



AGENDA

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

TUESDAY, AUGUST 2, 2016

MEETING STARTS AT 9:00 a.m.

- Invocation – District 2
- Pledge of Allegiance
- Public Comment*

I. CONSENT AGENDA

A. COUNTY COMPTROLLER

1. Approval of the minutes of the June 14, 2016 meeting of the Board of County Commissioners. **(Clerk's Office) Page 17-41**
2. 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 17**
3. Disposition of Tangible Personal Property as follows: **(Property Accounting) Page 17, 42**
 - a. Scrap Asset.
 - b. Demolish Assets.

B. COUNTY TAX COLLECTOR

1. Acceptance of the Tax Collector's Recapitulation of the Tax Roll for Orange County, Florida, 2015 and acceptance and execution of Tax Collector's Certification of the Tax Roll. **Page 43-46**
2. Approval of the extension of the tax roll prior to the completion of the 2016 Value Adjustment Board hearings. **Page 47**

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 2, 2016

I. CONSENT AGENDA (Continued)

C. COUNTY ADMINISTRATOR

1. Approval and execution of Resolution for the Issuance of Multi Family Housing Mortgage Revenue Bonds, to finance the acquisition and rehabilitation of Lake Weston Point Apartments, a proposed development in Unincorporated Orange County, Florida, District 2, in an amount not to exceed \$13,000,000. **(Housing Finance Authority) Page 48-79**
2. Approval of Collective Bargaining Agreement between Florida State Lodge Fraternal Order of Police - Lieutenants and Orange County, Article 18 - Wages for Fiscal Year 2015-2016 and wage increase to ID#106445 retroactive to October 11, 2015. **(Human Resources Division) Page 80-81**
3. Approval of budget amendments #16-48, #16-49, #16-50, and #16-51. **(Office of Management and Budget) Page 82-87**
4. Approval of Ratification of payment of Intergovernmental claims of June 23, 2016 and June 30, 2016 totaling \$569,112.05. **(Risk Management Division) Page 88**

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. Approval to award Invitation for Bids Y16-1061-JS, Title Services, to the sole responsive and responsible bidder, First American Title Insurance Company. The estimated contract award amount is \$483,750 for the initial 3-year term. **([Administrative Services Department Real Estate Management Division] Procurement Division) Page 89-90**
2. Approval to award Invitation for Bids Y16-1071-LC, Plumbing Services, to the low responsive and responsible bidders, Frank Gay Plumbing, Inc. as the primary contractor and Ellis Mechanical Corporation as secondary contractor. The overall total estimated annual contract award amount is \$1,000,000. **([Administrative Services Department Facilities Management Division] Procurement Division) Page 91-93**
3. Approval to award Invitation for Bids Y16-1085-PD, Landscape Maintenance Roads and Drainage Division, to the low responsive and responsible bidders, Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters for Lot A in the estimated contract award amount of \$902,520 for a 1-year term contract and Lawnwalker Services, Inc. for Lots B, C and D in the estimated contract award amount of \$1,973,283.50 for a 1-year term contract. **([Public Works Department Roads and Drainage Division] Procurement Division) Page 94-106**

CONTINUED

TUESDAY, AUGUST 2, 2016

I. CONSENT AGENDA (Continued)

D. ADMINISTRATIVE SERVICES DEPARTMENT (Continued)

4. Approval to award Invitation for Bids Y16-769-PH, Rio Pinar Water and Wastewater System Improvements Package 5, to the low responsive and responsible bidder, Prime Construction Group, Inc. The estimated contract award amount is \$6,249,999. ([Utilities Department Engineering Division] **Procurement Division**) **Page 107-109**
5. Approval of Amendment Number 4, Contract Y15-152-ZM, BDM Pharmacy Application Licensing Support and Upgrades with BDM IT Solutions, in the amount of \$36,725 for a revised total contract amount of \$135,924. ([Health Services Department] **Procurement Division**) **Page 110-111**
6. Approval of Purchase Order M79937, Closed-Circuit Television (CCTV) Inspection Vehicle to Elxsi Corp dba Cues, Inc., in the amount of \$374,400. ([Utilities Department Field Services Division] **Procurement Division**) **Page 112**
7. Approval and execution of Boat Dock Restriction Agreement between Waterford Pointe Homeowners' Association, Inc. and Orange County and authorization to record instrument for Semi-Private Boat Dock on Lake Roberts (Permit # BD-15-05-067). District 1. (**Real Estate Management Division**) **Page 113-114**
8. Approval and execution of Easement between Orange County and Duke Energy Florida, LLC, d/b/a Duke Energy and authorization to record instrument for 18925 Lansing Street, Orlando, FL 32833. District 5. (**Real Estate Management Division**) **Page 115-116**
9. Approval of Donation Agreement, Sidewalk Easement, and Right of Entry from LMC Properties, Inc., successor by merger with Orlando Central Park, Inc. and Orange County and authorization to disburse funds to pay all recording fees and record instrument for International Drive Transit Lanes (Destination Parkway to Sand Lake Road). District 6. (**Real Estate Management Division**) **Page 117-118**
10. Approval of Donation Agreement, Sidewalk Easement, and Right of Entry from Lockheed Martin Corporation, f/k/a Martin Marietta Corporation, f/k/a The Martin Company, f/k/a The Glenn L. Martin Company and Orange County and authorization to disburse funds to pay all recording fees and record instrument for International Drive Transit Lanes (Destination Parkway to Sand Lake Road). District 6. (**Real Estate Management Division**) **Page 119-120**
11. Approval of Warranty Deed from Ashton Orlando Residential, L.L.C. to Orange County and authorization to record instrument for Latham Park South OCU Permit: 13-S-059 OCU File #: 74605. District 1. (**Real Estate Management Division**) **Page 121-122**

CONTINUED

TUESDAY, AUGUST 2, 2016

I. CONSENT AGENDA (Continued)

D. ADMINISTRATIVE SERVICES DEPARTMENT (Continued)

- 12. Approval of Utility Easement between JY-TV Associates, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Wells Fargo Bank and authorization to record instruments for Promenade Grande Lakes Parcel 8C OCU Permit: B14903551 OCU File #: 80606. District 4. **(Real Estate Management Division) Page 123-124**
- 13. Approval of Utility Easement between Village Lake Retail LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from SunTrust Bank and authorization to record instruments for Retail at Village Lake Road NC OCU Permit: B15903715 OCU File #: 83846. District 1. **(Real Estate Management Division) Page 125-126**
- 14. Approval of Conservation and Access Easement between Country Run Development, LLC and Orange County and authorization to record instrument for Terraces at Country Run Project #CAI-14-06-019. District 2. **(Real Estate Management Division) Page 127-128**

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

- 1. Approval and execution of the Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. **(Code Enforcement Division) Page 129-131**

LC 16-0650	LC 16-0649	LC 16-0628	LC 16-0356	LC 16-0623
LC 16-0651	LC 16-0676	LC 16-0653	LC 16-0598	LC 16-0626
LC 16-0678	LC 16-0677	LC 16-0636	LC 16-0614	LC 16-0629
LC 16-0087	LC 16-0681	LC 16-0637	LC 16-0615	LC 16-0630
LC 16-0520	LC 16-0683	LC 16-0298	LC 16-0617	LC 16-0631
LC 16-0571	LC 16-0686	LC 16-0661	LC 16-0618	LC 16-0640
LC 16-0638	LC 16-0689	LC 16-0669	LC 16-0620	LC 16-0642
LC 16-0639	LC 16-0624	LC 16-0211	LC 16-0621	LC 16-0658

CONTINUED

TUESDAY, AUGUST 2, 2016

I. CONSENT AGENDA (Continued)

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

2. Acceptance of the Recommendation of the Environmental Protection Commission to approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height) for the Thompson Boat Dock Construction Permit BD-16-02-016. District 1. **(Environmental Protection Division) Page 132-139**
3. Approval of Application for Impact Fee Grant for Qualified Non-Profit Organizations in the amount of \$4,512.40 to be used for the Law Enforcement, Fire Rescue and Road Impact Fees for the United Global Outreach Inc. – Model Center. District 5. **(Fiscal and Operational Support Division) Page 140-154**

F. FAMILY SERVICES DEPARTMENT

1. Approval of Orange County Family Services Head Start Division Standard Operating Procedures. **(Head Start Division) Page 155-207**
2. Approval and execution of Meal Service Agreements between Orange County, Florida and School Board of Orange County, Florida regarding School Food Service for Aloma, Dover Shores, Englewood, Grand Avenue, Maxey, Tangelo Park, Ventura and Washington Shores Early Learning Head Start Centers. **(Head Start Division) Page 208-242**
3. Approval of the August 2016 Neighborhood Pride Capital Improvement Grant as recommended by the Neighborhood Grants Advisory Board for Emerald Forest of Orange County HOA (\$10,000). District 1. **(Neighborhood Preservation and Revitalization Division) Page 243-245**
4. Approval of the August 2016 Sustainable Communities Grants as recommended by the Neighborhood Grants Advisory Board for Braemar HOA (\$2,050); Summerport Park (\$1,725); Wekiva Springs Estates (\$2,150); Friends of Lake LaGrange (\$3,300) and South Hiawassee Village (\$2,000). Districts 1, 2, 3 and 6. **(Neighborhood Preservation and Revitalization Division) Page 246-253**
5. Approval of August 2016 Neighborhood Pride Landscaping Grants as recommended by the Neighborhood Grants Advisory Board for Lakeview Heights at Lake Rose Shores HOA (\$2,500); The Oaks at Brandy Lake HOA (\$2,500); Bent Oak HOA (\$2,500); and Park Green Community Association, Inc. (\$2,500). Districts 1, 2 and 5. **(Neighborhood Preservation and Revitalization Division) Page 254-259**

CONTINUED

TUESDAY, AUGUST 2, 2016

I. CONSENT AGENDA (Continued)

F. FAMILY SERVICES DEPARTMENT (Continued)

6. Approval of August 2016 Neighborhood Pride Entranceway Grants as recommended by the Neighborhood Grants Advisory Board for Mable Bridge HOA (\$5,000); Pembroke HOA (\$5,000); Southern Acres HOA (\$5,000); Turtle Creek HOA (\$5,000) and Royal Manor Villas HOA (\$5,000). Districts 1 and 3. **(Neighborhood Preservation and Revitalization Division) Page 260-266**
7. Approval of August 2016 Neighborhood Pride Nonprofit Housing Repair Grant as recommended by the Neighborhood Grants Advisory Board for Habitat for Humanity of Seminole County and Greater Apopka, Florida, Inc. (\$11,000). District 2. **(Neighborhood Preservation and Revitalization Division) Page 267-269**
8. Approval of August 2016 Neighborhood Pride Sign Grants as recommended by the Neighborhood Grants Advisory Board for Mt. Plymouth Lake Homes (\$5,000); Oakwood Estates Neighborhood (\$5,000) and Palm Grove Neighborhood (\$5,000). Districts 2 and 6. **(Neighborhood Preservation and Revitalization Division) Page 270-274**
9. Approval of the August 2016 Neighborhood Pride Mini-Grant as recommended by the Neighborhood Grants Advisory Board for Lake Sunset Luola Terrace (\$1,500). District 6. **(Neighborhood Preservation and Revitalization Division) Page 275-278**

G. HEALTH SERVICES DEPARTMENT

1. Approval and execution of the Paratransit Services License for G8D, LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2016 through August 1, 2018. There is no cost to the County. **(EMS Office of the Medical Director) Page 279-284**

H. OFFICE OF REGIONAL MOBILITY

1. Approval and execution of Orange County/MetroPlan Orlando (Urban Area Metropolitan Planning Organization) FY 2016-2017 Funding Agreement by and between Orange County and MetroPlan Orlando and authorization to make payment in the amount of \$471,438 in two installments of \$235,719 to be paid in October 2016 and April 2017. All Districts. **Page 285-290**

CONTINUED

TUESDAY, AUGUST 2, 2016

I. CONSENT AGENDA (Continued)

I. PUBLIC WORKS DEPARTMENT

1. Approval to construct speed humps on Sloewood Drive. District 2. **(Traffic Engineering) Page 291-293**
2. Approval to install a "No Parking" zone on one side of Winding Woods Lane, Weatherford Way, and Dry Creek Lane. District 4. **(Traffic Engineering) Page 294-300**
3. Approval and execution of License Agreement For Office Trailers at 8694, 8696, 8698 Monument Parkway by and between The Lane Construction Corporation and Orange County, Florida. District 4. **(Highway Construction) Page 301-316**

CONTINUED

TUESDAY, AUGUST 2, 2016

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. Receipt of the following items to file for the record: **(Clerk's Office)**
Page 317
 - a. Myrtle Creek Improvement District Proposed FY 2017 Operations & Maintenance Budget.
 - b. Orange County, Florida Comprehensive Annual Financial Report For The Year Ended September 30, 2015.
 - c. Orange County, Florida Bond Disclosure Supplement For The Year Ended September 30, 2015.
 - d. Minutes of the May 14, June 9, July 9, and August 13, 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 2, 2016

III. DISCUSSION AGENDA

A. COMMISSIONER'S REPORT

1. Commissioner Boyd would like to discuss a BCC Resolution in support of Smart Irrigation. **Page 318-320**

B. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. Approval and execution of 2016-2020 Orange County Consolidated Plan, Certifications, Specific CDBG Certifications, Specific HOME Certifications, ESG Certifications, and

Approval and execution of 2016-2017 One-Year Action Plan that includes Application for Federal Assistance SF-424, Certifications, Specific CDBG Certifications, Specific HOME Certifications, ESG Certifications; and

Approval and execution of 2016-2020 Analysis of Impediments to Fair Housing Choice and Certification to Affirmatively Further Fair Housing. All Districts. **(Housing and Community Development Division) Page 321-324**

C. COUNTY ADMINISTRATOR

1. Orange County United Way Campaign Update. **Page 325**

D. COUNTY MAYOR

1. Open discussion on issues of interest to the Board. **Page 326**

R E C E S S

TUESDAY, AUGUST 2, 2016

MEETING STARTS AT 1:30 p.m.

Presentation of Employee Service Awards to:

Marie A. Eady (20), Community Corrections, Chiquita Camacho (20), Vanessa Miles (20), Security Operations, Terry L. Curtis (30), Inmate Administration, Corrections; Michael L. Crum (20), Youth and Family Services, Family Services; Rodney L. Estep (20), Keith R. Watts (25), Penelope J. Garlock (25), Kenneth R. Henderson (30), Fire Operations, Christopher L. Dobson (30), Fire Communications, Fire Rescue; John W. Barry (20), Jason L. Stough (30), Roads & Drainage, Public Works; Linda Ayala-Serrano (20), John Galfo (25), Field Services, Dilsaz A. Walji (30), Fiscal & Operational Support, Utilities.

IV. RECOMMENDATIONS

July 7, 2016 Board of Zoning Adjustment Recommendations

CONTINUED

TUESDAY, AUGUST 2, 2016

V. PUBLIC HEARINGS

Public hearings scheduled for 2:00 p.m.

A. Municipal Service Benefit Unit

1. Royal Legacy Estates and Royal Legacy Estates Tract M Replat, amend for streetlighting; District 1

B. Pedestrian Safety Study

2. UCF/Alafaya Trail Pedestrian Safety Study, This study is an INVEST Program Project intended to evaluate challenges and opportunities to improve bicycle/pedestrian safety within the Study corridor; District 5
(CANCELED)

C. Planning and Zoning Commission Board-Called

- 3.✓ Applicant: Christopher Wrenn, DR Horton, Case # RZ-16-02-007, April 21, 2016; District 3

D. Preliminary Subdivision Plan

- 4.✓ Applicant: Christina Baxter, Poulos & Bennett, LLC, Moss Park PD/ Parcel C1 Preliminary Subdivision Plan, Case # PSP-15-12-369; District 4

E. Shoreline Alteration/Dredge and Fill

- 5.✓ Applicant: Jose Vargas, Little Fish Lake, permit; District 1

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

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

CONTINUED

TUESDAY, AUGUST 2, 2016

V. PUBLIC HEARINGS (Continued)

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

F. Substantial Change

- 6.✓ Applicant: Kathy Hattaway, HCI Planning & Land Development Consultants, Village F Master Planned Development/Land Use Plan (PD/LUP), Case # CDR-15-12-381, amend plan; District 1
- 7.✓ Applicant: Christopher P. Roper, Ackerman, LLP, Isles of Lake Hancock Planned Development/Land Use Plan (PD/LUP), Case # CDR-16-04-157, amend plan; District 1
- 8.✓ Applicant: Phillip C. Hollis, PMJS, LLC, Lake Bryan Condos Planned Development/Land Use Plan (PD/LUP), Case # LUPA-16-02-046, amend plan; District 1
- 9.✓ Applicant: Robert Paymayesh, Terra Bona Planned Development/Land Use Plan (PD/LUP), Case # CDR-16-03-083, amend plan; District 2

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

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CONTINUED

TUESDAY, AUGUST 2, 2016

V. PUBLIC HEARINGS (Continued)

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

G. Comprehensive Plan

10. Transmittal of 2016-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP)

REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP AMENDMENT

Amendment 2016-2-A-1-2 (fka 2016-1-A-1-3)

Arthur J. R. Baker, Baker & Hostetler, LLP, for Orange Lake Country Club, Inc.; Walkem Development Company of Knoxville, Inc.; Carson Family II, LLC; Prudential Insurance Company of America; Roi Developers I, LLC; National Retail Properties, LP; Town Center Property Owners; Association, Inc.; Wilson Land, Inc.; and 192 Ah Investors, LLC
Growth Center-Commercial (GC-C) to Growth Center-Commercial/Medium Density Residential (GC-C/MDR) – District 1

REGULAR CYCLE PRIVATELY-INITIATED TEXT AMENDMENT

Amendment 2016-2-P-FLUE-2

Jim Hall, VHB, Inc., for Eastmar Commons Partnership Text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity associated with the Eastmar Commons PD's adopted Planned Development-Commercial/Medium Density Residential (PD-C/MDR) Future Land Use Map designation – District 4

CONTINUED

TUESDAY, AUGUST 2, 2016

V. PUBLIC HEARINGS (Continued)

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

G. Comprehensive Plan (Continued)

10. Transmittal of 2016-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP) (Continued)

REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP AMENDMENT

Amendment 2016-2-A-5-1 (fka 2016-1-S-5-4)

Thomas Sullivan for Luk Yeung, Inc., Orlando Pickett 2, LLC, and Bonne 34567, Inc.
Office/Commercial/Low-Medium Density Residential (O/C/LMDR) to Planned Development-Commercial/High Density Residential (PD-C/HDR) – District 5

REGULAR CYCLE STAFF-INITIATED TEXT AND FUTURE LAND USE MAP AMENDMENTS

Amendment 2016-2-B-FLUE-2

Text amendments to the Future Land Use Element Policy FLU8.1.4 establishing the maximum densities and intensities for proposed Planned Developments within Orange County - Countywide

Amendment 2016-2-B-CP-1

Text amendments to the Future Land Use Element, amending selected objectives and policies of Goal FLU4, Horizon West, and amendment of Map 2, Horizon West Specific Area Plan, of the Future Land Use Map Series - District 1

Amendment 2016-2-B-TRAN-1

Text amendments to the Transportation Element to address pedestrian safety - Countywide

CONTINUED

TUESDAY, AUGUST 2, 2016

V. PUBLIC HEARINGS (Continued)

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

G. Comprehensive Plan (Continued)

10. Transmittal of 2016-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP) (Continued)

REGULAR CYCLE STAFF-INITIATED TEXT AND FUTURE LAND USE
MAP AMENDMENTS (CONTINUED)

Amendment 2016-2-B-TRAN-2

Text and map amendments to the Transportation Element to update the Long Range Transportation Plan - Countywide

Amendment 2016-2-B-CP-2

Text amendments to the Transportation Element and Future Land Use Element to address transportation and land use coordination for freight - Countywide

CONTINUED

TUESDAY, AUGUST 2, 2016

V. PUBLIC HEARINGS (Continued)

Public hearing scheduled for 5:01 p.m.

H. Ordinance

11. 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 - 1st hearing (2nd hearing on August 16, 2016)

√ 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.

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* * *

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

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

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

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

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



OFFICE OF THE COMPTROLLER

ORANGE
COUNTY
FLORIDA

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

COUNTY COMMISSION AGENDA
Tuesday, August 2, 2016

COUNTY COMPTROLLER

Items Requiring Consent Approval

1. Approval of the minutes of the June 14, 2016, meeting of the Board of County Commissioners.
2. 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.
3. Disposition of Tangible Personal Property

Approval is requested of the following:

- a. Scrap Asset.
- b. Demolish Assets.

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, June 14, 2016
Location: Commission Chambers, Orange County Administration Center,
First Floor, 201 S. Rosalind Avenue, Orlando, Florida
Members Present: County Mayor Teresa Jacobs; Commissioners S. Scott Boyd,
Bryan Nelson, Pete Clarke, Jennifer Thompson, Ted Edwards,
Victoria P. Siplin
Others Present: County Administrator Ajit Lalchandani, County Attorney Jeffrey J.
Newton, Deputy County Attorney Joel Prinsell, Senior Minutes
Coordinator Craig Stopyra, Minutes Coordinator Lakela Christian

- CALL TO ORDER, 2:04 p.m.
- INVOCATION – Pastor Coleman Pratt, Grace Journey Community Church
- PLEDGE OF ALLEGIANCE

- MOMENT TO REFLECT

County Mayor Jacobs spoke on behalf of the Board of County Commissioners and Orange County staff giving condolences to the families of the 49 victims who lost their life, the victims in critical condition, the victims who are recovering, and for anyone who is affected by the Orlando Pulse Nightclub tragedy. County Mayor Jacobs also expressed sincere appreciation to the heroic individuals involved in the tragedy. Members from the community attended and spoke during the meeting in support of the victims.

- PUBLIC COMMENT

No one addressed the Board for public comment.

- COUNTY CONSENT AGENDA

Motion/Second: Commissioners Thompson/Clarke

AYE (voice vote): All members

Action: The Mayor

- Deferred action on Community, Environmental and Development Services Department Item 3 for consideration with public hearing for Adam Smith, Zanzibar Property Planned Development / Zanzibar Property Phase 1 Preliminary Subdivision Plan, Case # PSP-15-07-200
- Deferred action on Community, Environmental and Development Services Department Items 4 and 10 for consideration with public hearing for Dwight Saathoff, The Grow Planned Development Rezoning, Case # LUP-16-01-002

and further, the Board approved the balance of the County Consent Agenda items as follows:

County Mayor

1. Confirmation of managerial appointments: Anne Kulikowski as Director, Administrative Services Department; Carrie Woodell as Manager of the Procurement Division, Administrative Services Department; and Reed Knowlton as the Manager of Fiscal and Operational Support, Administrative Services Department.
2. Confirmation of Dr. Joshua Stephany as Orange County Chief Medical Examiner and Division Manager of the Medical Examiner's Office, Orange County Health Services Department for a three year term.

County Comptroller

1. Approval of the minutes of the April 26, 2016, meeting of the Board of County Commissioners. (Clerk's Office)
2. Approval of the check register authorizing the most recently disbursed County funds, having been certified that same had not been drawn on overexpended accounts. Periods are as follows:
 - May 20, 2016, to May 26, 2016; total of \$31,623,069.77
 - May 27, 2016, to June 2, 2016; total of \$35,197,706.21
 - June 3, 2016, to June 9, 2016; total of \$41,861,286.22.

(Finance/Accounting)

3. Disposition of Tangible Personal Property (Property Accounting)

Approval is requested of the following:

- a. Sell assets through the public auction.
- b. Offer to non-profit organizations.
- c. Scrap remaining assets.

County Administrator

1. Appointment of Commissioner Sarah C. Sprinkel to the Community Action Board in the municipal elected official category with a term expiring December 31, 2017. (Agenda Development Office)

2. Confirmation of the appointment of Stephen Delucca and Jaime Halscott to the Orange County Citizen Corps Council as Mayor's representatives with terms expiring December 31, 2016. (Agenda Development Office)
3. Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments: (Agenda Development Office)
 - A. Affordable Housing Advisory Board: Appointment of Marcelino Rivera to succeed Bonnie Y. Morales in the essential services personnel representative category with a term expiring June 30, 2017.
 - B. Animal Services Classification Committee: Appointment of Deputy Sheriff Matthew Bishop to succeed Deputy Sheriff Gustavo Marinoni in the K-9 handler representative category with a term expiring December 31, 2017.
 - C. Disability Advisory Board: Appointment of Catherine E. McCarthy to succeed Nancy B. Morales-Benitez and Brian K. Michaels to succeed Janera Echevarria in the at large representative category with terms expiring June 30, 2017.
 - D. Parks and Recreation Advisory Board: Reappointment of Alan Morrison in the District 4 representative category and the appointment of Alice Y. Nolan to succeed Bruce E. Elliott in the District 2 representative category with terms expiring June 30, 2017.
4. Approval and execution of Resolution 2016-M-20 of Orange County, Florida declaring the County's official intent to reimburse itself from the proceeds of tax-exempt or other tax-advantaged obligations for certain capital expenditures to be made by the County with respect to the financing of certain additions, extensions, improvements and betterments to be made at the Convention Center; authorizing certain incidental actions; and providing for an effective date. (Fiscal and Business Services Division)
5. Approval of budget amendments #16-39, #16-40 and #16-41. (Office of Management and Budget)

Administrative Services Department

1. Approval to award Invitation for Bids Y16-185-EB, Maintenance of Stormwater Ponds, to the low responsive and responsible bidder, Frank Gay Plumbing, Inc. in the estimated annual contract award amount of \$361,145. Further, authorized the Procurement Division to exercise contract option years one and two. ([Administrative Services Department Facilities Management Division] Procurement Division)

2. Approval to award Invitation for Bids Y16-1011-DG, Weatherization Program, to the two low responsive and responsible bidders, Cook Creations, Inc. and Richards Bros Construction, Inc. for 1-year term contracts for the overall total contract award amount of \$637,223. Further, authorized the Procurement Division to renew the contracts for two additional twelve-month periods. ([Family Services Department Community Action Division] Procurement Division)
3. Approval to award Invitation for Bids Y16-1012-RM, Storm Sewer Pipe Installation and Repair, to the low responsive and responsible bidder, Stage Door II, Inc. in the estimated annual contract award amount of \$2,973,320. Further, authorized the Procurement Division to exercise contract option years one and two. ([Public Works Department Roads and Drainage Division] Procurement Division)
4. Approval to award Invitation for Bids Y16-1022-JS, Electrical Switch Gear Preventive Maintenance, Testing and Repair, to the low responsive and responsible bidder, Greater Florida Electrical Contractors, Inc., in the estimated contract award amount of \$156,210 for a 1-year term contract. Further, authorized the Procurement Division to exercise option years one and two. ([Administrative Services Department Facilities Management Division] Procurement Division)
5. Approval to award Invitation for Bids Y16-1034-DG, Moving Services of Furniture, Equipment and Furnishings, to the low responsive and responsible bidder, Commercial Works, Inc., in the estimated contract award amount of \$155,000 for a 1-year term. Further, authorized the Procurement Division to renew for two additional 1-year periods. ([Administrative Services Department Facilities Management Division] Procurement Division)
6. Approval to award Invitation for Bids Y16-1058-JS, Survey and Inspection of Backflow Prevention Assemblies - Supplemental, to the low responsive and responsible bidder, Howz It Flowin, Inc., in the estimated contract award amount of \$257,500 for a 1-year term contract. Further, authorized the Procurement Division to renew the contract for two additional 1-year terms. ([Utilities Department Water Division] Procurement Division)
7. Approval to award Invitation for Bids Y16-1062-PD, Athletic Field Sod and Installation, to the low responsive and responsible bidder, Lake Jem Farms, Inc., in the estimated contract award amount of \$954,750 for a 1-year term. Further, authorized the Procurement Division to renew the contract for 4 additional 1-year terms. ([Community, Environmental and Development Services Department Parks and Recreation Division] Procurement Division)
8. Approval to award Invitation for Bids Y16-742-PH, North Pine Hills Drive Force Main Reroute Project to the low responsive and responsible bidder, PWC Joint Venture, LLC, for the estimated contract award amount of \$1,844,244.20. ([Utilities Department Engineering Division] Procurement Division)

9. Approval to award Invitation for Bids Y16-754-RM, Orange County Corrections Building E 5th & 6th Floor Cell Door/Lock Replacement, to the low responsive and responsible bidder, Café Construction & Development, Inc. in the total contract award amount of \$519,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
10. Approval to award Invitation for Bids Y16-760-EB, Taft Highway Maintenance Facility Perimeter Fence, to the low responsive and responsible bidder, All-Rite Fence Services, Inc., in the total contract award amount of \$109,385. ([Administrative Services Department Facilities Management Division] Procurement Division)
11. Approval to award Invitation for Bids Y16-761-EB, Bithlo Highway Maintenance Facility Perimeter Fence, to the low responsive and responsible bidder, All-Rite Fence Services, Inc., in the total contract award amount of \$126,335. ([Administrative Services Department Facilities Management Division] Procurement Division)
12. Approval of Purchase Order M78283, Renewal of Software Support and Annual Maintenance for the Fire Rescue 911 Dispatch System and Records Management System, with Tiburon, Inc. in the amount of \$170,815. ([Office of Accountability Information Systems and Services Division] Procurement Division)
13. Approval of Purchase Order M97564, Purchase of Carpet for OCCC West Concourse and Bridge Flooring Replacement from Tai Ping Carpets America, Inc. in the total amount of \$2,132,546.36. ([Convention Center Capital Planning Division] Procurement Division)
14. Approval of Purchase Order M97565, Purchase of Tile for the Orange County Convention Center West Concourse and Bridge Flooring Replacement from Ceramic Technics, LTD. in the total amount of \$253,288.08 ([Convention Center Capital Planning Division] Procurement Division)
15. Approval of Contract Y16-1093-DG, Funding for the Affordable Care Act (ACA) Premiums, Co-Pays and Deductibles, with Heart of Florida United Way, in the contract award amount of \$550,000 for the period of June 15, 2016 through February 28, 2017. Funding for this contract is provided via a federal grant from the U.S. Health Resources and Services Administrator (HRSA). Further, authorized the Comptroller to issue advance payment in the amount of \$82,000. ([Health Services Department] Procurement Division)
16. Approval to award Contract Y16-779-MM, Orange County Convention Center West Building Hall D (Phase IIA) Fire Alarm System Replacement and Destination Parkway Parking Garage Fire Alarm System Upgrades, to Simplex Grinnell LP, in the total contract award amount of \$875,782.62. ([Convention Center] Procurement Division)

17. Ratification of Contract Y16-767-MM, Orange County Convention Center North/South Building Digital Advertising Projector Housing Repairs, to the low responsive and responsible bidder, Pillar Construction Group, LLC, in the total contract award amount of \$147,000. ([Convention Center Capital Planning Division] Procurement Division)
18. Approval of Ingress-Egress Easement between Valencia Water Control District formerly known as Valencia Drainage District and Orange County and authorization to disburse funds to pay all recording fees and record instrument for Sea World Water Meter Easement. District 1. (Real Estate Management Division)
19. Approval of Transit Easement and Landscape, Pedestrian, Sidewalk, Drainage, and Utility Easement between Orchid Bay Development, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Wells Fargo Bank, National Association, Subordination of Encumbrances to Property Rights to Orange County from Sunshine Restaurant Merger Sub, LLC and authorization to record instruments for I-Drive Transit Easement (Orchid Bay). District 1. (Real Estate Management Division)
20. Approval of Transit Easement between Boca Development, LLC, Sarai Lake Buena Vista LLC and Orange County with Joinder and Consent of Association to Transit Easement from Midtown Master Owners' Association, Inc., f/k/a Marbella Master Owners' Association, Inc., Landscape, Pedestrian, Sidewalk, Drainage, and Utility Easement between Boca Development, LLC, Sarai Lake Buena Vista LLC and Orange County with Joinder and Consent of Association to Landscape, Pedestrian, Sidewalk, Drainage, and Utility Easement from Midtown Master Owners' Association, Inc., f/k/a Marbella Master Owners' Association, Inc. and authorization to record instruments for I-Drive Transit Easement (Ruby Lake – Holiday Inn). District 1. (Real Estate Management Division)
21. Approval of Utility Easement between Orlando Equity Partners, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from CB & T, a Division of Synovus Bank and authorization to record instruments for Universal Blvd PD Lot 5 Infrastructure (Top Golf). District 6. (Real Estate Management Division)
22. Approval of Utility Easement Between MLD 4, LLC and Orange County, Subordination of Encumbrances to Property Rights to Orange County from Aileron Investment Management, LLC, Subordination of Encumbrances to Property Rights to Orange County from American Lending Center Florida, LLC f/k/a US Employment Development Lending Center, LLC and authorization to record instruments for Staybridge Suites Sea Harbor OCU Permit: B14903783 OCU File #: 81166. District 1. (Real Estate Management Division)

23. Approval of Reclaimed Water Easement between the Dr. P. Phillips Foundation and Orange County and authorization to record instrument for Dr. Phillips YMCA Renovation OCU Permit: B14900085 OCU File#: 76225. District 1. (Real Estate Management Division)

Community, Environmental And Development Services Department

1. Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. Districts 1, 2, 3, 5, and 6. (Code Enforcement Division)

LC 16-0443	LC 16-0404	LC 16-0410	LC 16-0368	LC 16-0452
LC 16-0493	LC 16-0438	LC 16-0419	LC 16-0372	LC 16-0453
LC 16-0137	LC 16-0444	LC 16-0225	LC 16-0373	LC 16-0455
LC 16-0138	LC 16-0445	LC 16-0310	LC 16-0374	LC 16-0456
LC 16-0166	LC 16-0479	LC 16-0329	LC 16-0376	LC 16-0457
LC 16-0266	LC 16-0391	LC 16-0331	LC 16-0377	LC 16-0458
LC 16-0267	LC 16-0393	LC 16-0332	LC 16-0380	LC 16-0459
LC 16-0315	LC 16-0394	LC 16-0333	LC 16-0397	LC 16-0460
LC 16-0369	LC 16-0432	LC 16-0342	LC 16-0407	LC 16-0461
LC 16-0383	LC 16-0294	LC 16-0355	LC 16-0413	LC 16-0463
LC 16-0388	LC 16-0316	LC 16-0358	LC 16-0437	LC 16-0467
LC 16-0389	LC 16-0396	LC 16-0367	LC 16-0451	LC 16-0469

2. 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)

<u>Case No.</u>	<u>Dist. #</u>	<u>Property Owner</u>	<u>Amount*</u>
A 15-0137	2	DEUTSCHE BANK NATIONAL TRUST CO TR	\$ 13,264.10
A 15-0506	6	TYMBER SKAN ON THE LAKE OWNERS ASSOCIATION SECTION ONE	\$ 13,965.55
A 15-0022	6	ARMSTRONG MATTHEW C	\$ 16,364.56
A 15-0119	6	NED LOONEY LAND TRUST	\$ 7,421.98
A 15-0124	6	GONZALEZ VICTOR H; GONZALEZ ALEJANDRA E	\$ 5,736.29
A 15-0434	6	RADICE EUGENE	\$ 13,586.54
A 15-0435	6	RADICE EUGENE; JANIS MICHAEL	\$ 13,586.55
A 15-0436	6	RADICE EUGENE	\$ 13,809.37
A 15-0437	6	COOPER MARGARET A	\$ 13,918.36

3. Approval and execution of First Amendment to Adequate Public Facilities Agreement for Zanzibar PD by and between Zanzibar Properties, LLC, and Orange County for Phase 1 Preliminary Subdivision Plan, District 1. (Development Review Committee)

(This item was deferred.)

4. Approval and execution of Adequate Public Facilities Agreement for The Grow PD (A/K/A) Lake Pickett South) by and among Banksville of Florida, Inc., Nivesa of Florida, Inc., New Ideas Incorporated, Margot H. Lopez; and Orange County, District 5. (Development Review Committee)

(This item was deferred.)

5. Approval and execution of Contract between the State of Florida Department of Environmental Protection Petroleum Restoration Program (PRP) and Orange County, Florida, DEP Contract No. GC895. All Districts. (Environmental Protection Division)

6. Approval and execution of State Financial Assistance Agreement DEP Agreement No. LP6745 Orange County Amendment No. 9 between the Florida Department of Environmental Protection and Orange County for the Little Wekiva River Water Quality Improvement Initiative to reallocate the project budget, revise the scope of work and revise several provisions related to FDEP contract language. District 2. (Environmental Protection Division)

7. Approval and execution of First Amendment to the Agreement between the St. Johns River Water Management District and Orange County for Lake Killarney Sediment Inactivation by and between the Governing Board of the St. Johns River Water Management District and Orange County, Florida, Contract #28089 Amendment #1 to extend the Agreement and project completion date to March 31, 2017. District 5. (Environmental Protection Division)

8. Approval and execution of Amendment No. 2 to Agreement No. 4600003023 between the South Florida Water Management District and Orange County for the Lake Down Sub-Basin 9 Baffle Box to modify the Statement of Work and extend the period of performance. District 1. (Environmental Protection Division)

9. Acceptance of Recommendation of the Environmental Protection Commission to approve the request for waiver to Section 15-342(b) (terminal platform size) for the Grande Palisades Property Holdings LLC, Semi-Private Dock Construction Permit BD-16-03-027, with the payment of \$620 to the Conservation Trust Fund within 60 days of the BCC decision date. District 1. (Environmental Protection Division)

10. Approval and execution of Road Network and Mitigation Agreement by and among American Land Investments of Orange County, LLC; Banksville of Florida, Inc.; Nivesa of Florida, Inc.; New Ideas, Incorporated; Margot H. Lopez, as Successor Trustee of the Chris-Anna Irrevocable Trust under Trust Agreement dated September 1, 1982, and Orange County to fund transportation improvements and provide for a road network to mitigate the traffic impacts for The Grow Development. District 5. (Roadway Agreement Committee)

(This item was deferred.)

11. Approval and execution of Proportionate Share Agreement for Reams Development, LLC Reams Road: From Center Drive (F/K/A Cast Drive) to Taborfield Avenue by and between Reams Development, LLC and Orange County for a proportionate share payment in the amount of \$63,618. District 1. (Roadway Agreement Committee)

Family Services Department

1. Approval and execution of Orange County Head Start Program Application for Federal Assistance related to Cost-of-Living Adjustment (1.8%) FY2016; Certification of Filing and Payment of Federal Taxes; and Employee Compensation Cap Compliance Assurance between Orange County and Department of Health and Human Services Administration for Children and Families, Office of Head Start in the estimated amount of \$222,992 to offset higher operational costs for the Head Start Program. (Head Start Division)
2. Receipt and filing of Head Start Policy Council Program Information and Updates May 2016 and Head Start Policy Council Meeting Minutes April 21, 2016 for the official county record. (Head Start Division)
3. Approval of the June 2016 Neighborhood Pride Capital Improvement Grants as recommended by the Neighborhood Grants Advisory Board for Piedmont Park HOA (\$10,000) and Sky Lake South HOA (\$10,000). Districts 2 and 4. (Neighborhood Preservation and Revitalization Division)
4. Approval of June 2016 Neighborhood Pride Landscaping Grant as recommended by the Neighborhood Grants Advisory Board for Conway Lakes Estates HOA (\$2,500). District 3. (Neighborhood Preservation and Revitalization Division)

5. Approval and execution of Contract #10346 Contract between State of Florida, Department of Juvenile Justice and Orange County Board of County Commissioners D/B/A Orange County, Florida; to provide specialized community supervision for moderate to high risk youth in Circuit 9 in the amount of \$3,395,720.90 for the period of July 1, 2016 through June 30, 2021 and authorization for the County Mayor or designee to approve any increases, decreases, renewals, or amendments to this contract. All Districts. (Youth and Family Services Division)
6. Approval and execution of Standard Contract CBCCF Contract# OROS016-1617, between Community Based Care of Central Florida, Inc. and Orange County, Florida; State and Federal Single Audit Act Certification of Exemption; Debarment, Suspension, Ineligibility and Voluntary Exclusion Contracts/Subcontracts; Certification Regarding Lobbying Certification for Contracts, Grants, Loans and Cooperative Agreements; Affidavit; and Certification of Adequate Insurance Coverage for Family Preservation and Stabilization Program in the amount of \$453,141.04 for the period of July 1, 2016 through June 30, 2017; and authorization for the County Mayor or designee to approve any increases, decreases or amendments to this contract. All Districts. (Youth and Family Services Division)

Health Services Department

1. Approval to pay Orange County's Medicaid share of cost in accordance with Florida Statute 409.915 for state fiscal year 2016-17 in the amount of \$19,457,701.42. (Health Services Department)
2. Approval and execution of the renewal Paratransit Services License for Advance Care Transportation to provide wheelchair/stretchers service. The term of this License is from June 30, 2016 through June 30, 2018. There is no cost to the County. (EMS Office of the Medical Director)

Public Works Department

1. Approval and execution of Agreement for Traffic Law Enforcement on Private Roads located in the gated community of Estates at Sweetwater Golf and Country Club by and between Orange County, Florida and Ashton Orlando Residential, L.L.C. District 2.
2. Approval of Traffic Control Devices and "No Parking" sign installations in AIPO S Orange Property Phase 2 (aka Woodland Park Phase 2). District 4. (Traffic Engineering Division)
3. Approval of Traffic Control Devices and "No Parking" sign installations in Windermere Trails Phase 4B. District 1. (Traffic Engineering Division)

4. Approval of Traffic Control Device installations in Summerlake Groves - Phase 2. District 1. (Traffic Engineering Division)
5. Approval to install a "No Parking" zone on the north side of Marshall Farms Road from 200 feet east of 12255 Marshall Farms Road to 12451 Marshall Farms Road from 6:00 AM to 6:00 PM. District 1. (Traffic Engineering Division)

• INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Belle Isle Notice of Voluntary Annexation Ordinance, Notice of Public Hearing and Legal Description with Map; Ordinance No. 16-07, An Ordinance of the City of Belle Isle, Florida, related to a Voluntary Annexation; making certain findings; proposing to annex that certain property consisting of four tax parcels referenced by their Orange County Tax Parcel ID Number as follows 29-23-30-0000-00-011, 29-23-30-0000-00-018, 29-23-30-02000-00-019 and 29-23-30-0000-00-020, all as more particularly described herein, providing for severability and providing an effective date.
 - b. Florida Public Service Commission Order Suspending Florida Power & Light Company's Request for Permanent Base Rate Increase and Associated Tariffs:
 - In re: Petition for rate increase by Florida Power & Light Company.
 - In re: Petition for approval of 2016-2018 storm hardening plan, by Florida Power & Light Company.
 - In re: 2016 depreciation and dismantlement study by Florida Power & Light Company.
 - In re: Petition for limited proceeding to modify and continue incentive mechanism, by Florida Power & Light Company.
 - c. Orange County Industrial Development Authority Oath of Office for Michael J. Hart, as Vice Chairman of the Orange County Industrial Development Authority.
 - d. Orange County Industrial Development Authority Oath of Office for Ann Catris, as Secretary of the Orange County Industrial Development Authority.
 - e. Winter Garden Village at Fowler Groves Community Development District Proposed FY 2017 Annual Operations & Maintenance Budget and FY 2016-2017 Debt Service Fund Budget.
 - f. Florida Public Service Commission Order Suspending Tariff: In re: Petition for approval of 2016 revisions to underground residential and commercial differential tariffs, by Florida Power & Light Company.
 - g. Audit Report No. 455 – Follow-up of the Audit of the County's Vehicle Transponder Usage.

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

• COUNTY DISCUSSION AGENDA

County Administrator

1. Approval of proposed Cultural Facilities grants as recommend by the Arts and Cultural Affairs Advisory Council in the amount of \$1,235,072. (Arts and Cultural Affairs Office)

and

Administrative Services Department

1. Selection of two firms to provide Labor Counsel Services under Request for Proposals Y16-1038-PD; from the following firms listed alphabetically.

- Allen, Norton & Blue, P.A.
- Fisher & Phillips, LLP
- Jones, Hurley & Hand, P.A.

and

2. Selection of six firms and two ranked alternates to provide Continuing Professional Engineering Design Services, Request for Proposals Y16-900-CH, from the following firms, listed alphabetically.

- AVCON, Inc.
- Cribb Philbeck Weaver Group, Inc.
- DRMP, Inc.
- Florida Engineering Group, Inc.
- GTC Engineering Corporation
- Johnson, Mirmiran & Thompson, Inc.
- Metric Engineering, Inc.
- Pegasus Engineering, LLC
- TLP Engineering Consultants, Inc.
- Vanasse Hangen Brustlin, Inc.

([Public Works Department Engineering Division] Procurement Division)

and

3. Selection of two firms and an alternate to provide Continuing Professional Lake Management Services, Request for Proposals Y16-903-RM, from the following firms listed alphabetically.

- AMEC Foster Wheeler Environment & Infrastructure, Inc.
- Cribb Philbeck Weaver Group, Inc.
- Environmental Research & Design, Inc.

([Community, Environmental and Development Services Department Environmental Protection Division] Procurement Division)

and

Fire Rescue Department

1. 2016 Hurricane Season Update. (Office of Emergency Management)

and

Health Services Department

1. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding certain services fees charged by Orange County Health Department and authorizing revisions to the schedule of fees to take effect immediately.

and

County Mayor

1. Open discussion on issues of interest to the Board.

Clerk's Note: All Discussion Agenda items will be considered at future Board meetings.

• RECOMMENDATIONS

May 19, 2016 Planning and Zoning Commission Recommendations

Motion/Second: Commissioners Boyd/Thompson

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of May 19, 2016; subject to the usual right of appeal by any aggrieved party.

• PUBLIC HEARINGS

Municipal Service Benefit Unit

1. Reserve at Golden Isle, amend for streetlighting; District 4

Applicant: Aaron Reid, Land Development Manager CalAtlantic Homes, Developer

Consideration: Amend by resolution an existing Municipal Service Benefit Unit for streetlighting at Reserve at Golden Isle

Location: District 4; Parcel ID (multiple parcels); Section 30, Township 22, Range 32; Orange County, Florida (legal property description on file)

Motion/Second: Commissioners Thompson/Clarke

AYE (voice vote): All members

Action: The Board adopted a resolution amending an existing Municipal Service Benefit Unit for streetlighting at Reserve at Golden Isle, annual cost of \$68.00 per lot for streetlighting for operational expenses and administrative fees.

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER:

Preliminary Subdivision Plan

2. Adam Smith, VHB, Inc., Zanzibar Property Planned Development (PD) / Zanzibar Property Phase 1 Preliminary Subdivision Plan (PSP), Case # PSP-15-07-200; District 1

Applicant: Adam Smith, VHB, Inc., Zanzibar Property Planned Development (PD) / Zanzibar Property Phase 1 Preliminary Subdivision Plan (PSP)

Consideration: Zanzibar Property Planned Development (PD) / Zanzibar Property Phase 1 Preliminary Subdivision Plan (PSP), Case # PSP-15-07-200, submitted in accordance with Sections 34-69 and 30-89, and 38-1381 Orange County Code; This request is to subdivide 141.57 acres in order to construct 213 single-family residential dwelling units. The request also includes the following waivers from the Orange County Code: 1. A waiver from Section 34-152(c) to allow for lots to front open space. Legal access to these lots shall be through a platted ingress/egress easement in lieu of 20 foot fee simple as required by code. 2. A waiver from Section 38-1384(g)(1) to allow townhome units on ends of buildings to utilize a three (3) foot setback from alley easements with an additional "on-street" parking space provided in lieu of an "off-street" space.

Location: District 1; property generally located North of Old YMCA Road / West of State Road 429; Orange County, Florida

County staff indicated that the proposal is for 213 single-family residential units both attached and detached.

and

- COUNTY CONSENT AGENDA (CONTINUED)

Community, Environmental and Development Services Department (Deferred)

3. Approval and execution of First Amendment to Adequate Public Facilities Agreement for Zanzibar PD by and between Zanzibar Properties, LLC, and Orange County for Zanzibar Phase 1 Preliminary Subdivision Plan. District 1. (Development Review Committee)

Motion/Second: Commissioners Boyd/Nelson

AYE (voice vote): All members

~~Action:~~ The Board made a finding of consistency with the Comprehensive Plan, further, approved Adam Smith, VHB, Inc., Zanzibar Property Planned Development (PD) / Zanzibar Property Phase 1 Preliminary Subdivision Plan (PSP), Case # PSP-15-07-200; on the described property, subject to the following conditions:

1. Development shall conform to the Zanzibar Property PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Zanzibar Property Phase 1 Preliminary Subdivision Plan dated "Received February 25, 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 February 25, 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 development plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer/applicant acknowledges and understands that any such changes are solely the developer's/applicant's obligation and responsibility to disclose and resolve, and that the developer's/applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. 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. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
8. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of construction plans submittal.
9. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.
10. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.

11. The developer must provide a valid Assignment of Vested Trips document together with the applicable Confirmation Letter issued by Orange County, concurrently with or prior to Preliminary Subdivision Plan/Development Plan submittal. In addition, the Preliminary Subdivision Plan and each subsequent Development Plan must show a legend with trip allocations by parcel identification number and phase of the development.
12. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
13. Prior to Certificate of Completion for the first phase of the subdivision, reconstruction of Old YMCA Road shall be substantially complete and open to traffic. Full depth reconstruction of Old YMCA Road shall be required.
14. The covenants, conditions, and restrictions (CC&Rs) shall contain notification to potential purchasers, builders or tenants of this development of the proximity of the 545 Landfill and West Orange Environmental solid waste management facilities located adjacent to the northeast of the project boundary.
15. 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.
16. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
17. Prior to commencement of any 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 by the developer.
18. The site shall be stabilized following grubbing, clearing, earth work, or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site

development. Prior to clearing or grubbing, or approval of mass grading or constructions plans, a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.

19. No activity will be permitted on the site that may disturb, influence, or otherwise interfere with: areas of soil or groundwater contamination, or any remediation activities, or within the hydrological zone of influence of any contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection (FDEP) and such approval has been provided to the Environmental Protection Division (EPD) of Orange County. An owner/operator who exacerbates any existing contamination or does not properly dispose of any excavated contaminated media may become liable for some portion of the contamination pursuant to the provisions in section 376.308, F.S.
- ~~20. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PSP, including hydraulically dependent parcels outside the PSP boundaries; such MUP shall include supporting calculations showing that the PSP-level MUP is consistent with the approved MUP for the Village, or shall include an update to the Village MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.~~
21. All home designs/types proposed for this PSP shall be submitted to the County for setback & architectural review a minimum of 90 days prior to model home requests and/or permitting.
22. A waiver from section 34-152(c) is granted to allow lots to front open space. Legal access to these lots shall be through a platted ingress/egress easement in lieu of 20 foot fee simple as required by code.
23. A waiver from Sec. 38-1384(g)(1) is granted to allow townhome units on ends of buildings to utilize three (3) foot setback from alley easement with an additional "on-street" parking space provided in lieu of an "off-street" space.

and further, approved and executed the First Amendment to Adequate Public Facilities Agreement for Zanzibar PD by and between Zanzibar Properties, LLC, and Orange County for Zanzibar Phase 1 Preliminary Subdivision Plan.

Ordinance

3. Amending Orange County Code, Articles II and III, Chapter 11, Sections 11-28, 11-31, and 11-37, pertaining to Code Enforcement

Consideration: AN ORDINANCE OF ORANGE COUNTY, FLORIDA, PERTAINING TO CODE ENFORCEMENT; AMENDING CHAPTER 11 OF THE ORANGE COUNTY CODE;AMENDING SECTION 11-28, DEFINITIONS, TO ADD MAGISTRATE AND HEARING OFFICER; AMENDING SECTION 11-31, ORGANIZATION, REGARDING EX PARTE COMMUNICATIONS; AMENDING SECTION 11-37 REGARDING ACCEPTANCE OF SETTLEMENT OFFERS AND TO ELIMINATE REPORT OF LIEN FORECLOSURES, DELEGATE AUTHORITY TO REDUCE LIENS TO THE MANAGER OF CODE ENFORCEMENT AND THE CODE ENFORCEMENT BOARD AND SPECIAL MAGISTRATE, AMENDING EXHIBIT "A" TO ORDINANCE NO. 94-09 REGARDING THE CODE ENFORCEMENT CITATION PROGRAM, RENAMING IT SCHEDULE "A" AND INCORPORATING IT DIRECTLY INTO CHAPTER 11; AND PROVIDING AN EFFECTIVE DATE.

