project and design of the roadway consistent with the Orange County Comprehensive Plan and make a recommendation to construct North Boggy Creek Road.**

JVW/RN/AW:rep

Attachment














## Interoffice Memorandum

August 3, 2016

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

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

**CONTACT PERSON: Alberto Vargas, MArch, Manager, Planning Division  
407 836-5354**

SUBJECT: August 16, 2016 – Public Hearing  
Chapter 38 I-Drive District Overlay Zone

The Planning and Zoning Commission (PZC) continued the hearing to repeal Orange County Code, Article VII, Chapter 38, Division 4.5 pertaining to Convention Plaza District Overlay Zone and enacting Orange County Code, Article VII, Chapter 38, Division 4.5 creating the I-Drive District Overlay Zone to August 18, 2016. Therefore, the scheduled second public hearing for August 16, 2016 needs to be cancelled.

Planning staff will bring the ordinance back to the PZC on August 18, 2016, after addressing elements of the code discussed by the PZC and providing further opportunity for stakeholder participation in the technical review. The required public hearings before the Board will be rescheduled and re-advertised for a future date.

Therefore, no action by the Board is required at this time.

JVW/AV:rep






ORANGE COUNTY MAYOR

**TERESA JACOBS**

P.O. Box 1393, 201 SOUTH ROSALIND AVENUE, ORLANDO, FL 32802-1393  
PHONE: 407-836-7370 • FAX: 407-836-7360 • Mayor@ocfl.net

August 12, 2016

To: Board of County Commissioners

From: Mayor Teresa Jacobs 

Subject: BCC Agenda Addendum Item  
August 16, 2016

By way of an update, staff will provide the Board with a presentation on the County's proactive mosquito control program to help safeguard against the spread of Zika and other mosquito borne illnesses.

C: Ajit Lalchandani, County Administrator  
Dr. George Ralls, Assistant County Administrator  
Dr. Christopher Hunter, Director, Health Services Department