Motion/Second: Commissioners Nelson/Clarke

AYE (voice vote): All members

Action: The Board continued the public hearing until June 28, 2016, at 2 p.m.

4. Amending Orange County Code, Adopting 2015-2 Regular Cycle State-Expedited Amendment to the 2010-2030 Comprehensive Plan (CP)

NOTE: THE FOLLOWING ITEMS WERE CONSIDERED TOGETHER:

STATE-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED TEXT AMENDMENT (LAKE PICKETT STUDY AREA POLICIES)

Amendment: 2015-2-P-FLUE-1

Applicant/Owner: Dwight Saathoff, Project Finance and Development, and Sean Froelich, Columnar Holdings, LLC for New Ideas, Inc.; Banksville of Florida, Inc.; Byrdley Realty Co., LP; Robert Lopez Trust; Nivesa of Florida and Rolling R. Ranch LTD; Mary R. Lamar; Eloise A. Rybolt Revocable Trust; and Lake Pickett North, LLC

Consideration: Text amendments to Future Land Use Element establishing FLU OBJ6.8, FLU OBJ6.9, and associated policies related to the Lake Pickett Study Area, and corresponding amendments to various Comprehensive Plan policies. Establishment of Map 22 of the Future Land Use Map Series depicting the Lake Pickett Study Area. Text amendment to intergovernmental Coordination Element establishing Policy ICE 1.18.5 related to the Lake Pickett Study Area, that will also have countywide applicability

and

STATE-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP AMENDMENT AND CONCURRENT REZONING REQUEST (THE GROW PD-RP)

Amendment: 2015-2-A-5-1 (fka 2015-1-A-5-1 & 2014-2-A-5-1)
Applicant/Owner: Dwight Saathoff, Project Finance & Development for New Ideas, Inc.; Banksville of Florida, Inc.; Robert Lopez Trust; and Nivesa of Florida;
Consideration: Rural 1/10 (R) to Lake Pickett (LP) (a proposed new Future Land Use Map designation); This acreage includes a 182.60-acre portion of parcel 08-22-32-0000-00-005 that is being removed from the existing Walker Cove PD and added to the proposed project.
Location: Generally located south of Lake Pickett Road, north of East Colonial Drive, east of South Tanner Road and west of Chuluota Road; Parcel ID #'s: 08-22-32-0000-00-005(portion of); 17-22-32-0000-00-002; 18-22-32-0000-00-001/025; 19-22-32-0000-00-001; 20-22-32-0000-00-002; - 1,187.5 gross ac / 835 net developable ac.

and

REZONING PUBLIC HEARING

Applicant: Dwight Saathoff, Project Finance & Development for New Ideas, Inc.; Banksville of Florida, Inc.; Robert Lopez Trust; and Nivesa of Florida; The Grow Planned Development (PD), Case # LUP-16-01-002
Consideration: Request to rezone A-2 (Farmland Rural District), R-CE-5 (Rural Country Estate Residential District), and PD (Planned Development District) (Walker Cove PD) to The GROW PD-RP (Planned Development-Regulating Plan); The rezoning request is to allow for the consideration of a mixed-use project consisting of up to 2,078 residential dwelling units and 172,000 non-residential square feet; and featuring an elementary school, community park, community gardens, working farms, and equestrian facility.
Location: Generally located south of Lake Pickett Road, north of East Colonial Drive, east of South Tanner Road and west of Chuluota Road; Parcel ID #'s: 08-22-32-0000-00-005(portion of); 17-22-32-0000-00-002; 18-22-32-0000-00-001/025; 19-22-32-0000-00-001; 20-22-32-0000-00-002; - 1,187.5 gross ac / 835 net developable ac.

and

Planning and Zoning Commission Appeal

Appellant: Larry Frankel, Bryrdley Realty Co., LLC
Applicant: Dwight Saathoff, Project Finance & Development, The Grow Planned Development (PD)
Case: Planning and Zoning Commission Case # LUP-16-01-002; April 21, 2016
Consideration: This request is to consider an appeal of the April 21, 2016 Planning and Zoning Commission (PZC) Recommendation of Approval for Case # LUP-16-01-002 (The Grow PD), in the name of Dwight Saathoff, to rezone 1,187.5 gross acres from A-2 (Farmland Rural District), R-CE-5 (Rural Country Estate Residential District), and PD (Walker Cove - Planned Development District) to PD (The Grow - Planned Development District), in order to develop up to 2,078 residential units, 172,000 square feet of non-residential uses, various agricultural uses, recreational amenities; and adequate public facilities (school, community park, and utility tract).
Location: District 5; property generally located South of Lake Pickett Road, north of E. Colonial Drive, east of S. Tanner Road, and west of Chuluota Road; Orange County, Florida (legal property description on file at Planning Division)

and

• COUNTY CONSENT AGENDA (CONTINUED)

Community, Environmental and Development Services Department (Deferred)

4. Approval and execution of Adequate Public Facilities Agreement for The Grow PD (A/K/A Lake Pickett South) by and among Banksville of Florida, Inc., Nivesa of Florida, Inc., New Ideas Incorporated, Margot H. Lopez, and Orange County District 5. (Development Review Committee)

and

• COUNTY CONSENT AGENDA (CONTINUED)

Community, Environmental and Development Services Department (Deferred)

10. Approval and execution of Road Network and Mitigation Agreement (The Grow (a/k/a Lake Pickett South) S.R. 50 (FDOT Project No. 239203-7) and Chuluota Road by and among American Land Investments of Orange County, LLC, Banksville of Florida, Inc., Nivesa of Florida, Inc., New Ideas, Incorporated, Margot H. Lopez, as Successor Trustee of the Chris-Anna Irrevocable Trust Under Trust Agreement dated September 1, 1982, and Orange County to fund transportation

improvements and provide for a road network to mitigate the traffic impacts for The Grow Development. District 5. (Roadway Agreement Committee)

and

ORDINANCE/COMPREHENSIVE PLAN PUBLIC HEARING

Amending Orange County Code, adopting 2015-2 Regular Cycle Amendments to the 2010-2030 Comprehensive Plan (CP), adopting amendments pursuant to Section 163.3184, F.S.

Consideration: AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2015 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES

Motion/Second: Commissioners Edwards/Thompson

AYE (voice vote): All members

Action: The Board continued Privately-Initiated Text Amendment 2015-2-P-FLUE-1, Privately-Initiated Future Land Use Map Amendment 2015-2-A-5-1 (fka 2015-1-A-5-1 & 2014-2-A-5-1), Rezoning Case # LUP-16-01-002, Planning and Zoning Commission Appeal Case # LUP-16-01-002, Community, Environmental and Development Services Department Consent Agenda items 4 and 5, and Regular Cycle Comprehensive Plan Amendment Ordinance until July 12, 2016, at 2 p.m.

5. Amending Orange County Code, Transmittal 2016-1 Regular Cycle State-Expedited Amendment to the 2010-2030 Comprehensive Plan (CP)

STATE-EXPEDITED REGULAR CYCLE PRIVATELY-INITIATED FUTURE LAND USE MAP AMENDMENT (SUSTANY, FKA LAKE PICKETT NORTH)

Amendment: 2016-1-A-5-1 (fka 2015-1-A-5-2 & 2014-2-A-5-2)

Applicant/Owner: Sean Froelich, Columar Holdings, LLC, for various property owners

Consideration: Rural 1/10 (R) to Lake Pickett (LP)

Location: Within the Lake Pickett Study Area; Generally located north of Lake Pickett Road, south of the Orange County boundary line, east of N. Tanner Road and the Econlockhatchee Sandhills Conservation Area, and west of Chuluota Road: Parcel ID #'s: 05-22-32-0000-00-001/002/006/007/011/012/013/014; 06-22-32-0000-00-002; 07-22-32-0000-00-001/020; 08-22-32-0000-00-001/018: - 1,417.75 gross ac.

Motion/Second: Commissioners Edwards/Thompson
AYE (voice vote): All members
Action: The Board continued Privately-Initiated Future Land Use Map Amendment
2016-1-A-5-1 (fka 2015-1-A-5-2 & 2014-2-A-5-2) until July 12, 2016, at 2 p.m.

- ADJOURNMENT, 3:00 p.m.

ATTEST:

County Mayor Teresa Jacobs

Date: _____

ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk

Deputy Clerk

Asset Number	Asset Description	Purchase Date	Original Cost	Depreciated Value	Department/Office last using equipment	Disposition Requested	Justification
722965	ICE MACHINE,MANITOWOC	12/12/2003	4,331.95	0.00	Roads & Drainage	Scrap Asset	Asset was inadvertently disposed of at the Orange County Landfill instead of the Orange County Surplus Warehouse.
749281	PLAYGROUND EQUIPMENT,PLAY NATION	7/31/2013	1,474.00	1030.59	Head Start	Demolish	Asset is considered residential equipment and should not be used in a commercial setting. The structure is worn and pose a safety hazard to children.
942148	MODULAR OFFICE BUILDING	1/30/1996	41,764.07	0.00	Parks & Recreation	↓	Asset is in poor condition, deemed unstable, and should not be occupied based on Risk Management's assessment conducted on May 20, 2016.



DATE: July 11, 2016

TO: Honorable Teresa Jacobs
Orange County Mayor

FROM: Scott Randolph *SR*
Orange County Tax Collector

SUBJECT: Consent Agenda Item

The Orange County Tax Collector, acting for the benefit of the Orange County Board of County Commissioners, must have an acceptance of adjustments to the Tax Roll pursuant to Florida Statute 197.492 and Department of Revenue Tax Collector Rules and Regulations 12D-13.008. See attached copy.

Please include the following item on the consent agenda for acceptance and execution by the Board of County Commissioners as soon as possible.

Action Requested: Acceptance of the Tax Collector's Recapitulation of the Tax Roll for Orange County, Florida 2015 and acceptance and execution of Tax Collector's Certification of the Tax Roll.

Thank you for your assistance.

SCOTT RANDOLPH, TAX COLLECTOR

The SunTrust Center Tower . 200 South Orange Avenue . Reply to: P.O. Box 545100 . Orlando, FL 32854-5100
(407) 836-2705 . <http://www.octaxcol.com>

Independently Elected to Serve Only You

TAX COLLECTOR'S RECAPITULATION OF THE TAX ROLL FOR ORANGE COUNTY, FLORIDA, 2015

EVERY SPACE MUST BE FILLED IN.
WHERE THERE ARE SPACES THAT
ARE NOT APPLICABLE, WRITE "NONE."

	COUNTY AND SPECIAL DISTRICT AD VALOREM TAXES			ALL MUNICIPAL AD VALOREM TAXES			TOTAL AD VALOREM TAXES
	REAL PROPERTY	PERSONAL PROPERTY	CENTRALLY ASSESSED PROPERTY	REAL PROPERTY	PERSONAL PROPERTY	CENTRALLY ASSESSED PROPERTY	REAL, PERSONAL AND CENTRALLY ASSESSED PROPERTY
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
DEBITS:							
1. Taxes Levied as Certified to Department of Revenue by Property Appraiser	\$ 1,646,423,822	\$ 142,884,747	\$ 410,778	\$ 207,472,552	\$ 23,105,534	\$ 39,126	\$ 2,020,336,559
2. Plus Additions to the Roll	\$ 1,590,881	\$ 1,590,717	none	\$ (172,790)	\$ 212,550	\$ 0	\$ 3,221,358
3. Less Subtractions from the Roll Including Rounding Error	none	none	none	none	none	none	none
4. Penalties Collected on Current Roll	\$ 2,054,353	\$ 334,185	none	\$ 269,421	\$ 38,860	none	\$ 2,696,819
5. Total Taxes Levied on 2015 Tax Roll	<u>\$ 1,650,069,056</u>	<u>\$ 144,809,649</u>	<u>\$ 410,778</u>	<u>\$ 207,569,183</u>	<u>\$ 23,356,944</u>	<u>\$ 39,126</u>	<u>\$ 2,026,254,736</u>
CREDITS:							
6. Total Monies Collected (Including Individual Tax Sale Certificates)	\$ 1,575,101,440	\$ 137,497,383	\$ 394,365	\$ 197,107,411	\$ 22,170,182	\$ 37,564	\$ 1,932,308,345
7. Discounts Allowed	\$ 58,895,300	\$ 5,284,928	\$ 16,413	\$ 7,342,407	\$ 842,246	\$ 1,562	\$ 72,382,856
8. Total Cash Credits of Collections (6 + 7)	\$ 1,633,996,740	\$ 142,782,311	\$ 410,778	\$ 204,449,818	\$ 23,012,428	\$ 39,126	\$ 2,004,691,201
9. Warrants Pending	none	\$ 700,154	none	none	\$ 128,413	none	\$ 828,567
10. County Tax Sale Certificates	\$ 502,671	none	none	\$ 22,380	none	none	\$ 525,051
11. Errors and Insolvencies	\$ 7,958,384	\$ 1,093,887	none	\$ 1,849,850	\$ 179,170	none	\$ 11,081,291
12. Uncollected Taxes Due to Pending Litigation	\$ 7,611,261	\$ 233,297	none	\$ 1,247,135	\$ 36,933	none	\$ 9,128,626
13. Penalties and Interest on Warrants	none	none	none	none	none	none	none
14. Over (-) or Under (+) Collected	none	none	none	none	none	none	none
15. Total Credits (Lines 5 and 15 Should Balance)	<u>\$ 1,650,069,056</u>	<u>\$ 144,809,649</u>	<u>\$ 410,778</u>	<u>\$ 207,569,183</u>	<u>\$ 23,356,944</u>	<u>\$ 39,126</u>	<u>\$ 2,026,254,736</u>

INPUT	Date
AMENDED	Date
DOR USE ONLY	

I certify that the information contained herein is accurate and correct to the best of my knowledge and belief.

Dated July 14, 2016

Signature Tax Collector

**TAX COLLECTOR'S CERTIFICATION
OF THE TAX ROLL**

I, Scott Randolph, Tax Collector for Orange County, Florida, hereby certify that the within and foregoing is a true list of all ERRORS, DOUBLE ASSESSMENTS, DISCOUNTS AND INSOLVENCIES on the Tax Roll for the year 2015, that all errors and double assessments have been plainly indicated on the Tax Roll, that the discounts were actually earned as shown, that no exemptions other than those shown on the Tax Roll have been allowed by me except upon a showing of satisfactory proof that each claim was just and legal, that each item herein marked as insolvent is in fact insolvent and, although diligent search has been made by me, I have been unable to find any property upon which levy can be made to enforce payment of the tax, that I have not collected any of the items shown on this list and I know of no means of collecting them.

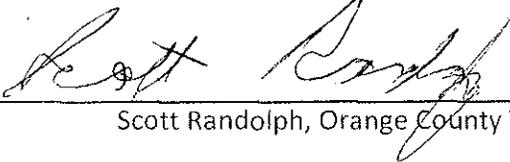
I am therefore entitled to credit against the 2015 Tax Roll in the following accounts:

Special Districts	4,154,885.40
County	2,918,769.55
School	4,007,601.05
Discounts	<u>72,382,856.26</u>
Total	83,464,112.26

Special Districts

Library Operating	(240,730.68)	County Fire	(619,029.90)
South Florida WMD	(184,964.98)	Municipal Svcs	14,600.89
St Johns RWMD	(41,268.22)	UTD	(497,800.54)
Big Sand Lake	(16.36)	Orlando DTI	(8,246.08)
Lake Conway	(147.81)	Orlando DTI South	(2,245.06)
Lake Holden	411.47	Urban Orlando CDD	(415,586.90)
Lake Pickett	(906.57)	Orlando Stormwater	(5,120.79)
Orl Central Park	(4,204.85)	Apopka Stormwater	(30.00)
Windermere Canal	(520.58)	Belle Isle Stormwater	(4,678.08)
I - Drive Bus Srvc	(82,371.97)	Belle Isle Gargage	(200.00)
I - Drive Master	(28,328.80)	Ocoee Garbage	(1,008.00)
N. I - Drive Imp	(892.01)	East Park CDD	(593.75)
OBT Corridor Imp	(421.31)		
OBT Neighborhood	(1,599.59)	Towns	<u>(2,028,984.93)</u>
Subtotals	(585,962.26)		(3,568,923.14)

Total Special Districts: (4,154,885.40)


7/14/16

 Scott Randolph, Orange County Tax Collector July 14, 2016

SR/lc

We, the undersigned members of the Board of County Commissioners, in and for the County of Orange, hereby certify that we have carefully examined and compared each item in the within list and have stricken from this list and made a separate list of such items, which in our judgement should be collected by the Tax Collector, that to the best of our knowledge, information and belief such a list is now correct, just and legal and Honorable Randolph Scott, Tax Collector, is therefore entitled to credit on account of said list.

Dated this, the _____ day of _____ A.D. 2016

Teresa Jacobs, Orange County Mayor

Jennifer Thompson, District 4 Commissioner

S. Scott Boyd, District 1 Commissioner

Ted Edwards, District 5 Commissioner

Bryan Nelson, District 2 Commissioner

Victoria P. Siplin, District 6 Commissioner

Pete Clarke, District 3 Commissioner

Deputy Clerk



Independently elected to serve only you

July 18, 2016

Honorable Teresa Jacobs
Orange County Mayor
201 South Rosalind Avenue
Orlando, FL 32801

Dear Mayor Jacobs,

According to information I have received from the Orange County Comptroller, Clerk of the Value Adjustment Board (VAB), the 2016 VAB hearings will not be completed by November 1, 2016.

As Tax Collector, in order to accomplish the timely issuance of the 2016 ad valorem tax notice, I respectfully request the Board of County Commissioners extend the tax roll prior to the anticipated completion of the 2016 VAB hearings, as authorized by Section 197.323, F.S.

Please consider this requested action during the BCC meeting to be held on August 2, 2016. I further ask that, following the Board's consideration, the Clerk of the Board Office forward a copy of this letter stamped, approved and dated, to my office.

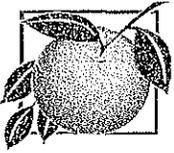
Please accept my thanks for your assistance in this matter.

Sincerely,

Scott Randolph
Orange County Tax Collector

CC: Martha Haynie, Orange County Comptroller as Clerk of the Board and the Clerk of the Value Adjustment Board
Rick Singh, Orange County Property Appraiser
Cheryl Gillespie, Supervisor, Agenda Development, BCC
Katie Smith, Orange County Comptroller Deputy Clerk of the Board

Scott Randolph, Orange County Tax Collector
P.O. Box 545100, Orlando, FL 32854
(407)836-2705 | www.OCTaxCol.com



W.D. MORRIS
EXECUTIVE DIRECTOR

MEMORANDUM

BOARD OF DIRECTORS

SASCHA RIZZO
CHAIRMAN

MARSHALL SIPLIN
BOARD MEMBER

MERCEDES MCCALL
BOARD MEMBER

CLEMENTE CUEVAS
BOARD MEMBER

VERNICE ATKINS-BRADLEY
BOARD MEMBER

TO:	Mayor Teresa Jacobs and Orange County Board of County Commissioners
FROM:	W.D. Morris, Executive Director 
CONTACT:	Mildred Guzman, Multi-Family Program Administrator Orange County Housing Finance Authority 407-894-0014, Ext. 310
DATE:	July 15, 2016
RE:	APPROVAL AND EXECUTION OF RESOLUTION FOR THE ISSUANCE OF MULTI FAMILY HOUSING MORTGAGE REVENUE BONDS, TO FINANCE THE ACQUISITION AND REHABILITATION OF LAKE WESTON POINT APARTMENTS, A PROPOSED DEVELOPMENT IN UNINCORPORATED ORANGE COUNTY, FLORIDA, DISTRICT 2, IN AN AMOUNT NOT TO EXCEED \$13,000,000. ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS MEETING August 2, 2016 - CONSENT AGENDA.

The Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") created a requirement that all industrial development bonds issued after December 31, 1982, for the purpose of financing multifamily housing developments require approval by the Orange County Housing Finance Authority (OCHFA), and each governmental unit having jurisdiction over the area in which the bond financed facility will be located.

BACKGROUND

On May 18, 2016, the Authority received the Lake Weston Point Apartments proposal under the 2016 Open Cycle Allocation Process. The Open Cycle process allows developers to submit Multi-Family proposals for the Authority's consideration throughout the year, or as long as Volume Cap Allocation remains available. At its Board meeting of June 1, 2016, OCHFA's Board approved a Reimbursement Resolution for an amount not to exceed \$13MM to finance the acquisition and rehabilitation of the proposed development, Lake Weston Point Apartments, in unincorporated Orange County; utilizing Mortgage Revenue Bonds.

CURRENT

The applicant for Lake Weston Point Apartments is Lake Weston Preservation, LP, a Florida Limited Partnership. The General Partner is Picerne Investment Corporation LLC, a Florida corporation, and sole member of the general partner. The proposal involves the acquisition and rehabilitation of 240-units of existing affordable multi-family housing. The community will offer two, three and four bedroom units. The proposed development is located at 2201 Weston Point Dr. in Orlando.

The proposed transaction will utilize a short-term bond structure, whereby, the developer pays-off the bonds at permanent financing (1½ - 2-yrs), via HUD 223(f) loan for the first mortgage. The Authority will continue its monitoring and administration of the development through the Qualified Project Period of fifteen years (15-yrs), or as long as the Land Use Restrictions (LURA) are in place.

The Tax-exempt bonds amount is \$12.638MM. The Total Development Cost (TDC) is \$26,685,108 including Tax-Exempt Bonds, Tax Credit Equity is \$9,123,324 and Deferred Dev. Fee is \$1,505,971, with the payment of the bonds at permanent financing, reducing the total bond amount to zero (\$0); and a TDC of \$13,483,495. The developer is Picerne Development, LLC, Investment Banker, R.B.C Capital Markets. The proposed development debt coverage ratio is 1.20.

PROJECT DESCRIPTION

The proposed development will consist of fifty-six 2-bd/2-ba; one hundred-twenty 3-bd/2-ba and sixty-four 4-bd/3-ba – with rents ranging from \$394 - \$945 per month. The set-asides are 15% at 35% Area Medium Income (AMI) and 85% at 60% AMI.

PROJECT/LOCATION	DESCRIPTION / NO. OF UNITS	OWNER	AMOUNT
<u>Lake Weston Point Apartments</u> 2201 Weston Point Drive, Orlando in unincorporated Orange County, Florida, 32810	240 units on approximately 19.99 acres, garden-type construction, and related amenities	Lake Weston Preservation, L.P., a Florida limited partnership	\$13,000,000.00

The following information is provided as required by the County's Debt Issuance Policy. OCHFA will produce an Official Statement and related offering documents for this bond issue.

- Attachment A Project Description and Location Map
- Attachment B Related Financials
- Attachment C Proforma
- Attachment D Financial Advisor's Summary of Sales Method
- Attachment E OCHFA Staff Report of the 6/01/2016 Board meeting
- Attachment F Proof of Publication of TEFRA Public Hearing and
- Attachment G TEFRA Public Hearing Minutes

The TEFRA hearing was held on Wednesday, July 13, 2016, at 10:00 a.m., at the Orange County Administration Building on the third floor, Conference Room Legal "A". The results of the Public Hearing are included as Attachment G.

ACTION REQUESTED

APPROVAL AND EXECUTION OF RESOLUTION FOR THE ISSUANCE OF MULTI FAMILY HOUSING MORTGAGE REVENUE BONDS, TO FINANCE THE ACQUISITION AND REHABILITATION OF LAKE WESTON POINT APARTMENTS, A PROPOSED DEVELOPMENT IN UNINCORPORATED ORANGE COUNTY, FLORIDA, DISTRICT 2, IN AN AMOUNT NOT TO EXCEED \$13,000,000.

Attachments

2016 - -
RESOLUTION

WHEREAS, the **ORANGE COUNTY HOUSING FINANCE AUTHORITY** (the "Authority") was created pursuant to Ordinance 78-18, codified in the Code of Orange County at Section 2-151 *et seq*; and

WHEREAS, the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") has created a requirement that all industrial development bonds issued after December 31, 1982, for the purpose of financing multifamily housing developments require approval by the Authority, and each governmental unit having jurisdiction over the area in which the bond financed facility is located; and

WHEREAS, such approval is to be given after a public hearing for which reasonable notice has been given; and

WHEREAS, the Authority is contemplating the issuance of up to \$13,000,000 Orange County Housing Finance Authority Multifamily Housing Revenue Bonds, Series [to be designated] (Lake Weston Point Apartments) (the "Bonds"), the proceeds of which would finance the acquisition, rehabilitation and equipping of a residential rental project to be owned by Lake Weston Preservation, L.P., a Florida limited partnership, for persons of low, middle and moderate income (the "Project").

PROJECT/LOCATION

NUMBER OF UNITS

Lake Weston Point Apartments

240

2201 Weston Point Drive, Orlando, in

Unincorporated Orange County, Florida, 32810

WHEREAS, a public hearing was held at 10:00 A.M. on Wednesday, July 13, 2016, with regard to financing this qualified housing development, at the place and time described in the Notice of Public Hearing attached hereto as Exhibit A, which Notice was published at least 14 days in advance of the hearing date in a newspaper of general circulation in Orange County; and

WHEREAS, the Authority has presented the issue in the aggregate principal amount set forth above for approval to the Board of County Commissioners of Orange County;

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

SECTION 1. Authority. This Resolution is adopted pursuant to the Constitution of the State of Florida, Chapters 125 and 166, Florida Statutes, and other applicable provisions of law.

SECTION 2. Findings. The Board hereby finds, determines and declares as follows:

The Board is the elected legislative body of Orange County and has jurisdiction over the Project located in Unincorporated Orange County, Florida.

SECTION 3. Approval. For the purpose of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the Board hereby approves the issuance of the Bonds to finance the Project, acknowledging, however, that the Bonds will not be issued until the Authority gives its final approval to the issuance of the Bonds.

SECTION 4. Limited Approval. The approval given herein shall be solely for the purpose of satisfying the requirements of Section 147(f) of the Code and shall not be construed as (i) an endorsement of the creditworthiness of the Borrower or the financial viability of the Project, (ii) a recommendation to any prospective purchaser to purchase the Bonds, (iii) an evaluation of the likelihood of the repayment of the debt service on the Bonds, or (iv) approval of any rezoning application or approval or acquiescence to the alteration of existing zoning or land use or approval for any regulatory permit relating to the Project, or creating any vested right with respect to any land use regulations, and the Board shall not be construed by virtue of its adoption of this Resolution to have made any such endorsement, finding or recommendation or to have waived, or be estopped from asserting, any rights or responsibilities it may have in that regard. Further, the approval by the Board of the issuance of the Bonds by the Authority shall not be construed to obligate the County to incur any liability, pecuniary or otherwise, in connection with either the issuance of the Bonds or the acquisition, rehabilitation and equipping of the Project, and the Authority shall so provide in the financing documents setting forth the details of the Bonds.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this 2nd day of August, 2016.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: _____
Orange County Mayor

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

By: _____
Deputy Clerk

EXHIBIT A
NOTICE OF PUBLIC HEARING
ORANGE COUNTY HOUSING FINANCE AUTHORITY
RESIDENTIAL RENTAL PROJECT

Notice is hereby given that the Orange County Housing Finance Authority (the "Authority") will conduct a public hearing concerning the proposed issuance by the Authority of its not to exceed \$13,000,000 Multifamily Housing Revenue Bonds, Series [to be designated] (Lake Weston Point Apartments) (the "Bonds"). The proceeds of the Bonds would be used to finance the acquisition, rehabilitation and equipping of the following residential rental project:

PROJECT/LOCATION	DESCRIPTION OF PROJECT/NO. OF UNITS	OWNER
Lake Weston Point Apartments 2201 Weston Point Drive, Orlando in Unincorporated Orange County, Florida, 32810	240 units on approximately 19.99 acres, garden-type construction, and related amenities	Lake Weston Preservation, L.P., a Florida limited partnership

The public hearing will be held at the following time and location:

TIME	LOCATION
10:00-10:30 A.M. Wednesday, July 13, 2016	Orange County Administration Center 3 rd Floor, Conference Room Legal "A" 201 South Rosalind Avenue Orlando, Florida 32801

Interested persons are invited to submit written comments or present oral comments at the hearing regarding the proposed issuance of the Bonds. Written comments should be received by the Authority on or before July 8, 2016. Oral comments will be limited to no more than 3 minutes per person. Written comments or notice of intent to present oral comments should be directed to:

Orange County Housing Finance Authority
2211 E. Hillcrest Street
Orlando, Florida 32803
Attention: Executive Director

SECTION 286.0105, FLORIDA STATUTES, STATES THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY A BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, 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.

ATTACHMENT 'A'

**Project Description
and Location Map**

Detailed description of Lake Weston Point Apartments:

Lake Weston Apartments is a multifamily development located in Orlando, unincorporated Orange County. The development consists of eighteen (18) apartment buildings, that feature four (4) different unit types, for a total of 240 apartment homes. As a whole the development features 56 two-bedroom/two bath units, 120 three-bedroom/two bath units, and 64 four-bedroom/two bath units. In addition to residential apartment buildings the community features a clubhouse overlooking a pool. Further site feature include: an on-site property management office, maintenance facilities, children's play area, picnic pavilion, mature landscaping, laundry facilities, media room, and exercise room. The clubhouse also features space for an after-school program for our residents.

Some highlighted rehabilitation construction features include: 30-year architectural asphalt roof shingles, energy-star vinyl insulated windows, hardiplank siding, energy efficient central heating and cooling, high r-value insulation, and other features to reduce energy consumption. These features will guarantee sustainability and efficiency in the use of natural resources, as well as reduced utility costs to our residents.

All units will feature space for full-size washers and dryers, energy-star rated appliances, ceiling fans in living rooms and bedrooms, and other green features. Finishes will mirror the latest trends in rental housing, such as vinyl wood plank flooring, full size refrigerators, pantry in each kitchen, spacious unit sizes, walk-in closets, additional storage space and all units will feature direct entry.

Property Address:

2210 Weston Point Drive
Orlando, FL 32810

Acreage: 19.99 acres

Present Zoning: R-3

Type of Construction: Wood-Frame, Garden Style Apartments

Number of Units: 240

Unit Bedroom Mix, Current Rental Rates & Expected Stabilized Rental Rates:

Units	AMI Population Served	Bedrooms	Bathrooms	Current Rental Rates	Stabilized Rental Rates
9	35%	2	2	\$394	\$372
18	35%	3	2	\$451	\$425
9	35%	4	2	\$500	\$471
47	60%	2	2	\$739	\$701
102	60%	3	2	\$850	\$806
55	60%	4	2	\$945	\$895

Amenities to be provided:

Common Area Amenities

- Clubhouse
- Swimming Pool
- Fitness Center
- Playground/Tot Lot
- Car Care Area
- Basketball Court/Tennis Court

Unit Amenities

- Central Air with SEER rating of 11 or better
- Dishwasher
- Garbage Disposal
- Laundry Hook-ups
- Mini-blinds
- Ceiling Fans
- Microwave Oven
- Programmable Thermostat

Tenant Programs

- Tenant Activities
- Financial Counseling
- Job Training

Please note: All of these amenities and programs are offered at no additional cost to the residents.



2201 Weston Point Drive

33-21-29-0000-00-063

<p>Name Lake Weston Apartments (Orl) L P</p> <p>Property Name Lake Weston Point Apartments Lihtc</p> <p>Mailing Address On File 433 Las Colinas Blvd E Ste 300 Irving, TX 75039-5522</p>	<p>Physical Street Address: 2201 Weston Point Drive Postal City and Zipcode: Orlando, FL 32810 Property Use: 0301 - Apt- Lihtc Municipality Un-Incorporated</p>
---	--

Utilities/Services

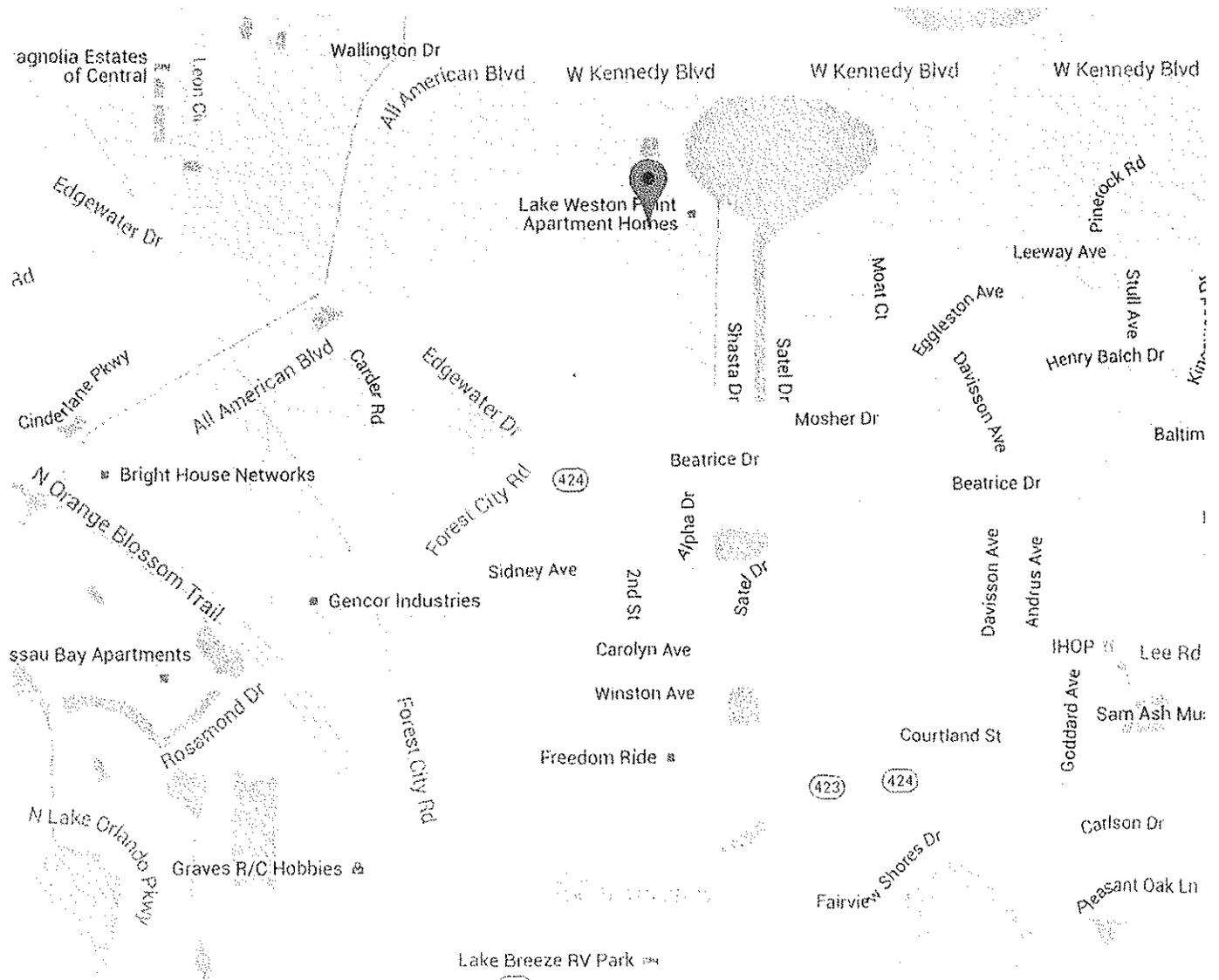
Electric.....Duke Energy
Water.....Winter Park
Recycling/ Trash/ Yard Waste.....Orange County

Elected Officials

County Commissioner – District 2Bryan Nelson
School Board Representative Nancy Robinson
State Representative Robert Cortez
State SenateGeraldine F. Thompson
US Representative Corrine Brown
Orange County Property Appraiser Rick Singh

Library District

Orange County



ATTACHMENT 'B'

Related Financials

Description of the project financing plan, including the provider name and status of anticipated credit enhancement:

It is anticipated that the acquisition and rehabilitation of Lake Weston Point Apartments will be done through a combination of a short term tax exempt bond issuance, cash collateralized by a HUD loan, through the FHA 223 (f) PILOT program, and an allocation of 4% Low Income Housing Tax Credits from Florida Housing Finance Corporation. In addition, a portion of the developer fee (approximately 40%, or roughly \$1,500,000) will be deferred, and an approximate \$3,064,900 seller note will be taken back by the Seller. Both the deferred developer fee and Seller Note will be "soft pay" from cash flow, and will be subordinate to the first mortgage.

Copies of any written confirmations from lenders, mortgage underwriters, banks, or other institution expected to be a party to the credit enhancement structure: TBD

Anticipated investment grade rating expected on the bonds, and the rating Agency expected to be used: Aa+ by Standard and Poor's (RBC to serve as underwriter)

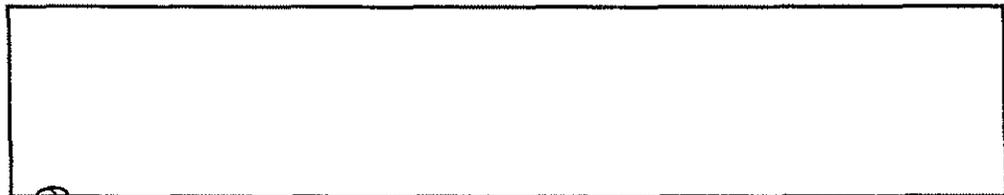
Other sources of federal, state or local monies expected to be approved and current status of pending requests: Applicant will submit its 4% Housing Credit Application to Florida Housing Finance Corporation immediately upon bond inducement.

Lake Weston Point Apartments
g Summary Sources & Uses

SOURCES OF FUNDS	<u>TOTAL</u>
LIHTC Equity, Federal	9,123,324
Permanent First Mortgage	12,638,000
Seller Note	3,064,900
Cash Flow From Operations	552,913
Deferred Developer Fee	1,505,971
Construction Bond Proceeds	13,000,000
Construction Bond Proceeds (Pay-Off)	<u>(13,000,000)</u>
Total Sources of Funds	<u>26,885,108</u>

USES OF FUNDS		
Acquisition Costs		13,500,000
Construction Costs		
Direct Costs	5,280,000	
General Conditions	316,800	
General Contractor Fee	316,800	
Overhead	105,600	
Contingency	<u>0</u>	
Total Construction Costs		6,019,200
Architectural & Engineering		125,000
Other Soft Costs		100,000
Construction Financing Costs		668,881
Permanent Financing Costs		398,279
Soft Funds Financing Costs		0
LIHTC Costs		245,020
Leaseup & Third Party Costs		979,250
Taxes & Insurance		250,000
FF&E		75,000
Developer Fee		3,780,486
Reserves & Soft Cost Contingency		<u>743,992</u>
Total Uses of Funds		<u>26,885,108</u>

Excess Sources/(Financing Gap) (0)



Lake Weston Point Apartments
Development Budget

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Development Cost	Category	Historical Basis?	Total	% Eligible	Eligible Acquisition Cost (1)	Construction Basis (2)	Non-Eligible Depr. (Amort) (3)	Funded Expense (4)	Historic Basis (Y or N)	Other (5)
Acquisition Costs										
Land Acquisition	5	N	1,500,000	100%	---	---	---	---	---	1,500,000
Building Acquisition	1	Y	12,000,000	100%	12,000,000	---	---	---	---	0
Other Acquisition Costs	3	N	---	100%	---	---	---	---	---	---
Construction Costs										
Hard Costs										
Direct Construction Costs	2	Y	5,280,000	100.0%	---	5,280,000	---	---	---	0
General Conditions	1	Y	316,800	100%	---	316,800	---	---	---	0
General Contractor Fee	1	Y	316,800	100%	---	316,800	---	---	---	0
Construction Overhead	1	Y	105,600	100%	---	105,600	---	---	---	0
Construction Contingency	1	N	---	50%	---	---	---	---	---	---
Demolition	1	N	---	0%	---	---	---	---	---	---
Soft Costs										
Architect	2	Y	75,000	100%	---	75,000	---	---	---	0
Engineering	2	N	50,000	100%	---	50,000	---	---	---	---
Building Permits	2	N	100,000	100%	---	100,000	---	---	---	---
NGSS Green Certification	1	Y	---	100%	---	---	---	---	---	0
Hazard & Liability Insurance	1	Y	---	100%	---	---	---	---	---	0
Construction Financing	1	Y	---	100%	---	---	---	---	---	---
Construction Loan Interest Paid from CoCF	1	N	552,913	100%	---	552,913	---	---	---	---
Construction Loan Interest Reserve	1	N	65,869	70%	---	46,178	---	---	---	19,791
Closing Costs & Due Diligence Fee	1	N	50,000	100%	---	50,000	---	---	---	---
Permanent Financing Costs										
Bridge Loan Origination Fee	5	N	7,405	100%	---	---	---	---	---	7,405
Financing Fee	5	N	126,380	100%	---	---	---	---	---	---
HUD Application Fee	5	N	37,614	100%	---	---	---	---	---	37,614
HUD Inspection Fee	5	N	84,785	100%	---	---	---	---	---	84,785
Additional HUD Fees	5	N	55,000	100%	---	---	---	---	---	55,000
Initial MIP Deposit	5	N	31,595	100%	---	---	---	---	---	31,595
Construction Period Lender Inspections	1	N	25,200	100%	---	25,200	---	---	---	---
Third Party Updates	1	N	20,000	100%	---	---	---	20,000	---	---
Soft Funds Financing Costs										
Origination Fee	1	N	---	100%	---	---	---	---	---	---
Interest Expenses	1	N	---	50%	---	---	---	---	---	---
LIHTC Costs										
Application Fee	5	N	3,000	100%	---	---	3,000	---	---	---
Compliance Fee	5	N	152,889	100%	---	---	---	---	---	152,889
Reservation Fee	5	N	---	100%	---	---	---	---	---	---
Underwriting Fee	5	N	11,861	100%	---	---	11,861	---	---	---
Administrative Fee & TEFRA Fee	5	N	77,470	100%	---	---	---	---	---	77,470
Lease Up Costs										
Marketing	5	N	---	100%	---	---	---	---	---	---
Relocation	5	N	50,000	100%	---	50,000	---	---	---	---
Third Party Costs										
Accounting	1	N	20,000	100%	---	20,000	---	---	---	---
Organization Costs	5	N	5,000	100%	---	---	---	---	---	5,000
General Legal	2	N	150,000	50%	---	75,000	---	---	---	75,000
Title & Recording	2	N	70,000	85%	---	59,500	---	---	---	10,500
Secondary Topo. Tree Survey	1	N	18,000	100%	---	18,000	---	---	---	---
Environmental reports	1	N	15,000	100%	---	15,000	---	---	---	---
Appraisal	1	N	8,000	100%	---	8,000	---	---	---	---
Soil Samples	1	N	10,000	100%	---	10,000	---	---	---	---
Bond Issuance Cost	1	N	580,250	5%	---	28,513	---	---	---	580,738
Market Study	1	N	8,000	100%	---	8,000	---	---	---	---
Syndicator Closing Costs	1	N	35,000	0%	---	---	---	---	---	35,000
Real Estate Taxes & Insurance										
	1	N	250,000	73%	---	187,500	---	---	---	62,500
Furniture, Fixtures & Equipment										
	1	N	75,000	100%	---	75,000	---	---	---	---
Reserves										
Taxes, Insurance & RR Fund	5	Y	---	100%	---	---	---	---	---	---
Operating Deficit Reserve - 10% Assurance Deposit	5	N	601,920	100%	---	---	---	---	---	601,920
Working Capital Reserve	5	N	---	0%	---	---	---	---	---	---
Development Contingency										
	1	N	142,072.51	100%	---	142,072	---	---	---	---
Total Dev Costs Less Acquisition			\$9,804,822		\$0	\$7,616,075	\$14,681	\$20,000		\$0
Developer Fee										
3% Overhead	1	N	---	---	0	0	---	---	---	---
15% Profit	1	N	3,780,486	---	0	3,780,486	---	---	---	---
TOTAL DEVELOPMENT COSTS			\$26,883,108		\$12,000,000	\$11,396,561	\$14,681	\$20,000		\$0

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13,000,000.00
 Orange County Housing Finance Authority
 Multifamily Mortgage Revenue Bonds
 Picerne Development - Placement

as of: 5/17/2016 14:31

<u>Issuer's Cost of Issuance</u>	<u>Amount</u>
Fees Due Issuer	
Application Fee 10 bps	13,000.00
Bond Finance Fee 30 bps	39,000.00
Bond Fee 35 bps	<u>45,500.00</u>
Total Fees Due Issuer at Settlement	97,500.00
Issuer and Disclosure Counsel:	
Fees	40,000.00
Expenses	<u>2,500.00</u>
Total Issuer Counsel	42,500.00
Bond Counsel:	
Fees	43,000.00
Expenses	<u>5,000.00</u>
Total Bond Counsel	48,000.00
Financial Advisor	
Fees	15,500.00
Expenses	<u>1,000.00</u>
Total Financial Advisor	16,500.00
Bond Rating	
Moody's	-
Other	<u>-</u>
Total Bond Rating Fees:	-
Trustee (Bank of New York Mellon):	
Acceptance	2,000.00
Initial Semi-Annual fee	4,250.00
Annual Dissemination Fee	<u>-</u>
Total Trustee	6,250.00
Trustee Counsel Fee and Expenses	6,500.00
Credit Underwriting Fee (est)	13,000.00
Placement Agent Fee	81,250.00
Bond Underwriter's Counsel Fee	30,000.00
Short Term Bond issuer's Fee	48,750.00
Contingency	5,000.00
Short Term Capitalized Interest	<u>195,000.00</u>
Total Issuer's Costs of Issuance	<u>\$ 590,250.00</u>

ATTACHMENT 'C'

Proforma

Detailed pro forma operating statements, including estimated rental rates for each type of unit, based on the highest "all in" bond interest rate that would allow the project to be feasible, including estimated operating expenses from the time the bonds are closed through the estimated stabilized rent/expense period. Aggregate and per unit amounts by line items and sufficient detail for assumptions used is provided, as follows:

See attached

Lake Weston Point Apartments

☞ Rent Schedule

Unit Type	Income Level Served	# of Units (A)	# of Bedrooms	# of Bathrooms	Max Gross Rent / Unit (C)	Tenant Utility Allowance (D)	Max Net Rent / Unit (C) - (D) = (E)	Proforma Rent / Unit (F)	Total Rent / Month (A) * Min(E), (F)
-----------	---------------------	----------------	---------------	----------------	---------------------------	------------------------------	-------------------------------------	--------------------------	--------------------------------------

Rent Restricted

TC35 (ELI)	35%	9	2	2.0	\$461	\$89	\$372	\$372	\$3,348
TC35 (ELI)	35%	18	3	2.0	\$532	\$107	\$425	\$425	\$7,650
TC35 (ELI)	35%	9	4	2.0	\$594	\$123	\$471	\$471	\$4,239
TC60	60%	47	2	2.0	\$790	\$89	\$701	\$701	\$32,947
TC60	60%	102	3	2.0	\$913	\$107	\$806	\$806	\$82,212
TC60	60%	55	4	2.0	\$1,018	\$123	\$895	\$895	\$49,225
Total	--	240	--	--	\$4,308	\$638	\$3,670	\$3,670	\$179,621

Lake Weston Point Apartments
Base Year Forecast

Total Units 240

FULL YR	Per Unit
---------	----------

Income

Gross Potential Rent		2,155,452	8,981
Other Income		70,000	292
Gross Income		2,225,452	9,273
Less: Vacancy	5.0%	(111,273)	(464)
Less: Collection Loss	2.0%	(44,509)	(185)
Effective Gross Income		2,069,670	8,624

Expenses

Real Estate Taxes		150,000	625
Insurance		100,000	417
General & Administrative		75,000	313
Management Fee	5.0%	103,484	431
Payroll & Taxes		305,000	1,271
Utilities		235,000	979
Repairs & Maintenance		275,000	1,146
General Misc		2,000	8
Total Expenses		1,245,484	5,190

Net Operating Income

824,187 3,434

Reserves for Replacement

\$300 (72,000) (300)

Cash Avail for Debt Service

752,186.84 3,134

PERM FIRST MORTGAGE	
Lender	TBD
Amount	\$12,638,000
Lender Orig Fee	1.0%
Interest Rate	3.500%
Term	16
Amortization	35
IO?	n
Monthly Payment	\$52,232
Annual Payment	\$626,780.04
Constraints:	
LTV	87%
DSCR	1.20

00

Lake Weston Point Apartments
Cash Flow Proforma

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	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
PROPERTY CASH FLOWS	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Income															
Gross Potential Rent	2,155,452	2,198,561	2,242,532	2,287,383	2,333,131	2,379,793	2,427,389	2,475,937	2,525,456	2,575,965	2,627,484	2,680,034	2,733,634	2,788,307	2,844,073
Other Income	70,000	71,400	72,828	74,285	75,770	77,286	78,831	80,408	82,016	83,656	85,330	87,036	88,777	90,552	92,364
Gross Income	2,225,452	2,269,961	2,315,360	2,361,667	2,408,901	2,457,079	2,506,220	2,556,345	2,607,472	2,659,621	2,712,814	2,767,070	2,822,411	2,878,859	2,936,437
Less: Vacancy	(111,273)	(113,498)	(115,768)	(118,083)	(120,445)	(122,854)	(125,311)	(127,817)	(130,374)	(132,981)	(135,641)	(138,353)	(141,121)	(143,943)	(146,822)
Less: Collection Loss	(44,509)	(45,399)	(46,307)	(47,233)	(48,178)	(49,142)	(50,124)	(51,127)	(52,149)	(53,192)	(54,256)	(55,341)	(56,448)	(57,577)	(58,729)
Effective Gross Income	2,069,670	2,111,064	2,153,285	2,196,351	2,240,278	2,285,083	2,330,785	2,377,401	2,424,949	2,473,448	2,522,917	2,573,375	2,624,842	2,677,339	2,730,886
Expenses															
Real Estate Taxes	150,000	154,500	159,135	163,909	168,826	173,891	179,108	184,481	190,016	195,716	201,587	207,635	213,864	220,280	226,888
Insurance	100,000	103,000	106,090	109,273	112,551	115,927	119,405	122,987	126,677	130,477	134,392	138,423	142,576	146,853	151,259
General & Administrative	75,000	77,250	79,568	81,955	84,413	86,946	89,554	92,241	95,008	97,858	100,794	103,818	106,932	110,140	113,444
Management fee	103,484	106,588	109,786	113,079	116,472	119,966	123,565	127,272	131,090	135,023	139,073	143,245	147,543	151,969	156,528
Payroll & Taxes	305,000	314,150	323,575	333,282	343,280	353,579	364,186	375,112	386,365	397,956	409,894	422,191	434,857	447,903	461,340
Utilities	235,000	242,050	249,312	256,791	264,495	272,429	280,602	289,020	297,691	306,622	315,820	325,295	335,054	345,105	355,459
Repairs & Maintenance	275,000	283,250	291,748	300,500	309,515	318,800	328,364	338,215	348,362	358,813	369,577	380,664	392,084	403,847	415,962
General Misc	2,000	2,060	2,122	2,185	2,251	2,319	2,388	2,460	2,534	2,610	2,688	2,768	2,852	2,937	3,025
Total Expenses	1,245,484	1,282,848	1,321,333	1,360,973	1,401,803	1,443,857	1,487,172	1,531,788	1,577,741	1,625,073	1,673,826	1,724,040	1,775,762	1,829,035	1,883,906
Net Operating Income	824,187	828,216	831,952	835,377	838,475	841,227	843,613	845,613	847,207	848,374	849,091	849,334	849,081	848,305	846,981
Reserves for Replacement	(72,000)	(74,180)	(76,385)	(78,676)	(81,037)	(83,468)	(85,972)	(88,551)	(91,207)	(93,944)	(96,762)	(99,665)	(102,655)	(105,734)	(108,906)
Cash Avail for Debt Service	752,187	754,056	755,567	756,701	757,438	757,759	757,641	757,062	756,000	754,431	752,329	749,670	746,426	742,570	738,074
1st Mortgage Debt Svc Cov	1.20	1.20	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.20	1.20	1.20	1.19	1.18	1.18
Total Debt Svc Cov	0.96	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.96	0.96	0.96	0.95	0.95
1st Mortgage Interest Expense	(434,364)	(427,520)	(420,433)	(413,094)	(405,494)	(397,624)	(389,473)	(381,033)	(372,293)	(363,241)	(353,868)	(344,161)	(334,109)	(323,700)	(323,700)
Total Interest Expense	(587,609)	(580,765)	(573,678)	(566,339)	(558,739)	(550,869)	(542,718)	(534,278)	(525,538)	(516,466)	(507,113)	(497,406)	(487,354)	(476,945)	(476,945)
Net Income Before Dep & Amort	317,823	326,535	335,133	343,607	351,944	360,135	368,167	376,029	383,707	391,189	398,461	405,508	412,317	418,870	414,374
1st Mortgage Prin Repayment	(192,416)	(199,260)	(206,347)	(213,686)	(221,286)	(229,156)	(237,307)	(245,747)	(254,488)	(263,539)	(272,912)	(282,619)	(292,671)	(303,080)	(303,080)
2nd Mortgage Prin Repayment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Asset Management Fee	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)
Available Cash Flow	120,407	122,276	123,787	124,921	125,658	125,979	125,861	125,282	124,220	122,650	120,549	117,890	114,646	110,790	106,294
Deferred Dev Fee Payment	(120,407)	(122,276)	(123,787)	(124,921)	(125,658)	(125,979)	(125,861)	(125,282)	(124,220)	(122,650)	(120,549)	(117,890)	(26,492)	0	0
P'ship Admin Fee	0	0	0	0	0	0	0	0	0	0	0	0	(5,000)	(5,000)	(5,000)
Cash Flow Prior to Seller Note Payment	0	0	0	0	0	0	0	0	0	0	0	0	83,154	105,790	101,294
Accrued Interest	127,704	280,949	434,194	587,439	740,684	893,929	1,047,174	1,200,419	1,353,664	1,506,909	1,660,154	1,813,399	1,966,644	2,119,889	2,273,134
Seller Note Interest Payment from CF	0	0	0	0	0	0	0	0	0	0	0	0	(83,154)	(105,790)	(101,294)
Total Accrued Interest Balance	127,704	280,949	434,194	587,439	740,684	893,929	1,047,174	1,200,419	1,353,664	1,506,909	1,660,154	1,813,399	1,883,490	2,014,099	2,171,840
Seller Note Principal Balance	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900	3,064,900
Seller Note Principal Payment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Seller Note Payment	0	0	0	0	0	0	0	0	0	0	0	0	83,154	105,790	101,294

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ATTACHMENT “D”

**Financial Advisor’s
Summary of Sales Method**

MEMORANDUM

TO:	W.D. Morris, Executive Director
FROM:	David Jones, CSG Advisors
SUBJECT:	Orange County Housing Finance Authority Multifamily Housing Revenue Bonds (Lake Weston Point Apartments)
DATE:	May 25, 2016

CSG Advisors serves as Financial Advisor to the Orange County Housing Finance Authority in connection with multifamily debt issues. In that capacity we are asked to comment on proposed multifamily debt issues under certain circumstances prior to submitting the TEFRA approval request to Orange County.

Summary Description

The applicant for Lake Weston Point Apartments is Lake Weston Preservation LP. The primary contact person for Lake Weston Preservation LP is Robert M. Picerne, located in Altamonte Springs, FL, and its General Partner is Lake Weston Preservation GP, LLC. Robert M. Picerne serves as the Initial Limited Partner to the applicant. The Picerne Development Corporation of Florida and its related affiliates have developed many properties throughout the country and in Florida, including three tax credit properties in Orange County. Picerne Development Corporation of Florida, based in Altamonte Springs, Florida, will serve as the developer and whose principals include Robert Picerne and Richard Haley.

The development is located at 2210 Weston Point Drive, unincorporated Orange County on a 20 acre property. The affordable rental community consists of a total of 240 apartment units, and the project would consist of an acquisition and rehabilitation of the existing property. The sponsors have proposed that Orange County Housing Finance Authority issue up to \$13,000,000 of multifamily housing revenue bonds to finance a \$13,000,000 first lien mortgage construction loan. The bond proceeds along with other sources described below will be used by the applicant for a portion of the acquisition and rehabilitation of Lake Weston Point Apartments.

In accordance with the tax exempt bond requirements, a minimum of 40% of the rental units will be set aside for rental to persons or families with household incomes of 60% or less of the Area Median Income. For purposes of the Orange County application, 100% of the units will be set aside at household incomes of 60%. Currently 15% of the units are restricted at 35% of Area Median Income. The applicant has indicated that there will be no change to the current rent restrictions.

Orange County Housing Finance Authority
Multifamily Housing Revenue Bonds
(Lake Weston Point Apartments)

In addition to net proceeds of the bonds, the sources of funds for this development at construction anticipate the following financing sources: (a) Federal Tax Credit equity in the amount of \$9,123,324, (b) seller note of \$3,064,900, (c) permanent first mortgage of \$12,638,000, (d) cash flow from operations of \$552,913 and (e) deferred developer fee in the amount of \$1,505,971. The proposed financing plan anticipates acquisition costs, construction, financing and other development costs currently expected to total approximately \$26,885,108.

Proposed Debt Structure

The multifamily mortgage revenue bonds are proposed to be issued as a short term tax exempt bond issuance, cash collateralized by a HUD loan through the FHA 223(f) PILOT Program. The debt structure includes an estimated \$13,000,000 of short term tax exempt bonds that are paid in full after rehabilitation is complete with proceeds of the permanent financing. Such bonds will be secured by a first mortgage loan with term to match the bonds. The bonds are expected to be rated by Standard and Poor's and are expected to bear a fixed rate of interest over the life of the bonds, and will meet all of the underwriting requirements of the Orange County Housing Finance Authority.

Method of Bond Sale

The Applicant has designated RBC Capital Markets, LLC as its bond underwriter/placement agent subject to the approval of Orange County Housing Finance Authority.

The bonds are anticipated to be issued as fully registered bonds, with minimum denominations pursuant to the bond issuance requirements of the Orange County Housing Finance Authority. Although the bonds are currently expected to be rated, to the extent they are unrated, in addition to large minimum denominations, the bonds would bear a legend restricting subsequent transfers to investors who make certain written representations that they are a sophisticated investor (a "qualified institutional buyer" or "accredited investor"), and other representations indicating their understanding of the business matters and information necessary to make an informed decision to invest in the bonds.

Equity

The tax credits are anticipated to be purchased by a tax credit syndicator (to be determined) in return for at least a 99% limited partnership interest in the property.

Credit Underwriting

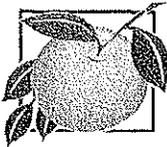
Pursuant to Orange County Housing Finance Authority's policy, the proposed financing will be subject to credit underwriting by a third party firm qualified in affordable housing real estate underwriting and loan servicing. A credit underwriting report acceptable to the Orange County Housing Finance Authority will be required prior to authorizing the issuance of the bonds.

Investment of Proceeds

To the extent bond proceeds will be available to be drawn down during construction, the Orange County Housing Finance Authority will require such proceeds be invested pursuant to its investment policy. If applicable, CSG Advisors will oversee competitive bidding of any investment agreements.

ATTACHEMENT 'E'

**OCHFA Staff Report of the
Board of Directors meeting of 6/01/2016**



W.D. MORRIS
EXECUTIVE DIRECTOR

DISCUSSION ITEM

MEMORANDUM

BOARD OF DIRECTORS

SASCHA RIZZO
CHAIRMAN

MARSHALL SIPLIN
BOARD MEMBER

MERCEDES MCCALL
BOARD MEMBER

CLEMENTE CUEVAS
BOARD MEMBER

VERNICE ATKINS-BRADLEY
BOARD MEMBER

TO:	OCHFA Board of Directors
FROM:	W.D. Morris, Executive Director
DATE:	May 25, 2016
RE:	CONSIDER APPROVAL OF THE REIMBURSEMENT RESOLUTION FOR MULTI-FAMILY TAX-EXEMPT BONDS APPLICATION, SUBMITTED BY PICERNE DEVELOPMENT FOR THE ACQUISITION AND REHABILITATION OF THE PROPOSED LAKE WESTON POINT APARTMENTS, NOT-TO-EXCEED \$13MM. JUNE 1, 2016 REGULAR BOARD OF DIRECTORS' MEETING

BACKGROUND

On May 18, 2016, the Authority received the Lake Weston Point Apartments proposal under the 2016 Open Cycle Allocation Process. The Open Cycle process allows developers to submit Multi-Family proposals for the Authority's consideration throughout the year, or as long as Volume Cap Allocation remains available. Once the Reimbursement Resolution is approved by the Board, staff will conduct a TEFRA hearing and engage Professionals and proceed with the underwriting process.

CURRENT

The applicant for Lake Weston Point Apartments is Lake Weston Preservation, LP, a Florida Limited Partnership. The General Partner is Picerne Investment Corporation LLC, a Florida corporation, and sole member of the general partner.

The proposal involves the acquisition and rehabilitation of 240-units of existing affordable multi-family housing. The community will offer two, three and four bedroom units. The proposed development is located at 2201 Weston Point Dr. in Orlando. The proposed development will consist of fifty-six 2-bd/2-ba; one hundred-twenty 3-bd/2-ba and sixty-four 4-bd/3-ba – with rents ranging from \$394 - \$945 per month. The set-asides are 15% at 35% Area Medium Income (AMI) and 85% at 60% AMI.

The proposed transaction will utilize a short-term bond structure, whereby, the developer pays-off the bonds at permanent financing (1½ - 2-yrs), via HUD 223(f) loan for the first mortgage. The Authority will continue its monitoring and administration of the development through the Qualified Project Period of fifteen years (15-yrs), or as long as the Land Use Restrictions (LURA) are in place.

The Tax-exempt bonds amount is \$12.638MM. The Total Development Cost (TDC) is \$26,685,108 including Tax-Exempt Bonds, Tax Credit Equity is \$9,123,324 and Deferred Dev. Fee is \$1,505,971, with the payment of the bonds at permanent financing, reducing the total bond amount to zero (\$0); and a TDC of \$13,483,495. The developer is Picerne Development, LLC, Investment Banker, RBC Capital Markets. The proposed development debt coverage ratio is 1.20.

Enclosed for your review are copies of the Proformas Analysis, Reimbursement Resolution 2016-04 and supporting information.

ACTION REQUESTED

Board approval of the Reimbursement Resolution for Multi-Family Tax-Exempt Bonds for the acquisition and rehabilitation of the proposed Lake Weston Point Apartments, not-to-exceed \$13MM; authorization for staff and Bond Counsel to take the required steps to complete the TEFRA process, with subsequent submission to the Division of Bond Financing.

ATTACHMENT 'F'

Proof of Publication of TEFRA Public Hearing

Orlando Sentinel

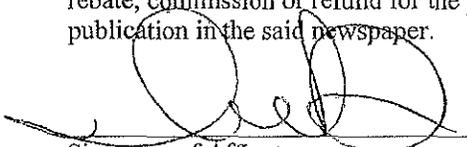
Published Daily
ORANGE County, Florida

STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared Maria Torres / Ingrid Quiles, who on oath says that he or she is an Advertising Representative of the ORLANDO SENTINEL, a DAILY newspaper published at the ORLANDO SENTINEL in ORANGE County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter of 11150-Public Hearing Notice, **Wednesday, July 13, 2016 at 10:00am** was published in said newspaper in the issues of Jun 29, 2016.

Affiant further says that the said ORLANDO SENTINEL is a newspaper published in said ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida, each day and has been entered as periodicals matter at the post office in ORANGE County, Florida, in said ORANGE County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


Signature of Affiant

Ingrid Quiles
Printed Name of Affiant

Sworn to and subscribed before me on this 29 day of June, 2016, by above Affiant, who is personally known to me (X) or who has produced identification ().


Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

NOTICE OF PUBLIC HEARING
ORANGE COUNTY HOUSING FINANCE AUTHORITY RESIDENTIAL RENTAL PROJECT
 Notice is hereby given that the Orange County Housing Finance Authority (the "Authority") will conduct a public hearing concerning the proposed issuance by the Authority of its not to exceed \$13,000,000 Multifamily Housing Revenue Bonds, Series to be designated (Lake Weston Point Apartments) (the "Bonds"). The proceeds of the Bonds would be used to finance the acquisition, rehabilitation and equipping of the following residential rental project:

PROJECT/LOCATION
 Lake Weston Point Apartments
 2201 Weston Point Drive, Orlando in Unincorporated Orange County, Florida, 32810

DESCRIPTION OF PROJECT / NO. OF UNITS
 240 units on approximately 19.99 acres, garden-type construction, and related amenities.

OWNER
 Lake Weston Preservation, L.P., a Florida limited partnership

The public hearing will be held at the following time and location:

TIME
 10:00-10:30 A.M.,
 Wednesday, July 13, 2016

LOCATION
 Orange County Administration Center
 3rd Floor, Conference Room Legal "A"
 201 South Rosalind Avenue
 Orlando, Florida 32801

Interested persons are invited to submit written comments or present oral comments at the hearing regarding the proposed issuance of the Bonds. Written comments should be received by the Authority on or before July 8, 2016. Oral comments will be limited to no more than 3 minutes per person. Written comments or notice of intent to present oral comments should be directed to:

Orange County Housing
 Finance Authority
 2211 E. Hillcrest Street
 Orlando, Florida 32803
 Attention: Executive Director

054289155 6/29/2016

Meeting Notice



Board Name: Orange County Housing Finance Authority
T.E.F.R.A. Public Hearing for Lake Weston
Point Apartments

Date: Wednesday, July 13, 2016

Location: Third Floor, Conference Room Legal "A"
Orange County Administration Center
201 S. Rosalind Avenue, Orlando

Time: 10:00 – 10:30 AM

A Public Hearing will be conducted to comply with the Tax Equity and Fiscal Responsibility Act of 1982, (T.E.F.R.A.) for the proposed issuance of Multi Family Revenue Bonds for the acquisition/rehab of Lake Weston Point Apartments.

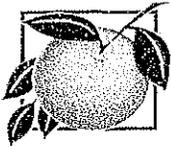
Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim 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 business days prior to the proceeding, he or she should contact the Orange County Communications Division at (407) 836-3111.

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

ATTACHMENT 'G'

TEFRA Public Hearing Minutes



ORANGE COUNTY
HOUSING FINANCE AUTHORITY

W.D. MORRIS
EXECUTIVE DIRECTOR

BOARD OF DIRECTORS

SASCHA RIZZO
CHAIRMAN

MARSHALL SIPLIN
VICE CHAIRMAN

MERCEDES MCCALL
BOARD MEMBER

CLEMENTE CUEVAS
BOARD MEMBER

VERNICE ATKINS-BRADLEY
BOARD MEMBER

MEMORANDUM

TO: FILE
FROM: Mildred Guzman, Multi Family Program Administrator
DATE: July 13, 2016
RE: TEFRA Hearing Meeting Minutes for Multi-family Housing Revenue Tax Exempt Bonds – Lake Weston Point Apartments

Today, Wednesday, July 13, 2016, at 10:00 A.M. a TEFRA Public Hearing was conducted in Orange County at the Orange County Administration Center, 3rd floor, Conference Room Legal "A".

The meeting was presided over by Mildred Guzman, Multi-Family Program Administrator. Also present at the meeting was W.D. Morris, Executive Director OCHFA.

The purpose of the hearing was to receive public comments regarding the issuance by the Orange County Housing Finance Authority of Multi-Family Housing Revenue Tax Exempt Bonds to finance the acquisition and rehabilitation of a proposed multi-family rental development in unincorporated Orange County as follows:

PROJECT/LOCATION	DESCRIPTION / NO. OF UNITS	OWNER	AMOUNT
<u>Lake Weston Point Apartments</u> 2201 Weston Point Drive, Orlando, Unincorporated Orange County, Florida, 32810	240 units on approximately 19.99 acres, garden-type construction, and related amenities	Lake Weston Preservation, L.P., a Florida limited partnership	\$13,000,000.00

No comments, oral or written, were presented during or prior to the hearing. The meeting adjourned at 10:30 AM.



DATE: July 18, 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 2, 2016
COLLECTIVE BARGAINING AGREEMENT,
Florida State Lodge Fraternal Order of Police – Lieutenants Contract Article
18 - Wages for Fiscal Year 2015-16**

Contact: Samantha Maxwell, Human Resources Analyst
407-836-5829

Reginald C. Davis, Human Resources Section Manager
407-836-5479

The County's negotiation team and the Florida State Lodge Fraternal Order of Police, representing the Lieutenants at Orange County Corrections have reached concurrence on Article 18 – Wages for Fiscal Year 2015-16. This represents the third year of a three year contract. A ratification vote is scheduled to be held with the members approving the Bargaining Unit Agreement.

For Fiscal Year 2015-16, the agreement represents a 3.5% increase to wages for all employees in the bargaining unit as of October 11, 2015 and continuing to be in the bargaining unit at the time of the article's implementation, regardless of whether the increase places the employee over the maximum of the pay range. No other changes were made to the contract.

Due to extended negotiations, employee ID#106445 is scheduled to retire as of July 31, 2016, after having served thirty-one years of County service. It is requested that the employee be granted the same 3.5% increase to wages as of October 11, 2015, thereby allowing retroactive payment both on wages and any applicable leave payouts.

Your offices will be contacted regarding this agenda item.

Action Requested:

Approval of Collective Bargaining Agreement between Florida State Lodge Fraternal Order of Police – Lieutenants and Orange County, Article 18 – Wages for Fiscal Year 2015-2016 and wage increase to ID#106445 retroactive to October 11, 2015.

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

ARTICLE 18

WAGES

18.1 WAGE INCREASES

The County will pay wages to employees in accordance with the following.

- A. For Fiscal Year 2013-14, effective October 13, 2013, all bargaining unit employees on the active payroll, who meets or exceeds the performance requirements of the position on the annual evaluation, as of that date will receive a 3% wage increase.

For Fiscal Year 2014-15, effective October 12, 2014, all bargaining unit employees on the active payroll, who meets or exceeds the performance requirements of the position on the annual evaluation, as of that date will receive a 3% wage increase. Retroactivity will be paid to those employees in the bargaining unit as of October 12, 2014 and continue to be employed in the bargaining unit as of the pay period the retroactive pay is paid. *Approved 3-24-15 by Board of County Commissioners.*

- B. For Fiscal Year 2015-16, ~~this article will automatically reopen for negotiations, and any wage increases or modification to this article for Fiscal Year 2015-16 will be determined through the collective bargaining process.~~ effective October 11, 2015, all bargaining unit employees on the active payroll, who meets or exceeds the performance requirements of the position on the annual evaluation, as of that date will receive a 3.5% wage increase. Retroactivity will be paid to those employees in the bargaining unit as of October 11, 2015, and who continue to be employed in the bargaining unit as of the pay period the retroactive pay is paid, and to those as approved by the Board of County Commissioners.

- C. Increases for any Fiscal Year after Fiscal Year 2015-16 shall be determined through the collective bargaining process.



July 15, 2016

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

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

SUBJECT: Consent Agenda Items for August 2, 2016
Budget Amendments #16-48, #16-49, #16-50, and #16-51

Provided for Board approval are copies of the budget amendments processed by the Office of Management and Budget.

ACTION REQUESTED: Approval of budget amendments #16-48, #16-49, #16-50, and #16-51.

KP/vh

Attachments



Interoffice Memorandum

AGENDA ITEM

July 7, 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 2, 2016
 Budget Amendment #16-48, Fund #8025
 Oaks Specialized Community Supervision Program
 Agreement # 10346
 Youth & Family Services Division/Family Services Department

On September 17, 2015, the Board of County Commissioners approved an estimated budget for the Oaks Specialized Community Supervision Program in the amount of \$666,583. The Florida Department of Juvenile Justice (DJJ) has awarded the grant in the amount of \$678,772. This represents an increase of \$12,189. This program serves youths aged 11 to 18, who have been committed to DJJ after being classified as moderate to high risk to public safety.

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:

Account Number	Classification	Amount
8025-062-7236-3422	Florida Department of Juvenile Justice	\$ 12,189
	TOTAL REVENUE	<u>\$ 12,189</u>

Expenditures:

Account Number	Classification	Amount
2CJ-8025-062-7236-3197	Contractual Services	\$ 12,189
	TOTAL EXPENDITURES	<u>\$ 12,189</u> <i>pm</i>

KP/PM/vh

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



July 7, 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 2, 2016
 Budget Amendment #16-49, Fund #7125
 Emergency Shelter & Residential Group Care
 Contract # GJ502
 Youth & Family Services Division/Family Services Department

On September 17, 2015, the Board of County Commissioners approved the estimated budget for the Emergency Shelter & Residential Group Care Grant in the amount of \$2,686,895. The U.S. Department of Health & Human Services through the Florida Department of Children and Families awarded this grant \$2,686,964, which represents an increase of \$69.

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:

Account Number	Classification	Amount
7125-062-7272-3140	Health and Human Services	\$ 69
	TOTAL REVENUE	<u>\$ 69</u>

Expenditures:

Account Number	Classification	Amount
7CZ-7125-062-0466-9110	General Fund – Interfund Transfer	\$ 69
	TOTAL EXPENDITURES	<u>\$ 69</u> <i>pm</i>

KP/PM/vh

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



July 7, 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 2, 2016
 Budget Amendment #16-50, Fund #7006
 Head Start
 Agreement # 04-CH010230-01-00
 Head Start Division/Family Services Department

On March 1, 2016, the Board of County Commissioners approved a budget for the Head Start Program in the amount of \$12,511,346. The U.S. Department of Health and Human Services awarded this grant a cost of living adjustment (COLA) in the amount of \$222,992. Funding will be utilized to offset higher Head Start operational costs to include purchasing classroom materials, and playground modifications and equipment.

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

Account Number	Classification	Amount
7006-062-7520-3140	Health & Human Services	\$ 222,992
	TOTAL REVENUE	<u>\$ 222,992</u>

Mayor Teresa Jacobs
 -AND-
 Board of County Commissioners
 Consent Agenda Item for August 2, 2016
 July 7, 2016
 Page 2

Expenditures:

Account Number	Classification	Amount
7FB-7006-062-7521-3125	Indirect Costs	\$ 19,133
7FF-7006-062-7522-3820	Maintenance of Equipment	5,000
7FF-7006-062-7522-4110	Office Supplies	5,000
7FF-7006-062-7522-4115	Miscellaneous Operating Supplies / Program Expenses	40,000
7FF-7006-062-7522-4120	Software < \$1,000	5,000
7FF-7006-062-7522-4121	Computer Equipment < \$500	5,000
7FF-7006-062-7522-4123	Equipment < \$1,000	5,000
7FF-7006-062-7522-4135	Food and Dietary	58,859
7FF-7006-062-7522-4143	Medical and Surgical Supplies	5,000
7FD-7006-062-7522-6410	Equipment	50,000
7FD-7006-062-7522-6438	Computer Equipment >\$500	25,000
TOTAL EXPENDITURES		\$ 222,992

pm

KP/PM/vh

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



July 15, 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 2, 2016
 Budget Amendment #16-51, Fund #8133
 Contract# GC702 Task Assignment # 10
 Amendment #1
 EPD Underground Storage Tank (UST) Compliance Program
 Environmental Protection Division/Community, Environmental &
 Development Services Department

On July 26, 2007, the Board of County Commissioners approved a ten-year assignment contract from the Florida Department of Environmental Protection for the Storage Tank Compliance Verification Program. On September 15, 2015, Task Assignment #10 was awarded in the amount of \$798,474. The Florida Department of Environmental Protection awarded Amendment #1 in the amount of \$25,000, increasing the total task amount to \$823,474. Funding will be utilized to conduct compliance assistance visits/inspections at facilities storing petroleum products.

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:

Account Number	Classification	Amount
8133-068-7249-3331	FL Department of Environmental Protection	\$ 25,000
	TOTAL REVENUES	<u>\$ 25,000</u>

Expenditures:

Account Number	Classification	Amount
6PT-8133-068-7249-1120	Regular Salaries	\$ 19,220
6PT-8133-068-7249-2110	FICA	1,470
6PT-8133-068-7249-2120	Retirement Contribution	1,038
6PT-8133-068-7249-2130	Life & Health Insurance	3,272
	TOTAL EXPENDITURES	<u>\$ 25,000</u> <i>pm</i>

KP/PM/vh

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



RISK MANAGEMENT DIVISIC
JOHN PETRELLI, MANAGER
 109 E. Church Street, Suite 200, Orlando, F
 (407) 836-9640 • FAX (407) 836-9630

MEMORANDUM

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

FROM: John Petrelli, CPCU, AIC, ARM *J. Petrelli*

DATE: July 7, 2016

SUBJECT: Ratification of Intergovernmental Claims

The Intergovernmental Risk Management Committee at its meeting on June 23, 2016 ratified payment of claims as follows for Fiscal Years 1977/1978 through 2015/2016:

WORKERS' COMPENSATION	\$ 312,760.89
PROPERTY DAMAGE/LOSS	
GENERAL, & AUTO LIABILITY	\$ <u>76,792.42</u>
TOTAL	\$ 389,553.31

The Intergovernmental Risk Management Committee at its meeting on June 30, 2016 ratified payment of claims as follows for Fiscal Years 1977/1978 through 2015/2015:

WORKERS' COMPENSATION	\$ 117,327.66
PROPERTY DAMAGE/LOSS	
GENERAL, & AUTO LIABILITY	\$ <u>62,231.08</u>
TOTAL	\$ 179,558.74

Action Requested:

Approval of Ratification of payment of Intergovernmental claims of June 23, 2016 and June 30, 2016 totaling \$ 569,112.05.



Interoffice Memorandum

July 12, 2016

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: *JB* Carrie Woodell, Manager
Procurement Division

CONTACT: Ann Caswell, Manager
Real Estate Management Division
407-836-7082

SUBJECT: Award of Invitation for Bids Y16-1061-JS, Title Services

ACTION REQUEST:

Approval to award Invitation for Bids Y16-1061-JS, Title Services, to the sole responsive and responsible bidder, First American Title Insurance Company, in an estimated contract award amount of \$483,750 for the initial 3-year contract term. Further request authorization of the Procurement Division to renew the contract for two additional 1-year terms.

PROCUREMENT:

To provide title searches, title insurance, and closing services on parcels being acquired by Orange County.

FUNDING: Funding is available in account number 0001-043-0201-3189.

APPROVALS:

The Real Estate Management Division and the Business Development Division concur with this recommendation.

REMARKS:

Two bids were received in response to Invitation for Bids. The bids were evaluated for price, responsiveness and responsibility. Voight, P.A. was deemed non-responsible due to inability to meet requirements for qualification of bidders. The bid of First American Title Insurance Company is considered fair and reasonable in comparison to past term contracts for same services. Therefore, award is recommended to First American Title Insurance Company.

Bid Tabulation is as follows:

First American Title Insurance Company	\$483,750
Voight, P.A.	Non-Responsible



BUSINESS DEVELOPMENT DIVISION

July 5, 2016

TO: Jim Schell, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator 
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **IFB-Y16-1061-JS, Title Services (Revised)**

The Business Development Division evaluated the **1 bid** submitted for this project and found that **the bidder was not an Orange County Certified Minority/Women Business Enterprise bidder**. The Orange County certified firm is the lowest bidder. Thus, the bid preference does not apply, per the County's M/WBE Ordinance, Section 17-324.

c: Sheena Ferguson, Manager, Business Development Division

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

Interoffice Memorandum



July 20, 2016

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: Taneya Simpson, Senior Contract Administrator, Facilities
Management Division
407-836-7482

SUBJECT: Award of Invitation for Bids Y16-1071-LC, Plumbing Services

ACTION REQUESTED

Approval to award Invitation for Bids Y16-1071-LC, Plumbing Services, to the low responsive and responsible bidders Frank Gay Plumbing, Inc. as the primary contractor and Ellis Mechanical Corporation as secondary contractor for an overall total estimated annual contract award amount of \$1,000,000. Further request authorization for the Procurement Division to renew the contracts for two additional 1-year periods.

PROCUREMENT:

To provide plumbing and related services to various locations throughout Orange County, including Fire Rescue and the Convention Center. Services performed consist of all labor, tools, materials and equipment necessary to provide plumbing services at multiple facilities within the County.

FUNDING:

Funding is available in account numbers 0001 043 1713 3810; 0001 043 1717 3810; 0001 043 1718 0310; 0001 043 1719 3810 and 4430-035-0922-3810.

APPROVALS:

The Facilities Management Division and Business Development Division concur with this recommendation.

DISCUSSION

Three bids were received and evaluated for responsiveness and responsibility. DeSanto Plumbing LLC was determined to be non-responsive for failure to bid on all line items. Award of contracts are recommended to Frank Gay Plumbing, Inc. as primary contractor in the amount of \$600,000 and Ellis Mechanical Corporation as secondary contractor in the amount of \$400,000.

The estimated contract amount includes every conceivable requirement that may materialize during contract performance, while the total orders against the contract is based on budgetary limitations. Prices are deemed fair and considered reasonable because they are consistent with current contract prices.

The bid tabulation follows:

Frank Gay Plumbing, Inc.	\$1,100,875
Ellis Mechanical Corporation	\$1,370,000
DeSanato Plumbing LLC	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

June 20, 2016

TO: Linda Carson, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator 
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: IFB #Y16-1071-LC, Plumbing Services

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

c: Sheena Ferguson, Manager, Business Development Division





Interoffice Memorandum

July 13, 2016

To: Mayor Teresa Jacobs
and the Board of County Commissioners

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

Contact: Deodat Budhu, P.E., Manager, Roads and Drainage Division
407-836-7872

Subject: Award of Invitation for Bids Y16-1085-PD, Landscape Maintenance
Roads and Drainage Division

ACTION REQUESTED:

Approval to award Invitation for Bids Y16-1085-PD, Landscape Maintenance Roads and Drainage Division, to the low responsive and responsible bidders, Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters for Lot A in the estimated contract award amount of \$902,520 for a 1-year term contract and to Lawnwalker Services, Inc. for Lots B, C and D in the estimated contract award amount of \$1,973,283.50 for a 1-year term contract. Further request authorization for the Procurement Division to exercise two 1-year options.

PROCUREMENT:

These contracts provide for landscape maintenance including mowing (inclusive of edging, herbicide treatment, grass clipping and litter removal, brush control), fertilization of turf, additional litter removal, tree and plant replacement, maintenance of planted beds and trees, removal of dead or fallen trees, straightening of established trees, inlet opening cleaning, and sodding as ordered by the county.

FUNDING:

Funding is available in account number 1002 072 2906 3816.

APPROVALS:

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

REMARKS:

Five bids from pre-qualified bidders were received in response to this Invitation for Bids. The bids were evaluated for price, responsiveness and responsibility. Award is recommended to the low responsive and responsible bidders. Begley's Cleaning Service, Inc. dba Millennium Grounds and Waters and Lawnwalker Services, Inc. for the lots indicated. The bid submitted by Groundtek of Central Florida for Lot D was determined to be Non-Responsive due to an incomplete bid response form.

Bid Tabulation:

Lot A

Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters	
Base Year	\$ 902,520
Option Year 1	\$ 906,520
Option Year 2	\$ 906,520
Total Estimated Bid	\$2,715,560
P&L Lawn Maintenance, Inc.	
Base Year	\$1,045,200
Option Year 1	\$1,045,200
Option Year 2	\$1,045,200
Total Estimated Bid	\$3,135,600
Lawnwalker Services, Inc.	
Base Year	\$1,071,039
Option Year 1	\$1,066,758
Option Year 2	\$1,065,966
Total Estimated Bid	\$3,203,763
Groundtek of Central Florida, LLC	
Base Year	\$1,123,175
Option Year 1	\$1,127,150
Option Year 2	\$1,125,400
Total Estimated Bid	\$3,375,725
Ameriscapes Landscape Management Services, LLC	
Base Year	\$2,022,230
Option Year 1	\$1,972,730
Option Year 2	\$1,972,730
Total Estimated Bid	\$5,967,690

Lot B

Lawnwalker Services, Inc.	
Base Year	\$ 589,873.50
Option Year 1	\$ 590,253.50
Option Year 2	<u>\$ 590,164.50</u>
Total Estimated Bid	\$1,770,291.50
Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters	
Base Year	\$ 814,525.00
Option Year 1	\$ 814,525.00
Option Year 2	<u>\$ 814,525.00</u>
Total Estimated Bid	\$2,443,575.00
Groundtek of Central Florida, LLC	
Base Year	\$1,185,625.00
Option Year 1	\$1,218,250.00
Option Year 2	<u>\$1,224,250.00</u>
Total Estimated Bid	\$3,628,125.00
P&L Lawn Maintenance, Inc.	
Base Year	\$1,219,580.00
Option Year 1	\$1,219,580.00
Option Year 2	<u>\$1,219,580.00</u>
Total Estimated Bid	\$3,658,740.00
Ameriscapes Landscape Management Services, LLC	
Base Year	\$1,719,780.00
Option Year 1	\$1,689,780.00
Option Year 2	<u>\$1,671,780.00</u>
Total Estimated Bid	\$5,081,340.00

Lot C

Lawnwalker Services, Inc.	
Base Year	\$ 719,268
Option Year 1	\$ 720,440
Option Year 2	<u>\$ 729,009</u>
Total Estimated Bid	\$2,168,717
Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters	
Base Year	\$ 997,020
Option Year 1	\$ 997,020
Option Year 2	<u>\$ 997,020</u>
Total Estimated Bid	\$2,991,060
P&L Lawn Maintenance, Inc.	
Base Year	\$1,254,085
Option Year 1	\$1,254,085
Option Year 2	<u>\$1,254,085</u>
Total Estimated Bid	\$3,762,255
Ameriscapes Landscape Management Services, LLC	
Base Year	\$1,890,230
Option Year 1	\$1,890,230
Option Year 2	<u>\$1,828,230</u>
Total Estimated Bid	\$5,577,690
Groundtek of Central Florida, LLC	
Base Year	\$1,897,825
Option Year 1	\$1,897,525
Option Year 2	<u>\$1,909,850</u>
Total Estimated Bid	\$5,705,200

Lot D

Lawnwalker Services, Inc.

Base Year	\$ 664,142.00
Option Year 1	\$ 663,657.50
Option Year 2	<u>\$ 664,266.50</u>
Total Estimated Bid	\$1,992,066.00

Begley's Cleaning Service, Inc.
dba Millennium Grounds & Waters

Base Year	\$1,198,020
Option Year 1	\$1,198,020
Option Year 2	<u>\$1,198,020</u>
Total Estimated Bid	\$3,594,160

P&L Lawn Maintenance, Inc.

Base Year	\$1,395,255
Option Year 1	\$1,395,225
Option Year 2	<u>\$1,395,225</u>
Total Estimated Bid	\$4,185,675

Ameriscapes Landscape Management Services, LLC

Base Year	\$1,900,130
Option Year 1	\$1,864,130
Option Year 2	<u>\$1,828,130</u>
Total Estimated Bid	\$5,592,390

Groundtek of Central Florida, LLC

Base Year	
Option Year 1	
Option Year 2	
Total Estimated Bid	Non-Responsive



BUSINESS DEVELOPMENT DIVISION

June 30, 2016

TO: Perry Davis, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator 
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **IFB-Y16-1085-PD, Landscape Maintenance Roads and Drainage Division
(Lot A)**

The Business Development Division evaluated the **5 bids** submitted for this project and found that the **2** Orange County Certified Minority Women Business Enterprise bidders **was not within 4%** of the low bid for bid awards \$2,000,000.01 to \$5,000,000.00. Hence, the bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 can not be applied.

c: Sheena Ferguson, Manager, Business Development Division



BID COMPARISON

Y16-1085-PD, Landscape Maintenance Roads and Drainage Division (Lot A)

Rank	Bidder	Bid Amount	\$ Over Low Bid	% Difference From Low Bid (4%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid
Low Bid	Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters	\$2,715,560				
2nd Low	P&L Lawn Maintenance Inc. (HM)	\$3,135,600	\$420,040	15.47%		
3rd Low	Lawnwalker Services, Inc.	\$3,203,763	\$488,203	17.98%	\$68,163	2.17%
4th Low	Groundtek of Central Florida, LLC (HM)	\$3,375,725	\$660,165	24.31%	\$240,125	7.66%
5th Low	Ameriscapes Landscape Management Services, LLC	\$5,967,690	\$3,252,130	119.76%	\$2,832,090	90.32%



Interoffice Memorandum

BUSINESS DEVELOPMENT DIVISION

July 14, 2016

TO: Perry Davis, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator 
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **IFB-Y16-1085-PD, Landscape Maintenance Roads and Drainage Division
(Lot B)**

The Business Development Division evaluated the **5 bids** submitted for this project and found that the **2** Orange County Certified Minority Women Business Enterprise bidders **was not within 5%** of the low bid for bid awards \$750,000.01 to \$2,000,000.00. Hence, the bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 can not be applied.

c: Sheena Ferguson, Manager, Business Development Division

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

BID COMPARISON

Y16-1085-PD, Landscape Maintenance Roads and Drainage Division (Lot B)

Rank	Bidder	Bid Amount	\$ Over Low Bid	% Difference From Low Bid (5%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid
Low Bid	Lawnwalker Services, Inc.	\$1,770,291.50				
2nd Low	Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters	\$2,443,575	\$673,284	38.03%		
3rd Low	Groundtek of Central Florida, LLC (HM)	\$3,628,125	\$1,857,834	104.95%	\$1,184,550	48.48%
4th Low	P&L Lawn Maintenance, Inc. (HM)	\$3,658,740	\$1,888,449	106.67%	\$1,215,165	49.73%
5th Low	Ameriscapes Landscape Management Services, LLC	\$5,081,340	\$3,311,049	187.03%	\$2,637,765	107.95%



BUSINESS DEVELOPMENT DIVISION

June 30, 2016

TO: Perry Davis, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator 
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **IFB-Y16-1085-PD, Landscape Maintenance Roads and Drainage Division
(Lot C)**

The Business Development Division evaluated the **5 bids** submitted for this project and found that the **2** Orange County Certified Minority Women Business Enterprise bidders **was not within 4%** of the low bid for bid awards \$2,000,000.01 to \$5,000,000.00. Hence, the bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 can not be applied.

c: Sheena Ferguson, Manager, Business Development Division



BID COMPARISON

Y16-1085-PD, Landscape Maintenance Roads and Drainage Division (Lot C)

Rank	Bidder	Bid Amount	\$ Over Low Bid	% Difference From Low Bid (4%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid
Low Bid	Lawnwalker Services, Inc.	\$2,168,717				
2nd Low	Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters	\$2,991,060	\$822,343	37.92%		
3rd Low	P&L Lawn Maintenance, Inc. (HM)	\$3,762,255	\$1,593,538	73.48%	\$771,195	25.78%
4th Low	Ameriscapes Landscape Management Services, LLC	\$5,577,690	\$3,408,973	157.19%	\$2,586,630	86.48%
5th Low	Groundtek of Central Florida, LLC (HM)	\$5,705,200	\$3,536,483	163.07%	\$2,714,140	90.74%



BUSINESS DEVELOPMENT DIVISION

July 14, 2016

TO: Perry Davis, Senior Purchasing Agent
Procurement Division

FROM: Kesi Warren, Senior Contract Administrator 
Business Development Division

SUBJECT: Business Development Division Bid Evaluation

PROJECT: **IFB-Y16-1085-PD, Landscape Maintenance Roads and Drainage Division
(Lot D)**

The Business Development Division evaluated the 4 bids submitted for this project and found that the 1 Orange County Certified Minority Women Business Enterprise bidder **was not within 5%** of the low bid for bid awards \$750,000.01 to \$2,000,000.00. Hence, the bid preference program in accordance with the County's M/WBE Ordinance, Section 17-324 can not be applied.

c: Sheena Ferguson, Manager, Business Development Division

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

BID COMPARISON

Y16-1085-PD, Landscape Maintenance Roads and Drainage Division (Lot D)

Rank	Bidder	Bid Amount	\$ Over Low Bid	% Difference From Low Bid (5%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid
Low Bid	Lawnwalker Services, Inc.	\$1,992,066				
2nd Low	Begley's Cleaning Service, Inc. dba Millennium Grounds & Waters	\$3,594,060	\$1,601,994	80.42%		
3rd Low	P&L Lawn Maintenance, Inc. (HM)	\$4,185,675	\$2,193,609	110.12%	\$591,615	16.46%
4th Low	Ameriscapes Landscape Management Services, LLC	\$5,592,390	\$3,600,324	180.73%	\$1,998,330	55.60%



Interoffice Memorandum

July 12, 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 Y16-769-PH, Rio Pinar Water and
Wastewater System Improvements Package 5

ACTION REQUESTED:

Approval to award Invitation for Bids Y16-769-PH, Rio Pinar Water and Wastewater System Improvements Package 5, to the low responsive and responsible bidder, Prime Construction Group, Inc. for the estimated contract award amount of \$6,249,999.

PROCUREMENT:

The improvements include installation of 23,200 linear feet of cured in place lining of sewer mains, 90 sewer laterals, rehabilitation of 75 sanitary sewer manholes, and lining of 30 sanitary sewer manholes. Remove and install 2,300 linear feet of gravity main, 900 linear feet of point repair, 35 laterals and 11 manholes. Install 16,025 linear feet of potable water main and 7 fire hydrants 85 sidewalk ADA curb ramps, milling and resurfacing of roadway disturbed by construction. This project is located in District 3.

FUNDING:

Funding is available in account numbers 4420-038-1427-6340 and 4420-038-1553-6340.

APPROVALS:

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

REMARKS:

Three bids were received. Prime Construction Group, Inc. has a satisfactory record of performance and is considered responsible.



BUSINESS DEVELOPMENT DIVISION

June 8, 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: Y16-769-PH / Rio Pinar Water and Wastewater System Improvements
Package 5

The Business Development Division evaluated the 3 bids submitted for this project and found that the apparent low bidder Prime Construction Group, Inc. did not achieve good faith effort documentation and reported 0.68% MWBE participation in their bid. Please note the following certified MWBE participation:

Wbe-wf	LP Video	\$2,500
Mbe-hm	Trujillo Trucking, Inc.	\$40,000
Total MWBE Participation		\$42,500.00 (0.68%)

The second low bid submitted by Metro Equipment Service, Inc. did not achieve good faith effort documentation and reported 8.17% MWBE participation in their bid.

The third low bid submitted by Pospiech Contracting, Inc did not achieve good faith effort documentation and reported 10.34% 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

DW

6/10/16

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BID COMPARISON

IFB-Y16-769-PH / Rio Pinar Water and Wastewater System Improvements Package 5

Rank	Bidder	Bid Amount	M/WBE \$'s in Bid	% M/WBE (Goal 25%)	GFE	\$ Over Low Bid	% Difference From Low Bid (3%)	\$ Over 2nd Low Bid	% Difference From 2nd Low Bid	EEO % M / W
Low Bid	Prime Construction Group, Inc.	\$6,249,999	\$42,500.00	0.68%	no					50/12
2nd Low	Metro Equipment Service, Inc.	\$6,887,020	\$562,525.00	8.17%	no	\$637,021	10.19%			62/3
3rd Low	Pospiech Contracting, Inc	\$9,000,000	\$930,514.65	10.34%	no	\$2,750,001	44.00%	\$2,112,980	30.68%	52/13



Interoffice Memorandum

July 11, 2016

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

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

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

SUBJECT: Approval of Amendment Number 4, Contract Y15-152-ZM, BDM Pharmacy
Application Licensing Support and Upgrades

ACTION REQUESTED:

Approval of Amendment Number 4, Y15-152-ZM, BDM Pharmacy Application Licensing Support and Upgrades with BDM IT Solutions, in the amount of \$36,725, for a revised total contract amount of \$135,924.

PROCUREMENT:

To provide BDM Pharmacy Application Licensing Support and Upgrades.

FUNDING:

Funding is available in accounts 0001 081 3806 3192 and 7016 060 7305 3192.

APPROVALS:

The Health Services Administration Division concurs with this recommendation.

REMARKS:

Contract Y15-152-ZM with BDM IT Solutions is a sole source term contract for licensing support and upgrades for the BDM Pharmacy Software. This software is used at the County Medical Clinic Pharmacy that participates in the Ryan White funded care program. BDM IT Solutions is the sole vendor who can provide licensing, support, and maintenance of the BDM Pharmacy software.

Amendment 4 will provide for upgrades to existing BDM Pharmacy software and for the implementation and support of e-prescribing services. E-prescribing services will provide the County the capability to process e-refill transactions, initiate electronic change requests for new prescriptions, initiate electronic notifications of a dispensed prescription, and initiate electronic responses to cancel prescription requests. The costs associated with providing the upgrades and additional e-prescription services are considered reasonable based on past upgrades performed by the Contractor for the County.

Page 2

Approval of Amendment Number 4, Contract Y15-152-ZM, BDM Pharmacy Application Licensing Support and Upgrades

Initially, the contract did not require Orange County Board of County Commissioner's approval as the purchasing award amount was for \$68,448.42.

The following are summaries of the previous contract amendments:

- a. Amendment 1- Modification to add prescription label software services in the amount of \$4,500.
- b. Amendment 2- Renewed the contract for the period October 15, 2015 through October 14, 2016
- c. Amendment 3- Modification to add custom reporting services for patients eligible for Ryan White funding in the amount of \$26,250.



Interoffice Memorandum

July 13, 2016

TO: Mayor Teresa Jacobs
and the Board of County Commissioners

FROM: Carrie Woodell, Manager, Procurement Division

CONTACT: Thomas Stangle, Assistant Manager, Utilities Field Services Division
407-836-6948

SUBJECT: Approval of Purchase Order M79937, Closed-Circuit Television
(CCTV) Inspection Vehicle

ACTION REQUESTED:

Approval of Purchase Order M79937, Closed-Circuit Television (CCTV) Inspection Vehicle to Elxsi Corp dba Cues, Inc., in the amount of \$374,400.

PROCUREMENT:

To purchase a Closed-Circuit Television (CCTV) Inspection Vehicle.

FUNDING:

Funding is available in the account number 4420 038 1347 6430.

APPROVALS:

The Utilities Field Services Division concurs with this recommendation.

REMARKS:

The Procurement Division approved standardization on Cues Vehicle Inspection Equipment in 2003. Cues Video Inspection Equipment allow for the Utilities Department to view data and videos in order to analyze and rehabilitate the County's sanitary sewer systems. Elxsi Corp dba Cues, Inc., is the sole manufacturer, distributor, and installer for Cues vehicle inspection equipment and accessories.

Price reasonableness has been determined based on market research performed by obtaining quotes through cooperative contracts.



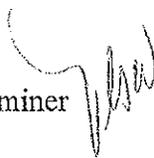
Interoffice Memorandum

REAL ESTATE MANAGEMENT ITEM 1

DATE: July 18, 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 BOAT DOCK RESTRICTION AGREEMENT BETWEEN WATERFORD POINTE HOMEOWNERS' ASSOCIATION, INC. AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Semi-Private Boat Dock on Lake Roberts (Permit # BD-15-05-067)
District 1

PURPOSE: To meet requirements of County Boat Dock Permit No. BD-15-05-067.

ITEM: Boat Dock Restriction Agreement

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

REMARKS: County Boat Dock Permit No. BD-15-05-067 (Permit) issued by Orange County Environmental Protection Division requires this Boat Dock Restriction Agreement (Agreement). The Agreement states that the Permit allows construction of a semi-private boat dock and cites County Code Section 15-344 which requires the owner to restrict the construction of additional boat docks on the Subject Property that would exceed the maximum allowed for private docks under Article IX, Chapter 15 thereof. The County is executing this document to reflect approval of its terms and conditions.

Owner to pay recording fees.

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



Interoffice M

REAL ESTATE MANAGEMENT ITEM 2

DATE: July 15, 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 EASEMENT BETWEEN ORANGE COUNTY AND DUKE ENERGY FLORIDA, LLC, D/B/A DUKE ENERGY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: 18925 Lansing Street, Orlando, FL 32833
District 5

PURPOSE: To provide for access, construction, operation, and maintenance of electrical facilities by Duke Energy.

ITEM: Easement
Revenue: None
Size: 6,104.81 square feet

APPROVALS: Real Estate Management Division
County Attorney's Office
Housing and Community Development Division
Risk Management Division

REMARKS:

This Easement will replace two existing easements over the property and provide Duke Energy Florida, LLC, d/b/a Duke Energy (Grantee) the right to install and maintain electrical distribution lines and related facilities for new electrical service to the County property. Grantee will release the existing easements after recording of this replacement Easement.

Grantee 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:

REAL ESTATE MANAGEMENT ITEM 3

DATE: July 18, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Russell L. Corriveau, Senior Acquisition Agent *RLC*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

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

ACTION REQUESTED: APPROVAL OF DONATION AGREEMENT, SIDEWALK EASEMENT, AND RIGHT OF ENTRY FROM LMC PROPERTIES, INC., SUCCESSOR BY MERGER WITH ORLANDO CENTRAL PARK, INC. AND ORANGE COUNTY AND AUTHORIZATION TO DISBURSE FUNDS TO PAY ALL RECORDING FEES AND RECORD INSTRUMENT

PROJECT: International Drive Transit Lanes
(Destination Parkway to Sand Lake Road)

District 6

PURPOSE: To provide for access, construction, operation, and maintenance of road widening improvements.

ITEMS: Donation Agreement (Parcel 8054D/7054)

Sidewalk Easement (Instrument 8054D.1)
Cost: Donation
Size: 13,485 square feet

Right of Entry (Instrument 7054.1A)
Term: 5 years or upon completion of construction, whichever occurs first

BUDGET: Account No.: 1246-072-5070-6110

FUNDS: \$53.20 Payable to Orange County Comptroller
(all recording fees)

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

REMARKS: The Sidewalk Easement is needed along Universal Boulevard in connection with the installation of transit lanes along International Drive. The sidewalks are being added for pedestrian safety and are being donated by LMC Properties. The Right of Entry is needed to enter the property for the purpose of harmonizing the existing driveway with the new sidewalk improvements. County shall provide a written notice of termination of the right of entry upon completion of construction.

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

REAL ESTATE MANAGEMENT ITEM 4

DATE: July 18, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Russell L. Corriveau, Senior Acquisition Agent *RLC*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

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

ACTION REQUESTED: APPROVAL OF DONATION AGREEMENT, SIDEWALK EASEMENT, AND RIGHT OF ENTRY FROM LOCKHEED MARTIN CORPORATION, F/K/A MARTIN MARIETTA CORPORATION, F/K/A THE MARTIN COMPANY, F/K/A THE GLENN L. MARTIN COMPANY AND ORANGE COUNTY AND AUTHORIZATION TO DISBURSE FUNDS TO PAY ALL RECORDING FEES AND RECORD INSTRUMENT

PROJECT: International Drive Transit Lanes
(Destination Parkway to Sand Lake Road)

District 6

PURPOSE: To provide for access, construction, operation, and maintenance of road widening improvements.

ITEMS: Donation Agreement (Parcel 8056/7056)

Sidewalk Easement (Instrument 8056.1)

Cost: Donation

Size: 5,766 square feet

Right of Entry (Instrument 7056.1)

Term: 5 years or upon completion of construction, whichever occurs first

BUDGET: Account No.: 1246-072-5070-6110

FUNDS: \$53.20 Payable to Orange County Comptroller
(all recording fees)

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

REMARKS: The Sidewalk Easement is needed along Universal Boulevard in connection with the installation of transit lanes along International Drive. The sidewalks are being added for pedestrian safety and are being donated by Lockheed Martin Corporation. The Right of Entry is needed to enter the property for the purpose of harmonizing the existing driveway with the new sidewalk improvements. County shall provide a written notice of termination of the right of entry upon completion of construction.

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.



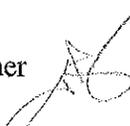
Interoffice Memo

REAL ESTATE MANAGEMENT ITEM 5

DATE: July 18, 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 OF WARRANTY DEED FROM ASHTON ORLANDO RESIDENTIAL, L.L.C. TO ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Latham Park South OCU Permit: 13-S-059 OCU File #: 74605

District 1

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

ITEM: Warranty Deed
Cost: Donation
Size: 1,670.69 square feet

APPROVALS: Real Estate Management Division
Utilities Department
Risk Management Division

REMARKS: This conveyance provides a lift station site for the County.

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

REAL ESTATE MANAGEMENT ITEM 6

DATE: July 18, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Kim Heim, Title Examiner 
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

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

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT BETWEEN JY-TV ASSOCIATES, LLC AND ORANGE COUNTY, SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM WELLS FARGO BANK AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Promenade Grande Lakes Parcel 8C OCU Permit: B14903551
OCU File #: 80606

District 4

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

ITEMS: Utility Easement
Cost: Donation
Total size: 4,648 square feet

Subordination of Encumbrances to Property Rights to Orange County

APPROVALS: Real Estate Management Division
Utilities 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 Memorandum

REAL ESTATE MANAGEMENT ITEM 7

DATE: July 18, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

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

FROM: Kim Heim, Title Examiner *KH*
Real Estate Management Division

CONTACT PERSON: Ann Caswell, Manager

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

ACTION REQUESTED: APPROVAL OF UTILITY EASEMENT BETWEEN VILLAGE LAKE RETAIL LLC AND ORANGE COUNTY, SUBORDINATION OF ENCUMBRANCES TO PROPERTY RIGHTS TO ORANGE COUNTY FROM SUNTRUST BANK AND AUTHORIZATION TO RECORD INSTRUMENTS

PROJECT: Retail at Village Lake Road NC
OCU Permit: B15903715 OCU File #: 83846

District 1

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

ITEMS: Utility Easement
Cost: Donation
Size: 268 square feet

Subordination of Encumbrances to Property Rights to Orange County

APPROVALS: Real Estate Management Division
Utilities 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 M

REAL ESTATE MANAGEMENT ITEM 8

DATE: July 18, 2016

TO: Mayor Teresa Jacobs
and the
Board of County Commissioners

THROUGH: Ann Caswell, Manager 
Real Estate Management Division

FROM: Kim Heim, Title Examiner 
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 COUNTRY RUN DEVELOPMENT, LLC AND ORANGE COUNTY AND AUTHORIZATION TO RECORD INSTRUMENT

PROJECT: Terraces at Country Run Project #CAI-14-06-019
District 2

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

ITEM: Conservation and Access Easement
Cost: Donation
Total size: 5.233 acres

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

REMARKS:

Conservation Area Impact Permit No. 14-06-019 issued by Orange County Environmental Protection Division requires a Conservation Easement on a portion of the site being developed. This 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 preserved pursuant to the Permit shall be retained and maintained in the preserved condition as required by the Permit.

The Grantor is providing access to the Conservation Easement through the Project Site, which lies east of Country Run Subdivision. 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 Grantee 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 6, 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: **Bradley Campbell, Assistant Manager**
Code Enforcement Division
(407) 836-4220

SUBJECT: August 2, 2016 – Consent Items
 Resolutions for Special Assessment Lien(s) Lot Cleaning (40)

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

<u>Case No.</u>	<u>Dist.#</u>	<u>Property Owner</u>	<u>Amount*</u>
LC 16-0650	1	CURTIS PATRICIA S ESTATE	\$ 365.12
LC 16-0651	1	WATKINS KRISTY IVES 12.5%; LOBELLO KIMBERLY 12.5%; DELISA KELLY A IVES 12.5%; IVES JOHN S 50%; BRACK KERREY A 12.5%	\$ 125.28
LC 16-0678	1	FOLSOM SHEILA P	\$ 1,749.62
LC 16-0087	2	MCBRIDE QUWI	\$ 146.49
LC 16-0520	2	BERTRAM MELAHN M 1/18 INT; HAND LOUIS P JR TR 1/12; MCALISTER JOAN M 1/18 INT; THOMPSON LINDA H 1/12; BAILES CHARLES E JR 1/3 INT; PEGGY MURPHY TRUST 1/18INT; SALINITRO SYLVIA 1/6 INT; KENDALL RICHARD 1/6 INT	\$ 22,720.22
LC 16-0571	2	LEGLISE EVANGELIQUE BETHESDA INC	\$ 85.97
LC 16-0638	2	CHISHOLM WILBERT	\$ 3,759.30
LC 16-0639	2	ROBESON ISIAH	\$ 562.62

Page Two
 August 2, 2016 – Consent Items
 Resolutions for Special Assessment Lien(s) Lot Cleaning (40)

<u>Case No.</u>		<u>Property Owner</u>	<u>Amount*</u>
LC 16-0649	2	MITCHELL HEATHER MCCORD; MITCHELL MOLLY MCCORD	\$ 628.12
LC 16-0676	2	WILLIAMS RICHARD KEITH; WILLIAMS CATHY L	\$ 634.62
LC 16-0677	2	LINDBERG CARL E ESTATE	\$ 838.12
LC 16-0681	2	TRIUMPH THE CHURCH AND KINGDOM OF GOD IN CHRIST	\$ 455.17
LC 16-0683	2	ATTIVA-WILLOW LLC	\$ 191.67
LC 16-0686	2	TAYLOR PERVIS C	\$ 1,320.62
LC 16-0689	2	POSTELL ANTONIO T	\$ 1,015.62
LC 16-0624	3	US BANK CUSTODIAN	\$ 480.65
LC 16-0628	3	HUNGERFORD CHARLOTTE ESTATE	\$ 586.80
LC 16-0653	3	MARANATHA HAITIAN BAPTIST CHURCH OF ORLANDO INC	\$ 442.78
LC 16-0636	4	GANTOS TONIA; FINNEY JASON	\$ 188.42
LC 16-0637	4	HENRY JOHN RAY ESTATE	\$ 101.14
LC 16-0298	5	GRAL INVESTMENTS LLC	\$ 357.60
LC 16-0661	5	DAVIS ROGER A	\$ 1,642.42
LC 16-0669	5	LE QUOC; LE WATERS	\$ 376.24
LC 16-0211	6	AHMED SHAFIQ	\$ 497.90
LC 16-0356	6	ROAMIN FOR HOUSES LLC	\$ 266.14
LC 16-0598	6	PIERRE LORETTE	\$ 562.50
LC 16-0614	6	NED LOONEY LAND TRUST	\$ 1,445.58
LC 16-0615	6	WATSON COLIN E	\$ 174.42
LC 16-0617	6	NARINE DRUPATIE; NARINE DOODNAUTH	\$ 214.15
LC 16-0618	6	ROLLERSON SENITA	\$ 393.80
LC 16-0620	6	ESTRADA JUAN; ESTRADA AURORA	\$ 377.57
LC 16-0621	6	TRUST NO 3515A	\$ 432.17
LC 16-0623	6	INDAR DAVID	\$ 452.63
LC 16-0626	6	ALKUBAISI ABDULLA; ALKUBAISI WANDA FELINA	\$ 365.60
LC 16-0629	6	MCCOY JOHNNIE B; JACKSON ADRIENNE	\$ 397.31
LC 16-0630	6	WAVERIDERS P L	\$ 352.16
LC 16-0631	6	NED LOONEY LAND TRUST	\$ 383.70
LC 16-0640	6	RAMVALES INVESTMENTS INC	\$ 813.75
LC 16-0642	6	CITY STRUCTURES INVESTMENTS LLC	\$ 478.87
LC 16-0658	6	BRICE LILLY	\$ 216.67

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

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

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

JWW/BC:th



Interoffice Mem

AGENDA ITEM

July 11, 2016

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

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

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

SUBJECT: August 2, 2016 – Consent Item
Environmental Protection Commission Recommendation for a
Variance to Roof Height for Michael Thompson

The project site is located at 5518 Isleworth Country Club Drive on Lake Butler. The Parcel ID is 16-23-28-3899-01-480. The subject property is located in Orange County Commission District 1.

On March 14, 2016, the Environmental Protection Division (EPD) received an Application to Construct a Dock with an Application for Variance to Section 15-342 (e) (roof height). The Code allows a maximum of 12 feet above the floor elevation of the deck. The Applicant is requesting a roof height of 14 feet above the floor elevation.

In addition, as part of this Boat Dock permit, the Applicant requested a waiver to Section 15-343(b) (side setback) to construct the new access walkway following the same alignment as the existing walkway, which places the side setback at 12 feet from the eastern projected property limits. This waiver request has been approved by the Environmental Protection Officer (EPO) pursuant to Section 15-343(b) since there was no objection from the affected adjacent neighbor; therefore, no action is required by the Board of County Commissioners for this request.

Page Two

August 2, 1016 – Consent Item

Environmental Protection Commission Recommendation for a Variance to Roof Height for Michael Thompson

Roof Height Variance

Section 15-342(e) states, "The maximum roof height shall be no higher than twelve (12) feet above the floor elevation." The current plan is for the dock roof height to be 14 feet above the deck.

Pursuant to Section 15-350(a)(1), Variances, "the applicant shall also describe (1) how strict compliance with the provisions from which a variance is sought would impose a unique and unnecessary hardship on the applicant - the hardship cannot be self-imposed; and (2) the effect of the proposed variance on abutting shoreline owners."

To address Section 15-350(a)(1)(1), the applicant has stated, "*this boathouse is being constructed on the shoreline of a very large house on a double lot in Isleworth. The additional height is necessary to give the boathouse a more appropriate visual appearance and to allow the roof pitch to be adequate for a tile roof, matching the main house.*"

To address Section 15-350(a)(1)(2), the applicant has stated, "*The additional height will not negatively impact the view from the adjacent property.*"

Pursuant to Section 15-347(a), notices of the variance request for the roof height were sent to the neighboring shoreline property owners within 300 feet. No objections have been received.

Environmental Protection Commission (EPC) Recommendation

Although the Applicant has not clearly demonstrated that the hardship is not self-imposed, he believes there is a unique hardship for a tile roof to match the façade of the new home on a double-lot and this requires a roof height of 14-feet. It was determined that this will not negatively impact the environment and there have been no objections to the variance request. Therefore, the recommendation of the EPO was to approve the request for variance to Section 15-342 (e) (roof height). Based on the evidence and testimony presented at the June 29, 2016 public hearing, the EPC made a recommendation to approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height) for the Thompson Boat Dock permit BD-16-02-016.

ACTION REQUESTED: Acceptance of the Recommendation of the Environmental Protection Commission to approve the request for variance to Orange County Code, Chapter 15, Article IX, Section 15-342(e) (roof height) for the Thompson Boat Dock Construction Permit BD-16-02-016. District 1

JWW/LC: mg

Attachments



ENVIRONMENTAL PROTECTION COMMISSION

David Ward
Chairman

Jonathan Hueis
Vice Chairman

Paul Arnold

Tom Prusoff

Tom Dambach

Tom Corbett

Mark Harty

ENVIRONMENTAL PROTECTION DIVISION
Lori Cuniff, CEP, CHMM, Deputy Director
Community, Environmental and Development Services Department
4155 Victoria Park, Suite 200
Orlando, FL 32835-3727
407 836 1400 • fax 407 836 1405
www.ecfl.net

ORANGE COUNTY
ENVIRONMENTAL PROTECTION COMMISSION
June 29, 2016

PROJECT NAME: Michael Thompson BD
PERMIT APPLICATION NUMBER: BD-16-02-016
LOCATION/ADDRESS: 5518 Isleworth Country Club Drive

RECOMMENDATION:

PURSUANT TO ORANGE COUNTY CODE, CHAPTER 15, ARTICLE IX, SECTION 15-350(b), APPROVE THE REQUEST FOR VARIANCE TO SECTION 15-342(e) (ROOF HEIGHT) FOR THE THOMPSON BOAT DOCK PERMIT# BD-16-02-016.

EPC AGREES WITH THE ACTION REQUESTED, AS PRESENTED

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

Signature of EPC Chairman: David R. Ward

EPC RECOMMENDATION DATE: 6/29/16



APPLICATION TO CONSTRUCT A DOCK APPLICATION FOR VARIANCE

(Pursuant to Orange County Code, Chapter 15, Article IX, Section 15-350(a)(1))

Mail or Deliver To: Orange County Environmental Protection Division, 800 Mercy Drive, Suite 4, Orlando, Florida 32808, (407) 836-1400, Fax (407) 836-1499

Enclose a check for \$409.00 payable to The Board of County Commissioners

I, Sheila Cichra on behalf of Michael Thompson (if applicable) pursuant to Orange County Code Chapter 15, Article IX, Section 15-350(a)(1) am requesting a variance to section 15-342 (e) of the Orange County Dock Construction Ordinance.

1. Describe how strict compliance with the provisions from which a variance is sought would impose a unique and unnecessary hardship on the applicant (the hardship cannot be self-imposed):

This boathouse is being constructed on the shoreline of a very large house on a double lot in Isleworth. The additional height is necessary to give the boathouse a more appropriate visual appearance and to allow the roof pitch to be adequate for a tile roof, matching the main house.

2. Describe the effect of the proposed variance on abutting shoreline owners:

The additional height will not negatively impact the view from the adjacent property.

Notice to the Applicant:

The environmental protection officer, environmental protection commission and the Board of County Commissioners may require additional information necessary to carry out the purposes of this article.

A variance application may receive an approval or approval with conditions when such variance: (1) would not be contrary to the public interest; (2) where, owing to special conditions, compliance with the provisions herein would impose an unnecessary hardship on the permit applicant; (3) that the hardship is not self-imposed; and (4) the granting of the variance would not be contrary to the intent and purpose of this article.

By signing and submitting this application form, I am applying for a variance to the Orange County Dock Construction Ordinance identified above, according to the supporting data and other incidental information filed with this application. I am familiar with the information contained in this application, and represent that such information is true, complete, and accurate. I understand this is an application and not a permit, and that work conducted prior to approval is a violation. I understand that this application and any permit issued pursuant thereto, does not relieve me of any obligation for obtaining any other required federal, state, or local permits prior to commencement of construction. I understand that knowingly making any false statements or representation in this application is a violation of Sections 15-341 & 15-342, Orange County Code.

Name of Applicant: Sheila Cichra

Signature of Applicant/Agent

Date: 02/08/2016

Corporate Title (if applicable): President, Streamline Permitting, Inc.

Boat Dock Variance Request



Boat Dock Variance Request

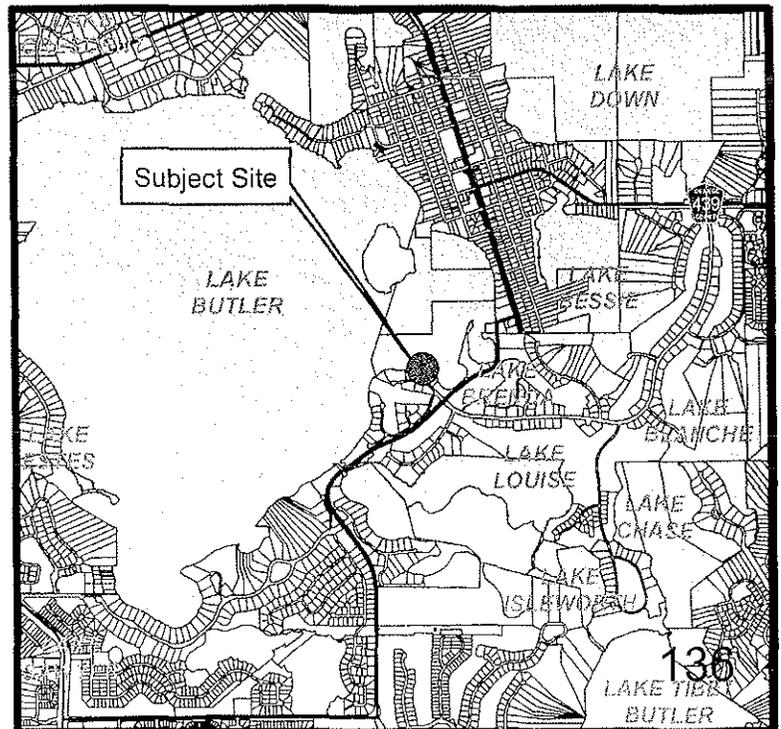
District #1

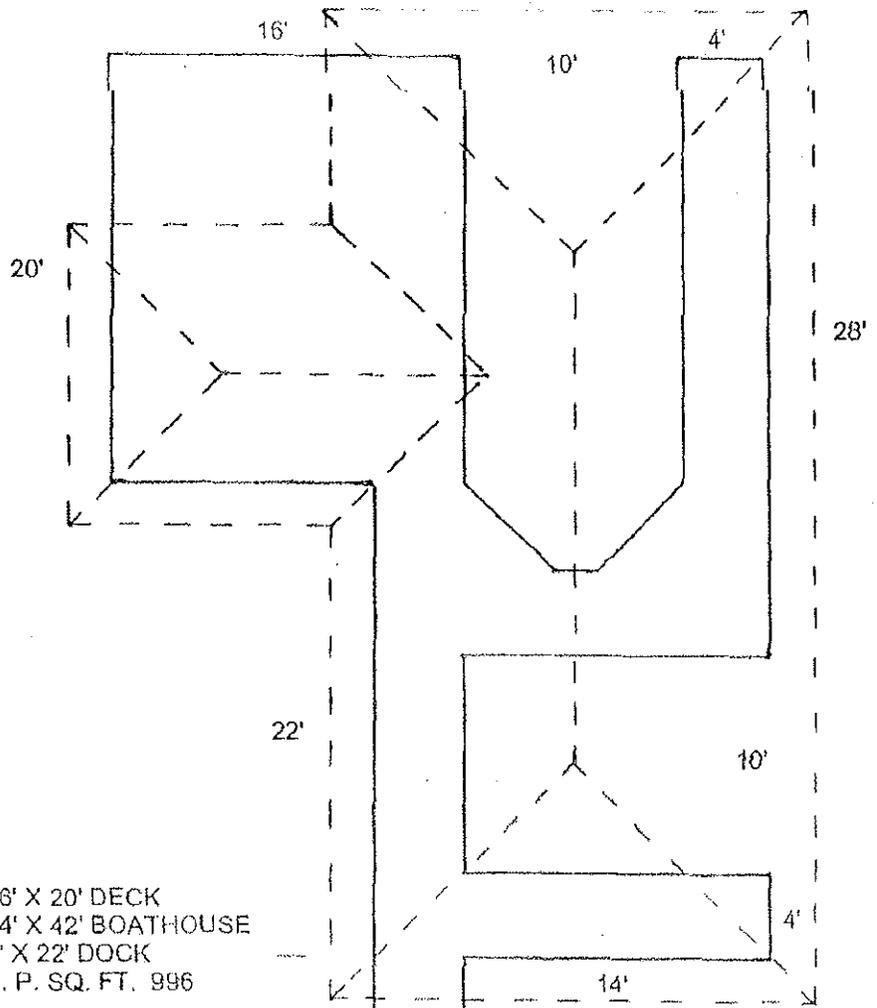
Applicant: Michael Thompson

Parcel IDs: 16-23-28-3899-01-480

Project Site

Property Location ●





16' X 20' DECK
 14' X 42' BOATHOUSE
 4' X 22' DOCK
 T. P. SQ. FT. 996

THOMPSON FLOOR PLAN
 5518 ISLEWORTH COUNTRY CLUB DR
 WINDERMERE, FL 34786

LAKE BUTLER

165'

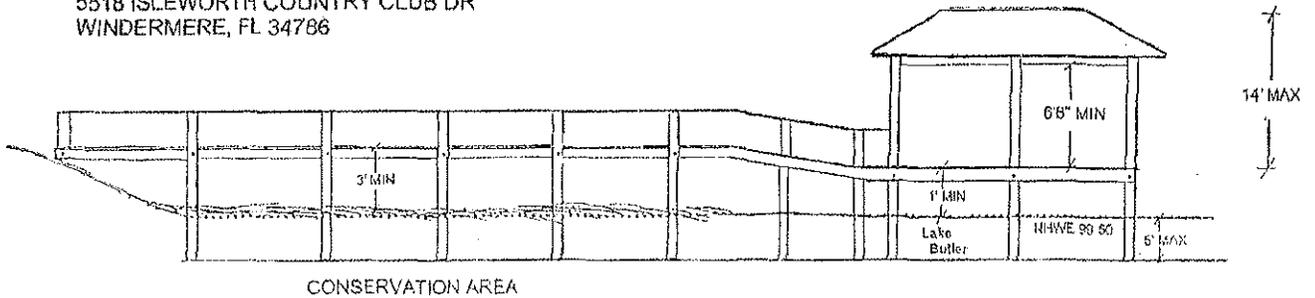
NHWE 99.50

CONSERVATION EASEMENT

4'

24'

THOMPSON ELEVATION
5518 ISLEWORTH COUNTRY CLUB DR
WINDERMERE, FL 34786





Interoffice Memorandum

AGENDA ITEM

July 8, 2016

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

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

CONTACT PERSON: **Scott Skraban, Acting Manager** *SS*
Fiscal and Operational Support Division
(407) 836-5363

SUBJECT: August 2, 2016 — Consent Item
United Global Outreach Inc. Application for Impact Fee Grants
for Qualified Non-profit Organizations

United Global Outreach Inc. has submitted a request for a \$4,512.40 grant from the County's Non-Profit Impact Fee Grant Program to help pay for the law enforcement, fire rescue and road impact fees assessed by the County on the proposed facility. United Global Outreach Inc. is requesting to build a model center of an affordable housing residence. The structure will be located in unincorporated Orange County. The building will total approximately 778 square feet in size.

The Internal Revenue Service has recognized the United Global Outreach Inc. as a 501 (c) (3) tax-exempt organization and county staff has reviewed the grant request. Staff has determined the applicant to be eligible for the county's Non-Profit Impact Fee Grant Program as described in Administrative Regulation 6.15.01. The application, staff review sheet, and permit information sheet are attached. The complete application with all supporting documentation has been reviewed by the Grant Oversight Committee and is on file and available for examination in the Fiscal and Operational Support Division.

ACTION REQUESTED: Approval of Application for Impact Fee Grant For Qualified Non-Profit Organizations in the amount of \$4,512.40 to be used for the Law Enforcement, Fire Rescue and Road Impact Fees for the United Global Outreach Inc. – Model Center. District 5

JEH/SS/hb

Attachments

Staff Review Sheet Impact Fee Grant Requests for Non-Profits

Non-profit Name: **United Global Outreach Inc.**

Address: 18401 11th Ave. Orlando, FL 32833

Contact Person: Timothy McKinney

BCC District: #5

Estimated Fees: \$4,512.40

Requested Funding: \$4,512.40

Use: The United Global Outreach Inc. is to build affordable housing for forgotten communities.

SCORING:

Tax Exempt (Y/N)	Y
Budget (Y/N)	Y
Accessibility	S
Purpose	S
Benefit Area	S
Established	S
Building Permit Number:	B16-900393

S = Satisfactory N = Not Satisfactory

COMMENTS: The United Global Outreach Inc. would like to build a model center for affordable housing residents of Orange County.

RECOMMENDATION: APPROVAL

No-03

District 5

RECEIVED

JUN 02 2016

Growth Management

Fiscal & Admin. Services



APPLICATION FOR IMPACT FEE GRANT FOR QUALIFIED NON-PROFIT ORGANIZATIONS

Orange County Concurrency Management Office
Community, Environmental and Development Services Department
201 South Rosalind Avenue, 2nd Floor

Mailing address: PO Box 1393
Orlando, Florida 32802-1393
Phone: (407) 836-5691

The Orange County Board of County Commissioners created this Non-Profit Impact Fee Grant Program to assist qualified non-profit organizations that provide community services to County residents. The maximum grant amount is \$10,000, which can be used to defray the impact fee costs of new construction. To apply for an impact fee grant, please complete this application and return the signed originals (faxed applications will not be processed) and all required attachments (see checklist below) in person or by mail to the Concurrency Management Office.

NOTE: A valid building permit application is required prior to filing this application. Filing of a building permit application does not, however, guarantee this grant will be approved. The required review and Board of County Commissioners approval of this application may require 45 to 60 days to complete, so please plan accordingly. Grant approval in no way supersedes existing zoning or building specifications and requirements.

1. Application Checklist (please indicate the forms and documentation you are submitting with your application)

Table with 2 columns: Form and When Required. Rows include Agent Authorization, Relationship Disclosure Form, Specific Project Expenditure Report, Proof of your organization's Section 501(c)(3) certification, A copy of your organization's current fiscal year budget, A copy of your organization's budget for the project, and Floor plan of the proposed structure/addition.

2. Background Information

Non-profit organization name United Global Outreach

Applicant name Timothy McKinney

Address, city, state, ZIP 18401 11th Avenue, Orlando, FL 32833

Phone 407-810-2214 Fax Email tim@ugo2.org

3. Description of Services (please be detailed—use attachments as needed)

A. Please briefly describe your non-profit organization's mission, history, and services.

UGO's mission is to positively transform forgotten communities into places in which we'd all want to live; by targeting 9 areas of focus: education, transportation, housing, basic needs, building a sense of community, healthcare, environment, economic prosperity, and the arts. The organization has a history of successfully providing for the Bithlo community in these areas through relationships and strategic partnerships with other not for profits and for profits alike.

B. What will be the primary purpose or use of the new structure/addition? (Supporting documentation may be required.)

The structure proposed is a model for affordable housing. It will be unoccupied. However, it will be presented to the community and potential donors in order to raise funds for a village of affordable houses in the form of small homes. It shall not impact the roads or public utilities in any way that is substantial, since most of the marketing will be done through video and virtual tours. The main purpose of the structure is to prove quality and contractibility.

C. Will there be secondary purposes or uses for the new structure/addition? If so, please explain. (Supporting documentation may be required.)

No.

D. Please describe the clientele to be served by the new structure/addition, as well as the structure's anticipated service area.

The clientele will be interested donors (i.e. banks, corporations, community partners, churches, etc.), who would like to gauge that quality of the structure before committing to sponsorship of another replica, to be built on a different site.

3. Description of Services (continued)

E. Will any fees be charged to those who use the services provided at the new structure/addition?

No.

F. Will any County residents be ineligible for the services provided at the new structure/addition?

No.

G. Is your organization presently receiving any other funding from Orange County? If so, please explain.

No.

4. Tax-Exempt Status and Financial Information

Is your non-profit organization exempt from taxation under Title 26, Section 501(c)(3) of the U.S. Code?

Yes No

(NOTE: To be eligible, you must attach proof of your organization's Section 501(c)(3) certification, a copy of your organization's budget for the current fiscal year, and a copy of your organization's budget for the project.)

5. Project Details for the Proposed New Structure/Addition

Building permit application number B16900393

Physical address 18401 11th Avenue, Orlando, FL 32833

Square footage of the proposed structure/addition 535 sq. ft.

Portion to be used for primary purpose or use identified in Section 3B (please indicate on project floor plan)

Entire, to be used as model - 535 sq. ft.

6. Audits, Records and Records Retention

Any NFP receiving a grant pursuant to this program shall establish and maintain documentation, in a format acceptable to Orange County, adequately demonstrating that the construction project was completed and used to provide the services described in the original approved application and shall provide such documentation to Orange County one (1) year after completion of construction. The NFP shall furthermore retain all financial records, supporting documents, and any other documents pertinent to the use of grant funds for a period of three (3) years after completion of any construction related to the impact fee grant. Orange County shall have the right to inspect the NFP's activities and records as reasonably necessary to confirm compliance with this program.

IMPORTANT: Impact fees are due at the time a building permit is issued. This impact fee grant cannot be used until officially approved by the Board of County Commissioners. If an applicant chooses to pull building permits prior to grant approval, this grant application is voided because the grant cannot be applied retroactively.

7. Request and Signature

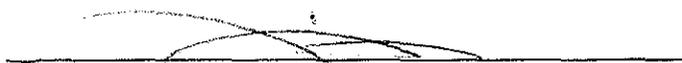
I, Timothy McKinney, am the duly authorized representative of United Global Outreach.

(Name of authorized representative)

(Name of non-profit organization)

This organization requests that the above-referenced project be considered for a grant in the amount of \$ 4,512.40 to be applied toward road, fire, and sheriff impact fees due on the project's building permit.

I hereby certify that the information submitted with and pursuant to this application is true and correct to the best of my knowledge.


(Signature)

5-23-16
(Date)

For Staff Use Only:
Initially submitted on 05/23/16
Updated on _____
Project Name (as filed) New Dignity Homes
Case Number B16900393

RELATIONSHIP DISCLOSURE FORM
FOR USE WITH DEVELOPMENT RELATED ITEMS, EXCEPT THOSE WHERE THE
COUNTY IS THE PRINCIPAL OR PRIMARY APPLICANT

This relationship disclosure form must be submitted to the Orange County department or division processing your application at the time of filing. In the event any information provided on this form should change, the Owner, Contract Purchaser, or Authorized Agent(s) must file an amended form on or before the date the item is considered by the appropriate board or body.

Part I

INFORMATION ON OWNER OF RECORD PER ORANGE COUNTY TAX ROLLS:

Name: United Global Outreach
Business Address (Street/P.O. Box, City and Zip Code): 18401 11th Avenue
Orlando, FL 32833
Business Phone (407) 810 - 2214
Facsimile () _____

INFORMATION ON CONTRACT PURCHASER, IF APPLICABLE:

Name: N/A
Business Address (Street/P.O. Box, City and Zip Code): _____
Business Phone () _____
Facsimile () _____

INFORMATION ON AUTHORIZED AGENT, IF APPLICABLE:

(Agent Authorization Form also required to be attached)

Name: N/A
Business Address (Street/P.O. Box, City and Zip Code): _____
Business Phone () _____
Facsimile () _____

For Staff Use Only:
Initially submitted on 05/23/16
Updated on _____
Project Name (as filed) New Dignity Homes
Case Number B16900393

Part II

**IS THE OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT A
RELATIVE OF THE MAYOR OR ANY MEMBER OF THE BCC?**

YES NO

**IS THE MAYOR OR ANY MEMBER OF THE BCC AN EMPLOYEE OF THE
OWNER, CONTRACT PURCHASER, OR AUTHORIZED AGENT?**

YES NO

**IS ANY PERSON WITH A DIRECT BENEFICIAL INTEREST IN THE OUTCOME
OF THIS MATTER A BUSINESS ASSOCIATE OF THE MAYOR OR ANY
MEMBER OF THE BCC? (When responding to this question please consider all
consultants, attorneys, contractors/subcontractors and any other persons who may have
been retained by the Owner, Contract Purchaser, or Authorized Agent to assist with
obtaining approval of this item.)**

YES NO

If you responded "YES" to any of the above questions, please state with whom and
explain the relationship:

(Use additional sheets of paper if necessary)

For Staff Use Only:
Initially submitted on 05/23/16
Updated on _____
Project Name (as filed) New Dignity Homes
Case Number B16900393

Part III
ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this relationship disclosure form is true and correct based on my knowledge and belief. If any of this information changes, I further acknowledge and agree to amend this relationship disclosure form prior to any meeting at which the above-referenced project is scheduled to be heard. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

[Signature]
Signature of Owner, Contract Purchaser
or Authorized Agent

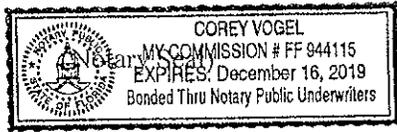
Date: 5-23-16

Print Name and Title of Person completing this form: Timothy McKinney, CEO/VP

STATE OF FLORIDA :
COUNTY OF Orange :

I certify that the foregoing instrument was acknowledged before me this 23 day of May, 2016 by Timothy McKinney. He/she is personally known to me or has produced Florida Driver's License as identification and did take an oath.

Witness my hand and official seal in the county and state stated above on the 23 day of May, in the year 2016.



[Signature]
Signature of Notary Public
Notary Public for the State of Florida
My Commission Expires:
December 16, 2019

Staff signature and date of receipt of form
Staff reviews as to form and does not attest to the accuracy or veracity of the information provided herein.

For Staff Use Only:

Initially submitted on 05/23/16

Updated On _____

Project Name (as filed) New Dignity Homes

Case or Bid No. B16900393

ORANGE COUNTY SPECIFIC PROJECT EXPENDITURE REPORT

This lobbying expenditure form shall be completed in full and filed with all application submittals. This form shall remain cumulative and shall be filed with the department processing your application. Forms signed by a principal's authorized agent shall include an executed Agent Authorization Form.

This is the initial Form: X
This is a Subsequent Form: _____

Part I

Please complete all of the following:

Name and Address of Principal (legal name of entity or owner per Orange County tax rolls): _____
United Global Outreach, PO Box 536157, Orlando, FL 32853-6157

Name and Address of Principal's Authorized Agent, if applicable: N/A

List the name and address of all lobbyists, consultants, contractors, subcontractors, individuals or business entities who will assist with obtaining approval for this project. (Additional forms may be used as necessary.)

1. Name and address of individual or business entity: New Dignity Homes, 385 Douglas Avenue, Suite 2050, Allamonte Springs, FL 32714
Are they registered Lobbyist? Yes or No
2. Name and address of individual or business entity: OM Projects & Design, 1255 Belle Ave., Suite 188, Winter Springs, FL 32708
Are they registered Lobbyist? Yes or No
3. Name and address of individual or business entity: Cornerstone Construction Services, Inc., 4205 Edgewater Drive, Orlando, FL 32804
Are they registered Lobbyist? Yes or No
4. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes or No
5. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes or No
6. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes or No
7. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes or No
8. Name and address of individual or business entity: _____
Are they registered Lobbyist? Yes or No

For Staff Use Only:

Initially submitted on 05/23/16

Updated On _____

Project Name (as filed) New Dignity Homes

Case or Bid No. B16900393

**Part II
 Expenditures:**

For this report, an "expenditure" means money or anything of value given by the principal and/or his/her lobbyist for the purpose of lobbying, as defined in section 2-351, Orange County Code. This may include public relations expenditures including, but not limited to, petitions, fliers, purchase of media time, cost of print and distribution of publications. However, the term "expenditure" **does not** include:

- Contributions or expenditures reported pursuant to chapter 106, Florida Statutes;
- Federal election law, campaign-related personal services provided without compensation by individuals volunteering their time;
- Any other contribution or expenditure made by or to a political party;
- Any other contribution or expenditure made by an organization that is exempt from taxation under 26 U.S.C. s. 527 or s. 501(c)(4), in accordance with s.112.3215, Florida Statutes; and/or
- Professional fees paid to registered lobbyists associated with the project or item.

The following is a complete list of all lobbying expenditures and activities (including those of lobbyists, contractors, consultants, etc.) incurred by the principal or his/her authorized agent and expended in connection with the above-referenced project or issue. **You need not include de minimus costs (under \$50) for producing or reproducing graphics, aerial photographs, photocopies, surveys, studies or other documents related to this project.**

Date of Expenditure	Name of Party Incurring Expenditure	Description of Activity	Amount Paid
TOTAL EXPENDED THIS REPORT			\$0.00

Specific Project Expenditure Report (Revised November 5, 2010)
For use as of March 1, 2011

For Staff Use Only:

Initially submitted on 05/23/16

Updated On _____

Project Name (as filed) New Dignity Homes

Case or Bid No. B16900393

Part III

ORIGINAL SIGNATURE AND NOTARIZATION REQUIRED

I hereby certify that information provided in this specific project expenditure report is true and correct based on my knowledge and belief. I acknowledge and agree to comply with the requirement of section 2-354, of the Orange County code, to amend this specific project expenditure report for any additional expenditure(s) incurred relating to this project prior to the scheduled Board of County Commissioner meeting. I further acknowledge and agree that failure to comply with these requirements to file the specific expenditure report and all associated amendments may result in the delay of approval by the Board of County Commissioners for my project or item, any associated costs for which I shall be held responsible. In accordance with s. 837.06, Florida Statutes, I understand and acknowledge that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor in the second degree, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes.

Date: 5-23-16

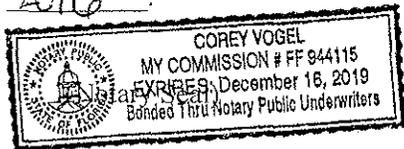
[Signature]
Signature of Principal or Principal's Authorized Agent
(check appropriate box)

PRINT NAME AND TITLE: Timothy J. McKinney, CEO, V.P.

STATE OF FLORIDA :
COUNTY OF Orange :

I certify that the foregoing instrument was acknowledged before me this 23 day of May, 2016 by Timothy McKinney. He/she is personally known to me or has produced Florida Driver's License as identification and did/did not take an oath.

Witness my hand and official seal in the county and state stated above on the 23 day of May, in the year 2016.



Corey Vogel
Signature of Notary Public
Notary Public for the State of Florida
My Commission Expires: December 16, 2019

Staff signature and date of receipt of form
Staff reviews as to form and does not attest to the accuracy or veracity of the information provided herein

Budget for NEW DIGNITY MODEL HOME
at United Global Outreach's Transformation Village

Expenses:

Concrete Foundation	\$ 5,000.00
New Dignity Model Home Structure (NDH 1620)	\$ 27,500.00
Total Expenses	\$ 32,500.00

Revenue:

Florida Hospital	\$ 27,500.00
Cornerstone Construction Services, Inc. (Time & Materials)	\$ 5,000.00
Total Revenue	\$ 32,500.00

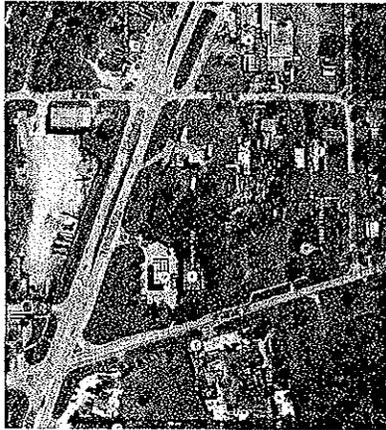
UGO 2016 Budget - Bithlo

Expenses

Salaries and Benefits		
CEO	\$	(45,000.00)
Contract Labor	\$	(8,000.00)
Benefits	\$	-
Travel (local)	\$	(8,100.00)
Cell Phones - one iPhone	\$	(2,800.00)
<i>Total Salaries and Benefits</i>	\$	(63,900.00)
Business Expenses		
Business Registration Fee	\$	(1,205.00)
Contract Services (OCA)	\$	(185,800.00)
Legal Fees	\$	(1,500.00)
Bank Fees	\$	(400.00)
Supplies	\$	(10,000.00)
Well	\$	(50,000.00)
Miscellaneous	\$	(10,500.00)
<i>Total Business Expenses</i>	\$	(259,405.00)
Facilities & Equipment		
Building Repairs	\$	(18,000.00)
Equipment	\$	(13,400.00)
Utilities	\$	(37,500.00)
<i>Total Facilities & Equipment</i>	\$	(68,900.00)
TOTAL EXPENSES		\$392,000
Income		
Direct		
Grants (Garden)	\$	15,000.00
Contributions (Cash)	\$	170,000.00
<i>Total Direct Income</i>	\$	185,000.00
Indirect		
Contributions - Services	\$	54,000.00
Contribution - Programs (OCA)	\$	158,400.00
<i>Total Indirect Income</i>	\$	212,400.00
TOTAL INCOME		\$397,400.00

A NEW LEVEL OF PERMANENT HOUSE MODEL FOR: NEW DIGNITY HOMES

18401 11th AVENUE
ORANGE COUNTY, FLORIDA



VICINITY MAP
N.T.S.

INDEX OF DRAWINGS

A-0	COVER SHEET
A-1	GENERAL NOTES
A-2	FOUNDATION PLAN (EXCLUDES FOUNDATION WALLS, FOOTINGS, AND FOUNDATION WALL DETAILS)
A-3	FLOOR PLAN (EXCLUDES WALLS, DOORS, WINDOWS, AND PARTITIONS)
A-4	CEILING PLAN (EXCLUDES CEILING FINISHES, LIGHT FIXTURES, AND RECESSED LIGHTING)
A-5	MECHANICAL PLAN (EXCLUDES MECHANICAL EQUIPMENT, DUCTWORK, AND VENTILATION)
A-6	ELECTRICAL PLAN (EXCLUDES ELECTRICAL EQUIPMENT, WIRING, AND CONDUIT)
A-7	PLUMBING PLAN (EXCLUDES PLUMBING EQUIPMENT, PIPING, AND FIXTURES)
A-8	MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) PLAN (EXCLUDES MECHANICAL, ELECTRICAL, AND PLUMBING EQUIPMENT, WIRING, PIPING, AND FIXTURES)
A-9	FOUNDATION PLAN (EXCLUDES FOUNDATION WALLS, FOOTINGS, AND FOUNDATION WALL DETAILS)
A-10	FLOOR PLAN (EXCLUDES WALLS, DOORS, WINDOWS, AND PARTITIONS)
A-11	CEILING PLAN (EXCLUDES CEILING FINISHES, LIGHT FIXTURES, AND RECESSED LIGHTING)
A-12	MECHANICAL PLAN (EXCLUDES MECHANICAL EQUIPMENT, DUCTWORK, AND VENTILATION)
A-13	ELECTRICAL PLAN (EXCLUDES ELECTRICAL EQUIPMENT, WIRING, AND CONDUIT)
A-14	PLUMBING PLAN (EXCLUDES PLUMBING EQUIPMENT, PIPING, AND FIXTURES)
A-15	MECHANICAL, ELECTRICAL, AND PLUMBING (MEP) PLAN (EXCLUDES MECHANICAL, ELECTRICAL, AND PLUMBING EQUIPMENT, WIRING, PIPING, AND FIXTURES)

BUILDING DATA
SCOPE OF WORK: CONSTRUCTION OF 184 HOMES, ONE FOR EACH APPROX. 6,000 SQ. FT.

DESIGN CODES:
THE FLORIDA BUILDING CODE (FBC), THE FLORIDA ELECTRICAL CODE (FEC), THE FLORIDA MECHANICAL CODE (FMC), THE FLORIDA PLUMBING CODE (FPC), AND THE FLORIDA ENERGY CODE (FEC).

DESIGN AREA: 184 HOMES, ONE FOR EACH APPROX. 6,000 SQ. FT.

DESIGN AREA: 184 HOMES, ONE FOR EACH APPROX. 6,000 SQ. FT.

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DESIGN AREA: 184 HOMES, ONE FOR EACH APPROX. 6,000 SQ. FT.

NOTE:
THIS STRUCTURE IS NOT TO BE OCCUPIED AND IS FOR DISPLAY PURPOSES ONLY.

OM Projects & Design
1835 Belle Ave., Suite 100
Winter, FL 32789
Tel: 407.696.1001
Fax: 407.696.9868

REVISIONS:
1. _____
2. _____
3. _____
4. _____
5. _____

VASANTH GHERE
ARCHITECT
1835 BELLE AVE.
WINTER, FL 32789

NEW DIGNITY HOMES
A NEW LEVEL OF PERMANENT HOUSE MODEL FOR
18401 11th AVE
ORANGE COUNTY, FLORIDA

DATE: 12/22/20
PROJECT: NEW DIGNITY HOMES
DRAWING NO.: A-0
SHEET 1 OF 5

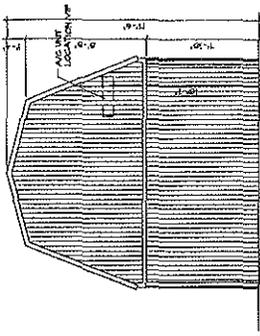
REVISIONS:
 1. SINGLE COUNTY, FLORIDA

WASHINGTON
 ARCHITECT
 815.4514

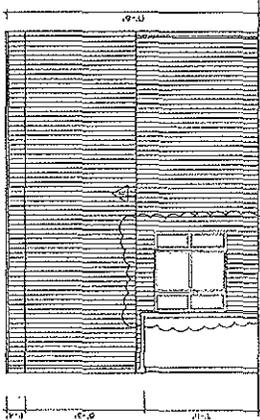
NEW DIGNITY HOMES
 AN ENTRY LEVEL RESIDENT HOME MODEL, FOR
 10401 19th AVE
 ORANGE COUNTY, FLORIDA

DATE: 07/20/10
 PROJECT: 10401 19th AVE
 DRAWN BY: JH
 CHECKED BY: JH
 SHEET 2 OF 5
 SECTION 1/10

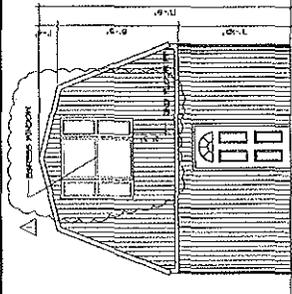
A-1



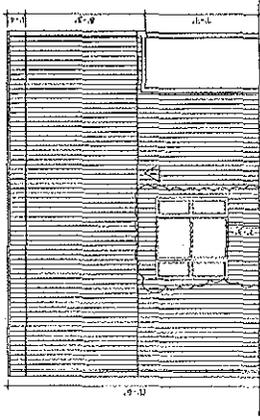
④ REAR ELEVATION
 SCALE 1/4"=1'-0"



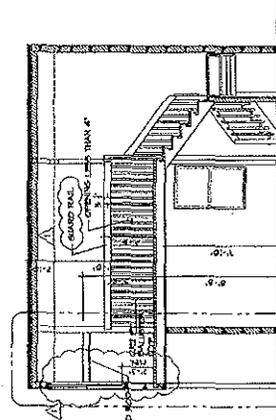
③ RIGHT ELEVATION
 SCALE 1/4"=1'-0"



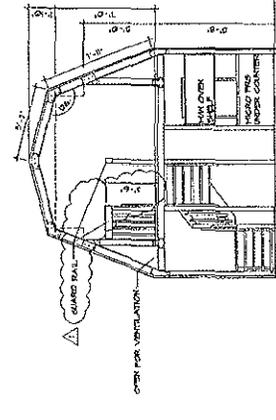
② FRONT ELEVATION
 SCALE 1/4"=1'-0"



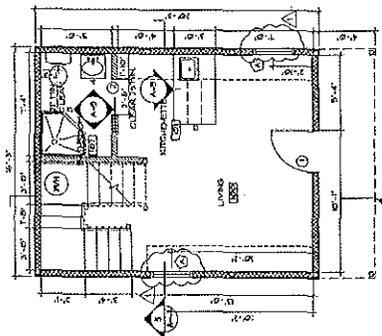
① LEFT ELEVATION
 SCALE 1/4"=1'-0"



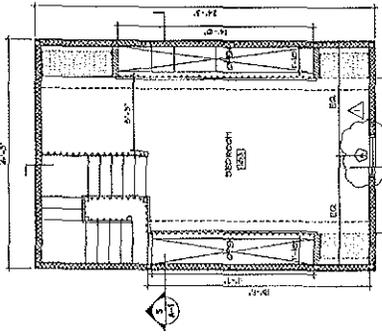
⑥ BUILDING SECTION
 SCALE 1/4"=1'-0"



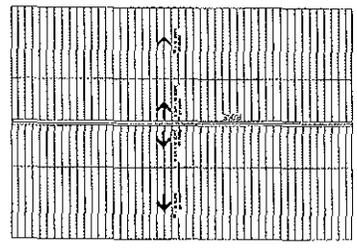
⑤ BUILDING SECTION
 SCALE 1/4"=1'-0"



CONSTRUCTION
 1ST FLOOR PLAN
 SCALE 1/4"=1'-0"



CONSTRUCTION
 2ND FLOOR PLAN
 SCALE 1/4"=1'-0"



ROOF PLAN
 SCALE 1/4"=1'-0"

CONSTRUCTION NOTES

1. TO VERIFY ALL CONSTRUCTION AND MATERIALS, THE CONTRACTOR SHALL OBTAIN APPROVAL FROM THE ARCHITECT AND THE COUNTY ENGINEER BEFORE PROCEEDING WITH ANY WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
2. DO NOT SCALE THESE DRAWINGS.
3. EXISTING WALLS.
4. REFER TO STRUCTURAL SHEETS FOR FOOTINGS, SLAB, ROOF, STRUCTURAL, METAL, STAIRS AND CEILING.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.

WALL & ROOF PANELING SPECS

THE WALL, CEILING AND ROOF PANELS ARE TO BE INSTALLED AND FINISHED AS SHOWN ON THESE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE ARCHITECT AND THE COUNTY ENGINEER.

FLOOR PLAN LEGEND

- 1. FINISH FLOOR
- 2. FINISH CEILING
- 3. FINISH WALL
- 4. FINISH ROOF
- 5. FINISH STAIRS
- 6. FINISH METAL
- 7. FINISH CEILING
- 8. FINISH WALL
- 9. FINISH ROOF
- 10. FINISH STAIRS
- 11. FINISH METAL
- 12. FINISH CEILING
- 13. FINISH WALL
- 14. FINISH ROOF
- 15. FINISH STAIRS
- 16. FINISH METAL
- 17. FINISH CEILING
- 18. FINISH WALL
- 19. FINISH ROOF
- 20. FINISH STAIRS
- 21. FINISH METAL
- 22. FINISH CEILING
- 23. FINISH WALL
- 24. FINISH ROOF
- 25. FINISH STAIRS
- 26. FINISH METAL
- 27. FINISH CEILING
- 28. FINISH WALL
- 29. FINISH ROOF
- 30. FINISH STAIRS
- 31. FINISH METAL
- 32. FINISH CEILING
- 33. FINISH WALL
- 34. FINISH ROOF
- 35. FINISH STAIRS
- 36. FINISH METAL
- 37. FINISH CEILING
- 38. FINISH WALL
- 39. FINISH ROOF
- 40. FINISH STAIRS
- 41. FINISH METAL
- 42. FINISH CEILING
- 43. FINISH WALL
- 44. FINISH ROOF
- 45. FINISH STAIRS
- 46. FINISH METAL
- 47. FINISH CEILING
- 48. FINISH WALL
- 49. FINISH ROOF
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EFFECTIVE 12-01-14

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ESTIMATE ONLY
PROJECT NAME: New Dignity Home
PERMIT # B16900393
ESTIMATE DATE: 4/5/2016
PARCEL ID: 22-22-32-0712-12-045
TRAFFIC ZONE: 2
CONCURRENCY STATUS: DEMI-15-04-030

OFFICE / INSTITUTIONAL

Impact Fee	Size of Development in SQ. FT.	Rate	Per SQ.FT.	Impact Fee Rate Size x Rate / SQ. FT.	Other Cr.	Impact Fee Assessed after credit
Law	778	\$ 109.00	1000	\$ 84.80	\$ -	\$ 84.80
Fire	778	\$ 117.00	1000	\$ 91.03	\$ -	\$ 91.03
Road	778	\$ 5,574.00	1000	\$ 4,336.57	\$ -	\$ 4,336.57
Totals:				\$ 4,512.40	\$ -	\$ 4,512.40

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Interoffice Memorandum

AGENDA ITEM

July 7, 2016

TO: Mayor Teresa Jacobs
and
Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director
Family Services Department

FROM: Sonya L. Hill, Manager
Family Services Department
Head Start Division

Contact: Khadija Pirzadeh, (407) 836-8912
Sonya Hill, (407) 836-7409

SUBJECT: Orange County Family Services
Head Start Division Standard Operating Procedures
BCC Meeting 8/2/16 Consent Agenda/All Districts

The Head Start Division requests Board approval of the Orange County Family Services Head Start Division Standard Operating Procedures (SOPs), as required annually by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Head Start. The SOPs establish operational and technical components of the Head Start Program. These formal written guidelines serve as instruction for Program Performance as follows: 1304, 1305, and 1308; County Motor Vehicle Operations, Section 212; Florida Department of Children and Families Child Care Standards Administrative Code, Section 65C-22 Florida Statutes; Sections 316,402, 837 Florida Statutes; Florida Department of Education, 6M-8.6; Head Start Act, Section 648; Orange County Administrative Regulations, Section 1310; Orange County Policy Manual and Operational Regulations, Section 405. The Policy Council approved the Head Start Division SOPs on November 19, 2015 and June 16, 2016 respectively.

ACTION REQUESTED: Approval of Orange County Family Services Head Start Division Standard Operating Procedures.

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
- Jamille Clemens, Grants Supervisor, Finance Division
- Patria Morales, Grants Coordinator, Office of Management & Budget

**Orange County Family Services Head Start Division
Standard Operating Procedures**

Disabilities Service Plan	
Collaborating with Therapists	1308.4(h)(1-5)
Early Childhood Development and Health Services	
Authorization for Funding	1304.20(c)(5)
Extended Day Procedures	1304.21(a)(1-5) & (c)(2)
Ongoing Assessment and Galileo System Entries	1304.21(a)(2)(ii-iii) & (c)(2)
Lesson Plan Implementation	1304.21(c)(1)9i-vii)
Emergency Procedures: Accident/Incident Reporting for Children	1304.22(a)(1-4)
ERSEA	
Verification of Children's Age	1305.4(b)(2)(i-iii) & (h)
Fraudulent Report to Gain Eligibility	1305.4(m) & Section 837.06 Florida Statutes
Family and Community Partnerships	
Emergency or Crisis Assistance	1304.40(b)(1)(i)
Addressing the Needs of Families at Risk	1304.40(b)(1)(ii)
Internal Transfer	1304.41(c)(1)(i)
Florida Department of Children and Families Child Care Standards Administrative Code	
Access to Head Start Centers	Section 402.305(11) Florida Statutes
Florida Department of Education	
Child Requirements for VPK Program	6M-8.601
Head Start Act	
Child Development Associate Credential (CDA)	648A(ii)(i)
Child Development Associate Credential (CDA)Renewal	648A(ii)(i)
Health Services Performance Standards	
Dual Enrollment of Children with Individualized Education Plan	1308.6(d)
Program Design and Management	
Termination of Head Start Employees	1304.50(d)(1)(xi)
Program Planning	1304.51(a)
Comprehensive Files	1304.51(g)
PIR Monitoring and Reporting	1304.51(h)(2)
Classroom Assessment Scoring System (CLASS)	1304.52(d)
Direct Supervision of Children	1304.52(g)(3&5) & (i)1(iii), 1304.53(a)(9), Section 65C-22.001(5)(a&b) & Section 65C-22.001(d)(1) Florida Statutes
Physical Facility Requirements	1304.53(a)(1-3 & 6-7) & Section 65C-22.002(6)(b) Florida Statutes
Screen Time	1304.53(b)(1), 1304.21(a)(5) & Orange County Policy Manual & Operational Regulations Section 405: Use of County Property
Transportation Requirements	
Use of Seat Belts	1310.15(a&d) Orange County Administrative Regulation 2.12.04(c)(5) County Motor Vehicle Operations Section 316.613(1)(a)Florida Statutes

 <p>Family Services Department</p>	<p align="center">Head Start Division Standard Operating Procedures</p> <p align="center">Disabilities Service Plan</p>
<p align="center">Title:</p>	<p align="center">Collaborating with Therapists</p>
<p align="center">Development Date:</p>	<p align="center">5/1/2015</p>
<p align="center">Revision Date:</p>	<p align="center">8/5/2015</p>
<p align="center">Policy Council Approval Date:</p>	<p align="center">06/16/2016</p>
<p align="center">BCC Approval Date</p>	<p align="center">XX/XX/2016</p>
<p align="center">Purpose and Scope of Disabilities Service Plan: 1308.4(h)(1-5)</p>	<p>(h) The grantee or delegate agency must arrange or provide special education and related services necessary to foster the maximum development of each child's potential and to facilitate participation in the regular Head Start program unless the services are being provided by the LEA or other agency. The plan must specify the services to be provided directly by Head Start and those provided by other agencies. The grantee or delegate agency must arrange for, provide, or procure services which may include, but are not limited to special education and these related services: (1) Audiology services, including identification of children with hearing loss and referral for medical or other professional attention; provision of needed rehabilitative services such as speech and language therapy and auditory training to make best use of remaining hearing; speech conservation; lip reading; determination of need for hearing aids and fitting of appropriate aids; and programs for prevention of hearing loss; (2) Physical therapy to facilitate gross motor development in activities such as walking prevent or slow orthopedic problems and improve posture and conditioning; (3) Occupational therapy to improve, develop or restore fine motor functions in activities such as using a fork or knife; (4) Speech or language services including therapy and use of assistive devices necessary for a child to develop or improve receptive or expressive means of communication; (5) Psychological services such as evaluation of each child's functioning and interpreting the results to staff and parents; and counseling and guidance services for staff and parents regarding disabilities;</p>

I. Purpose

To ensure Center Supervisor and teaching staff collaborate with and monitor contracted/non-contracted (approved) providers administering services for children with special needs.

II. Procedures

1. Center Supervisors will provide a monthly activity calendar to each contracted/non-contracted (approved) provider at the center to ensure they are aware of center activities that may conflict with therapy scheduling.
2. Each classroom shall have a Therapy Sign Out-In sheet (see attached), in a confidential location, which must be completed each time a therapist takes a child for therapy and returns the child to the classroom. No child should leave the classroom with a therapist unless they have been signed out on this form and are authorized to be seen by that therapist.
3. Upon initiation of special needs services through a contracted or non-contracted (approved) provider, teachers are required to review and initial on the Therapy Log (see attached), next to each documented therapy session, on a weekly basis.
4. Education staff will document communication with each therapist providing services to children in their classroom on the Education Contact note, at least monthly.

 <p>Family Services Department</p>	<p>Head Start Division Standard Operating Procedures</p> <p>Disabilities Service Plan</p>
<p>Title:</p>	<p>Collaborating with Therapists</p>

5. Any issues with therapy services at a center must be referred to the Disabilities/Mental Health staff assigned to the center for follow-up as soon as the concern is noted.

 Family Services Department	<p align="center">Head Start Division Standard Operating Procedures</p> <p align="center">Early Childhood Development and Health Services</p>
Title:	Authorization for Funding
Development Date	5/1/2015
Revision Date:	8/5/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Child health and developmental services: 1304.20(c)(5)	(c) Extended follow-up and treatment. (5) Early Head Start and Head Start funds may be used for professional medical and dental services when no other source of funding is available. When Early Head Start or Head Start funds are used for such services, grantee and delegate agencies must have written documentation of their efforts to access other available sources of funding.

I. Purpose

To ensure Head start is the payer of last resort for medical, dental, disabilities, and mental health services.

II. Procedures

1. The Disabilities/Mental Health staff sends referrals to parents/legal guardians based on screening results and parent/legal guardian or teacher concerns.
2. Center staff are responsible for assisting the Disabilities/Mental Health staff in securing all the necessary information to complete the referral within one (1) week:
 - Completed referral form, reviewed by center staff, to ensure all questions are answered and the form is signed by parent/legal guardian to include current doctor and their contact information.
 - Copy of Medicaid or other Health Insurance cards (Front and Back)
 - Prescription for services which includes request for evaluation and a diagnostic code.
3. Disabilities/Mental Health staff will forward the completed referral to contracted provider.
4. Contracted providers are responsible for verifying insurance and reporting to the Disabilities/Mental Health staff the status of the funding for each child referred.
5. If the child has no Medicaid/insurance or coverage has lapsed, all center staff are responsible to follow-up with families to assist them in obtaining health care insurance. These efforts must be documented.



Family Services Department

Title:

**Head Start Division
Standard Operating Procedures**

Early Childhood Development and Health Services

Authorization for Funding (continued)

6. Disabilities/Mental Health staff will notify parent/legal guardian of the status of their authorization for treatment which may include the following:
 - Child needs to see their primary care physician before a prescription for services will be provided.
 - Physician not responding for request for authorization.
 - Contacting Medicaid or Insurance to address any concerns with funding.

Parents/legal guardians will have 30 calendar days from the date of notification to resolve any of the above issues.

7. If these issues are not resolved by the parent/legal guardian within 30 calendar days, Disabilities/Mental Health staff will follow up to determine the reason and determine if the parent/legal guardian still wants their child to receive services. If the parent/legal guardian no longer wishes to receive services, he/she will be required to complete a refusal of services form.
8. Funding will be authorized by Orange County Head Start in cases where families are not eligible for Medicaid or other health care coverage. Other authorizations will be made on a case by case basis.



Family Services Department

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Title:	Extended Day Procedures
Development Date:	8/9/2014
Revision Date:	12/9/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Education and Early Childhood Development: 1304.21(a)(1-5) & (c)(2)	<p>a) Child development and education approach for all children. (1) In order to help children gain the skills and confidence necessary to be prepared to succeed in their present environment and with later responsibilities in school and life, grantee and delegate agencies' approach to child development and education must: (i) Be developmentally and linguistically appropriate, recognizing that children have individual rates of development as well as individual interests, temperaments, languages, cultural backgrounds, and learning styles; (ii) Be inclusive of children with disabilities, consistent with their Individualized Family Service Plan (IFSP) or Individualized Education Program (IEP) iii) Provide an environment of acceptance that supports and respects gender, culture, language, ethnicity and family composition; (iv) Provide a balanced daily program of child-initiated and adult-directed activities, including individual and small group activities; (2) Parents must be: (i) Invited to become integrally involved in the development of the program's curriculum and approach to child development and education; (ii) Provided opportunities to increase their child observation skills and to share assessments with staff that will help plan the learning experiences; (ii) Planning for routines and transitions so that they occur in a timely, predictable and unrushed manner according to each child's needs. (4) Grantee and delegate agencies must provide for the development of each child's cognitive and language skills by: (i) Supporting each child's learning, using various strategies including experimentation, inquiry, observation, play and exploration; (ii) Ensuring opportunities for creative self-expression through activities such as art, music, movement, and dialogue; (iii) Promoting interaction and language use among children and between children and adults; and (iv) Supporting emerging literacy and numeracy development through materials and activities according to the developmental level of each child. (5) In center-based settings, grantee and delegate agencies must promote each child's physical development by: (i) Providing sufficient time, indoor and outdoor space, equipment, materials and adult guidance for active play and movement that support the development of gross motor skills; (ii) Providing appropriate time, space, equipment, materials and adult guidance for the development of fine motor skills according to each child's developmental level; and (iii) Providing an appropriate environment and adult guidance for the participation of children with special needs. (c) Child development and education approach for preschoolers. (2) Staff must use a variety of strategies to promote and support children's learning and developmental progress based on the observations and ongoing assessment of each child (see 45 CFR 1304.20(b), 1304.20(d), and 1304.20(e)).</p>

I. Purpose

To ensure that the extended day program provides a safe, high quality environment for all children served in the program.

II. Procedures

1. The extended day program will begin at 2:30 pm. Children will remain in their assigned classroom until the extended day program begins.
2. Children's cots will be put down 18" apart after lunch and children will nap no longer than one (1) hour.
3. Extended day classrooms must pair up in order to exchange children's information (i.e. classroom #1 and classroom #2 staff and children will rotate every week throughout the school year).
4. The classrooms not assigned to extended day will use the afternoon for planning and/or other duties as assigned.



Family Services Department

Title:

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Extended Day Procedures (continued)

5. Teaching staff will use the ChildPlus attendance report 2316 for a daily sign in and out for each extended day classroom.
6. Parents/legal guardians must be informed about the extended day rotation (i.e. a posted sign TODAY EXTENDED DAY will be in classroom #6).

Extended Day Lesson Plan

1. Teaching staff must plan activities to review and enhance concepts taught during the day on the extended day lesson plan space in each classroom's lesson plan book (i.e. introduction of the letters, numbers, colors, and sight words).
2. Phonological awareness activities must be planned and conducted every day.
3. The lesson plan must be completed a week ahead of time following the Curriculum Guide.
4. Planned activities must be different from the activities utilized during the regular day.
5. One small group must be planned for extended day (SGC).
6. STEM and Nemours Bright Start activities must be planned using the Curriculum Guide for children going to kindergarten during Work Time, Small Group, etc.
7. The Center Supervisor will review the Lesson Plan for accuracy.

Observation Notes

1. Extended day staff from paired classrooms must meet at least once a week, to exchange children's observation information to plan general activities.
2. Extended day staff must document observations using the established format for child observation's (i.e. Child Observation form).
3. Observations notes must be shared with the child's primary teacher each day (i.e. Create a binder for each extended day classroom to store all observations for easy access by all staff).
4. Observations must describe in detail the skill attained for the child's teachers to understand and agree.
5. The observation notes must be entered in the Galileo System by the child's primary teachers.



Family Services Department

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Title:

Ongoing Assessment and Galileo System Entries

Revision Date:

8/5/2015

Policy Council Approval Date:

06/16/2016

BCC Approval Date

2/24/2015

Education and Early Childhood Development:
1304.21(a)(2)(ii-iii) & (c)(2)

(a) Child development and education approach for all children. (2) Parents must be: (ii) Provided opportunities to increase their child observation skills and to share assessments with staff that will help plan the learning experiences; and (iii) Encouraged to participate in staff-parent conferences and home visits to discuss their child's development and education. c) Child development and education approach for preschoolers. 2) Staff must use a variety of strategies to promote and support children's learning and developmental progress based on the observations and ongoing assessment of each child.

I. Purpose

To ensure ongoing assessment in the Galileo System is completed in a timely manner.

II. Procedures

1. Galileo login name and password is provided by the Curriculum Specialist. **Note: Access to Galileo from home is strictly prohibited.**
2. Teaching staff will log on to the Galileo System at least twice a week to enter data from observations, work samples, and screenings on the children as they attain the corresponding indicator (skill).
3. Teaching staff will enter data on every child at least once a week (See Child Observations SOP).
4. Teaching staff will maintain ongoing assessments of all children assigned to their classroom. The teaching staff will write notes on the Observation Note form.
5. If teaching staff assists in a classroom that is not their permanent assignment for more than three days, they will obtain access to the classroom's Galileo data. Teaching staff will write notes and enter data in the Galileo System.



Family Services Department

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Title:	Lesson Plan Implementation
Development Date:	8/9/2014
Revision Date:	8/5/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Education and Early Childhood Development: 1304.21(c)(1)(i-vii)	(c) Child development and education approach for preschoolers. (1) Grantee and delegate agencies, in collaboration with the parents, must implement a curriculum (see 45 CFR 1304.3(a)(5)) that: (i) Supports each child's individual pattern of development and learning; (ii) Provides for the development of cognitive skills by encouraging each child to organize his or her experiences, to understand concepts, and to develop age appropriate literacy, numeracy, reasoning, problem solving and decision-making skills which form a foundation for school readiness and later school success; (iii) Integrates all educational aspects of the health, nutrition, and mental health services into program activities; (iv) Ensures that the program environment helps children develop emotional security and facility in social relationships; (v) Enhances each child's understanding of self as an individual and as a member of a group; (vi) Provides each child with opportunities for success to help develop feelings of competence, self-esteem, and positive attitudes toward learning; and (vii) Provides individual and small group experiences both indoors and outdoors.

I. Purpose

To ensure that activities planned and documented on the lesson plan are implemented for children on a weekly basis in the classrooms.

II. Procedures

1. Implementation of the activities planned in the lesson plan must incorporate High Scope teaching strategies, Positive Behavior Intervention Support (PBIS) strategies, CLASS dimensions, content of Professional Development Plan, and best teaching practices.
2. The teacher and teacher assistant must work as a team to implement and guide activities planned. Both should work together to comfort and provide individualized support to all children in the classroom.
3. Daily routines must be followed as posted with some flexibility as appropriate.
4. Teaching practices must balance teacher directed and child-initiated interaction approaches.
5. Teaching staff must have materials ready and accessible for the children.
6. Teaching staff must utilize transition times as meaningful learning experiences to keep children engaged and to get their attention, move them from one activity to another, or to fill gaps of time and minimize disruptions.



Family Services Department

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Title:

Lesson Plan Implementation (continued)

7. IMIL activities must be fully modeled by the teaching staff to encourage the children to engage in the physical activities.
8. PBIS strategies and activities must be regularly used to address behavioral issues and conflicts to model appropriate behaviors in the classroom.
9. Social/Emotional Development Activities provided in the Curriculum Guide must be performed on an on-going basis.
10. All adults (teaching staff, foster grandparents, volunteers, etc.) that interact with the children must:
 - Engage the children in their play and make social conversations
 - Use repetition, parallel, and self talk
 - Extend on comments or responses made by the children
 - Utilize open ended questions and require more than one word responses
 - Be proactive and responsive to the children's needs
11. All service area activities must be completed at least once a month and Nemours activities must be completed weekly in VPK designated classrooms only.



Family Services Department

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Title:	Emergency Procedures: Accident/Incident Reporting for Children
Revision Date:	12/9/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Child Health and Safety: 1304.22(a)(1-4)	(a) Health emergency procedures. Grantee and delegate agencies operating center-based programs must establish and implement policies and procedures to respond to medical and dental health emergencies with which all staff are familiar and trained. At a minimum, these policies and procedures must include: (1) Posted policies and plans of action for emergencies that require rapid response on the part of staff (e.g., a child choking) or immediate medical or dental attention; (2) Posted locations and telephone numbers of emergency response systems. Up-to-date family contact information and authorization for emergency care for each child must be readily available (4) Methods of notifying parents in the event of an emergency involving their child.

I. Purpose

To ensure compliance with procedures related to the reporting of accidents and incidents.

II. Procedures

1. Head Start staff, parents, and volunteers are to complete the Accident/Incident form for any of the following observed during operational hours:
 - Accident/incident involving children, staff, and/or volunteers
 - Threats made or violence perpetrated by adults
 - Unsafe practices
 - Lack of supervision
 - Harassment or discrimination
 - Improper, unsafe, or disrespectful behavior or language

NON EMERGENCY ACCIDENT/INCIDENT

1. Staff must respond when an accident/incident occurs, which affects a child.
2. The first priority is to assess the child's needs and perform relevant first aid procedures. First aid will be administered by a staff member for an injury or illness needing only minimal attention (bumps, bruises, scrapes, splinters, band-aids, ice packs).
3. Once first aid is administered, the teacher will complete the Accident/Incident Report form on the date of occurrence to record the date, time, description of injury, action taken by staff, and staff signature (see attached). Parent's /legal guardians must be notified of all accidents/incidents.
4. The parent/legal guardian must be notified and sign the Accident/Incident form on the same date of the occurrence.
5. The original copy will be placed in the child's comprehensive file. One copy must be sent to the nurse within twenty-four (24) hours of the accident/injury, and one copy will be given to the parent/legal guardian.



Family Services Department

Title:

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Emergency Procedures: Accident/Incident Reporting for Children
(continued)

MEDICAL EMERGENCIES INVOLVING A SERIOUS INJURY TO CHILDREN:

Staff must respond when an accident/incident occurs which affects a child. The health and welfare of the child is the priority. If a child becomes ill or is injured, the following steps will be taken:

1. First, staff will take care of the child following appropriate emergency procedures to address the extent of the injury. Additional staff will ensure that the other children are safe.
2. If the event constitutes a medical emergency, staff will call 911. An injury is considered serious when the following symptoms are present:
 - Significant deformity of a body part
 - Inability to use the affected body part normally
 - Bone fragments sticking out of a wound
 - Child feels bones grating or staff/child felt or heard a snap or pop at the time of the injury
 - Loss of consciousness
 - Convulsions
 - Extensive burns
 - Deep lacerations
 - Back or head injuries
 - Severe bleeding

If the life or limb of a child is in serious jeopardy immediate medical intervention is required. Never move a child with back or head injuries.

3. Make the child as comfortable as possible utilizing first aid procedures. **Do not attempt treatments or procedures for which you have not been trained.**
4. Notify the parent/legal guardian immediately of the injury or illness and verify if they have transportation to the hospital. Staff should remain calm when speaking with the parent/legal guardian so they are not overly alarmed. If the parent/legal guardian is unavailable, the emergency contact will be notified.
5. If the Emergency Medical Services (EMS) technician determines that the injury requires additional treatment, the child will be transported to the closest medical facility. In absence of the parent/legal guardian, the teacher, Center Supervisor, or Community Service Worker (CSW) will accompany the child to the hospital staying with the child as long as needed or until the parent/legal guardian arrives. The Center Supervisor will make arrangements to provide a substitute for the classroom.
6. The Authorization for Medical Treatment form and any other pertinent medical information should accompany the child and be made available to the EMS technician and the medical facility.



Family Services Department

Title:

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Emergency Procedures: Accident/Incident Reporting for Children
(continued)

7. Staff will complete the Accident/Incident form, Proof of Claim/Accident Medical Expense form, and the authorization letter signed by from the Division Manager for the medical facility. The report must be signed by the parent/legal guardian verifying that they were notified of the accident/incident.
8. Responsible staff will send the original of the Proof of Claim/Accident Medical Expense form to the Sr. Fiscal Coordinator and notify nurse or the Sr. Program Manager for Childhood Health and Developmental Services within twenty-four (24) hours of the occurrence.
9. A copy of the medical documentation completed by the attending medical personnel must be obtained from the parent/legal guardian and submitted to the Center Supervisor, or designee (i.e. CSW). A copy is filed in the child's comprehensive file and a copy, along with a copy of the Accident/Incident form, will be sent to the nurse and Sr. Fiscal Coordinator.

DENTAL EMERGENCIES

In the event of a dental emergency, staff will assess the type of injury to determine and implement the appropriate type of first aid needed.

Tooth Knocked Out

- Rinse tooth gently in cool running water (do not scrub)
- Wrap tooth in moist gauze and place in container of cool water
- Try to get child to dentist within thirty (30) minutes

Broken Tooth

- Gently clean dirt or debris from the injured area with warm water
- Place a cold compress on the face in the area of the broken tooth to minimize swelling

Bitten Tongue or Lip

- Apply direct pressure to the bleeding area with clean gauze
- If swelling is present, apply cold compress
- If bleeding does not stop, contact a medical emergency room or dental office

Possible Fractured Jaw

- Immobilize jaw by any means (handkerchief, towel, etc.)
- Apply cold compress and contact emergency room immediately
- Contact the nurse for further instructions
- Inform parent/legal guardian of the emergency and accompany child to appropriate health facility immediately



Family Services Department

Head Start Division
Standard Operating Procedures

Early Childhood Development and Health Services

Title:

Emergency Procedures: Accident/Incident Reporting for Children
(continued)

Note: The use of personal vehicles is prohibited in transporting children or their parent/legal guardian.

FOLLOW UP OF AN ACCIDENT/INCIDENT REPORT

1. The nurse will contact the parent/legal guardian within forty-eight (48) hours after the accident/injury is reported in order to develop or follow up on a plan of care for child.
2. The Sr. Program Manager of Childhood Health and Developmental Services, in conjunction with Health Services, will determine if corrective action is needed to prevent a reoccurrence.

ACCIDENT PREVENTION/TRAINING

1. During the first week of school, teaching staff will introduce the children to safety concepts relative to appropriate classroom and playground rules.
2. Teaching staff will document monthly safety/health lessons on the lesson plan.
3. All Head Start staff must maintain current certification for First Aid Infant, Child CPR, & AED to assist in the event of an emergency.
4. To ensure that Head Start staff knows what to do in the event of an emergency, Health Services will provide ongoing training.
5. The nurse will review accident reports and consult with the Sr. Program Manager of Early Childhood Development & Education when issues or concerns arise.

ACCIDENT/INCIDENT TRACKING

1. The Center Supervisor must forward copies of all the accident/incident reports to the Health Services Area within seventy-two (72) hours of occurrence.
2. Health Services staff will review the accident/incident report and enter the information into the tracking log.
3. The Sr. Program Manager of Childhood Health & Developmental Services will review accident/incident reports tracking log to analyze the data for the following:
 - a. Identify high risk injury locations
 - b. Identify trends
 - c. Lack of Supervision
 - d. Identify systems and/or lack of services that need to be strengthened
 - e. examine trends and make recommendations for staff training and necessary supplies in an effort to prevent further accidents/incidents.

 Family Services Department	<p align="center">Head Start Division Standard Operating Procedures</p> <p align="center">ERSEA</p>
Title:	Verification of Children's Age
Development Date:	3/17/2015
Revision Date:	12/9/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date:	XX/XX/2016
Age of Children and Family Income Eligibility: 1305.4(b)(2)(i-iii) & (h)	<p>(b) Age eligibility requirements. (2) For Head Start, a child must: (i) be at least three years old; or, (ii) turn three years old by the date used to determine eligibility for public school in the community in which the Head Start program is located; and, (iii) not be older than compulsory school age. (h) Verifying age. (h) Program staff must verify a child's age according to program policies and procedures. A program's policies and procedures cannot require staff to collect documents that confirm a child's age, if doing so creates a barrier for the family to enroll the child.</p>

I. Purpose

To ensure appropriate procedures are followed in determining the age of eligible children during enrollment.

II. Procedures

1. In order to complete an application to determine eligibility for Orange County Head Start a child must be three (3) years old by September 1st of the program year unless the following exceptions apply:
 - a. Diagnosed with a disability as determined by a public school system (i.e. Orange County Public School). With an established Individualized Education Plan (IEP) they can apply when they become three (3) years of age.
 - b. Children transitioning from Early Head Start can apply when they become three (3) years old.
2. As a means of verifying the age requirement the applicant must provide proof of birth (i.e. birth certificate or passport). **Exceptions are provided for homeless families** (see Eligibility Applications SOP).
3. Copies of the documentation used to verify the child's age will be maintained with the child's eligibility application record (see Eligibility Applications SOP).



Family Services Department

Head Start Division
Standard Operating Procedures

ERSEA

Title:

Fraudulent Report to Gain Eligibility

Development Date:

3/17/2015

Revision Date:

12/9/2015

Policy Council Approval Date:

06/16/2016

BCC Approval Date:

XX/XX/2016

Age of Children and Family
Income Eligibility: 1305.4(m) &
Florida Statute 837.06

(m)Program policies and procedures on violating eligibility determination regulations. A program must establish policies and procedures that describe all actions taken against staff who intentionally violate Federal and program eligibility determination regulations and who enroll pregnant women and children that are not eligible to receive Early Head Start or Head Start services. 837.06 Provides that whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

I. Purpose

To ensure the highest ethical standards are followed to fully comply with federal regulations regarding eligibility determinations.

II. Procedure

1. Staff and families who intentionally provide false information with the expressed intent of gaining access to the Head Start program will be reported immediately to the Orange County Head Start Division Manager, or designee.
2. The following actions will be taken against staff and families who intentionally provide false information:

Consequences for Staff

1. If staff are suspected to have intentionally altered eligibility documents, provide false information, or provide information to families such as how to become eligible when they determine the family does not meet the eligibility requirements; they will receive a notice of investigation letter from management.
2. During the investigation, staff will not meet with clients and will be reassigned to the administrative office.
3. Due to the nature of the allegations, all progressive discipline steps will be waived and a request for a Pre-Determination Hearing (PDH) will be forwarded to the Head Start Division Manager, or designee.
4. The Manager or designee will notify the employee of the disciplinary action decision within (10) business days after the PDH is held which may include termination.



Family Services Department

Title:

Head Start Division
Standard Operating Procedures

ERSEA

Fraudulent Report to Gain Eligibility (continued)

Consequences for Families

1. Families who are suspected of intentionally providing or attempting to provide false information to gain access to the Head Start program will be notified of the alleged discrepancy via certified mail.
2. Families will have ten (10) days to respond to the allegation in writing. **Note: Failure to respond to the letter within the documented time frame will result in the family being withdrawn from the program without further notice.**
3. Families are required to meet with the Head Start Division Manager, Sr. Program Manager of Family and Community Engagement, ERSEA Coordinator, and Community Service Worker to discuss the allegations.
4. If the allegations are unfounded no further action is necessary. If the allegations are founded, the family will be withdrawn from the Head Start program immediately **Note: Depending on the severity, management will determine if the investigation will be reported to law enforcement, pursuant to Florida Statute 837.06.**
5. The findings of the investigation will be reported to the Region IV Program Specialist.

 Family Services Department	Head Start Division Standard Operating Procedures Family and Community Partnerships
Title:	Emergency or Crisis Assistance
Revision Date:	3/8/2016
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Family Partnerships: 1304.40(b)(1)(i)	(b) Accessing community services and resources. (1) Grantee and delegate agencies must work collaboratively with all participating parents to identify and continually access, either directly or through referrals, services and resources that are responsive to each family's interests and goals, including: (i) Emergency or crisis assistance in areas such as food, housing, clothing, and transportation

I. Purpose

To ensure families are provided with immediate assistance in areas such as food, housing, clothing, and transportation.

II. Procedures

1. **When a family has been identified as being in crisis, Community Service Workers (CSWs)** will assist the family in identifying available resources or agencies that can possibly meet their immediate needs.
2. If necessary, appropriate referrals (internal/external) will be made to community agencies/programs and CSWs will follow-up with the family to ensure the receipt of services within one (1) week depending on the crisis situation.
3. CSWs will maintain contact with the family to determine whether the crisis has been resolved and if the family has regained stability.
4. CSWs will post a community resources list with contact information for programs that provide emergency/crisis assistance in the parent corner of every classroom.

 Family Services Department	Head Start Division Standard Operating Procedures Family and Community Partnerships
Title:	Addressing the Needs of Families at Risk
Revision Date:	3/8/2016
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Family Partnerships: 1304.40(b)(1)(ii)	(b) Accessing community services and resources.(1) Grantee and delegate agencies must work collaboratively with all participating parents to identify and continually access, either directly or through referrals, services and resources that are responsive to each family's interests and goals, including: (ii) Education and other appropriate interventions, including opportunities for parents to participate in counseling programs or to receive information on mental health issues that place families at risk, such as substance abuse, child abuse and neglect, and domestic violence

I. Purpose

To ensure information on mental health issues that place the family at risk, including substance abuse, child abuse and neglect, and domestic violence, along with a list of local counseling programs is available to families.

II. Procedures

1. During Parent Orientation and within the first quarter during monthly parent meetings, Community Service Workers (CSWs) will provide information to parents/legal guardians on mental health issues, including substance abuse, child abuse and neglect, human trafficking, bullying and domestic violence.
2. Additional educational materials and opportunities to learn about mental health will be made available to families through:
 - Brochures
 - Bulletin boards located in the center
 - Community resources lists
 - Referrals
 - Support groups
3. When appropriate, staff is available to informally and confidentially discuss issues with families to make referrals to the Mental Health service area, as necessary.
4. Staff from the Mental Health service area will assist families with gaining access to programs that target specific mental health issues and trainings, as appropriate.
5. The CSWs will follow up with the family and the Mental Health service area to determine if the needs of the family were met.

 Family Services Department	Head Start Division Standard Operating Procedures Family and Community Partnerships
Title:	Internal Transfer
Revision Date:	3/8/2016
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Community Partnerships: 1304.41(c)(1)(I)	(c) Transition services. (1) Grantee and delegate agencies must establish and maintain procedures to support successful transitions for enrolled children and families from previous child care programs into Early Head Start or Head Start and from Head Start into elementary school, a Title I of the Elementary and Secondary Education Act preschool program, or other child care settings. These procedures must include: (i) Coordinating with the schools or other agencies to ensure that individual Early Head Start or Head Start children's relevant records are transferred to the school or next placement in which a child will enroll or from earlier placements to Early Head Start or Head Start.

I. Purpose

To ensure procedures are in place to transfer enrolled children from one Head Start center/classroom to another.

II. Procedures

Transfer from Center to Center

1. A transfer is approved based on the individual needs/hardships of the family.
2. A parent/legal guardian will initiate the request for a transfer with the Community Service Worker (CSW) at the center their child attends, explaining the reason for the request.
3. A transfer request may be granted for the following reasons:
 - The child's family has relocated from one geographical area to another
 - The child is in need of special needs services and the current center is unable to accommodate those needs
 - The Disabilities/Mental Health services staff has made a recommendation for the child to transfer to another center
4. The CSW will contact the center requested to determine if space is available. If space is available, the CSW will submit an email with a Change of Status (COS) form attached, requesting a transfer (with justification) to the Sr. CSW.
5. The Sr. CSW will take the following actions:
 - Review the request for transfer, notify management of the request, and make a determination of approval/denial, based on the justification provided with the request.
 - If approved/disapproved, the CSW of the status of the request.
6. The CSW will notify the parent/legal guardian of the approval/disapproval of the request. A copy of the COS form will be placed in the child's comprehensive file.



Family Services Department

Head Start Division
Standard Operating Procedures

Family and Community Partnerships

Title:

Internal Transfer (continued)

7. If approved the following actions will take place:

- The Administrative Specialist will change the site location and the start date at the new site in ChildPlus.
- The CSW and/or Center Supervisor will meet with the receiving Center Supervisor and/or CSW to discuss the transfer, case management, and provide them with the child's comprehensive file and portfolio.
- A copy of the child's enrollment form is given to the teaching staff in the assigned classroom to identify who is authorized to pick up the child.

Note: For children with special needs, a meeting between both Center Supervisors and pertinent service area staff must be held prior to notifying the family in order to address any necessary accommodations.

8. When receiving the child at the new center the teaching staff, Center Supervisor, and CSW who receives the child on the first day is responsible for ensuring that the child's comprehensive file is on site prior to the parent/legal guardian leaving their child. If the comprehensive file is not on site, teaching staff must direct the parent/legal guardian to the CSW and Center Supervisor to resolve this issue prior to leaving their child.

Transfer from Classroom to Classroom

1. Internal transfers from one classroom to another within the same center are only authorized with a recommendation from the Disabilities/Mental Health Services area.
2. The CSW will submit a request for transfer to their immediate supervisor for approval.
3. The Sr. CSW will review the request and make a determination of approval/disapproval based on the justification provided with the request.
4. If approved, the CSW will notify the parent/legal guardian of the approval and the effective date of the transfer to the new classroom.
5. The CSW will complete a COS form and submit it to the Sr. CSW for review, who will initial the form for approval and submit it to the Administrative Specialist for processing. A copy of the COS form will be placed in the child's comprehensive file.



Head Start Division
Standard Operating Procedures

Family Services Department

Title:

Access to Head Start Centers

Revision Date:

8/5/2015

Policy Council Approval Date:

06/16/2016

BCC Approval Date

XX/XX/2016

FL Statute 402.305(11)

(11) Access. Minimum standards shall provide for reasonable access to the child care facility by the custodial parent or guardian during the time the child is in care

I. Purpose

To encourage parent engagement by providing access to Head Start classrooms during normal hours of operation.

II. Procedures

1. All parents/legal guardians are welcome to visit Head Start centers unannounced. However, if their presence in the classroom becomes a disruption to the teaching staff's ability to educate the children their participation may be encouraged in an alternate classroom.
2. Each Head Start center is required to have a posted sign which indicates the centers name, address, telephone number, hours of operation, and license number (if applicable).
3. Posted Information must be made in various languages that represent the center's population.
4. Posted at the entrance of each classroom are the names of the teaching team and the classroom number to ensure that families and visitors can successfully locate each classroom.

If teaching staff is unfamiliar with the parent/legal guardian or the designated pick up person, they must verify their identity by requesting to see a copy of their driver's license or state issued ID card to confirm their approval for pick up. **Note: If they refuse to provide ID, law enforcement will be called. Prior to dropping the child off the following day, a parent conference will take place to review the code of conduct.**

5. **Parents/legal guardians who are registered sex offenders are only allowed to pick up or drop off their child. If the need arises for the parent/legal guardian to come to the Head Start center for any reason other than pick up or drop off they will be assigned an escort (See Parent Sex Offender SOP).**

 Family Services Department	<p align="center">Head Start Division</p> <p align="center">Standard Operating Procedures</p>
Title:	<p align="center">Child Requirements for VPK Program</p>
Development Date:	<p align="center">12/3/2014</p>
Revision Date:	<p align="center">7/1/2015</p>
Policy Council Approval Date:	<p align="center">06/16/2016</p>
BCC Approval Date	<p align="center">XX/XX/2016</p>
Department of Education 6M-8.601	<p>Florida law requires all private and public VPK providers to use the Florida VPK Assessment as a pre- and post-assessment for each child in Florida attending a VPK program. Teachers can use assessment results to identify skill levels of children in their programs, track how literacy, language and mathematics skills develop across the year, and guide instruction in the VPK classroom. Assessment results are not used for accountability.</p>

I. Purpose

To ensure compliance with State of Florida Voluntary Pre-Kindergarten (VPK) requirements pertaining to children.

II. Procedures

Enrollment

1. If a child is four (4) years old on or before September 1st, he/she is eligible for the Voluntary Pre-Kindergarten Program (VPK). The CSW will encourage the parent/ legal guardian to complete a VPK application online. Note: If the parent/legal guardian does not have access to a computer, OCHS will assist the parent/legal guardian in finding resources to complete the application.
2. If the parent/legal guardian is completing the VPK application at a Head Start center, the parent/legal guardian must sign in on the Computer Access Sign In-Sheet.

Note: A staff person must monitor the parent/legal guardian if they are using a computer that has been designated for employee use only.

3. If the child starts after the 1st day of the VPK Program commencement, the parent/legal guardian must also complete the Delayed Enrollment form (unless they have already applied and the child didn't show up).

Note: A Change of Status (COS) form will be completed to identify children entering the VPK program after the first day (See Change of Status SOP).

4. Once the application has been completed, the parent/legal guardian will submit the Child Eligibility Certificate to the CSW who will forward the certificate along with the Enrollment/Classroom Additions form to the Sr. CSW who will review the documentation and forward it to the VPK Specialist.
5. If the parent/legal guardian refuses VPK services, the CSW will document the refusal in ChildPlus.
6. The VPK Specialist will send the Child Eligibility Certificate and VPK Classroom Enrollment/Additions form to Community Coordinated Care for Children (4C) as proof of enrollment into the program. The original documents are hand delivered and a copy is maintained by the VPK Specialist for three (3) years. After three (3) years, the records are sent to Records Management.



Title:

Child Requirements for VPK Program (continued)

- 7. The VPK Specialist will ensure that a signed VPK Classroom Enrollment/Additions form is received by the 4C VPK representative and submit a signed copy of the VPK Classroom Enrollment/Additions form to the Center Supervisor, CSW, Sr. CSW, and designated Field Operations Supervisor notifying them of the enrollment into the VPK program.
Note: Children will be enrolled in the VPK program based on the date of the application.
- 8. The CSW and the Center Supervisor will review ChildPlus Report #2305-Monthly Attendance weekly to ensure accuracy and the status of enrollment.
- 9. The VPK Specialist maintains a record of Child Eligibility Certificate along with the VPK Classroom Enrollment/Additions form signed by the 4C VPK representative.

Attendance

- 10. The VPK Specialist and the Center Supervisor monitors the attendance monthly by generating ChildPlus report #2305-Monthly Attendance. Based on this report, the VPK Specialist completes the VPK Enrollment/Attendance Certification Form. Note: Applications for enrollment or change of status will not show up on the VPK Enrollment/Attendance Certification Form if the enrollment/change of status occurred after the 20th of the month.
- 11. The VPK Specialist will cross reference the binder to add deleted/delayed enrollment children to the VPK Enrollment/Attendance Certification Form prior to submitting the form to 4C to ensure every child is accounted for.
- 12. The VPK Specialist will send a copy of the VPK Enrollment/Attendance Certification Form to the Center Supervisor to inform them of what will be sent to 4C.
- 13. The Center Supervisor will verify the VPK Enrollment/Attendance Certification Form matches the attendance on the Child Attendance & Parent Choice Certificates (Long Forms) at the center and the ChildPlus Report #2305-Monthly Attendance.
- 14. Prior to submitting the VPK Enrollment/Attendance Certification Form to 4C, the VPK Specialist will review and submit all documentation to the designated Field Operations Supervisor for review.
- 15. Once reviewed and initialed by the Field Operations Supervisor for accuracy, the VPK Specialist submits the form to 4C by the third (3rd) of the following month.
- 16. Teaching staff must check ChildPlus to verify attendance and ensure parents/legal guardians sign the Long Form. Once Long Forms have been signed, teaching staff will submit the forms to the Center Supervisor to compare attendance in ChildPlus with what's been documented on the Long forms. The Center Supervisor will submit the Long Forms to the VPK Specialist at the end of each month.

Note: Parents/legal guardians must not sign the certificate prior to the end of the month.

- 17. The VPK Specialist will review the Long Forms received from each center for any discrepancies. An addendum to the Long Form will be completed by the VPK Specialist within 24-48 hours prior to submitting the forms to 4C, if necessary.



Family Services Department

Head Start Division

Standard Operating Procedures

Title:

Child Requirements for VPK Program (continued)

Delete Process

1. A child may be deleted from the VPK program based on reasons listed on the VPK Child Delete Form. Note: The reason for deletion must be documented on the form and a note entered in ChildPlus by the CSW.
2. When a change in enrollment status occurs the CSW must verify that there are no conflicts with the times VPK is offered (i.e. dual enrollment). If there is a conflict, the child will be removed from the VPK program.

Note: A COS form must be completed (See Change of Status SOP).

3. At the end of the month, the VPK Specialist will mark the last day the child attended on the VPK Enrollment/Attendance Certification Form.
4. The VPK Specialist will cross reference the binder to add deleted/delayed enrollment children to the VPK Enrollment/Attendance Certification Form prior to submitting the form to 4C to ensure every child is accounted for.
5. The VPK Specialist will fax the VPK Child Delete Forms to 4C.
6. Delete forms are filed in the binder according to the month the child was deleted from the VPK program.

Transfers

1. Continuation of VPK services is contingent upon approval by 4C.
2. The parent/legal guardian must go to 4C to request a one-time transfer and receive the certificate of eligibility.
3. The parent/legal guardian will submit the certificate of eligibility to the CSW at the new center and the CSW will re-enroll the child into the VPK program.
4. The CSW will complete enrollment process with the parent/legal guardian and send the application, COS form, along with the certificate of eligibility from 4C to the Sr. CSW for review (see Internal Transfers SOP).
5. The Sr. CSW will forward the documentation to the VPK Specialist for processing (see Enrollment steps #1-9).

 Family Services Department	Head Start Division Standard Operating Procedures Staff Qualifications and Development
Title:	Child Development Associate Credential (CDA)
Revision Date:	3/8/2016
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Head Start Act: 648A(ii)(I)	(ii) Head Start teaching assistants nationwide in center-based programs have(I) at least a child development associate credential

I. Purpose

To ensure all teacher assistants/aides will obtain the National Child Development Associate (CDA) credential within eighteen (18) months from the date of employment.

II. Procedures

1. Center Supervisor will provide advisement and assistance to the CDA applicant. However, it is the responsibility of the CDA applicant to complete all necessary course work and documentation as required by the **Council for Professional Recognition**.
2. Instructions for obtaining a CDA are listed on the Council web site. Prior to applying, applicants need to review the prequalifications in order to determine if they meet the qualifications to apply. As part of the application process all CDA candidates must have a High School Diploma or GED.
3. CDA applicants must complete 120 hours of formal early childhood education training, covering the growth and development of children ages 3 to 5 with no fewer than 10 training hours in each of the following subject areas:
 - Planning a safe and healthy learning environment
 - Advancing children's physical and intellectual development
 - Supporting children's social and emotional development
 - Building productive relationships with families
 - Managing an effective program operation
 - Maintaining a commitment to professionalism
 - Observing and recording children's behavior
 - Understanding principles of child development and learning
4. CDA applicants must complete 480 hours of hands on professional training in an early childhood education environment (within three (3) years before the application). If volunteers complete their hours in Head Start classrooms, they will be provided with a letter from the Sr. Program Manager of Early Childhood Education Operations upon request. Only those hours documented in ChildPlus can be used as proof to count towards their 480 hours.



Family Services Department

Title:

Head Start Division
Standard Operating Procedures

Staff Qualifications and Development

Child Development Associate Credential (CDA) (continued)

5. CDA applicants will need to identify a Professional Development (PD) Specialist to conduct the formal classroom observation. The PD Specialist must meet the eligibility requirement and observe the applicant working as a lead teacher with a group of at least eight children ages 3 to 5. A list of PD Specialists can be found on the **CDA Council** web site. **Note: The PD Specialist and the CDA applicant must wait for the receipt of the Ready to Schedule Notice from the Council before completing the verification visit. The PD Specialist must NOT conduct the verification visit before the candidate's application is submitted to the Council.**
6. CDA applicants will prepare a professional portfolio (within six (6) months before the application) to include a collection of reference materials related to their work.
7. CDA applicants are required to distribute and collect Family Opinion Questionnaires (within six (6) months before the application). The application packet includes the instructions for distribution and collection.
8. CDA applicants must submit a money order for \$75.00 towards the cost of the Direct Assessment to the Sr. Program Manager of Early Childhood Education Operations. This money order will be submitted with the application packet. **Note: When submitting the payment leave the pay to information blank.**
9. A copy of the letter documenting the 120 hours and the Direct Assessment application is submitted to the Sr. Program Manager of Early Childhood Education Operations who will complete a purchase order and request a check for the remaining \$350.00 fee.
10. The \$350.00 fee is funded by Head Start for employees, parents, and on call staff.
11. CDA applicants will submit the application along with the fee to the Council. Once received, the Council will notify the CDA applicant that their application has been processed. Within six (6) months after the application is approved, the verification visit is conducted by the PD Specialist (chosen by CDA applicant).
12. CDA applicants will take the CDA exam at a local PearsonVUE testing center.
13. After the verification visit and the CDA exam are complete, the PD Specialist sends the verification visit scores and PearsonVUE sends the exam scores to the Council.
14. Upon review by the Council, a Child Development Associate Credential will be either awarded or denied.
15. If the CDA Credential is awarded, the employee will inform the Center Supervisor and submit a copy of the credential.
16. The Center Supervisor will submit a copy of the credential to the Field Operations Supervisor and file a copy in the personnel file.
17. Teacher assistants/aides who do not obtain the CDA Credential within 18 months from the date of hire, will be terminated. Note: Teacher Assistants with a degree do not need to obtain the CDA Credential.



Family Services Department

Head Start Division
Standard Operating Procedures

Staff Qualification and Development

Title:	Child Development Associate Credential (CDA) Renewal
Revision Date:	3/8/2016
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Head Start Act: 648A(ii)(1)	(ii) Head Start teaching assistants nationwide in center-based programs have(1) at least a child development associate credential

I. Purpose

To ensure teaching staff maintains updated professional credentials in keeping with job requirements.

II. Procedures

1. Teaching staff that have an active Child Development Associate (CDA) Credential must renew their credential every three years. It is the staff's responsibility to keep their CDA current. The procedures for renewing the CDA can be obtained from <http://www.cdacouncil.org/the-cda-credential/how-to-renew-your-cda>.
2. A CDA Credential is valid for three years from the award date, after which it may be renewed in three-year increments. A CDA Credential may only be renewed for the original setting, age-level endorsement, and specialization.
3. CDA Credentials must be renewed before they expire. The following is a list of requirements that are needed to renew the CDA credential:
 - Renewal Application processing fee \$125 online or \$150 mail in (paid by employee)
 - Proof of current First Aid / CPR (including preschool age)
 - Proof of 4.5 CEUs or a three credit hour course in early childhood education/child development
 - Proof of 80 hours of recent work experience with young children documented on official letterhead from a supervisor
 - A completed Letter of Recommendation form by an ECE Professional
 - Proof of current membership in a national or local early childhood professional organization
4. Once the CDA is renewed, teaching staff must submit form CF-FSP 5211 to the Department of Children and Families (DCF). Once approved, the training transcript is updated and a new expiration date is listed. A copy of the new training transcript and Staff Credential form 5206 must be printed and filed in the staff's personnel file.
5. Teaching staff that have furthered their education by obtaining an advanced degree such as a AA,AS, BA, or BS , must submit form CF-FSP 5211 to DCF with proper documentation of their formal education. Once the degree is approved the staff credential listed on the training transcript will no longer have an expiration date.
6. Teacher assistants who fail to renew their CDA prior to the expiration date will be subject to disciplinary action, up to and including termination.



Family Services Department

Title:

**Head Start Division
Standard Operating Procedures**

Staff Qualification and Development

Child Development Associate Credential (CDA) Renewal

7. Any employee who is required to possess and maintain a license or certification shall inform management if the license or certification is denied, expired, restricted, suspended or revoked.

 Family Services Department	Head Start Division Standard Operating Procedures Health Services Performance Standards
Title:	Dual Enrollment of Children with Individualized Education Plan (IEP)
Development Date:	5/1/2015
Revision Date:	8/5/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Assessment of Children 1308.6(d)	(d) Developmental assessment, the second step, is the collection of information on each child's functioning in these areas: gross and fine motor skills, perceptual discrimination, cognition, attention skills, self-help, social and receptive skills and expressive language. The disabilities coordinator must coordinate with the education coordinator in the on-going assessment of each Head Start child's functioning in all developmental areas by including this developmental information in later diagnostic and program planning activities for children with disabilities.

I. Purpose:

To ensure effective communication and collaboration between Orange County Head Start (OCHS) and Orange County Public Schools (OCPS) to maximize the success of services for children with an Individual Education Plan (IEP).

II. Procedure:

1. Parents/legal guardians will attend a staffing meeting with OCPS to develop the IEP and are given instructions on placement, registration at the school of service, and transportation.
2. Disabilities/Mental Health Staff, with the assistance of center staff, will follow-up with the parent/legal guardian to ensure child is registered at the school of service based on the OCHS center's address.
3. Disabilities/Mental Health staff will address any issues that the parent/legal guardian is experiencing with the registration process.
4. Staff will obtain the time for the child's dual enrollment (Morning or Afternoon Session) and the transportation schedule from the parent/legal guardian. Disabilities/Mental Health staff and center staff will follow-up on the status of the child's registration and transportation. No child will be allowed to ride an OCPS bus until notification is received from the parent/legal guardian that the child has been approved for transportation. All efforts to obtain this information must be documented.
5. Center staff will complete the OCPS transportation log to monitor the arrival and departure of children from OCPS transportation (see attached).
6. OCHS staff is not permitted to enter an OCPS bus for any reason.



Family Services Department

Title:

**Head Start Division
Standard Operating Procedures**

Health Services Performance Standards

**Dual Enrollment of Children with Individualized Education Plan
(IEP)**

7. When a child has been assigned a safety harness, the center will be responsible for placing the safety harness on the child before they are put on the bus.

Note: If the harness is not at the center, the child cannot get on the bus.

8. The OCPS bus driver is responsible for addressing concerns with safety harnesses, behavior and the monitoring of the children once the child is released to them.
9. If the bus does not arrive within ten (10) minutes of the scheduled time OCHS staff will contact the OCPS transportation department to determine the status of the bus.

- Orange County Public School Transportation Department: 407-317-3807

10. Teaching staff with dual enrolled children will be responsible for communicating with the OCPS Pre-Kindergarten teacher on a monthly basis. This communication may be through phone, in person, or email (following HIPAA guidelines) and should address goals, progress, individualizing, behavior, and any other concerns. All communication must be documented.
11. OCHS teachers will participate in the initial staffing, annual review process, and receive progress reports.

 ORANGE COUNTY GOVERNMENT FLORIDA	Orange County Family Services Department Head Start Division
Family Services Department	Program Design and Management
Title:	Termination of Head Start Employees
Revision Date:	3/2/16
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Head Start Performance Standards: 1304.50(d)(1)(xi)	(d) The Policy Council or Policy Committee. (xi) Decisions to hire or terminate any person who works primarily for the Early Head Start or Head Start program of the grantee or delegate agency.

I. Purpose

To ensure the Policy Council Personnel Committee is included in the approval/disapproval of decisions to terminate individuals working for the program, without taking responsibility for directly terminating individuals, because this is a function of the Head Start Division. The following procedures do not include voluntary reassignments/layoff due to loss of program funding.

II. Procedures

1. Orange County Head Start, under the auspices of Orange County Government, follows the policies and procedures delineated in the Orange County Policies and Procedure manual. Disciplinary action may include, but is not limited to the following:
 - Verbal/Oral Warning
 - Written Reprimand
 - Suspensions
 - Involuntary Reassignment
 - Termination

2. A predetermination hearing (PDH) must be held before a suspension, involuntary reassignment or termination may be imposed as a form of disciplinary action unless an employee has allegedly been involved in serious violations of policy or law and any of the following that may apply:
 - Nature of the alleged violation in relationship to the employee's work duties warrants immediate removal of the employee from the workplace
 - Employee poses a threat to themselves or other employees
 - Public perception and employee morale would be adversely affected
 - Employee tested positive for drug/alcohol use

3. The Human Resources Administrator of the Family Services Department may be contacted for concurrence in a determination.

4. In the event that a PDH hearing results in the decision to terminate the employee, the Head Start Division Manager will contact the Chairperson of the Personnel Committee.

5. The Division Manager will discuss the infraction or violation, the due process allowed for the individual, and the rationale for the decision to terminate.



**Orange County Family Services Department
Head Start Division**

Family Services Department

Program Design and Management

Title:

Termination of Head Start Employees (continued)

6. If the chairperson of the Personnel Committee agrees with the decision, a recommendation will be made to the Policy Council (PC) for approval of this decision, without revealing confidential details to the PC.
7. If the chairperson of the Personnel Committee does not agree with the decision, a meeting will be held with the Division Manager, the Family Services Human Resources Administrator, and the Personnel Committee.
8. This meeting shall occur prior to the ten (10) working days allotted for determining the disposition of the employee's violation of Orange County Policy, Standard Operating Procedures and/or Head Start Performance Standards.
9. The Family Services Director will be invited to the meeting, but can delegate the decision to the Division Manager, if he/she chooses.
10. If this meeting does not result in an agreement, Orange County Head Start Impasse Procedures will be followed.



Family Services Department

Head Start Division
Standard Operating Procedures

Program Design and Management

Title:

Program Planning

Revision Date:

12/9/2015

Policy Council Approval Date:

06/16/2016

BCC Approval Date

XX/XX/2016

Management Systems &
Procedures: 1304.51 (a)

(a) Program planning. (1) Grantee and delegate agencies must develop and implement a systematic, ongoing process of program planning that includes consultation with the program's governing body, policy groups, and program staff, and with other community organizations that serve Early Head Start and Head Start or other low-income families with young children. Program planning must include: (i) An assessment of community strengths, needs and resources through completion of the Community Assessment, in accordance with the requirements of 45 CFR 1305.3; (ii) The formulation of both multi-year (long-range) program goals and short-term program and financial objectives that address the findings of the Community Assessment, are consistent with the philosophy of Early Head Start and Head Start, and reflect the findings of the program's annual self-assessment; and (iii) The development of written plan(s) for implementing services in each of the program areas covered by this part (e.g., Early Childhood Development and Health Services, Family and Community Partnerships, and Program Design and Management). See the requirements of 45 CFR parts 1305, 1306, and 1308. (2) All written plans for implementing services, and the progress in meeting them, must be reviewed by the grantee or delegate agency staff and reviewed and approved by the Policy Council or Policy Committee at least annually, and must be revised and updated as needed.

I. Purpose

To ensure that Orange County Head Start engages in program planning that is fundamental to program operations and continuous program improvement.

II. Procedures

Community Assessment: October-January

1. The Community Assessment is conducted every three (3) years, with an update completed in the two (2) years between assessments.
2. A Community Assessment Leadership Team is formed, under the direction of the Division Manager, or designee, and includes key management staff, members of the Policy Council, and community partners to develop the plan of action to complete the Community Assessment.
3. Once the plan has been developed and a consultant is selected, the Community Assessment is initiated and data is collected from internal and external sources.
4. The consultant will review internal and external data sources and records statistics to gather information about the services needed within the community. Once the data is analyzed, a Community Assessment report is compiled.
5. The information collected during the Community Assessment identifies strengths, needs, and trends of the community in which Orange County Head Start operates and measures the impact on the design and implementation of the program. This information will determine appropriate locations for centers and determine areas for targeted recruitment, as well as, validate management decisions regarding budgetary priorities and ERSEA strategies.



Family Services Department

Title:

Head Start Division
Standard Operating Procedures

Program Design and Management

Program Planning

Self-Assessment: October-January

1. The Head Start Division Manager, or designee, will recruit and encourage staff, families, members of the Policy Council, and the Board of County Commissioners to serve on the Self-Assessment Leadership Team.
2. The Leadership Team will determine if the expertise of a consultant will be utilized to facilitate the Self-Assessment process.
3. The Leadership Team with the assistance of a consultant, if applicable, will establish the method used to conduct the Self-Assessment and assign team leaders.
4. The Administrative Assistant will send out letters to staff, families, Policy Council, and community partners inviting them to participate in the Self-Assessment and attend Self-Assessment training.
5. Self-Assessment teams will conduct a review of the program over an assigned two (2) week period.
6. Team leaders will be responsible for the compilation of a summary of results from their team and submission of the summary to the Leadership Team.
7. The Leadership Team and/or consultant will review each team leader's summary and prepare a final report.
8. Quarterly reviews of the Program Improvement Plan will serve as follow up on findings from the previous year's Self-Assessment and ensure course correction.

Program Improvement Plan: January-February

1. A Program Improvement Leadership Team, consisting of management, staff, and a Policy Council representative will review the Self-Assessment, to identify trends and/or significant issues that emerge to develop program improvement goals.
2. The Leadership Team will develop action steps and establish timelines for each goal. Staff will be assigned to each action step to identify resources that are needed such as: funds, consultants, staff members, and materials that will be helpful in carrying out the action step/strategies as well as potential barriers.
3. Once the required information is gathered, the Leadership Team will reconvene to develop a final draft of the Program Improvement Plan.



Family Services Department

Title:

**Head Start Division
Standard Operating Procedures**

Program Design and Management

Program Planning

Strategic Plan: January-February

1. The Strategic Planning Leadership Team, comprised of key management staff and a Policy Council representative, will review the Community Assessment, the Self Assessment, Program Improvement Plan, School Readiness goals, and Parent, Family, and Community Engagement goals to identify program goals and objectives for the 5-year project period as well as develop strategies to achieve these objectives.
2. The Leadership Team will develop action steps/strategies and establish timelines for each goal. In addition, resources will be identified, such as: funds, consultants, staff members, and materials that will be helpful in carrying out the action step/strategies.
3. Quarterly, the program will review the Strategic Plan to assess progress in implementing the plan.
4. In addition to quarterly reviews, each year of the 5-year project period the Strategic Plan will be reviewed to measure the program's progress toward the achievement of goals and objectives and will make adjustments as deemed necessary to assure their achievement.

Training/Technical Assistance Plan: January-February

1. The Strategic Planning Leadership Team will utilize the Strategic Plan to derive the Training/Technical Assistance Plan.
2. The Leadership Team will determine who will benefit from the training, as well as, how, when, and where the trainings will be conducted.
3. Senior Management will research, obtain quotes, and provide the proposed budget allocations for the trainings that will take place to meet Orange County Head Start program objectives.

Work Plans: June-August March-May (Go to PC in June/BCC in July, ready for August)

1. Annually, unit managers will meet with pertinent service area staff to review and revise work plans to align it with unit goals and in accordance with changes reflected in the Strategic and Program Improvement Plans. Units will also cross-reference applicable Standard Operating Procedures during the review process.
2. Once Work Plans are reviewed individually by each unit, the larger group will convene at the next scheduled monthly staff meeting to share and discuss revisions. During this meeting, service areas will also be notified of revisions that will impact their areas.
3. The Sr. Program Manager of each unit will make any necessary revisions based on discussion with the larger group and prepare the final draft of the Work Plans for approval by the Policy Council and Board of County Commissioners (BCC).
4. Any significant changes in the Work Plans will be presented to staff for the upcoming school year.



Family Services Department

Title:

Head Start Division
Standard Operating Procedures

Program Design and Management

Program Planning

Policy Council Bylaws: April-August

1. The Bylaws Committee, facilitated by an Orange County Head Start staff person and comprised of Policy Council representatives, will convene during the months of April through August to review and revise, if necessary, the Policy Council Bylaws.
2. Once reviewed by the ad-hoc committee, the revisions will be reviewed by the County's Legal Department and then shared with the Policy Council at the next regularly scheduled meeting.
3. The Bylaws will be provided to and reviewed with the new Policy Council members at the annual training/meeting.

Annual Report: August-December

1. The Annual Report is a comprehensive report highlighting the program's performance, initiatives, and activities throughout the program year.
2. The development of the Annual Report will be facilitated by the Quality Assurance Unit with input from select senior and mid-level management staff, as well as, a Policy Council representative.
3. Management staff and other key staff, collect information about each service area, school readiness efforts and outcomes, fiscal operations, and Parent, Family, and Community Engagement outcomes from database systems to include, but not limited to, the following:
 - Child Plus
 - Advantage
 - Galileo
 - Head Start Enterprise
4. The data collected is aggregated and included in the final report. A meeting will be held to review the data collected from all service areas and provide key involvement into the development of the Annual Report.
5. The Annual Report is shared with staff, the Policy Council, the BCC, and external stakeholders within the community.

School Readiness Plan

1. The School Readiness Committee consists of an expert panel of individuals from different professions to include classroom teachers, parents/legal guardians, community partners, volunteers, and other individuals from social service agencies within the community.
2. The committee meets to make recommendations that support the mission, vision, and philosophy of Orange County Head Start and the establishment of school readiness goals.
3. The committee will review the School Readiness Plan annually and make revisions as needed.



Family Services Department

Title:

**Head Start Division
Standard Operating Procedures**

Program Design and Management

Program Planning

Education Planning Committee

1. The Education Planning Committee meets 2-3 times per year to review operations, provide feedback, and identify areas of strength and opportunities for improvement.
2. The committee actively participates in group discussions and assists in creating new operational procedures, policies, and practices.

Governing Boards participation in the Planning Cycle:

1. Policy Council and the Board of County Commissioners are trained during their annual training sessions on their role in the program planning process.
2. The Policy Council and the BCC will review the following plans to make their final recommendations, and vote for approval or disapproval:
 - Community Assessment
 - Self-Assessment
 - Strategic Plan
 - Program Improvement Plan
 - Training/Technical Assistance Plan
 - Work Plan
 - Policy Council Bylaws
 - Annual Report
 - and School Readiness Plan
3. The budget will be prepared based on program objectives derived from the strategic planning process.
4. The Self-Assessment, Strategic Plan, Program Improvement Plan, and Training/Technical Assistance Plan are submitted with the Refunding Application to the Head Start Regional Office.
5. Program plans will be available for all staff on the "S" drive.

 <p>Family Services Department</p>	<p align="center">Head Start Division Standard Operating Procedures Program Design and Management</p>
<p align="center">Title:</p>	<p align="center">Comprehensive Files</p>
<p align="center">Development Date</p>	<p align="center">7/9/2014</p>
<p align="center">Revision Date:</p>	<p align="center">3/8/2016</p>
<p align="center">Policy Council Approval Date:</p>	<p align="center">06/16/2016</p>
<p align="center">BCC Approval Date</p>	<p align="center">XX/XX/2016</p>
<p>Management Systems and Procedures: 1304.51(g)</p>	<p>(g) Record-keeping systems. Grantee and delegate agencies must establish and maintain efficient and effective record-keeping systems to provide accurate and timely information regarding children, families, and staff and must ensure appropriate confidentiality of this information.</p>

I. Purpose

To ensure comprehensive files are adequately and confidentially maintained at all times.

II. Procedures

Central Files Located at the Administrative Office

1. All original eligibility applications will remain at the administrative office located in a central file and locked in a filing cabinet.
2. The designated Administrative Specialist will be responsible for monitoring the storage and security of these files maintained at the administrative office. (See Safeguarding and Storing Protected Health Information SOP)

Comprehensive Files Located at the Center

1. A copy of the eligibility applications will be maintained in a locked filing cabinet at the center in which the parent/legal guardian wishes to enroll their child.
2. The Community Service Worker(s) (CSW) is responsible for the comprehensive file(s), monitoring the storage and security of these files at all times.
3. The CSW(s) will create a comprehensive file for each child enrolled and file the Eligibility Application packet, enrollment forms, and consent forms. Note: CSW (s) are responsible for all comprehensive files located at each Head Start location.
4. Located at the front of each section is a section cover sheet that lists all documents that are to be placed in each section. Documents marked with an asterisk (*) will only be in the file if it is applicable to that particular child.



Family Services Department

Head Start Division
Standard Operating Procedures

Program Design and Management

Title:

Comprehensive Files (continued)

5. The comprehensive file will contain the following sections:
 - Section A: Customer Service Record
 - Section B: ERSEA
 - Section C: Child Development
 - Section D: Medical and Dental
 - Section E: Disabilities/Mental Health
 - Section F: Nutrition
 - Section G: Family and Community Engagement A
 - Section H: Parent, Family and Community Engagement B
6. During the school year, CSWs will be responsible for filing documents received by parents/legal guardians, ensuring the document(s) is neatly two-hole punched and securely placed within the prongs of the appropriate section of the comprehensive file.
Note: When comprehensive file is first put together all forms must be placed in the order of the cover sheet. After the comprehensive file is complete all documents must be filed in reverse chronological order (i.e. Most current document on top).
7. Each service area will be responsible for filing documents produced by their area during site visits, ensuring the document(s) is neatly two-hole punched and securely placed within the prongs of the appropriate section of the comprehensive file. **Note: White out is not permitted to be used on any documentation located in the comprehensive file. After the comprehensive file is complete, all documents filed by each service area must be filed in reverse chronological order (i.e. Most current document on top).**
8. Teaching staff will be responsible for reviewing the Child Development section (section C) of the files and ensuring that all required documentation is present. The CSW(s) is responsible for reviewing the files and ensuring all other required documentation is present.
9. CSW(s)/Teaching staff will verify the pertinent documents are in the file by signing and dating the fields next to the document on the cover sheets. Note: Duplicate documentation should not be kept in the file unless it is an addendum that provides additional information not present on the original.(see Amendment of Protected Health Information)
10. Wherever possible, files should be kept in a central location where the file cabinet and door can be locked when staff is not present.
11. Comprehensive files are to remain in a locked filing cabinet at all times when not in use by staff or other authorized individuals. (see Safeguarding and Storing Protected Health Information for procedures regarding who will be authorized to have key access to filing cabinets)

Tracking System for Comprehensive Files

The following procedure will be followed to monitor the storage and security of comprehensive files containing Protected Health Information (PHI):

Last Revised 7/14



Family Services Department

Title:

**Head Start Division
Standard Operating Procedures**

Program Design and Management

Comprehensive Files (continued)

1. No comprehensive files may be removed from the center unless otherwise authorized by management.
2. A Comprehensive File Sign In/Out sheet must be located inside the front of the comprehensive file cabinet to maintain a tracking system for the files (see attached). Note: Child's name(s) should be located on the Sign In/Out Sheet.
3. Staff, parents/legal guardians, and other authorized individuals who access a child's comprehensive file must sign the Comprehensive File Sign In/Out sheet as well as document the provision of services to the child and/or the family on the Customer Service Record located in Section A of the comprehensive file.
4. Parents/legal guardians may view their own child's comprehensive file; however, a staff person must be present at all times during the review (see Access to Current/Former Head Start Children's PHI).
5. If a comprehensive file is missing from the filing cabinet, the Comprehensive File Sign In/Out sheet will be used to locate the file and identify the last individual to sign it out. Note: An Outs Guide will be available for any staff who removes a file from the vicinity of the comprehensive file cabinet to insert in place of the comprehensive file for location of the file.
6. In the event the file cannot be located, the Sr. Program Manager for Childhood Health & Developmental Services, or designee, will be notified of the missing comprehensive file and a possible breach of PHI.
7. The Sr. Program Manager for Childhood Health & Developmental Services, or designee, will conduct a risk assessment to determine if there is in fact a breach of PHI and if the parent/legal guardian and/or business partners of Orange County Head Start need to be informed.

 Family Services Department	Head Start Division Standard Operating Procedures Program Design and Management
Title:	PIR Monitoring and Reporting
Development date:	2/10/2016
Revision Date:	3/8/2016
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Management Systems and Procedures: 1304.51(h)(2)	(h) Reporting systems. Grantee and delegate agencies must establish and maintain efficient and effective reporting systems that: (2) Generate official reports for Federal, State, and local authorities, as required by applicable law.

I. Purpose

To ensure accurate information in the Program Information Report (PIR) is submitted to the Office of Head Start by maintaining and monitoring program data.

II. Procedures

1. The Quality Assurance Coordinator will review the PIR by the 5th of the month.
2. The report will be emailed to the three (3) Senior Program Managers and Division Manager with identified concerns for correction as applicable.
3. The Senior Program Manager(s) responsible for any identified concerns will have 15 calendar days to address the issue. If additional time is needed to correct the issues, the corresponding Senior Program Manager will request additional time with the Quality Assurance Coordinator.
4. The Quality Assurance Coordinator will review the PIR by the 22nd of the month to ensure that identified issues have been corrected in the system.
5. If the concerns have not been addressed and corrected in the system, the report will be provided to the Division Manager. Failure to correct identified issues can lead to disciplinary action.
6. The PIR Report will be shared with the Policy Council and the Board of County Commissioners on a quarterly basis.
7. The Quality Assurance Coordinator will compile the PIR on a weekly basis during the months of June and July for up to date information available through ChildPlus PIR report 9700.



Family Services Department

Head Start Division
Standard Operating Procedures

Program Design and Management

Title:

Classroom Assessment Scoring System (CLASS)

Revision Date:

3/8/2016

Policy Council Approval Date:

06/16/2016

BCC Approval Date

XX/XX/2016

Program Governance:
1304.52(d)

(d) Qualifications of content area experts. Grantee and delegate agencies must hire staff or consultants who meet the qualifications listed below to provide content area expertise and oversight on an ongoing or regularly scheduled basis. Agencies must determine the appropriate staffing pattern necessary to provide these functions.

I. Purpose

To ensure that staff are reliable to observe teaching staff according to the Classroom Assessment Scoring System (CLASS).

II. Procedures

1. Management makes the determination on which staff will be assigned to become CLASS reliable. Once the determination is made, staff are notified and advised to contact the CLASS trainer to set up a date for training. It is the expectation of management that all staff assigned to be CLASS observers will become CLASS reliable.
2. CLASS reliability is issued for twelve (12) months. Each year staff must take and pass the CLASS exam to maintain their reliability. Staff is responsible for ensuring that their CLASS reliability does not expire.

Initial Reliability

1. Staff will complete a (2) two day training with the CLASS trainer and take the reliability test. A maximum of three (3) opportunities are given to pass the reliability exam within eight (8) weeks.
2. Upon successful completion of the exam, management will notify the Sr. Fiscal Coordinator to sign the required paperwork and turn in the reliability certificate or proof of three (3) attempts if unsuccessful.

Renewing Reliability

1. Reliability will expire after one (1) year. If expired CLASS Trainer will request in writing to the Sr. Fiscal Coordinator for staff to become reliable within two (2) months of their reliability expiration date.
2. CLASS Trainer must contact the Sr. Fiscal Coordinator to complete the required paperwork to initiate payment. Once the payment is processed staff will be able to log in and review the practice videos.
3. A maximum of three (3) opportunities are given to pass the reliability exam. After two (2) attempts at becoming reliable, staff can request refresher training with the CLASS trainer.



Family Services Department

**Head Start Division
Standard Operating Procedures**

Program Design and Management

Title:

Classroom Assessment Scoring System (CLASS) (continued)

4. Staff assigned to be CLASS observers according to management determination, will be expected to become re-reliable.



Family Services Department

**Orange County Head Start Division
Standard Operating Procedures**

Program Design and Management

Title:	Direct Supervision of Children
Revision Date:	12/9/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date:	XX/XX/2016
<p>Human Resources Management: 1304.52(g)(3&5) &(l)(1)(iii)</p> <p>Facilities, Materials, & Equipment: 1304.53(a)(9)</p> <p>DCF Childcare Standards: 65C-22.001 (5)(a & b) & 65C-22.001(d)(1)</p>	<p>(g) Classroom staffing and home visitors. (3) For center-based programs, the class size requirements specified in 45 CFR 1306.32 must be maintained through the provision of substitutes when regular classroom staff are absent. (5) Staff must supervise the outdoor and indoor play areas in such a way that children's safety can be easily monitored and ensured. (l) Standards of conduct. (1) Grantee and delegate agencies must ensure that all staff, consultants, and volunteers abide by the program's standards of conduct. These standards must specify that: (iii) No child will be left alone or unsupervised while under their care. (a) Head Start physical environment and facilities. (9) Outdoor play areas at center-based programs must be arranged so as to prevent any child from leaving the premises and getting into unsafe and unsupervised areas. In route to play areas, children must not be exposed to vehicular traffic without supervision. (5) Supervision.(a) Direct supervision means actively watching and directing children's activities within the same room or designated outdoor play area, and responding to the needs of each child. Child care personnel at a facility must be assigned to provide direct supervision into a specific group of children, and be present with that group of children at all times. (b) During nap time, supervision requires that staff be in close proximity, within sight and hearing of all the children. (d) Additional Supervision Requirements. 1. In addition to the number of staff required to meet the staff-to-child ratio, for the purpose of safety, one additional adult must be present on all field trips away from the child care facility to assist in providing direct supervision.</p>

I. Purpose

To ensure that active supervision of children is maintained at all times.

II. Procedures

1. All employees are responsible for ensuring the safety and security of children at the center. If staff observes a safety concern related to supervision, they must immediately inform the Center Supervisor or their designee.
2. It is the teaching staff's responsibility to maintain direct supervision. To meet this requirement head counts should be conducted to identify the total number of children in their presence.
3. Teaching staff will position themselves strategically inside and outside where they can visually observe the children. They will continually scan the entire environment to know where each child is and what they are doing. They will count the children frequently throughout the day.
4. Children must be attended to and remain under direct contact, in constant visual and auditory supervision by teaching staff. At a minimum staff must count the children when:
 - A child is signed in/out by staff, therapists, parents/legal guardians, or other authorized individuals
 - In the classroom
 - When transitioning between classroom activities
 - When staff return from breaks
 - When children come and go from the restroom



Family Services Department

Orange County Head Start Division
Standard Operating Procedures

Program Design and Management

Title:

Direct Supervision of Children

- While on the playground and when transitioning between indoor and outdoor
 - On field trips or when special guests are in the building
 - Boarding and exiting the bus
 - When classrooms are combined together or divided into separate groups
5. During transitions, teaching staff must be positioned to prevent a child from leaving the premises and getting into unsafe or unsupervised areas.
6. At no time may the following situations occur:
- Having a child supervise another child
 - Asking or instructing a child to carry out any activity that will reasonably place them out of the teacher's sight
 - Instructing children to deliver messages to other classrooms while unsupervised
 - Sending a child outside the classroom to the bathroom
7. Teaching staff will ensure that the appropriate adult-child ratios of one staff to ten children (1:10) is maintained during indoor and outdoor activities, to include field trips. Teachers and Center Supervisors must always ensure that this ratio is met before going on the field trip. Teaching staff will work in partnership with parents to offer additional support to adequately supervise children during special activities, such as field trips.
8. Center Supervisors and Community Service Workers will assist in classrooms when no substitutes are available.
9. The following individuals must not be left alone to supervise children:
- Bus driver
 - Custodian
 - Maintenance worker
 - Parents/legal guardians
 - Volunteers
 - Community partners
 - Foster grandparents
10. During Policy Council meetings that occur after normal operational hours, at least two teaching staff will provide supervised childcare for Head Start parents. Additional staff will be added if the ratio exceeds one adult to 10 children (1:10).
11. To ensure the direct supervision of children at all times, a fully operational telephone or intercom system must be accessible to communicate in emergency situations.
12. **Strict adherence to this procedure is required. If children are left unsupervised the staff responsible for their care will be subject to disciplinary action, up to and including termination.**

 Family Services Department	Head Start Division Standard Operating Procedures Program Design and Management
Title:	Physical Facility Requirements
Revision Date:	10/7/2015
Policy Council Approval Date:	06/16/2016
BCC Approval Date	XX/XX/2016
Facilities, Materials, and Equipment: 1304.53(a)(1-3 & 6-7) & FL Statutes 65C-22.002(6)(b)	a) Head Start physical environment and facilities. (1) Grantee and delegate agencies must provide a physical environment and facilities conducive to learning and reflective of the different stages of development of each child. (2) Grantee and delegate agencies must provide appropriate space for the conduct of all program activities (see 45 CFR 1308.4 for specific access requirements for children with disabilities). (3) The center space provided by grantee and delegate agencies must be organized into functional areas that can be recognized by the children and that allow for individual activities and social interactions. (6) Facilities owned or operated by Early Head Start and Head Start grantee or delegate agencies must meet the licensing requirements of 45 CFR 1306.30. (7) Grantee must provide for the maintenance, repair, safety and security of all Early Head Start and Head Start facilities, materials and equipment.

I. Purpose

To ensure all Head Start facilities provide a safe, physical environment that is conducive to learning, and reflects the different stages of development of each child.

II. Procedures

Site Planning

1. Head Start management team and Head Start families assist in the planning process for facilities development.
2. Prior to leasing or constructing a new facility, the Division Manager, or designee, will review construction plans with the Fire Department and the Department of Children & Families (DCF) to ensure all federal, state, and local requirements are met. In addition, the following Orange County departments are consulted to determine specific requirements prior to beginning the new construction/lease; Facilities, Permitting, Zoning, and the Environmental Protection Agency.
3. For construction of new Head Start sites, the Orange County Capital Project Division will assign a Project Manager to work with the Division Manager, or designee, to ensure that construction is completed in accordance with the approved plans.
4. Before the execution of a new lease agreement or at the start of a construction project, the Division Manager, or designee, the Capital Projects Project Manager, the Real Estate Program Manager, and the Relocation Committee (which includes Head Start families) will ensure that the following requirements are met:
 - The facility is designed with appropriate spacing for all program activities
 - The facility is free from health and safety hazards and is in good repair
 - The facility is free of pest and rodent infestation
 - The facility passes inspection by Risk Management for Indoor Air Quality and Radon detection (See Risk Management Safety and Health Manual-Section 10)



Family Services Department

Head Start Division
Standard Operating Procedures

Program Design and Management

Title:

Physical Facility Requirements (continued)

5. All areas, including indoor/outdoor space, must be in compliance with the Americans with Disabilities Act (ADA). Wheelchair ramps and rails must be installed at entrances/exits. The following should be large enough to accommodate persons in wheelchairs: sidewalks, walkways, hallways, doors, and bathrooms.
6. If federal funds are used to construct or lease a facility, a Notice of Federal Interest (NFI) poster must be displayed, to include modular buildings. The NFI poster should indicate that the property may not be used for any purpose or other arrangement during the lease that is inconsistent with that authorized by the Head Start Act and applicable regulations, in accordance with statutory provisions set forth in 42 USC 9839, and regulatory provisions as set forth in 45 CFR part 1309, 45 CFR part 75; and the Administration for Children and Families grants policy.
7. The Head Start site design for land use and facility space may include, but not limited to, the following:

Land Use:

- Large areas for movement of traffic such as buses, delivery trucks, and vans to conveniently enter and exit the Head Start premises
- Parking spaces to include the appropriate number of handicap spaces
- Adequate outdoor lighting
- Head Start sign with DCF license number (if applicable)
- Security system
- Natural landscape with lawn sprinkler systems
- Water and electric meters
- Sidewalks and walkways
- Enclosure/cover for A/C units and garbage dumpster
- Interior/exterior walls are freshly painted with little or no cosmetic blemishes
- Paint coating does not contain hazardous quantities of lead

8. The Division Manager, or designee, will ensure that the following indoor requirements are met:

Indoor Space:

- Two or more classrooms
- Each classroom must have thirty five (35) sq. ft. of usable space per child (excluding fixed objects)
- Each classroom must have a bathroom with age appropriate toilets, sinks, and exhaust fans. The plumbing capacity per DCF is one toilet and one wash basin for the first fifteen (15) children and one additional toilet and basin for every thirty (30) children thereafter per FL Statute 65C-22.002(6)(b)
- Appropriate fire safety equipment; Fire extinguishers, emergency exit doors, emergency backup lighting, smoke detectors, and monitored fire alarms
- Sufficient amount of electrical outlets with appropriate child safety devices
- Sufficient lighting to meet the DCF minimum requirement of twenty (20) ft. candles

Revised 11/14

E-2



Family Services Department

Head Start Division
Standard Operating Procedures

Program Design and Management

Title:

Physical Facility Requirements (continued)

- The facility is equipped with adequate storage space to secure all hazardous materials and classroom equipment
 - Office space for the Community Service Worker and Center Supervisor
 - Entry, reception/lobby, common areas for social interaction
 - Drinking water fountains or water coolers
 - Isolation area for sick children
 - Multi-purpose spaces for meetings/conferences, resources, and therapy room
 - Janitor's closet, electric/mechanical equipment room, security/alarm system
 - Telephone jacks/data lines
 - Staff lounge/break rooms
 - Central A/C and heat with adequate insulation
 - Vinyl floor tiles, hardwood, or carpets
 - Clearly marked exits
 - Glass doors and windows with shatterproof glass
 - Appropriately located diapering stations in areas separate from children's activities
 - Adult bathrooms that meet ADA requirements equipped with diapering stations
9. The Division Manager, or designee, ensures that the outdoor play area meets the following requirements:

Outdoor Space:

- Soil is tested for lead and other contaminants prior to selecting a playground site
- Playground area has at least seventy-five (75) square feet of outdoor usable space per child
- Half of the play space is shaded and half is exposed to sunlight to allow groups of children to be protected from direct sunlight
- Fence is four (4) ft. high without sharp edges or six (6) ft. high without sharp edges if adjacent to water hazards
- Tops and spacing between pickets is no more than 3.5 inches
- Fence bottom does not exceed 3 inches above the ground
- Exposed fence bottom has a smooth finish
- Tension bars are used to secure chain link fence to terminal posts and gates
- Play space accommodates the movement of disabled children and adults to ensure their full participation
- A variety of ground surface texture is used on the playground to reduce the incidence of injuries to children in the event of falls and resilient surfacing is used to reduce the impact of falls particularly in fall zones. Refer to ASTM-355 *Shock Absorbing Properties of Playing Surface Systems and Materials* and the Consumer Product Safety Commission (CPSC) Handbook for Public Playground Safety for recommendations such as wood fiber chips, rubber matting, and pour-in-place
- Sufficient amount of age-appropriate outdoor play equipment
- Accessible routes to climbing equipment and installation of lower components to meet ADA requirements



Family Services Department

Title:

**Head Start Division
Standard Operating Procedures**

Program Design and Management

Physical Facility Requirements (continued)

10. The Division Manager, or designee, works with the Sr. Nutrition Coordinator to ensure that the kitchen meets the following requirements:

Kitchens:

- Ensure that all licensed Head Start centers that prepare food pass annual health inspections
- Meals provided meet the nutritional guidelines in accordance with the Florida Department of Health, Bureau of Child Nutrition Program, Child Care Food Program
- Kitchens are large enough for staff to move freely during meal preparation
- Sufficient storage is provided for food items and paper goods
- Kitchens must have a commercial refrigerator, stove with warming ovens, hood with exhaust fan, three-compartment sink, separate hand-washing sink, food pantry, space to accept on-site meal deliveries, and counter space for food preparation
- A janitor's closet must be separate from the kitchen and food items
- A water source approved by the Department of Health
- Disposal of sewage and liquid waste through a locally approved sewer system
- Dumpsters and trashcans are provided to ensure storage and disposal of trash in a sanitary manner

Opening New Centers/Classrooms

1. Each service area will be notified of the projected date of opening to purchase equipment and materials, if necessary.
2. Warehouse personnel will distribute classroom equipment and materials.
3. The Education Service Area will prepare the center/classroom(s) for inspection, following all state regulations for health, fire, and DCF (see Licensing Requirements SOP), and ensure compliance with the federal regulations outlined in the Performance Standards.
4. Each service area will assign appropriate staff.



Family Services Department

Head Start Division
Standard Operating Procedures

Program Design and Management

Title:	Screen Time
Development Date	4/6/2016
Revision Date:	4/6/2016
Policy Council Approval Date:	6/16/2016
BCC Approval Date	XX/XX/2016
Facilities Materials, and Equipment: 1304.53(b)(1), 1304.21(a)(5) & Orange County Policy Manual & Operational Regulations 405: Use of County Property	(b) Head Start equipment, toys, materials, and furniture. (1) Grantee and delegate agencies must provide and arrange sufficient equipment, toys, materials, and furniture to meet the needs and facilitate the participation of children and adults. Equipment, toys, materials, and furniture owned or operated by the grantee or delegate agency must be: (i) Supportive of the specific educational objectives of the local program; (ii) Supportive of the cultural and ethnic backgrounds of the children; (iii) Age-appropriate, safe, and supportive of the abilities and developmental level of each child served, with adaptations, if necessary, for children with disabilities; (iv) Accessible, attractive, and inviting to children; (v) Designed to provide a variety of learning experiences and to encourage each child to experiment and explore; (vi) Safe, durable, and kept in good condition; and (vii) Stored in a safe and orderly fashion when not in use. (a) Child development and education approach for all children. (5) In center-based settings, grantee and delegate agencies must promote each child's physical development by: (ii) Providing appropriate time, space, equipment, materials and adult guidance for the development of fine motor skills according to each child's developmental level; Employees are provided with equipment, such as tools, vehicles, materials and uniforms to enable safe and efficient performance of assigned duties. Appropriate inventory control measures are to be maintained by each division. Negligence, abuse, misuse, unauthorized personal use or the willful or negligent loss or destruction of County property will result in disciplinary action. Employees may be held financially responsible and required to reimburse the County for equipment damaged, destroyed, lost, or stolen due to neglect, abuse, misuse or personal use.

I. Purpose:

To ensure the frequency and use of media in the classroom is not excessive and that screen time is tracked on a weekly basis.

II. Procedures:

1. Teaching staff will allow a maximum of 30 minutes total per week of educational and age appropriate screen time.
2. Teaching staff will allow no more than 15 minutes of educational computer/iPad time per day for a student to not exceed 30 minutes total per week.
3. Teaching staff will not allow any screen time during meals and snacks.
4. Teaching staff will be responsible for tracking screen time using the screen time log. (see form attached).

 Family Services Department	Head Start Division Standard Operating Procedures Transportation Requirements
Title:	Use of Seat Belts
Revision Date:	3/8/2016
Policy Council Approval Date:	06/16/2016
BCC Approval Date:	XX/XX/2016
Head Start Performance Standards:1310.15 (a&d) Orange County Administrative Regulation 2.12.04(C)(5) County Motor Vehicle Operations Florida Statute 316.613(1)(a)	<p>(a) Effective October 1, 2006, on a vehicle equipped for use of such devices, any child enrolled in a Head Start or Early Head Start program is seated in a child restraint system appropriate to the child's height and weight while the vehicle is in motion. (d) Except for bus monitors who are assisting children, all vehicle occupants must be seated and wearing height- and weight-appropriate safety restraints while the vehicle is in motion. 2.12.04(c)(5) An employee who operates a County vehicle shall: 5. Not operate a motor vehicle unless the employee and all passengers are restrained by a safety belt. 316.613(1)(a)Every operator of a motor vehicle as defined in this section, while transporting a child in a motor vehicle operated on the roadways, streets, or highways of this state, shall, if the child is 5 years of age or younger, provide for protection of the child by properly using a crash-tested, federally approved child restraint device.</p>

I. Purpose

To establish procedures for the use of seat belts while operating a county/personal vehicle for conducting county business. To ensure the safety of children while being transported and the safety of employees while in transport.

II. Procedures

Children

1. All children, when transported, must be seated and wearing appropriate seat belts/safety restraints.
2. Children 5 years or younger must be seated in an appropriate, individual (cam harness- STAR) safety restraint.

Employees

1. Employees must use seat belts while riding in a county vehicle. Drivers and any passenger(s) must also use seat belts while riding in a personal vehicle on official county business.
2. Disciplinary action will be taken against employees driving county vehicles and not utilizing seat belts in accordance with Orange County Administrative Regulation 2.12.04(C)(5).
3. If any employee receives a citation from any law enforcement agency for not using a seat belt while on official county business, the employee will be personally responsible for satisfying any civil penalty related to the cited infraction, and subject to disciplinary action.

Interoffice Memorandum



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 *Sonya Hill*
Head Start Division
Contact: Khadija Pirzadeh, (407) 836-8912
Sonya Hill, (407) 836-7409

SUBJECT: Meal Service Agreements between Orange County, Florida
and School Board of Orange County, Florida
regarding School Food Service
BCC Meeting 8/2/16 Consent Agenda/All districts

The Head Start Division requests Board approval of eight Meal Service Agreements between the School Board and Orange County, Florida. These agreements will allow the School Food Service to provide Head Start children with two-thirds of the daily nutritional requirements. Meals will be furnished by the School Board Food Service at the following eight Head Start Centers: Aloma, Dover Shores, Englewood, Grand Avenue, Maxey, Tangelo Park, Ventura and Washington Shores Early Learning Center. Attachment A, Business Associates Agreement for compliance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy and Security Rules and Attachment B, Super Circular as mandated for contracts paid with federal grant funds are also included.

The Florida Childcare Food Program funds in the amount of \$222,712.20 will be used to cover the cost of meals. The term of these agreements is from October 1, 2016 through September 30, 2017. The County Attorney's Office and Risk Management Division have reviewed this agreement for legality and compliance with County policy guidelines.

Meal Agreements between Orange County and School Board of Orange County, FL
regarding School Food Service

Page 2

July 20, 2016

ACTION REQUESTED: Approval and execution of Meal Service Agreements between Orange County, Florida and School Board of Orange County, Florida regarding School Food Service for Aloma, Dover Shores, Englewood, Grand Avenue, Maxey, Tangelo Park, Ventura and Washington Shores Early Learning Head Start Centers.

SH/kp

C: George A. Ralls, M.D., Deputy County Administrator

Wanzo Galloway, Assistant County Attorney, County Attorney's Office

John Petrelli, Manager, Risk Management and Professional Standards

Yolanda Brown, Manager, Fiscal Division, Family Services Department

Jamille Clemens, Grants Supervisor, Finance Division

Patria Morales, Grants Coordinator, Office of Management and Budget

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: ALOMA HEAD START	Authorization No: S-734
Person to Contact: EBETHAL KANDIL	Phone No.: 407-672-3100 EXT. 300-2278
Address: 2949 SCARLETT ROAD, WINTER PARK, FL, 32792	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
Breakfast, elementary	34	\$1.37	\$46.58	8:30AM
Breakfast, adult	2	\$2.75	\$5.50	8:30AM
Lunch, elementary	34	\$2.12	\$72.08	11:30AM
Adult, lunch	2	\$3.75	\$7.50	11:30AM

The Orange County School Board, School Food Service agrees to:

- Ensure meals will meet the Meal Pattern for Elementary or Secondary Students.
- Provide meals in (X) bulk / unitized for breakfast, and (X) bulk/ unitized for lunch. Preference is bulk for breakfast and lunch.
- Prepare meals for (x) pick up by Center at the designated school Food Service at the time(s) indicated above.
- Provide meal count one week in advance; up to 10% change accepted one day before.
- Submit billing invoice for payment within thirty (30) days to mailing address provided by Center.

Orange County, Florida, through its Head Start Division, agrees to pay for meals based on the above unit price(s) within thirty (30) days of receipt of invoice. The Orange County School Board, School Food Service warrants meals provided are safe and wholesome.

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including reasonable attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assure any liability for the acts, omissions and/or negligence of the other party. If for any reason, this agreement is no longer desired, either party may terminate these services with a 2-week notification.

IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____
Authorized Signature
Date
Authorized Signature
Date

Teresa Jacobs, Orange County Mayor
Title
Title

For: _____
Orange County Head Start
County School Board, School Food Service
Child Care Center

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: DOVER SHORES HEAD START	Authorization No: S-734
Person to Contact: YIRA RODRIGUEZ	Phone No.: 407-245-1750 EXT. 337-2308
Address: 1200 MGASTON FOSTER ROAD, ORLANDO, FL 32812	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
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IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____
Authorized Signature
Date
Authorized Signature
Date

Teresa Jacobs, Orange County Mayor
Title
Title

For: _____
Orange County Head Start
County School Board, School Food Service
Child Care Center

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: ENGLEWOOD HEAD START	Authorization No: S-734
Person to Contact: ISIS ALAMEDA	Phone No.: 407-207-7357
Address: 900 ENGEL DRIVE, ORLANDO, FL, 32807	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
Breakfast, elementary	60	\$1.37	\$82.20	8:30AM
Breakfast, adult	3	\$2.75	\$8.25	8:30AM
Lunch, elementary	60	\$2.12	\$127.20	11:30AM
Adult, lunch	3	\$3.75	\$11.25	11:30AM

The Orange County School Board, School Food Service agrees to:

- Ensure meals will meet the Meal Pattern for Elementary or Secondary Students.
- Provide meals in (X) bulk / unitized for breakfast, and (X) bulk/ unitized for lunch. Preference is bulk for breakfast and lunch.
- Prepare meals for (x) pick up by Center at the designated school Food Service at the time(s) indicated above.
- Provide meal count one week in advance; up to 10% change accepted one day before.
- Submit billing invoice for payment within thirty (30) days to mailing address provided by Center.

Orange County, Florida, through its Head Start Division, agrees to pay for meals based on the above unit price(s) within thirty (30) days of receipt of invoice. **The Orange County School Board, School Food Service** warrants meals provided are safe and wholesome.

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including reasonable attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assure any liability for the acts, omissions and/or negligence of the other party. If for any reason, this agreement is no longer desired, either party may terminate these services with a 2-week notification.

IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: GRAND AVENUE HEAD START	Authorization No: S-734
Person to Contact: RUTH HERNANDEZ	Phone No.: 407-245-1750 EXT. 337-2308
Address: 800 GRAND AVENUE, ORLANDO, FL 32805	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
Breakfast, elementary	33	\$1.37	\$45.21	8:30AM
Breakfast, adult	2	\$2.75	\$5.50	8:30AM
Lunch, elementary	33	\$2.12	\$69.96	11:30AM
Adult, lunch	2	\$3.75	\$7.50	11:30AM

The Orange County School Board, School Food Service agrees to:

- Ensure meals will meet the Meal Pattern for Elementary or Secondary Students.
- Provide meals in (X) bulk / unitized for breakfast, and (X) bulk/ unitized for lunch. Preference is bulk for breakfast and lunch.
- Prepare meals for (x) pick up by Center at the designated school Food Service at the time(s) indicated above.
- Provide meal count one week in advance; up to 10% change accepted one day before.
- Submit billing invoice for payment within thirty (30) days to mailing address provided by Center.

Orange County, Florida, through its Head Start Division, agrees to pay for meals based on the above unit price(s) within thirty (30) days of receipt of invoice. The Orange County School Board, School Food Service warrants meals provided are safe and wholesome.

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including reasonable attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assure any liability for the acts, omissions and/or negligence of the other party. If for any reason, this agreement is no longer desired, either party may terminate these services with a 2-week notification.

IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____
Authorized Signature
Date
Authorized Signature
Date

Teresa Jacobs, Orange County Mayor
Title
Title

For: _____
Orange County Head Start
County School Board, School Food Service
Child Care Center

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: MAXEY HEAD START	Authorization No: S-734
Person to Contact: VIVIAN JONES	Phone No.: 407-656-5329
Address: 1100 E. MAPLE STREET, WINTER GARDEN, FL, 34787	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
Breakfast, elementary	60	\$1.37	\$82.20	8:30AM
Breakfast, adult	3	\$2.75	\$8.25	8:30AM
Lunch, elementary	60	\$2.12	\$127.20	11:30AM
Adult, lunch	3	\$3.75	\$11.25	11:30AM

The Orange County School Board, School Food Service agrees to:

- Ensure meals will meet the Meal Pattern for Elementary or Secondary Students.
- Provide meals in (X) bulk / unitized for breakfast, and (X) bulk/ unitized for lunch. Preference is bulk for breakfast and lunch.
- Prepare meals for (x) pick up by Center at the designated school Food Service at the time(s) indicated above.
- Provide meal count one week in advance; up to 10% change accepted one day before.
- Submit billing invoice for payment within thirty (30) days to mailing address provided by Center.

Orange County, Florida, through its Head Start Division, agrees to pay for meals based on the above unit price(s) within thirty (30) days of receipt of invoice. The Orange County School Board, School Food Service warrants meals provided are safe and wholesome.

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including reasonable attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assure any liability for the acts, omissions and/or negligence of the other party. If for any reason, this agreement is no longer desired, either party may terminate these services with a 2-week notification.

IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____
Authorized Signature
Date
Authorized Signature
Date

Teresa Jacobs, Orange County Mayor _____
Title
Title

For: _____
Orange County Head Start
Child Care Center
County School Board, School Food Service

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: TANGELO PARK HEAD START	Authorization No: S-734
Person to Contact: TONYA HALE	Phone No.: 407-352-4332
Address: 3115 ANZIO STREET, ORLANDO, FL, 32819	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
Breakfast , elementary	15	\$1.37	\$20.55	8:30AM
Breakfast, adult	1	\$2.75	\$2.75	8:30AM
Lunch, elementary	15	\$2.12	\$31.80	11:30AM
Adult, lunch	1	\$3.75	\$3.75	11:30AM

The Orange County School Board, School Food Service agrees to:

- Ensure meals will meet the Meal Pattern for Elementary or Secondary Students.
- Provide meals in (X) bulk / unitized for breakfast, and (X) bulk/ unitized for lunch. Preference is bulk for breakfast and lunch.
- Prepare meals for (x) pick up by Center at the designated school Food Service at the time(s) indicated above.
- Provide meal count one week in advance; up to 10% change accepted one day before.
- Submit billing invoice for payment within thirty (30) days to mailing address provided by Center.

Orange County, Florida, through its Head Start Division, agrees to pay for meals based on the above unit price(s) within thirty (30) days of receipt of invoice. The Orange County School Board, School Food Service warrants meals provided are safe and wholesome.

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including reasonable attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assure any liability for the acts, omissions and/or negligence of the other party. If for any reason, this agreement is no longer desired, either party may terminate these services with a 2-week notification.

IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____
Authorized Signature
Date
Authorized Signature
Date

Teresa Jacobs, Orange County Mayor
Title
Title

For: _____
Orange County Head Start
County School Board, School Food Service
Child Care Center

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: VENTURA HEAD START	Authorization No: S-734
Person to Contact: YIRA RODRIGUEZ	Phone No.: 407-245-1750 EXT. 337-2308
Address: 4400 WOODGATE BLVD., ORLANDO, FL 32822	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
Breakfast, elementary	17	\$1.37	\$23.29	8:30AM
Breakfast, adult	1	\$2.75	\$2.75	8:30AM
Lunch, elementary	17	\$2.12	\$36.04	11:30AM
Adult, lunch	1	\$3.75	\$3.75	11:30AM

The Orange County School Board, School Food Service agrees to:

- Ensure meals will meet the Meal Pattern for Elementary or Secondary Students.
- Provide meals in (X) bulk / unitized for breakfast, and (X) bulk/ unitized for lunch. Preference is bulk for breakfast and lunch.
- Prepare meals for (x) pick up by Center at the designated school Food Service at the time(s) indicated above.
- Provide meal count one week in advance; up to 10% change accepted one day before.
- Submit billing invoice for payment within thirty (30) days to mailing address provided by Center.

Orange County, Florida, through its Head Start Division, agrees to pay for meals based on the above unit price(s) within thirty (30) days of receipt of invoice. The Orange County School Board, School Food Service warrants meals provided are safe and wholesome.

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including reasonable attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assure any liability for the acts, omissions and/or negligence of the other party. If for any reason, this agreement is no longer desired, either party may terminate these services with a 2-week notification.

IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____

Authorized Signature Date Authorized Signature Date

Teresa Jacobs, Orange County Mayor _____
Title Title

For: Orange County Head Start _____
Child Care Center County School Board, School Food Service

**Meal Service Agreement
between
Orange County, Florida
and
School Board of Orange County, Florida
regarding School Food Service**

Name of Center: WASHINGTON SHORES ELC	Authorization No: S-734
Person to Contact: DANETTE MARTIN	Phone No.: 407-250-6260 X 635-2257
Address: 2500 BRUTON BLVD., ORLANDO, FL 32811	

The Orange County School Board, School Food Service agrees to furnish meals daily to the above Center for the period from: **October 1, 2016** to **September 30, 2017** except for holidays or other days of in-operation complete with required (x) paper products, (x) condiments, (x) milk pursuant to the following:

Meal Type	Estimated Total No. of Meals per Day	Unit Price per Meal	Total Price	Pick-up Time
Breakfast, elementary	68	\$1.37	\$93.16	8:30AM
Breakfast, adult	4	\$2.75	\$11.00	8:30AM
Lunch, elementary	68	\$2.12	\$144.16	11:30AM
Adult, lunch	4	\$3.75	\$15.00	11:30AM

The Orange County School Board, School Food Service agrees to:

- Ensure meals will meet the Meal Pattern for Elementary or Secondary Students.
- Provide meals in (X) bulk / unitized for breakfast, and (X) bulk/ unitized for lunch. Preference is bulk for breakfast and lunch.
- Prepare meals for (x) pick up by Center at the designated school Food Service at the time(s) indicated above.
- Provide meal count one week in advance; up to 10% change accepted one day before.
- Submit billing invoice for payment within thirty (30) days to mailing address provided by Center.

Orange County, Florida, through its Head Start Division, agrees to pay for meals based on the above unit price(s) within thirty (30) days of receipt of invoice. The Orange County School Board, School Food Service warrants meals provided are safe and wholesome.

Each party agrees to defend, indemnify and hold harmless the other party, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including reasonable attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of Section 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assure any liability for the acts, omissions and/or negligence of the other party. If for any reason, this agreement is no longer desired, either party may terminate these services with a 2-week notification.

IN WITNESS WHEREOF, the Parties hereto have caused said agreement to be executed by their duly authorized officers.

By: _____
Authorized Signature
Date
Authorized Signature
Date

Teresa Jacobs, Orange County Mayor
Title

For: _____
Orange County Head Start
County School Board, School Food Service
Child Care Center

ATTACHMENT A

BUSINESS ASSOCIATE AGREEMENT

RECITALS

WHEREAS, Orange County meets the definitions of a Covered Entity 45 CFR § 164.103.

WHEREAS, Orange County has been designated as a Hybrid Entity under the HIPAA Privacy and Security Rules 45 CFR § 164.105.

WHEREAS, Orange County, as a Covered Entity, pursuant to 45 CFR § 164.105(a)(2)(iii)(D) has documented that Orange County's Health Services Department is a health care component of the County and as such will be treated as a "Covered Entity."

WHEREAS, in connection with providing services to the Covered Entity ("Services") by the Business Associate, the Covered Entity discloses to the Business Associate certain Protected Health Information ("PHI") that is subject to protection under the HIPAA Privacy and Security Rules 45 CFR Parts 160,162, and 164.

WHEREAS, the HIPAA Privacy and Security Rules requires that Covered Entity receive adequate assurances that the Business Associate will comply with certain obligations with respect to the PHI received in the course of providing Services to or on behalf of Covered Entity; and

WHEREAS, the purpose of this Agreement is to comply with the requirements of the HIPAA Privacy and Security Rules 45 CFR Parts 160, 162, and 164, and the Florida Information Protection Act, § 501.171, Florida Statutes.

NOW, THEREFORE, in consideration of the terms, conditions, covenants, agreements and obligations herein stated, the Parties agree as follows:

I. INCORPORATION OF RECITALS

- 1.1 **Recitals Incorporated.** The above recitals are true and correct and are hereby incorporated as a material part of this Agreement.
- 1.2 **HIPAA Privacy and Security Rules 45 CFR Parts 160, 162, and 164, and the Florida Information Protection Act, Section 501.171, Florida Statutes. Incorporated.**
- 1.3 The parties hereby incorporated into the Agreement, the requirements and obligations imposed upon them by the HIPAA Privacy and Security Rules 45 CFR Parts 160,162, and 164, and the Florida Information Protection Act, § 501.171, Florida Statutes. To the extent that the Agreement imposed more stringent requirements than those contained in HIPAA Privacy and Security Rules 45 CFR Parts 160,162, and 164, and the Florida Information Protection Act, § 501.171, Florida Statutes, those more stringent requirements of the Agreement will control.

II. DEFINITIONS

- 2.1 **Terms.** Terms used, but not otherwise defined, in this Agreement shall have the same meaning as those terms in 45 CFR §§ 160.103, 162,103, 164.103, 164.402, and 164.501, and § 501.171, Florida Statutes.
- 2.2 **Breach.** Breach shall have the meaning given to such term as found in 45 CFR § 164.402, and the Florida Information Protection Act, § 501.171, Florida Statutes.
- 2.3 **Designated Record Set.** A group of records maintained by or for a covered entity that is: A group of records maintained by or for a covered entity that is: (A) The medical records and billing records about individuals maintained by or for a covered health care provider; (B) The enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan; or (C) Used, in whole or in part, by or for the covered entity to make decisions about individuals. For purposes of this paragraph, the term record means any item, collection, or grouping of information that includes PHI and is maintained, collected, used, or disseminated by or for a covered entity.
- 2.4 **Disclosure.** The release, transfer, provision of access to, or divulging in any manner of information outside the entity holding the information.
- 2.5 **Florida Information Protection Act.** Florida Information Protection Act (“FIPA”) codified at Section 501.171, Florida Statutes.
- 2.6 **HIPAA Privacy and Security Rules.** Standards for Privacy, Security, Breach, Notification, and Enforcement at 45 CFR Parts 160, 162 and 164.
- 2.7 **Individual.** The person who is the subject of PHI, and shall include a person who qualifies as a personal representative in accordance with 45 CFR § 164.502(g).
- 2.8 **Individually Identifiable Health Information.** Information that is a subset of health information, including demographic information collected from an individual, and: (A) is created or received by a health care provider, health plan, employer, or health care clearinghouse; and (B) relates to the past, present, or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present, or future payment for the provision of health care to an individual; and (i) that identifies the individual; or (ii) with respect to which there is a reasonable basis to believe the information can be used to identify the individual.
- 2.9 **Party or Parties.** Are the terms the Covered Entity and Business Associate may be referred to in this Agreement, individually or collectively and the Business Associate may be referred to herein, individually or collectively.
- 2.10 **Privacy Officer.** The individual designated by the County or Covered Entity, pursuant to 45 CFR § 164.530, who is responsible for the development and implementation of the Covered Entity’s policies and procedures as they related to the HIPAA Privacy and Security Rules.

2.11 **Personal Information.** Personal Information (“PI”) means either of the following:

2.11.1 An individual’s first name or first initial and last name in combination with any one or more of the following data elements for that individual:

2.11.1.1 A social security number;

2.11.1.2 A driver’s license or identification card number, passport number, military identification number, or other similar number issued on a government document used to verify identity;

2.11.1.3 A financial account number or credit or debit card number in combination with any required security code, access code, or password that is necessary to permit access to an individual’s financial account;

2.11.1.4 Any information regarding an individual’s medical history, mental or physical condition, or medical treatment or diagnosis by a health care professional; or

2.11.1.5 An individual’s health insurance policy number or subscriber identification number and any unique identifier used by a health insurer to identify the individual.

2.11.1.6 A user name or e-mail address in combination with a password or security question and answer that would permit access to an online account.

2.11.1.7 The term does not include information about an individual that has been made publicly available by a federal, state, or local governmental entity. The term also does not include information that is encrypted, secured, or modified by any other method or technology that removes elements that personally identify an individual or that otherwise renders the information unusable.

2.12 **Protected Health Information.** Protected Health Information (“PHI”) is individual identifiable health information that is or has been created, received, transmitted or maintained in any form or medium, on or behalf of the Covered Entity, with the exception of education records covered by the Family Educational Rights and Privacy Act, as amend, 20 U.S.C. 1232g, and the health care records of students at post-secondary educational institutions or of students eighteen (18) years of age or older, used exclusively for their health care treatment which have not been disclosed to anyone other than a health care provider at the student’s request.

2.13 **Required by law.** Required by law shall have the same meaning as the term “required by law” in 45 CFR § 164.103.

- 2.14 **Secretary of HHS.** Secretary of Health and Human Services or any other officer or employee of Health and Human Services (“HHS”) to whom the authority involved has been delegated.
- 2.15 **Security Incident or Incident.** Security Incident or Incident means the attempted or successful unauthorized access, use, disclosure, modification, or destruction of PHI or PI contained in any form or interference with system operations in an information system that contains PHI or PI.
- 2.16 **Use.** Use shall mean the sharing, employment, application, utilization, examination, or analysis of PI or PHI within an entity that maintains such information.

III. SCOPE OF AGREEMENT

- 3.1 **INDEPENDENT STATUS OF PARTIES.** The Parties agree that they are and shall be independently responsible for complying, and shall independently comply, with the HIPAA Privacy and Security Rules and FIPA as it may be amended from time to time. The Parties further agree that they are and shall be responsible for their own actions and conduct and shall not assume responsibility for the actions and conduct of one another. The Parties agree that they are and shall independently maintain all corporate formalities establishing separate and individual control by each organization's board of directors, as applicable.
- 3.2 Business Associate acknowledges that the confidentiality requirements herein apply to all its employees, agents and representatives. Business Associate assumes responsibility and liability for any damages or claims, including state and federal administrative proceedings and sanctions, the County, including costs and attorneys' fees, resulting from the breach by Business Associate of the confidentiality requirements of this Agreement.

IV. PRIVACY OF PROTECTED HEALTH INFORMATION AND CONFIDENTIALITY OF PERSONAL INFORMATION.

- 4.1 **Permitted Uses and Disclosures of PHI and PI by Business Associate.** Business Associate may use or disclosure PHI and PI received from Covered Entity to its officers and employees. Business Associate may disclose PHI and PI to a business associate that is a subcontractor and may allow the subcontractor to create, receive, maintain, or transmit PHI and PI on its behalf if the Business Associate obtains satisfactory assurances in accordance with 45 CFR § 164.504(e)(1)(i) and § 501.171(2) that the subcontractor will appropriately safeguard the information. All other uses or disclosures not authorized by this Agreement or otherwise governed by law are prohibited.
- 4.2 **Responsibilities of Business Associate.** Regarding the use or disclosure of PHI and PI, Business Associate agrees to:
- 4.2.1 Only use or further disclose the PHI and PI as allowable under this Agreement or applicable law.

- 4.2.2 Only use or further disclosure PHI and PI in a manner that would not violate the HIPAA Privacy and Security Rules or FIPA if done so by the Covered Entity.
- 4.2.3 Establish and implement appropriate procedures, physical, and technical safeguards to prevent improper access, uses, transmissions, or disclosures of PHI and PI for mitigating to the greatest extents possible under the circumstances any deleterious effects from any improper access, use, or disclosure of PHI and PI that Business Associate reports to Covered Entity. Safeguards shall include, but are not limited to, the implementation and use of electronic security measures to safeguard electronic data, requiring employees to agree to access, use, or disclose PHI and PI only as permitted or required by this Agreement and taking related disciplinary action for inappropriate access, use or disclosure as necessary.
- 4.2.4 Report to Covered Entity's Privacy Officer, in writing, any suspected or confirmed access, use or disclosure of PHI or PI, regardless of form, not permitted or required by this Agreement of which Business Associate becomes aware within two (2) days of Business Associate's discovery of such unauthorized use or disclosure.
- 4.2.5 Ensure that Business Associate's subcontractors or agents to whom Business Associate provides PHI or PI, received from, created, or received by the Business Associate on behalf of the Covered Entity, agree to the same restrictions and conditions that apply to the Business Associate with respect to PHI and PI, and ensure that its subcontractors or agents agree to establish and implement reasonable and appropriate safeguards to protect the confidentiality, integrity, and availability of all PHI and PI that it creates receives, maintains, or transmits on behalf of Covered Entity.
- 4.2.6 In order to determine compliance with HIPAA Privacy and Security Rules and FIPA, the Business Associate must make its records, books, accounts, agreements, policies, and procedures available to the Secretary of HHS for determining the Covered Entity's compliance with the HIPAA Privacy and Security Rules, and also, with the State of Florida, Department of Legal Affairs to determine the Covered Entity's compliance with FIPA.
- 4.2.7 Use or disclosure to its subcontractors, agents, other third parties, and Covered Entity, only the minimum PHI and PI necessary to perform or fulfill a specific function required or permitted hereunder.
- 4.2.8 Provide information to Covered Entity to permit Covered Entity to respond to a request by an individual for an accounting of disclosures within five (5) days of receiving a written request from Covered Entity, if Business Associate maintains a Designated Records Set on behalf of Covered Entity.
- 4.2.9 At the request, of, and in the time and manner designated by Covered Entity, provide access to the PHI and PI maintained by Business Associate to Covered Entity or individual, if Business Associate maintains a Designated Records Set on behalf of Covered Entity.

- 4.2.10 At the request, of and in the time and manner designated by Covered Entity, make any amendment(s) to the PHI and PI when directed by Covered Entity, if Business Associate maintains a Designated Record Set on behalf of Covered Entity.
- 4.2.11 Establish and implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of any PHI and PI Business Associate creates, receives, maintains or transmits on behalf of Covered Entity.
- 4.2.12 Report to Covered Entity any Security Incident involving PHI and PI that Business Associate discovers.
- 4.3 **Compliance with Covered Entity's Policies.** Business Associate hereby agrees to abide by Covered Entity's policies and practices relating to the confidentiality, privacy, and security of PHI and PI.
- 4.4 **Use of PHI and PI for Management and Administration or Legal Responsibilities of Business Associate.** The Business Associate may use PHI and PI received by the Covered Entity pursuant to this Agreement for the proper management and administration of the Business Associate or to carry out the legal responsibilities of the Business Associate.
- However, Business Associate will only be allowed to use PHI and PI for the aforementioned uses if (A) the disclosure is required by law; or (b) the Business Associate obtains reasonable assurances from the person to whom the PHI and PI is disclosed that it will be held confidentially and used or further disclosed only as required by law or for the purposes for which it was disclosed to the person, and the person notified the Business Associate of any instances in which the person is aware of a confidentiality breach of PHI or PI.
- 4.5 **Data Aggregation Services.** With respect to PHI and PI created or received by the Business Associate in its capacity as the Business Associate of the Covered Entity, Business Associate may combine such PHI and PI it has received from the Covered Entity with the PHI and PI received by the Business Associate in its capacity as a Business Associate of another Covered Entity to permit data analysis that relate to the health care operation of the respective Covered Entity, if data analyses is part of the Services that Business Associate is to provide to Covered Entity.
- 4.6 **Compliance.** Business Associate agrees to keep all PHI and PI confidential and secure in compliance with the provisions of this Agreement and according to current state and federal laws.

V. CONFIDENTIALITY

- 5.1 In the course of performing under this Agreement, each Party may receive, be exposed to, or acquire the confidential information including, but not limited to, all information, data, reports, records, summaries, tables and studies, whether written or oral, fixed in hard copy or contained in any computer database or computer readable form, as well as any information identifiable as confidential ("Confidential Information") of the other Party.

- 5.2 For purposes of this Agreement, Confidential Information shall **not** include PHI, the security and privacy of which is the subject of this Agreement. The Parties including their employees, agents, or representatives shall (A) not disclose to any third party the Confidential Information of the other Party except as otherwise permitted by this Agreement, (B) only permit use of such Confidential Information by employees, agents, and representatives having a need to know in connection with performance under this Agreement, and (c) advise each of their employees, agents, and representatives of their obligations to keep such Confidential Information confidential.
- 5.3 This provision shall not apply to Confidential Information: (A) after it becomes publically available through **no fault** of either Party; (B) which is later publically released by either Party in writing; (C) which is lawfully obtained from third parties without restrictions; or (D) which can be shown to be previously known or developed by either Party independently of the other Party.

VI. SECURITY

- 6.1 **Security of Electronic Protected Health Information and Personal Information.** Business Associate will develop, implement, maintain, and use administrative, technical, and physical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of Electronic PHI (as defined in 45 C.F.R. §160.103) and PI (as defined by § 501.171, Florida Statutes) that Business Associate creates, receives, maintains, or transmits on behalf of Covered Entity consistent with the HIPAA Privacy and Security Rules and FIPA.
- 6.2 **Reporting Security Incidents.** Business Associate will report to the Covered Entity and County's Privacy Officer any Incident of which Business Associate becomes aware that is (1) a successful unauthorized access, use or disclosure of Electronic PHI or PI; or (2) (a) modification or destruction of Electronic PHI or PI or (b) interference with system operations in an information system containing Electronic PHI or PI.

VII. REPORTING REQUIREMENTS

- 7.1 **Reporting.** The Business Associate shall make a good faith effort to identify any use or disclosure of protected information not provided for in this Agreement.
- 7.2 **To Covered Entity.** The Business Associate will report to the Covered Entity and the County's Privacy Officer, within (2) business days of discovery, any use or disclosure of PHI or PI not provided for in this Agreement of which the Business Associate is aware. The Business Associate will report to the Covered Entity and the County's Privacy Officer within twenty-four (24) hours of discovery, any Security Incident of which the Business Associate is aware. A violation of this paragraph shall be a material violation of this Agreement. Such notice shall include the identification of each individual whose unsecured PHI and PI has been, or is reasonably believed by the Business Associate to have been, accessed, acquired, or disclosed during such breach.

Title: Orange County's Privacy Officer,
Health Services Department
Telephone: (407)836-9214
Fax: (407) 246-5342
Address: 2002 A. E. Michigan Street, Orlando, FL 32806
E-Mail: privacy.officer@ocfl.net

- 7.2.1 Reports of Security Incidents shall include a detailed description of each Incident, at a minimum to include the date of the Incident, the nature of the Incident, the information involved, whether the information was accessed, disclosed, used, modified, destroyed, etc., and the identities of the individual(s) and their relationship to the Business Associate, a description of the Business's response to each Incident, and the name and title of the individual the Covered Entity should contact for additional information.
- 7.2.2 Business Associate will conduct such further investigation as is reasonably required by the Covered Entity and promptly advise the Covered Entity of additional information pertinent to the Incident.
- 7.2.3 Business Associate will cooperate with Covered Entity in conducting any required risk analysis related to such Security Incident(s).
- 7.2.4 Business Associate will cooperate with Covered Entity in complying with any applicable notification requirements pursuant to the Breach Notification Rule and/or pursuant to Florida law (including but not limited to §§ 501.171 and 817.5681, Florida Statutes), and in taking steps determined by Covered Entity to be necessary to mitigate any potential harm caused by a Security Incident. Business Associate will pay and/or reimburse Covered Entity for any reasonable expenses Covered Entity incurs in notifying individuals of, and /or mitigating potential harm caused by a Security Incident caused by Business Associate and/or its subcontractors or agents.
- 7.3 **To Individuals.** In the case of a breach of PHI or PI discovered by the Business Associate, the Business Associate shall first notify the Covered Entity and the County's Privacy Officer of the pertinent details of the breach and upon prior approval of the County's Privacy Officer shall notify each individual whose unsecured PHI or PI has been, or is reasonably believed by the Business Associate to have been, accessed, acquired or disclosed as a result of such breach. Such notification shall be in writing by first-class mail to the individual (or the next of kin if the individual is deceased) at the last known address of the individual or next of kin, respectively, or, if specified as a preference by the individual, by electronic mail. Where there is insufficient, or out-of-date contact information (including a phone number, email address, or any other form of appropriate communication) that precludes written (or, if specifically requested, electronic) notification to the individual, a substitute form of notice shall be provided, including, in the case that there are ten (10) or more individuals for which there is insufficient or out-of-date contact information, a conspicuous posting on the web site of the Business Associate involved or notice in major print of broadcast media, including major media in the geographic areas where the individuals affected by the breach likely reside. In any case deemed by the Business Associate to require urgency because of

possible imminent misuse of unsecured PHI or PI, the Business Associate may also provide information to individuals by telephone or other means, as appropriate.

- 7.4 **To Media.** In the case of a breach of PHI discovered by the Business Associate where the unsecured PHI of more than five hundred (500) persons or unsecured PI or more than five thousand (5000) persons is reasonably believed to have been, accessed, acquired, or disclosed, after prior approval by the Covered Entity, the Business Associate shall provide notice to prominent media outlets serving the State or relevant portion of the State involved.
- 7.5 **To HHS and the State of Florida Department of Legal Affairs.** The Business Associate shall cooperate with the Covered Entity to provide notice to the Secretary of HHS, of unsecured PHI and to the State of Florida, Department of Legal Affairs of unsecured PI, that has been acquired or disclosed in a breach. If the breach was with respect to five hundred (500) or more individuals, such notice must be provided immediately. If the breach was with respect to less than five hundred (500) individuals, the Business Associate may maintain a log of such breach occurring and annually submit such log to the Covered Entity so that it may satisfy its obligation to notify the Secretary of HHS documenting such breaches occurring in the year involved.
- 7.6 **Content of Notices.** All notices required under this Attachment shall include the content set forth 45 C.F.R § 164.404 and FIPA. Notification to individuals except that references therein to a "covered entity" shall be read as references to the Business Associate.

Regardless of the method by which notice is provided to individuals under this section, notice of a breach shall include, to the extent possible, the following: (1) a brief description of what happened, including the date of the breach and the date of the discovery of the breach, if known; (2) a description of the types of unsecured PHI and PI that were involved in the breach (such as full name, social security number, date of birth, home address, account number, or disability code); (3) the steps individuals should take to protect themselves from potential harm resulting from the breach; (4) a brief description of what the covered entity involved is doing to investigate the breach, to mitigate losses, and to protect against any further breaches; (5) contact procedures for individuals to ask questions or learn additional information, which shall include a toll free telephone number, an e-mail address, web site, or postal address.

- 7.7 **Notice to Credit Reporting Agencies.** In the case of a breach of PI discovered by the Business Associate where the unsecured PI of more than one thousand (1000) individuals has reasonably believed to have been, accessed, acquired, or disclosed, after prior approval by the Covered Entity, the Business Associate shall notify all consumer reporting agencies nationwide, that complete and maintain files in accordance with the provisions of § 501.171(5).
- 7.8 **Financial Responsibility.** The Business Associate shall be responsible for all costs related to the notice required by this Section.
- 7.9 **Mitigation.** Business Associate shall mitigate, to the extent practicable, any harmful effects that is known to the Business Associate of use or disclosure of PHI or PI in violation of this Agreement, the HIPAA Privacy and Rules, and FIPA.

VIII. TERMINATION

- 8.1 **Automatic Termination.** Covered Entity is authorized to automatically terminate this Agreement, if it determines that the Business Associate has violated a material term of the Agreement.
- 8.2 **Opportunity to Cure or Terminate.** At the Covered Entity's sole discretion, Covered Entity may either (a) provide notice of breach and an opportunity for Business Associate to reasonably and promptly cure the breach or end the violation, and terminate this Agreement if Business Associate does not cure the breach, or end the violation within the reasonable time specified by Covered Entity, or (b) immediately terminate this Agreement if Business Associate has breached a material term of this Agreement and cure is not possible.
- 8.3 **Effects of Termination.** Termination of this Agreement shall not affect any claim or rights that arise based on the acts or omissions of the parties prior to the effective date of termination.
- 8.4 **Duties of Business Associate Upon Termination.**
- 8.4.1 When this Agreement is terminated, the PHI and PI that Business Associate received from, created, or received on behalf of Covered Entity must be destroyed or returned to Covered Entity, at the Business Associate's expense, including all PHI and PI in the possession of Business Associate's subcontractors or agents. However, if Business Associate determines that returning or destroying PHI and PI is not feasible, Business Associate must maintain the privacy protections under this Agreement and according to applicable law for as long as Business Associate retains the PHI and PI, and Business Associate may only use or disclose the PHI and PI for specific uses or disclosures that make it necessary for Business Associate to retain the PHI and PI.
- 8.4.2 If Business Associate determines that it is not feasible for Business Associate to return PHI or PI in the subcontractor's or agent's possession, Business Associate must provide a written explanation to Covered Entity of such reasons and require the subcontractors and agents to agree to extend any and all protections, limitations, and restrictions contained in this Agreement to the subcontractor's or agent's use or disclosure of any PHI and PI retained after the termination of this Agreement, and to limit any further uses or disclosures for the purposes that make the return or destruction of the PHI or PI not feasible.

IX. MISCELLANEOUS

- 9.1 **Agreement Subject to All Applicable Laws.** The Parties recognize and agree that this Agreement and their activities are governed by federal, state, and local laws, including the regulations, rules, and policies of the U.S. Department of Health and Human Services including, but not limited to, HIPAA Privacy and Security Rules, FIPA, and their accompanying regulations. The parties further recognize and agree that this Agreement

is subject to new legislation as well as amendments to government regulations, rules, and police, and agree to amend this Agreement accordingly.

- 9.2 **No Third party Beneficiaries.** Nothing express or implied in this Agreement is intended to confer, nor shall anything herein confer, upon any person other than the Parties and the respective successors or assigns of the Parties any rights, remedies, obligations, or liabilities whatsoever.
- 9.3 **Survival.** The rights and obligations of the Parties in Articles IV, V, VI, VII, and Sections 8.4, 9.6, 9.8, 9.9 shall survive termination of this Agreement indefinitely.
- 9.4 **Amendment.** This Agreement may be revoked, amended, changed, or modified only by a written amended executed by both Parties.
- 9.5 **Assignment.** This Agreement, including each and every right and obligation referenced herein, shall not be assigned by the Business Associate without the express prior written consent of the County.
- 9.6 **Enforcement Costs.** If any legal action or other proceedings, including arbitration, is brought for the enforcement of this Agreement or because of an alleged dispute, breach, default, or misrepresentation in connection with any provision of this Agreement, the successful or prevailing Party or Parties shall be entitled to recover reasonable court costs and all expenses, if not taxable as court costs, incurred in that action or proceeding, including all appeals, in addition to any other relief to which such Party or Parties may be entitled. Such enforcement costs shall not be dischargeable in bankruptcy.
- 9.7 **Interpretation.** Any ambiguity in this Agreement shall be resolved in favor of a meaning that permits Covered Entity to comply with the Privacy and Security Rules.
- 9.8 **Indemnification.** Business Associate agrees to defend, indemnify and hold harmless Covered Entity, its officials and employees from all claims, actions, losses, suits, judgments, fines, liabilities, costs and expenses (including attorney's fees) attributable to its negligent acts or omissions, or those of its officials and employees acting within the scope of their employment, or arising out of or resulting from the indemnifying party's negligent performance under this Agreement. Nothing contained herein shall constitute a waiver of sovereign immunity or the provisions of § 768.28, Florida Statutes. The foregoing shall not constitute an agreement by either party to assume any liability for the acts, omissions and/or negligence of the other party.
- 9.9 **Execution/Authority.** Each signatory to this Agreement represents and warrants that he or she possesses all necessary capacity and authority to act for, sign, and bind the respective entity or person on whose behalf he or she is signing.
- 9.10 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the state of Florida to the extent not preempted by the Privacy Rules or other applicable federal law.
- 9.11 **Notice.** All notices and other communications under this Agreement shall be in writing and shall be deemed received when delivered personally or when deposited in the U.S.

mail, postage prepaid, sent registered, or certified mail, return receipt requested, or sent via nationally recognized and receipted overnight courier service, to the Parties at their respective principal office or record as set forth below or as designed in writing from time-to-time. No notice of a change of address shall be effective until received by the other Party(ies)

Family Services Department

Manager, Head Start Division
2100 East Michigan St
Orlando, FL 32806
(407) 836-6590

Copy to:

Orange County Administrator
Administration Building, 5th Floor
201 S Rosalind Avenue
Orlando, FL 32801

Business Associate

Orange County Public Schools
445 W. Amelia Street
Orlando, Florida 32801

- 9.12 **Severability.** If any provision of this Agreement or the application thereof to any person or circumstance, shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such affected provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law. It is further the intention of the Parties that if any provision of this Agreement were capable of two constructions, one that rendered the provision void and one that renders the provision valid, then the provision shall have the meaning that renders it valid.
- 9.13 **Successors and Assigns.** Business Associate shall not assign either its obligations or benefits under this Agreement without the expressed written consent of the Covered Entity, which shall be at the sole discretion of the Covered Entity. Given the nature of this Agreement, neither subcontracting nor assignment by the Business Associate is anticipated and the use of those terms herein does not indicate that permission to assign or subcontract has been granted.
- 9.14 **Venue.** Any action or proceeding seeking to enforce any provision, or based on any right arising out of this Agreement shall be brought against any of the Parties in the courts of the State of Florida, County of Orange and each of the Parties consents to the jurisdiction of such courts (and of the appropriate appellate courts) in any such action or proceeding

and waives any objection to venue therein. Process in any action or proceeding referred to in the proceeding sentence may be served on any Party anywhere.

- 9.15 **Waiver and Breach.** No failure by a Party to insist upon the strict performance of any covenant, agreement, term, or condition of this Agreement shall constitute a waiver of any such breach or such covenant, agreement, term, or condition. Any party may waive compliance by the other Party with any of the provisions of this Agreement if done so in writing. No waiver of any provision shall be construed as a waiver of any other provision or any subsequent waiver of the same provision.
- 9.16 **Entire Agreement.** The original Contract executed by the Parties known as Contract Y__-____, this Agreement, and any addenda or attachments thereto shall construe the entire understanding between the Parties as to the rights, obligations, duties, and services to be performed hereunder.

ATTACHMENT B

SUPER CIRCULAR

§200.327 Financial reporting.

Unless otherwise approved by OMB, the Federal awarding agency may solicit only the standard, OMB-approved government-wide data elements for collection of financial information (at time of publication the Federal Financial Report or such future collections as may be approved by OMB and listed on the OMB Web site). This information must be collected with the frequency required by the terms and conditions of the Federal award, but no less frequently than annually nor more frequently than quarterly except in unusual circumstances, for example where more frequent reporting is necessary for the effective monitoring of the Federal award or could significantly affect program outcomes, and preferably in coordination with performance reporting.

§200.328 Monitoring and reporting program performance.

- (a) *Monitoring by the non-Federal entity.* The non-Federal entity is responsible for oversight of the operations of the Federal award supported activities. The non-Federal entity must monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved. Monitoring by the non-Federal entity must cover each program, function or activity. See also §200.331 Requirements for pass-through entities.
- (b) *Non-construction performance reports.* The Federal awarding agency must use standard, OMB-approved data elements for collection of performance information (including performance progress reports, Research Performance Progress Report, or such future collections as may be approved by OMB and listed on the OMB Web site).
 - (1) The non-Federal entity must submit performance reports at the interval required by the Federal awarding agency or pass-through entity to best inform improvements in program outcomes and productivity. Intervals must be no less frequent than annually nor more frequent than quarterly except in unusual circumstances, for example where more frequent reporting is necessary for the effective monitoring of the Federal award or could significantly affect program outcomes. Annual reports must be due 90 calendar days after the reporting period; quarterly or semiannual reports must be due 30 calendar days after the reporting period. Alternatively, the Federal awarding agency or pass-through entity may require annual reports before the anniversary dates of multiple year Federal awards. The final performance report will be due 90 calendar days after the period of performance end date. If a

justified request is submitted by a non-Federal entity, the Federal agency may extend the due date for any performance report.

- (2) The non-Federal entity must submit performance reports using OMB-approved government-wide standard information collections when providing performance information. As appropriate in accordance with above mentioned information collections, these reports will contain, for each Federal award, brief information on the following unless other collections are approved by OMB:
 - (i) A comparison of actual accomplishments to the objectives of the Federal award established for the period. Where the accomplishments of the Federal award can be quantified, a computation of the cost (for example, related to units of accomplishment) may be required if that information will be useful. Where performance trend data and analysis would be informative to the Federal awarding agency program, the Federal awarding agency should include this as a performance reporting requirement.
 - (ii) The reasons why established goals were not met, if appropriate.
 - (iii) Additional pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.
- (c) *Construction performance reports.* For the most part, onsite technical inspections and certified percentage of completion data are relied on heavily by Federal awarding agencies and pass-through entities to monitor progress under Federal awards and subawards for construction. The Federal awarding agency may require additional performance reports only when considered necessary.
- (d) *Significant developments.* Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, the non-Federal entity must inform the Federal awarding agency or pass-through entity as soon as the following types of conditions become known:
 - (1) Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.

- (2) Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.
- (e) The Federal awarding agency may make site visits as warranted by program needs.
- (f) The Federal awarding agency may waive any performance report required by this part if not needed.

§200.331 Requirements for pass-through entities.

All pass-through entities must:

- (a) Ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, include the changes in subsequent subaward modification. When some of this information is not available, the pass-through entity must provide the best information available to describe the Federal award and subaward. Required information includes:
 - (1) Federal Award Identification.
 - (i) Subrecipient name (which must match the name in DUNS);
 - (ii) Subrecipient's DUNS number (see §200.32 Data Universal Numbering System (DUNS) number);
 - (iii) Federal Award Identification Number (FAIN);
 - (iv) Federal Award Date (see §200.39 Federal award date);
 - (v) Subaward Period of Performance Start and End Date;
 - (vi) Amount of Federal Funds Obligated by this action;
 - (vii) Total Amount of Federal Funds Obligated to the subrecipient;
 - (viii) Total Amount of the Federal Award;

- (ix) Federal award project description, as required to be responsive to the federal Funding Accountability and Transparency Act (FFATA);
 - (x) Name of Federal awarding agency, pass-through entity, and contact information for awarding official;
 - (xi) CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement;
 - (xii) Identification of whether the award is R&D; and
 - (xiii) Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414 Indirect (F&A) costs).
- (2) All requirements imposed by the pass-through entity on the subrecipient so that the Federal award is used in accordance with Federal statutes, regulations and the terms and conditions of the Federal award.
 - (3) Any additional requirements that the pass-through entity imposes on the subrecipient in order for the pass-through entity to meet its own responsibility to the Federal awarding agency including identification of any required financial and performance reports;
 - (4) An approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government or, if no such rate exists, either a rate negotiated between the pass-through entity and the subrecipient (in compliance with this Part), or a de minimis indirect cost rate as defined in §200.414 Indirect (F&A) costs, paragraph (b) of this Part.
 - (5) A requirement that the subrecipient permit the pass-through entity and auditors to have access to the subrecipient's records and financial statements as necessary for the pass-through entity to meet the requirements of this section, §§200.300 Statutory and national policy requirements through 200.309 Period of performance, and Subpart F-Audit Requirements of this Part; and
 - (6) Appropriate terms and conditions concerning closeout of the subaward.

- (b) Evaluate each subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate subrecipient monitoring described in paragraph (e) of this section, which may include consideration of such factors as:
 - (1) The subrecipient's prior experience with the same or similar subawards;
 - (2) The results of previous audits including whether or not the subrecipient receives a Single Audit in accordance with Subpart F—Audit Requirements of this Part, and the extent to which the same or similar subaward has been audited as a major program;
 - (3) Whether the subrecipient has new personnel or new or substantially changed systems; and
 - (4) The extent and results of Federal awarding agency monitoring (e.g., if the subrecipient also receives Federal awards directly from a Federal awarding agency).
- (c) Consider imposing specific subaward conditions upon a subrecipient if appropriate as described in §200.207 Specific conditions.
- (d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:
 - (1) Reviewing financial and programmatic reports required by the pass-through entity.
 - (2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and other means.
 - (3) Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient from the pass-through entity as required by §200.521 Management decision.
- (e) Depending upon the pass-through entity's assessment of risk posed by the subrecipient (as described in paragraph (b) of this section), the following monitoring tools may be useful for the pass-through entity to ensure proper accountability and compliance with program requirements and achievement of performance goals:

- (1) Providing subrecipients with training and technical assistance on program-related matters; and
 - (2) Performing on-site reviews of the subrecipient's program operations;
 - (3) Arranging for agreed-upon-procedures engagements as described in §200.425 Audit services.
- (f) Verify that every subrecipient is audited as required by Subpart F—Audit Requirements of this Part when it is expected that the subrecipient's Federal awards expended during the respective fiscal year equaled or exceeded the threshold set forth in §200.501 Audit requirements.
- (g) Consider whether the results of the subrecipient's audits, on-site reviews, or other monitoring indicate conditions that necessitate adjustments to the pass-through entity's own records.
- (h) Consider taking enforcement action against noncompliant subrecipients as described in §200.338 Remedies for noncompliance of this Part and in program regulations.

§200.333 Retention requirements for records.

Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

- (a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- (b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- (c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.

- (d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- (e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.
- (f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
 - (1) *If submitted for negotiation.* If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.
 - (2) *If not submitted for negotiation.* If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

§200.336 Access to records.

- (a) Records of non-Federal entities. The Federal awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.
- (b) Only under extraordinary and rare circumstances would such access include review of the true name of victims of a crime. Routine monitoring cannot be considered extraordinary and rare circumstances that would necessitate access to

this information. When access to the true name of victims of a crime is necessary, appropriate steps to protect this sensitive information must be taken by both the non-Federal entity and the Federal awarding agency. Any such access, other than under a court order or subpoena pursuant to a bona fide confidential investigation, must be approved by the head of the Federal awarding agency or delegate.

- (c) Expiration of right of access. The rights of access in this section are not limited to the required retention period but last as long as the records are retained. Federal awarding agencies and pass-through entities must not impose any other access requirements upon non-Federal entities.

§200.337 Restrictions on public access to records.

No Federal awarding agency may place restrictions on the non-Federal entity that limit public access to the records of the non-Federal entity pertinent to a Federal award, except for protected personally identifiable information (PII) or when the Federal awarding agency can demonstrate that such records will be kept confidential and would have been exempted from disclosure pursuant to the Freedom of Information Act (5 U.S.C. 552) or controlled unclassified information pursuant to Executive Order 13556 if the records had belonged to the Federal awarding agency. The Freedom of Information Act (5 U.S.C. 552) (FOIA) does not apply to those records that remain under a non-Federal entity's control except as required under §200.315 Intangible property. Unless required by Federal, state, or local statute, non-Federal entities are not required to permit public access to their records. The non-Federal entity's records provided to a Federal agency generally will be subject to FOIA and applicable exemptions.

§200.338 Remedies for noncompliance.

If a non-Federal entity fails to comply with Federal statutes, regulations or the terms and conditions of a Federal award, the Federal awarding agency or pass-through entity may impose additional conditions, as described in §200.207 Specific conditions. If the Federal awarding agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, the Federal awarding agency or pass-through entity may take one or more of the following actions, as appropriate in the circumstances:

- (a) Temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity.
- (b) Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.

- (c) Wholly or partly suspend or terminate the Federal award.
- (d) Initiate suspension or debarment proceedings as authorized under 2 CFR part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a Federal awarding agency).
- (e) Withhold further Federal awards for the project or program.
- (f) Take other remedies that may be legally available.

§200.339 Termination.

- (a) The Federal award may be terminated in whole or in part as follows:
 - (1) By the Federal awarding agency or pass-through entity, if a non-Federal entity fails to comply with the terms and conditions of a Federal award;
 - (2) By the Federal awarding agency or pass-through entity for cause;
 - (3) By the Federal awarding agency or pass-through entity with the consent of the non-Federal entity, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated; or
 - (4) By the non-Federal entity upon sending to the Federal awarding agency or pass-through entity written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the Federal awarding agency or pass-through entity determines in the case of partial termination that the reduced or modified portion of the Federal award or subaward will not accomplish the purposes for which the Federal award was made, the Federal awarding agency or pass-through entity may terminate the Federal award in its entirety.
- (b) When a Federal award is terminated or partially terminated, both the Federal awarding agency or pass-through entity and the non-Federal entity remain responsible for compliance with the requirements in §§200.343 Closeout and 200.344 Post-closeout adjustments and continuing responsibilities.

§200.340 Notification of termination requirement.

- (a) The Federal agency or pass-through entity must provide to the non-Federal entity a notice of termination.
- (b) If the Federal award is terminated for the non-Federal entity's failure to comply with the Federal statutes, regulations, or terms and conditions of the Federal award, the notification must state that the termination decision may be considered in evaluating future applications received from the non-Federal entity.
- (c) Upon termination of a Federal award, the Federal awarding agency must provide the information required under FFATA to the Federal Web site established to fulfill the requirements of FFATA, and update or notify any other relevant government-wide systems or entities of any indications of poor performance as required by 41 U.S.C. 417b and 31 U.S.C. 3321 and implementing guidance at 2 CFR part 77. See also the requirements for Suspension and Debarment at 2 CFR part 180.

§200.341 Opportunities to object, hearings and appeals.

Upon taking any remedy for non-compliance, the Federal awarding agency must provide the non-Federal entity an opportunity to object and provide information and documentation challenging the suspension or termination action, in accordance with written processes and procedures published by the Federal awarding agency. The Federal awarding agency or pass-through entity must comply with any requirements for hearings, appeals or other administrative proceedings which the non-Federal entity is entitled under any statute or regulation applicable to the action involved.

§200.342 Effects of suspension and termination.

Costs to the non-Federal entity resulting from obligations incurred by the non-Federal entity during a suspension or after termination of a Federal award or subaward are not allowable unless the Federal awarding agency or pass-through entity expressly authorizes them in the notice of suspension or termination or subsequently. However, costs during suspension or after termination are allowable if:

- (a) The costs result from obligations which were properly incurred by the non-Federal entity before the effective date of suspension or termination, are not in anticipation of it; and

- (b) The costs would be allowable if the Federal award was not suspended or expired normally at the end of the period of performance in which the termination takes effect.

§200.344 Post-closeout adjustments and continuing responsibilities.

- (a) The closeout of a Federal award does not affect any of the following:
 - (1) The right of the Federal awarding agency or pass-through entity to disallow costs and recover funds on the basis of a later audit or other review. The Federal awarding agency or pass-through entity must make any cost disallowance determination and notify the non-Federal entity within the record retention period.
 - (2) The obligation of the non-Federal entity to return any funds due as a result of later refunds, corrections, or other transactions including final indirect cost rate adjustments.
 - (3) Audit requirements in Subpart F—Audit Requirements of this Part.
 - (4) Property management and disposition requirements in Subpart D—Post Federal Award Requirements of this Part, §§200.310 Insurance Coverage through 200.316 Property trust relationship.
 - (5) Records retention as required in Subpart D—Post Federal Award Requirements of this Part, §§200.333 Retention requirements for records through 200.337 Restrictions on public access to records.
- (b) After closeout of the Federal award, a relationship created under the Federal award may be modified or ended in whole or in part with the consent of the Federal awarding agency or pass-through entity and the non-Federal entity, provided the responsibilities of the non-Federal entity referred to in paragraph (a) of this section, including those for property management as applicable, are considered and provisions made for continuing responsibilities of the non-Federal entity, as appropriate.

§200.345 Collection of amounts due.

- (a) Any funds paid to the non-Federal entity in excess of the amount to which the non-Federal entity is finally determined to be entitled under the terms of the Federal award constitute a debt to the Federal Government. If not paid within 90 calendar days after demand, the Federal awarding agency may reduce the debt by:

- (1) Making an administrative offset against other requests for reimbursements;
 - (2) Withholding advance payments otherwise due to the non-Federal entity; or
 - (3) Other action permitted by Federal statute.
- (b) Except where otherwise provided by statutes or regulations, the Federal awarding agency will charge interest on an overdue debt in accordance with the Federal Claims Collection Standards (31 CFR Parts 900 through 999). The date from which interest is computed is not extended by litigation or the filing of any form of appeal.



Interoffice Memorandum

AGENDA ITEM

July 7, 2016

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

THRU: Lonnie C. Bell, Jr., Director *Lonnie C. Bell Jr.*
Family Services Department

FROM: Lavon B. Williams, Manager, Esq., AICP *Lavon Williams*
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item – August 2, 2016
August 2016 Neighborhood Pride Capital Improvement Grant
Recipient

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between \$1,500 to \$10,000. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending approval of Emerald Forest of Orange County HOA (See Attachment A). The grant request is displayed in greater detail in Attachment B. The grant request was reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The application was reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the application was reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes. Finally, the organization was required to document the appropriate cash match and demonstrate an ability to maintain the project.

ACTION REQUESTED: Approval of the August 2016 Neighborhood Pride Capital Improvement Grant as recommended by the Neighborhood Grants Advisory Board for Emerald Forest of Orange County HOA (\$10,000). District 1.

Attachment(s)

c: Antwan Nelson, Neighborhood Preservation and Revitalization Division
Lyndon Carter, Chairperson, Neighborhood Grants Advisory Board

LBW/ydl

Neighborhood Pride Capital Improvement Grant
 Orange County Board of County Commissioners
 August 2, 2016 Consent Agenda

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ATTACHMENT A

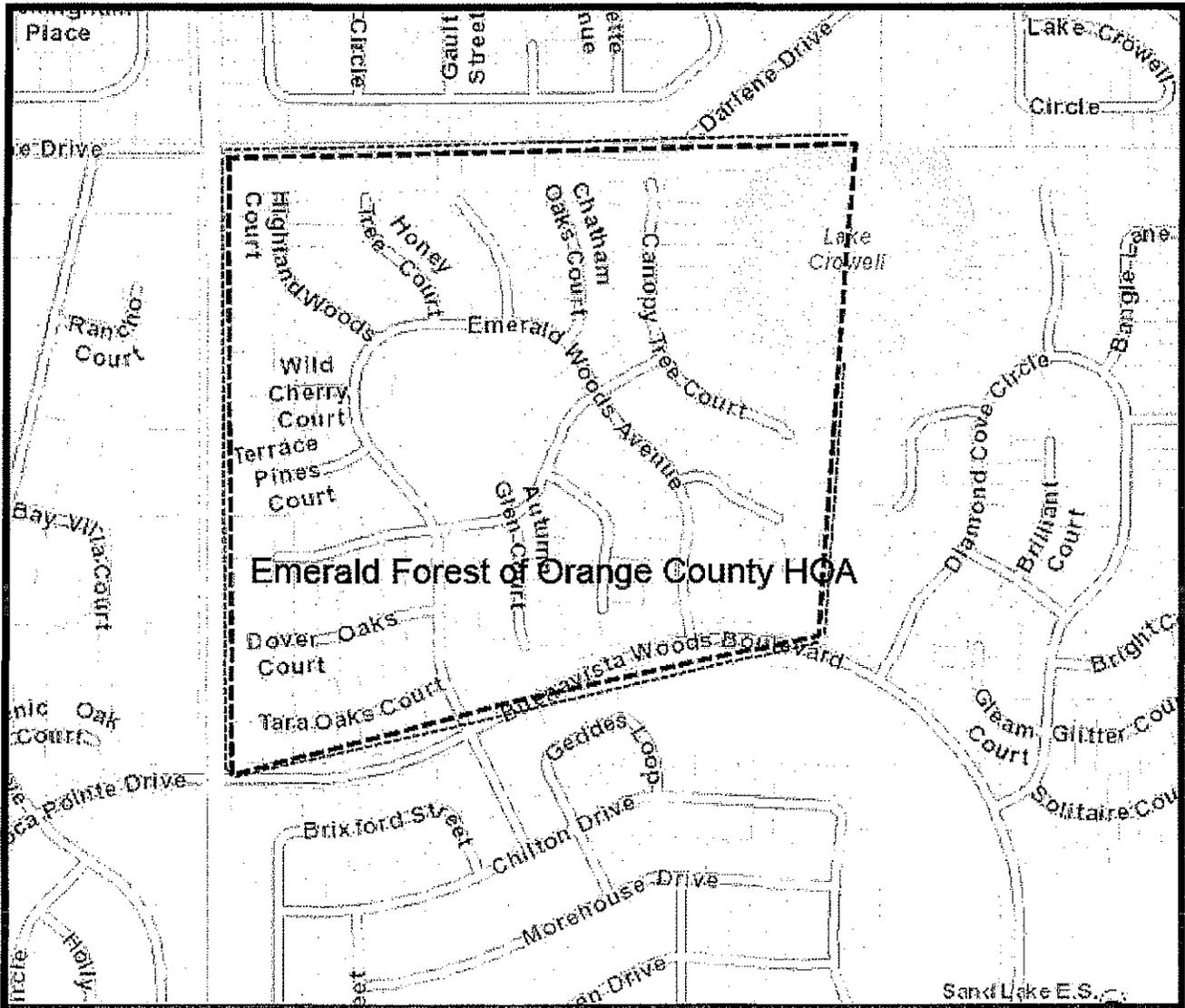
District	Organization	Type of Organization	Project	Property Ownership	Estimated Amount	Community Match	Project Location
1	Emerald Forest of Orange County HOA	HOA	Entranceway Improvement	Private	\$10,000	\$10,000	Apopka Vineland Road and Darlene Drive
			Total Requests		\$10,000		

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Neighborhood Pride Grant Profile

Organization Name: Emerald Forest of Orange County HOA	Request Amount: \$10,000
Commission District 1: Scott Boyd	Matching Amount: \$10,000
Municipality Jurisdiction: N/A	Total Project Cost: \$20,000
Property Ownership: Private	Type of Grant: Capital Improvement

Summary: The neighborhood wishes to make structural repairs to its perimeter wall.





Interoffice Memorandum

AGENDA ITEM

July 7, 2016

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

THRU: Lonnie C. Bell, Jr., Director
Family Services Department

FROM: Lavon B. Williams, Manager, Esq., AICP
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item – August 2, 2016
Countywide Sustainable Communities Grant Recipients

Orange County Board of County Commissioners accepted and adopted the Orange County Sustainability Plan "Our Home for Life" on May 13, 2014. The Orange County Sustainability Plan's purpose is to provide a framework for working towards sustainability, as well as goals and strategies that will serve to integrate sustainability into our culture, decision-making and governance. The Sustainable Communities Grant Program is a part of the Neighborhood Pride Grants program created in 2011 to offer beautification grants to neighborhood organizations. The Sustainable Communities Grant Program allows neighborhood organizations to take charge and implement sustainable projects in their community.

The Neighborhood Preservation and Revitalization Division administers the Sustainable Communities Grant Program, which provides funds for citizen organizations to help reduce pollution and their carbon footprint. The grant is available countywide between \$500 and \$5,000. The Sustainable Communities Grant Program accepts applications on a monthly basis.

The Neighborhood Preservation and Revitalization Division staff performs a detailed technical review on each application received. The staff examines various aspects of the project, including the potential reduction in pollution and carbon footprint, the project cost, impact on the community, and the ability of the organization to execute the project and maintain any physical improvements. The Environmental Protection Division helped to develop the grant program criteria and assists applicants in developing projects that reduce pollution and their carbon footprint. Organizations are required to provide a letter of support from the Environmental Protection Division, which has been provided for these projects.

Several measures are in place to ensure proper monitoring and compliance with the program guidelines. All grant funds are distributed through the County's purchase order process, and there are no direct cash payments to the selected organizations. Applicants are required to complete projects, as documented on the invoices from vendors and their status reports.

Every organization that completes a physical improvement project must also demonstrate the ability to independently maintain the improvement. Staff concludes the monitoring process for each grant awarded by conducting detailed site visits to ensure compliance with the requirements.

The Neighborhood Grants Advisory Board (NGAB) is recommending approval of five Sustainable Communities Grants for August 2016: Braemar HOA, Summerport Park, Wekiva Springs, EstatesFriends of Lake LaGrange and South Hiawasse Village (see Attachment A). The grant requests were reviewed by Orange County staff and presented to the NGAB for recommendation. The applications were reviewed based on project feasibility, organizational readiness, and benefit to the community. The grant requests are displayed in greater detail in Attachment B through F.

ACTION REQUESTED: Approval of the August 2016 Sustainable Communities Grants as recommended by the Neighborhood Grants Advisory Board for Braemar HOA (\$2,050); Summerport Park (\$1,725); Wekiva Springs Estates(\$2,150); Friends of Lake LaGrange (\$3,300) and South Hiawasse Village (\$2,000). Districts 1,2,3 and 6.

Attachments

- c: Lori Cunniff, Deputy Director, Community, Environmental and Development Services
Antwan Nelson, Neighborhood Preservation and Revitalization Division
Lyndon Carter, Chairperson, Neighborhood Grants Advisory Board

Orange County Board of County Commissioners
 August 2, 2016 Consent Agenda
 Countywide Sustainable Communities Grants – **ATTACHMENT A**

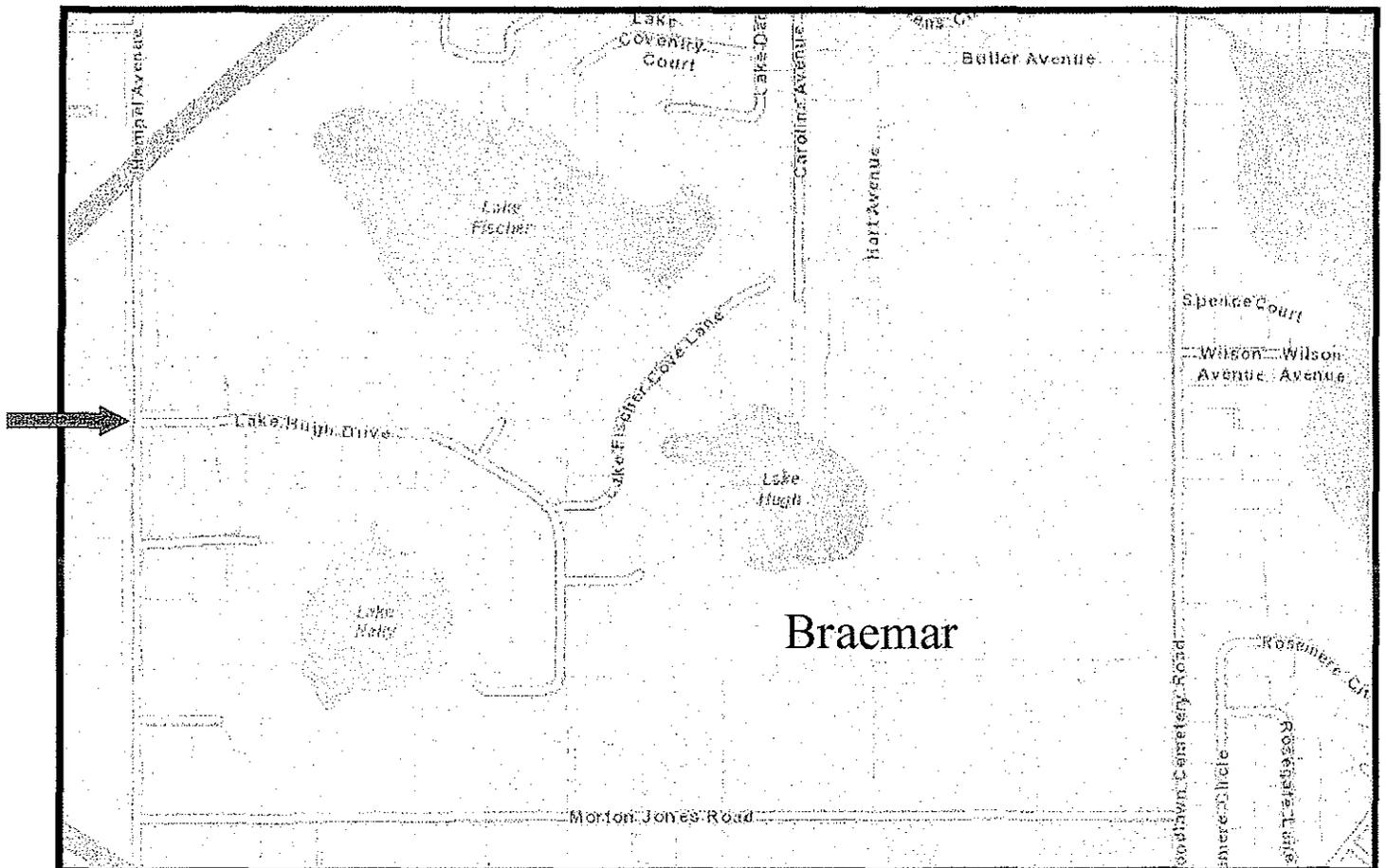
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District	Organization	Description of the Project	Requested Amount	NGAB Recommendation	EPD Review
1	Braemar HOA	LED Lighting Improvement	\$2,050	Yes	Yes
1	Summerport Park	Community Garden Improvement	\$1,725	Yes	Yes
2	Wekiva Springs Estates	LED Lighting Improvement	\$2,150	Yes	Yes
3	Friends of Lake LaGrange	Lake Restoration	\$3,300	Yes	Yes
6	South Hiawassee Village	LED Lighting Improvement	\$2,000	Yes	Yes
		Total Requests	\$11,225		

Sustainable Communities Grant Profile

Organization Name: Braemar HOA	Request Amount: \$2,050
Commission District 1: Scott Boyd	Matching Amount: \$2,050
Municipality Jurisdiction: Un-Incorporated	Total Project Cost: \$4,100
Property Ownership: Private	Type of Grant: Sustainable Communities Grant

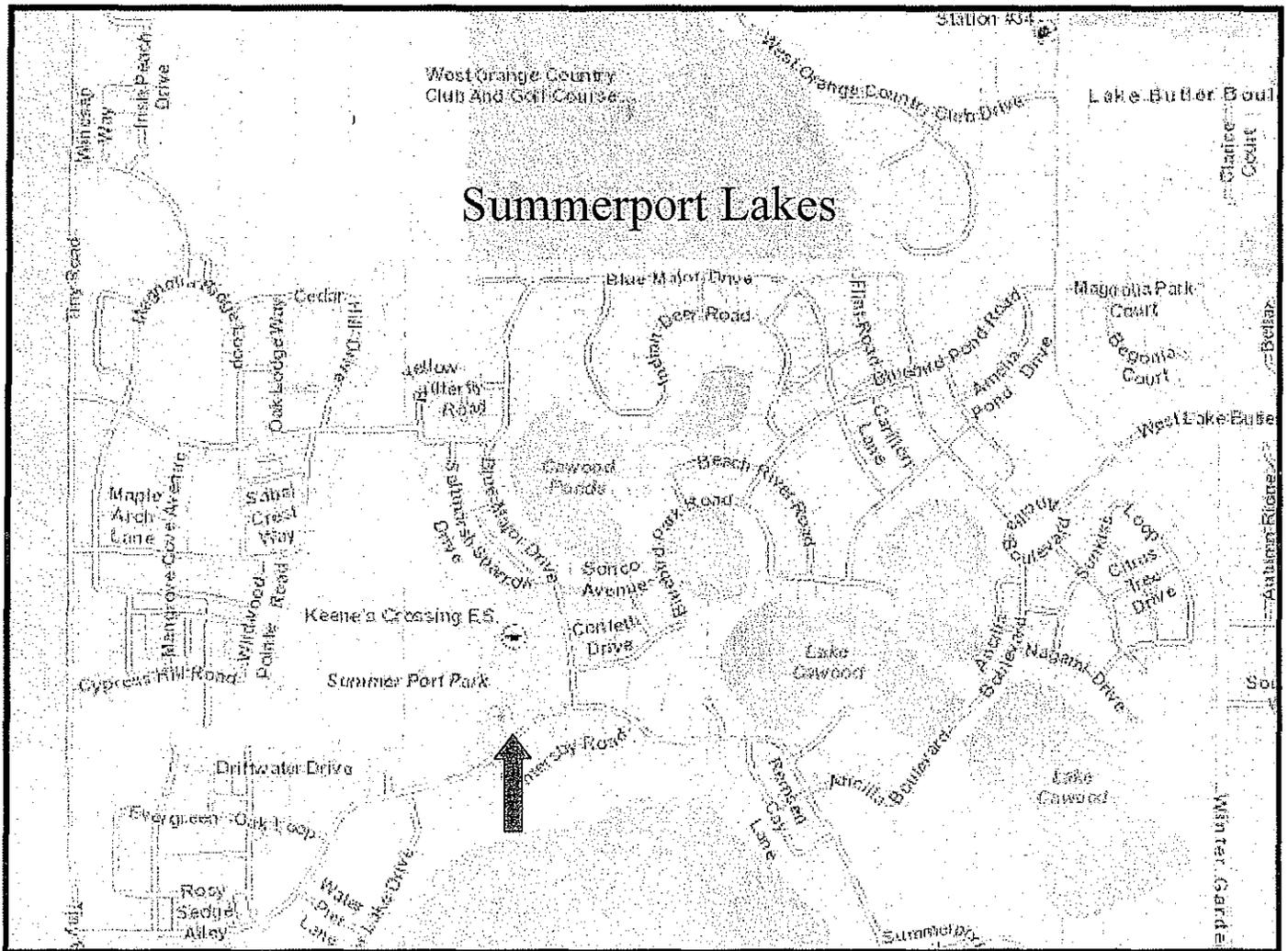
Summary: The neighborhood wishes to improve the entranceway by upgrading ground lighting and replacing lighting fixtures to LED.



Sustainable Communities Grant Profile

Organization Name: Summerport Park	Request Amount: \$1,725
Commission District 1: Scott Boyd	Matching Amount: \$1,725
Municipality Jurisdiction: Un-Incorporated	Total Project Cost: \$3,450
Property Ownership: Private	Type of Grant: Sustainable Communities Grant

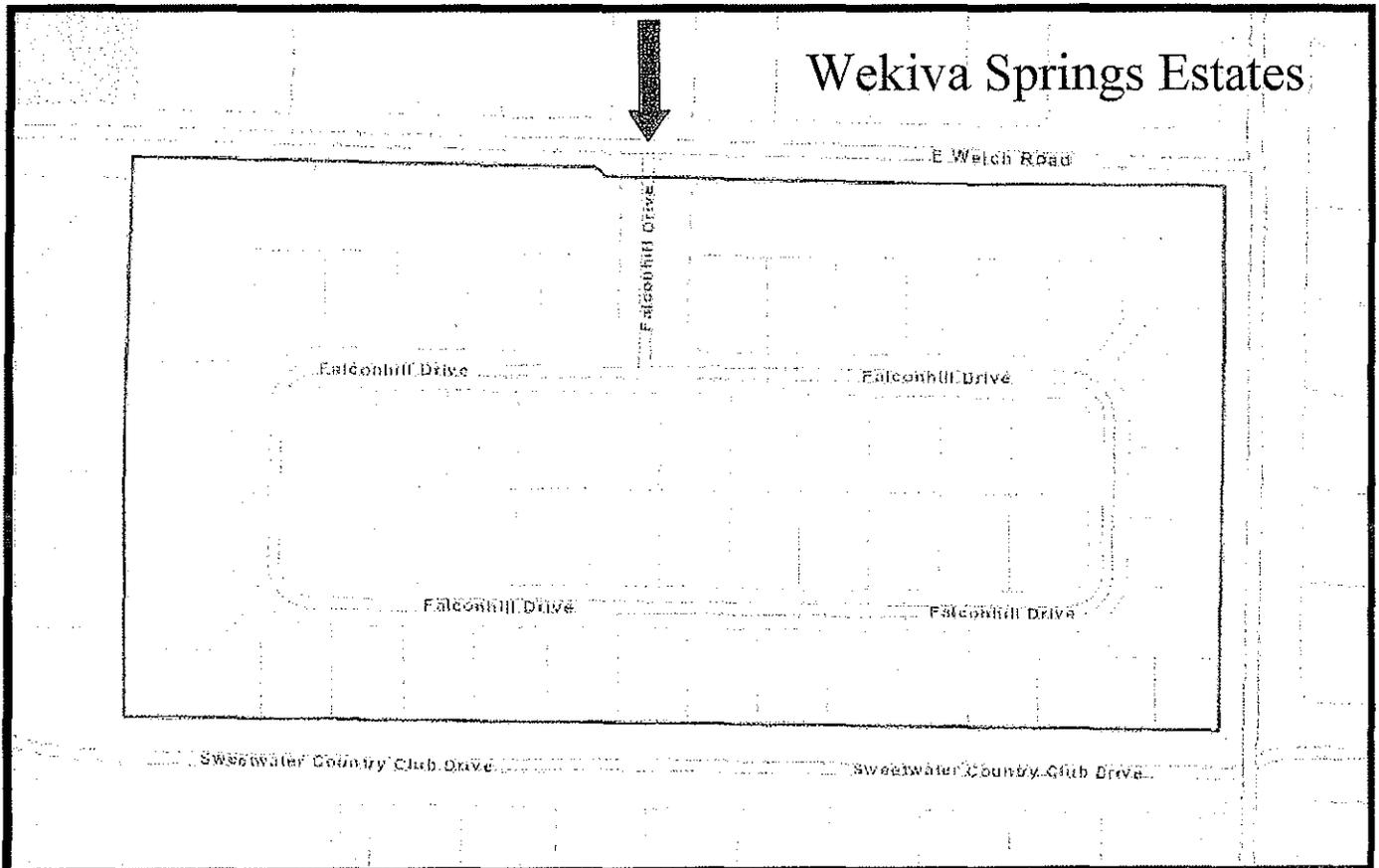
Summary: The neighborhood wishes to make upgrades to an existing community garden previously (2014) approved by Orange County and purchase 2 compost machines.



Sustainable Communities Grant Profile

Organization Name: Wekiva Springs Estates	Request Amount: \$2,150
Commission District 2: Bryan Nelson	Matching Amount: \$2,150
Municipality Jurisdiction: Un-Incorporated	Total Project Cost: \$4,300
Property Ownership: Private	Type of Grant: Sustainable Communities Grant

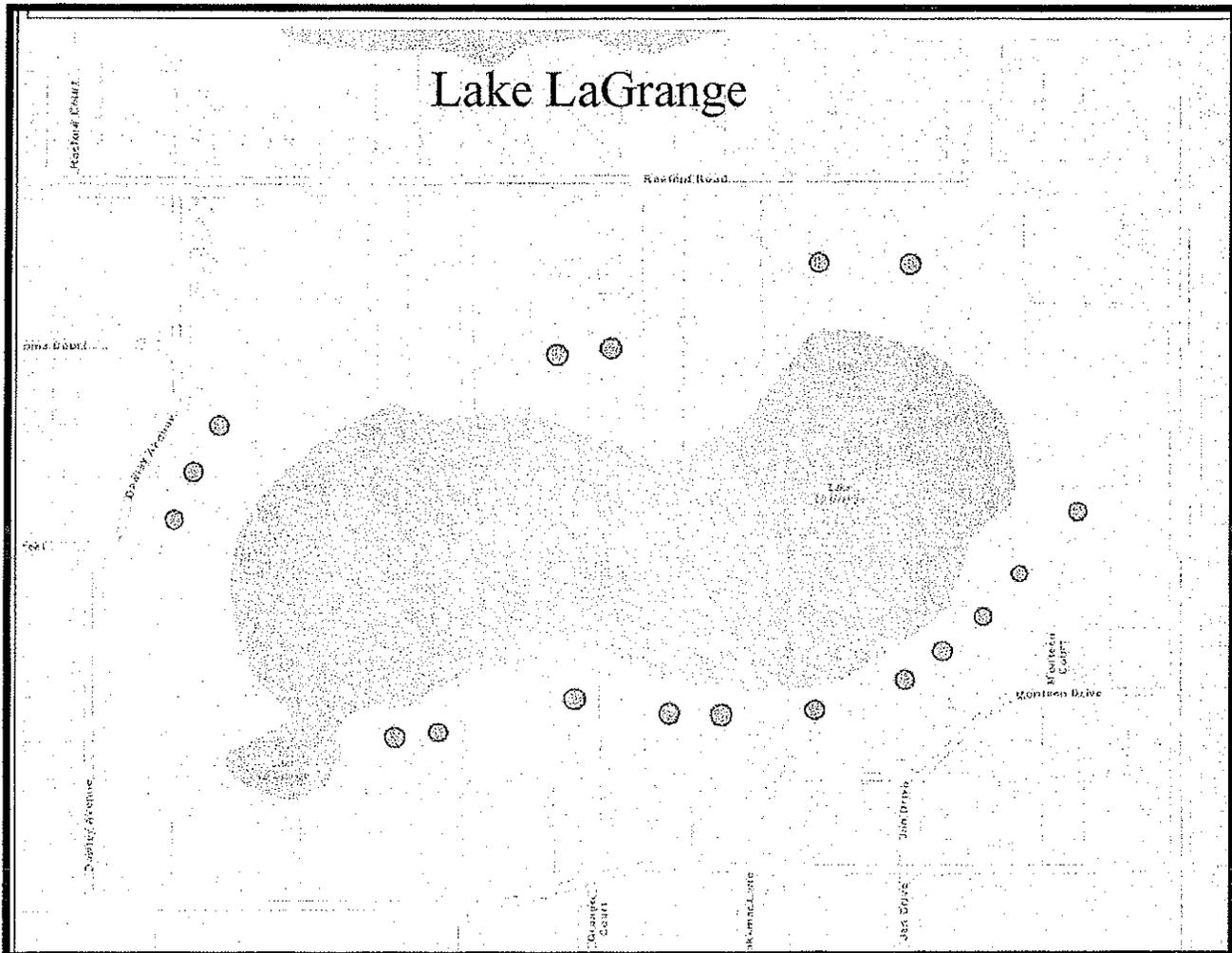
Summary: The neighborhood wishes to improve the entranceway by upgrading ground lighting and replacing lighting fixtures to LED.



Sustainable Communities Grant Profile

Organization Name: Friends of Lake LaGrange	Request Amount: \$3,300
Commission District 3 – Pete Clarke	Matching Amount: N/A
Municipality Jurisdiction: Un-Incorporated	Total Project Cost: \$3,300
Property Ownership: Private	Type of Grant: Sustainable Communities Grant

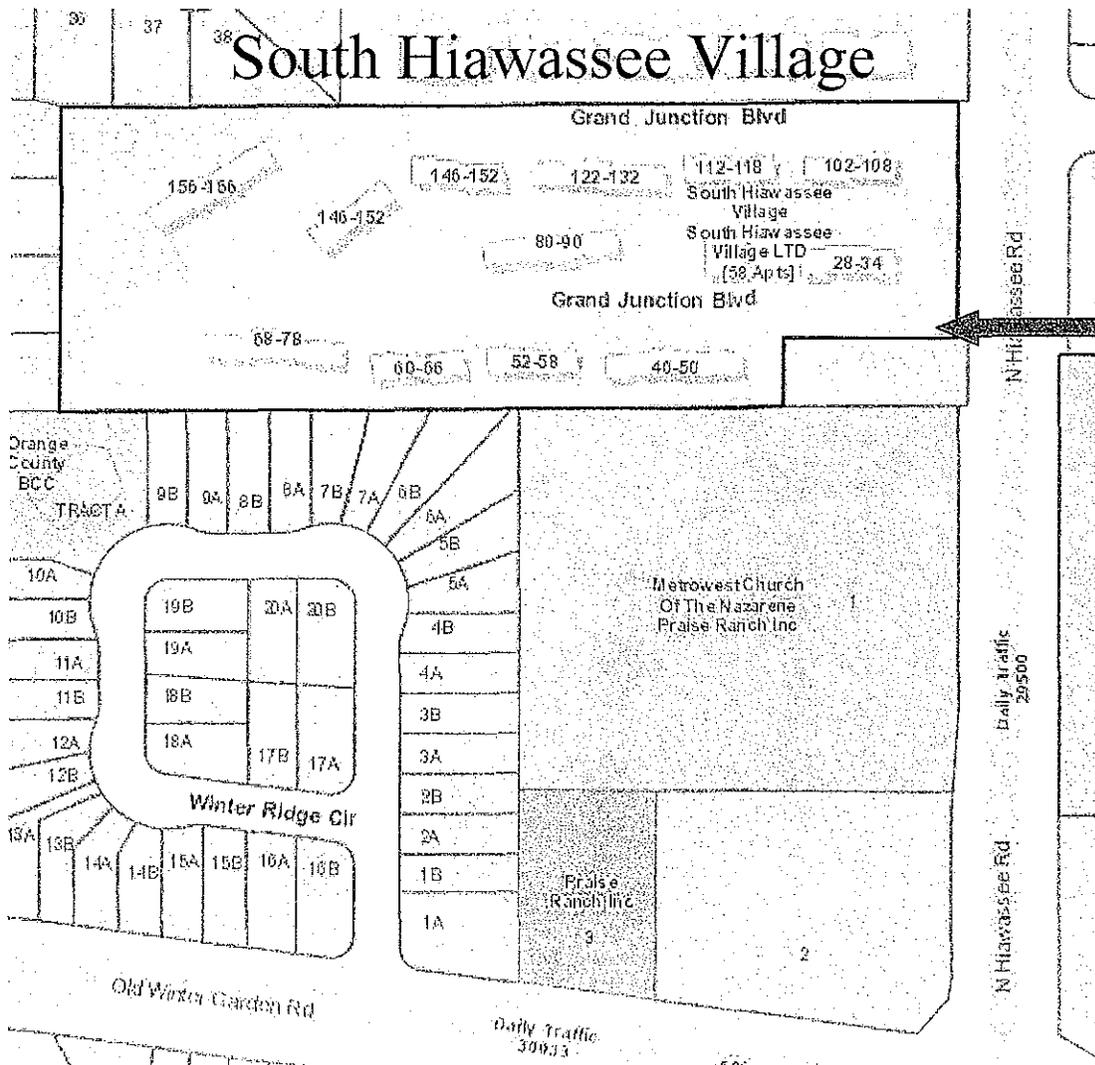
Summary: The neighborhood wishes to restore the health of Lake LaGrange by installing aquatic shore plants on properties around the lake. The homes within this neighborhood have met taxable value guidelines.



Sustainable Communities Grant Profile

Organization Name: South Hiawassee Village	Request Amount: \$2,000
Commission District 6: Victoria P. Siplin	Matching Amount: \$2,000
Municipality Jurisdiction: Un-Incorporated	Total Project Cost: \$4,000
Property Ownership: Private	Type of Grant: Sustainable Communities Grant

Summary: The neighborhood wishes to improve the entranceway by upgrading lighting and replacing lighting fixtures to LED, on community light poles. The homes within this neighborhood have met taxable value guidelines.





Interoffice Memorandum

I. CONSENT AGENDA
FAMILY SERVICES
DEPARTMENT
5

AGENDA ITEM

July 8, 2016

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

THRU: Lonnie C. Bell, Jr., Director *DC for LCB*
Family Services Department

FROM: Lavon B. Williams, Manager, Esq., AICP
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item – August 2, 2016
August 2016 Neighborhood Pride Landscaping Grant Recipients

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between \$1,500 to \$10,000. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending the approval of four Landscaping Grants for Lakeview Heights at Lake Rose Shores HOA, The Oaks at Brandy Lake HOA, Bent Oak HOA and Park Green Community Association, Inc. (see Attachment A). The grant requests are displayed in greater detail in Attachment B through E. The grant requests were reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The applications were reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the applications were reviewed against the County's permitting requirements to ensure that the projects would comply with appropriate County codes. Finally, the organizations were required to document the appropriate cash match and demonstrate an ability to maintain the project.

ACTION REQUESTED: Approval of August 2016 Neighborhood Pride Landscaping Grants as recommended by the Neighborhood Grants Advisory Board for Lakeview Heights at Lake Rose Shores HOA (\$2,500); The Oaks at Brandy Lake HOA (\$2,500); Bent Oak HOA (\$2,500); and Park Green Community Association, Inc. (\$2,500). Districts 1, 2 and 5.

Attachment(s)

c: Antwan Nelson, Neighborhood Preservation and Revitalization Division
Lyndon Carter, Chairperson, Neighborhood Grants Advisory Board

Neighborhood Pride Landscaping Grant
 Orange County Board of County Commissioners
 August 2, 2016 Consent Agenda

ATTACHMENT A

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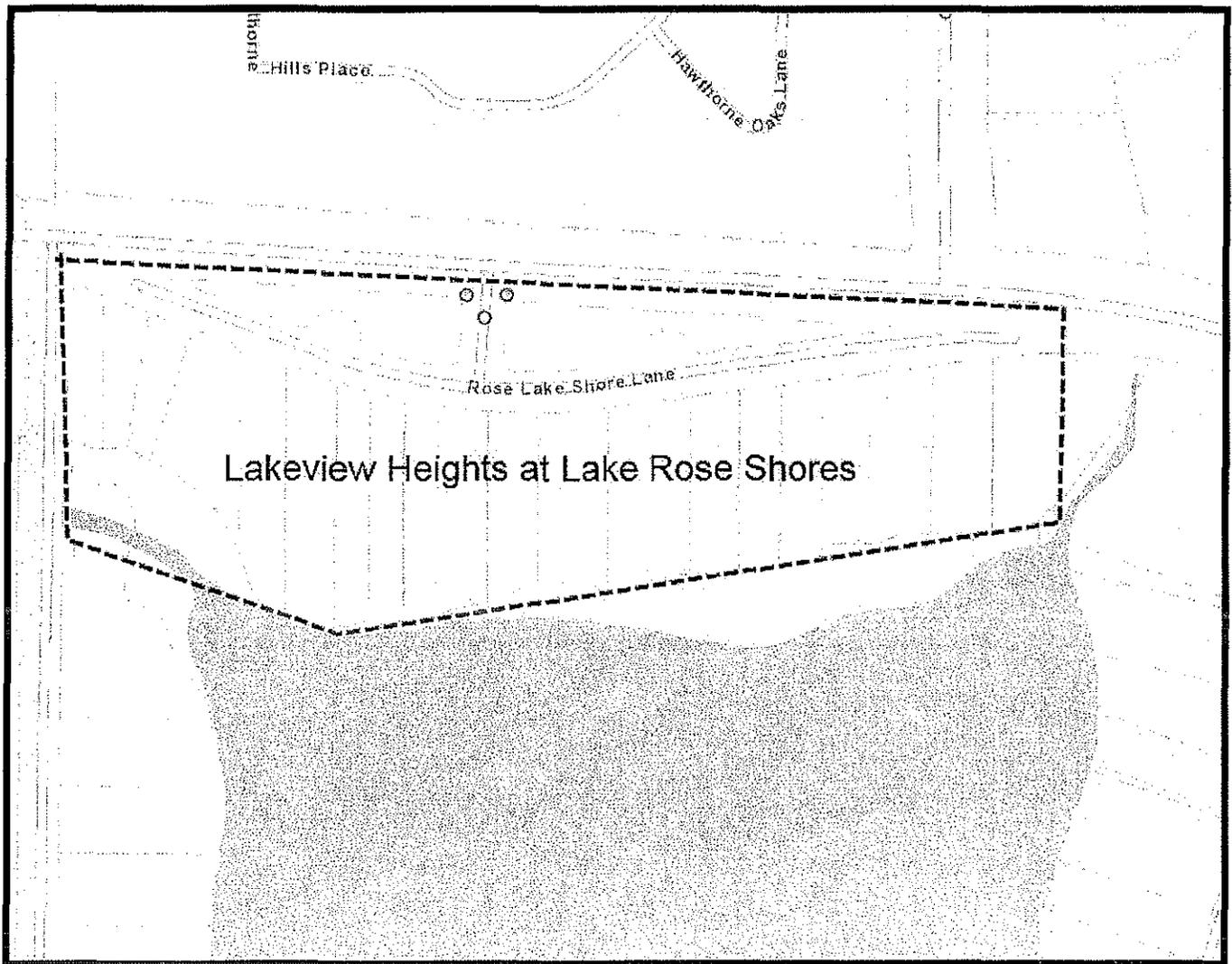
District	Organization	Type of Organization	Project	Property Ownership	Estimated Amount	Community Match	Project Location
1	Lakeview Heights at Lake Rose Shores HOA	HOA	Landscaping	Private	\$2,500	\$625	Old Winter Garden Road and Rose Lake Shore Lane
1	The Oaks at Brandy Lake HOA	HOA	Landscaping	Private	\$2,500	\$625	West Story Road and Brandy Oaks Loop
2	Bent Oak HOA	HOA	Landscaping	Private	\$2,500	\$625	Wekiva Springs Road and Bent Oak Drive
5	Park Green Community Association, Inc.	Community Association	Landscaping	Private	\$2,500	\$625	Bennett Avenue and Glendon Parkway
			Total Requests		\$10,000		

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Neighborhood Pride Grant Profile

Organization Name: Lakeview Heights at Lake Rose Shores HOA	Request Amount: \$2,500
Commission District 1: Scott Boyd	Matching Amount: \$625
Municipality Jurisdiction: N/A	Total Project Cost: \$3,125
Property Ownership: Private	Type of Grant: Landscaping Grant

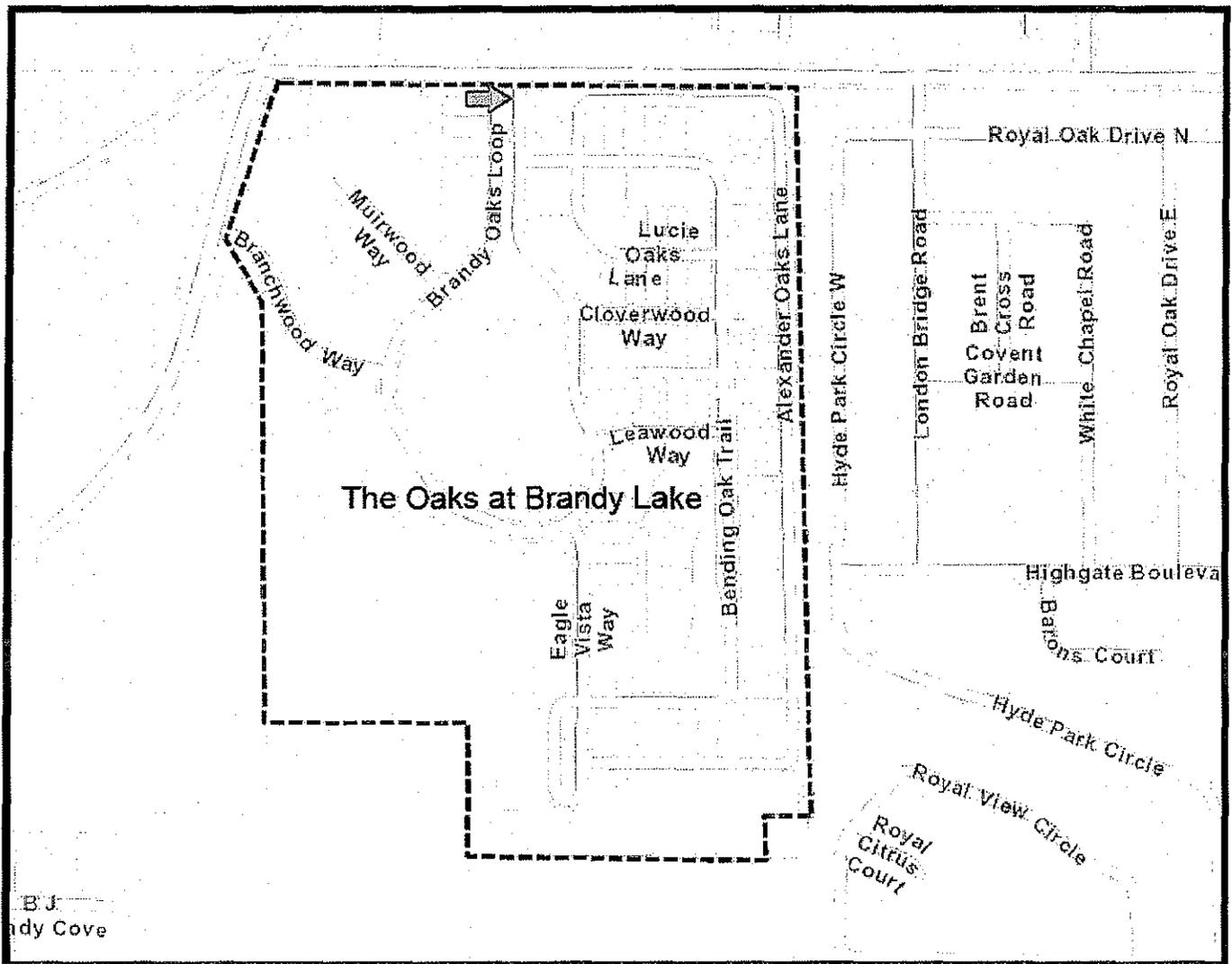
Summary: The neighborhood wishes to install landscaping at their entranceway.



Neighborhood Pride Grant Profile

Organization Name: The Oaks at Brandy Lake HOA	Request Amount: \$2,500
Commission District 1: Scott Boyd	Matching Amount: \$625
Municipality Jurisdiction: Winter Garden	Total Project Cost: \$3,125
Property Ownership: Private	Type of Grant: Landscaping Grant

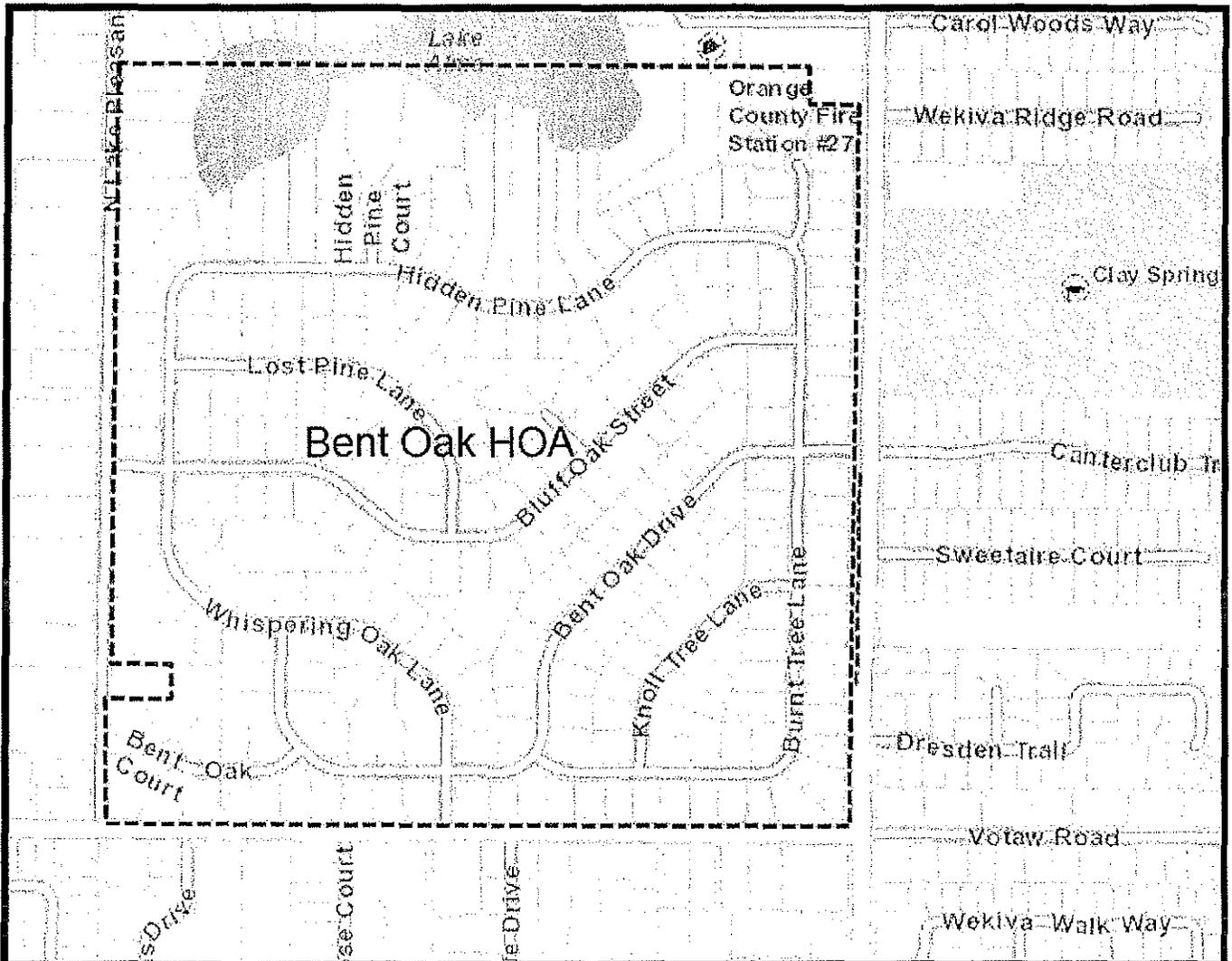
Summary: The neighborhood wishes to install landscaping at the entrance of their community.



Neighborhood Pride Grant Profile

Organization Name: Bent Oak HOA	Request Amount: \$2,500
Commission District 2: Bryan Nelson	Matching Amount: \$625
Municipality Jurisdiction: N/A	Total Project Cost: \$3,125
Property Ownership: Private	Type of Grant: Landscaping Grant

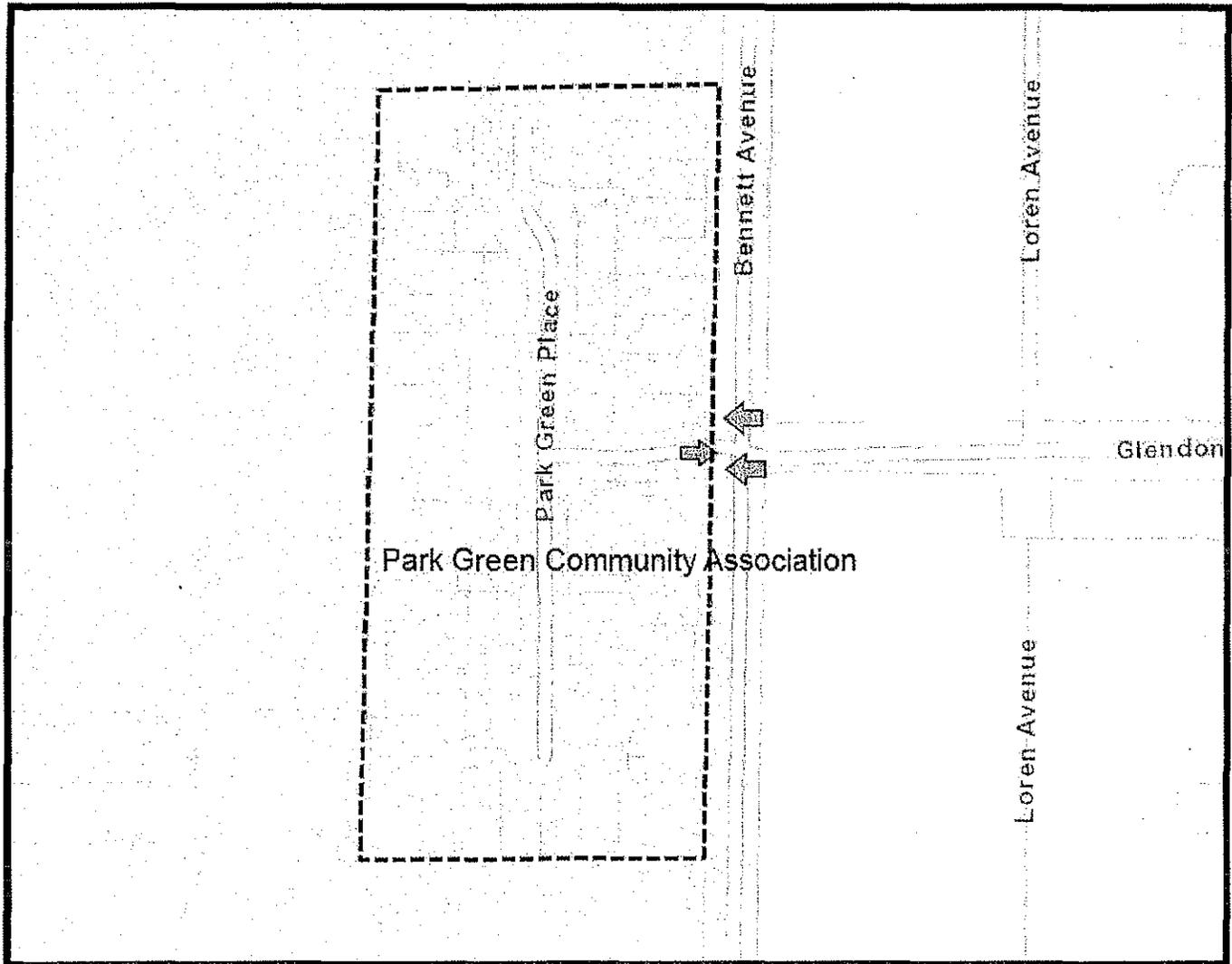
Summary: The neighborhood wishes to clear overgrown landscaping in front of their community. The homes within this neighborhood have met taxable value guidelines.



Neighborhood Pride Grant Profile

Organization Name: Park Green Community Association, Inc.	Request Amount: \$2,500
Commission District 5: Ted Edwards	Matching Amount: \$625
Municipality Jurisdiction: Winter Park	Total Project Cost: \$3,125
Property Ownership: Private	Type of Grant: Landscaping Grant

Summary: The neighborhood wishes to install landscaping at its entranceway. The homes within this neighborhood have met taxable value guidelines.





Interoffice Memorandum

July 7, 2016

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

THRU: Lonnie C. Bell, Jr., Director *Lonnie C Bell Jr*
Family Services Department

FROM: Lavon B. Williams, Manager, Esq., AICP *LBW*
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item – August 2, 2016
August 2016 Neighborhood Pride Entranceway Grant
Recipients

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between \$1,500 to \$10,000. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending the approval of five Entranceway Improvement Grants for Mable Bridge HOA, Pembroke HOA, Southern Acres HOA, Turtle Creek HOA and Royal Manor Villas HOA (see Attachment A). The grant requests are displayed in greater detail in Attachments B through F. The grant requests were reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The applications were reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the applications were reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes. Finally, the organizations were required to document the appropriate cash match and demonstrate an ability to maintain the project.

ACTION REQUESTED: Approval of August 2016 Neighborhood Pride Entranceway Grants as recommended by the Neighborhood Grants Advisory Board for Mable Bridge HOA (\$5,000); Pembroke HOA (\$5,000); Southern Acres HOA (\$5,000); Turtle Creek HOA (\$5,000) and Royal Manor Villas HOA (\$5,000). Districts 1 and 3.

Attachment(s)

c: Antwan Nelson, Neighborhood Preservation and Revitalization Division
Lyndon Carter, Chairperson, Neighborhood Grants Advisory Board

LBW/ydl

Neighborhood Pride Entranceway Grant
 Orange County Board of County Commissioners
 August 2, 2016 Consent Agenda

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ATTACHMENT A

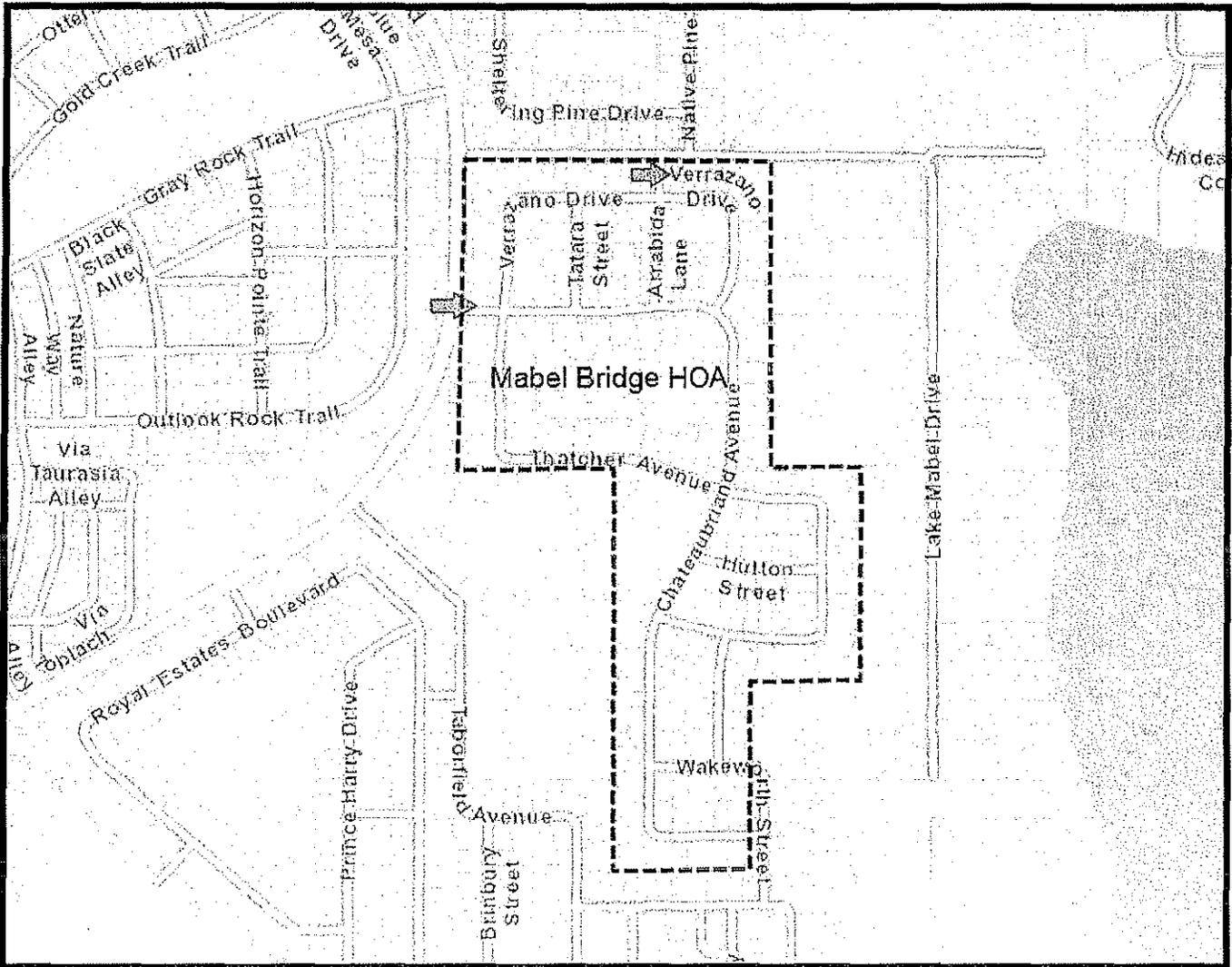
District	Organization	Type of Organization	Project	Property Ownership	Estimated Amount	Community Match	Project Location
1	Mable Bridge HOA	HOA	Reader Board Sign Installation	Private	\$5,000	\$250	Reams Road and Chateabriand Avenue
1	Pembroke HOA	HOA	Entrance Sign Installment	Private	\$5,000	\$250	Hiwassee Road and Somersworth Drive
1	Southern Acres HOA	HOA	Entrance Sign Installment	Private	\$5,000	\$250	Winter Garden Vineland Road and Southern Way
1	Turtle Creek HOA	HOA	Lighting Installment	Private	\$5,000	\$250	South Apopka Vineland Road
3	Royal Manor Villas HOA	HOA	Pressure Wash Wall	Private	\$5,000	\$250	Curry Ford Road and Hanson Parkway
			Total Requests		\$25,000		

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Neighborhood Pride Grant Profile

Organization Name: Mabel Bridge HOA	Request Amount: \$5,000
Commission District 1: Scott Boyd	Matching Amount: \$250
Municipality Jurisdiction: N/A	Total Project Cost: \$5,250
Property Ownership: Private	Type of Grant: Entranceway Grant

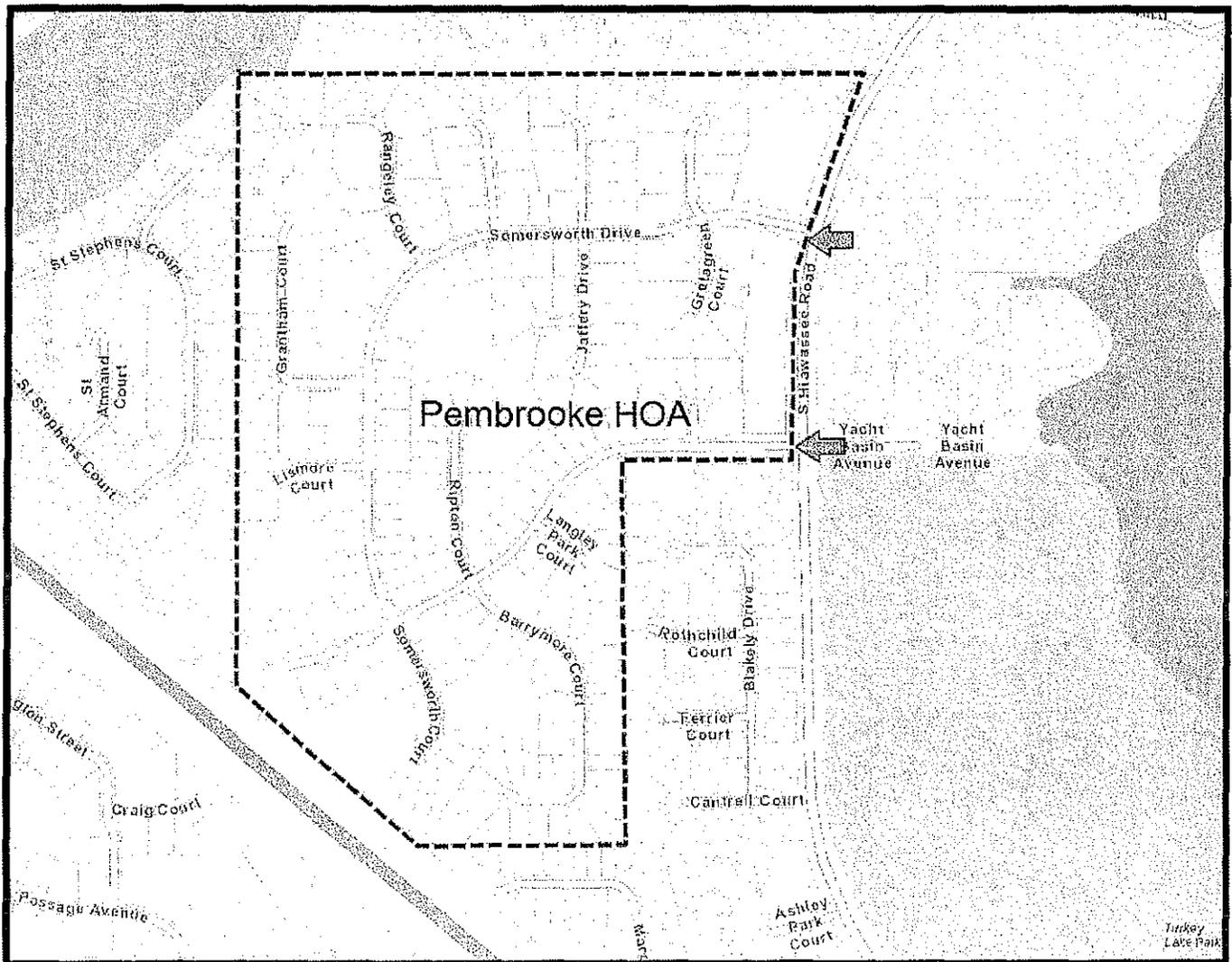
Summary: The neighborhood wishes to install two reader board signs at the north and west entrances.



Neighborhood Pride Grant Profile

Organization Name: Pembroke HOA	Request Amount: \$5,000
Commission District 1: Scott Boyd	Matching Amount: \$250
Municipality Jurisdiction: N/A	Total Project Cost: \$5,250
Property Ownership: Private	Type of Grant: Entranceway Grant

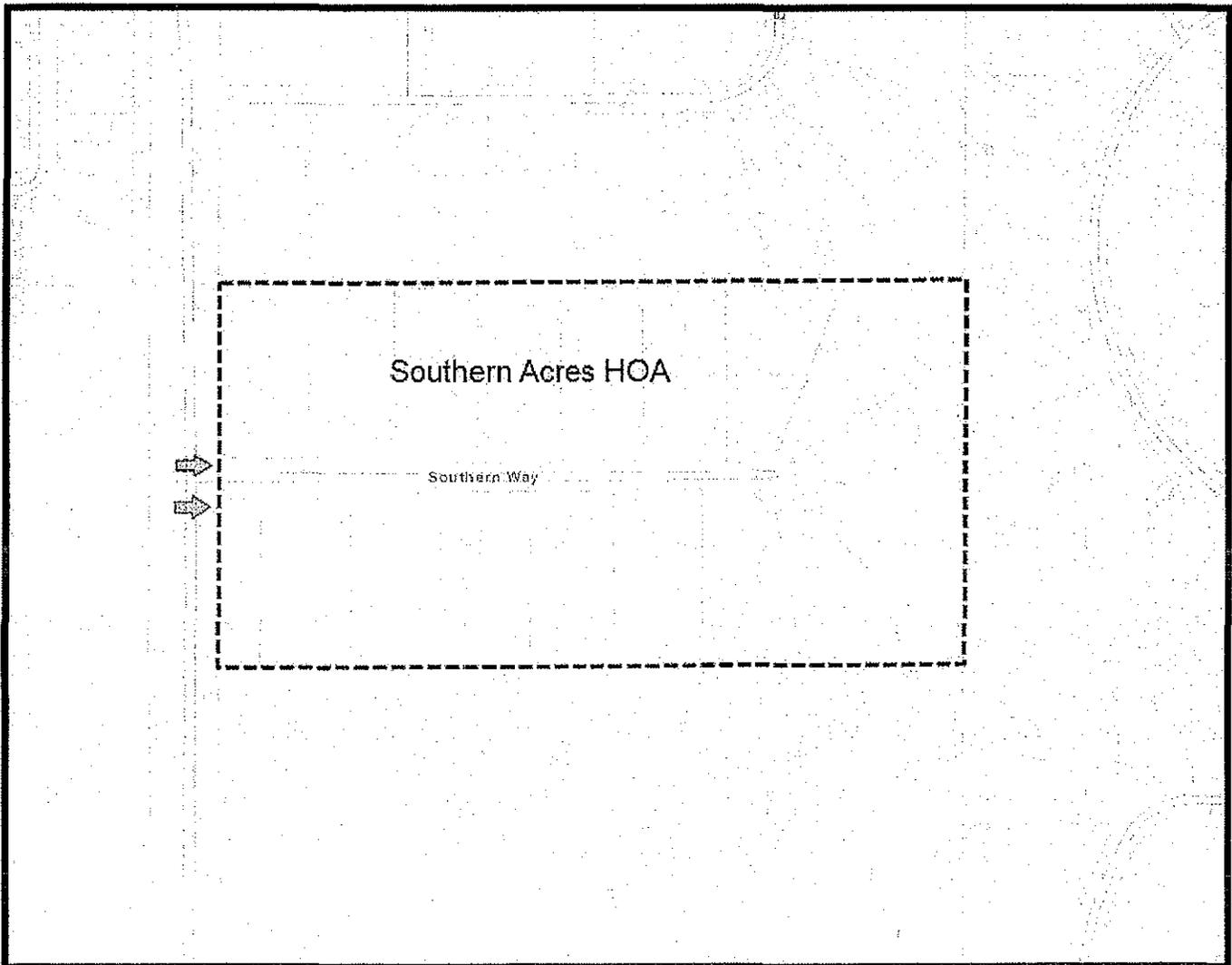
Summary: The neighborhood wishes to install three entranceway signs. The homes within this neighborhood have met taxable value guidelines.



Neighborhood Pride Grant Profile

Organization Name: Southern Acres HOA	Request Amount: \$5,000
Commission District 1: Scott Boyd	Matching Amount: \$250
Municipality Jurisdiction: N/A	Total Project Cost: \$5,250
Property Ownership: Private	Type of Grant: Entranceway Grant

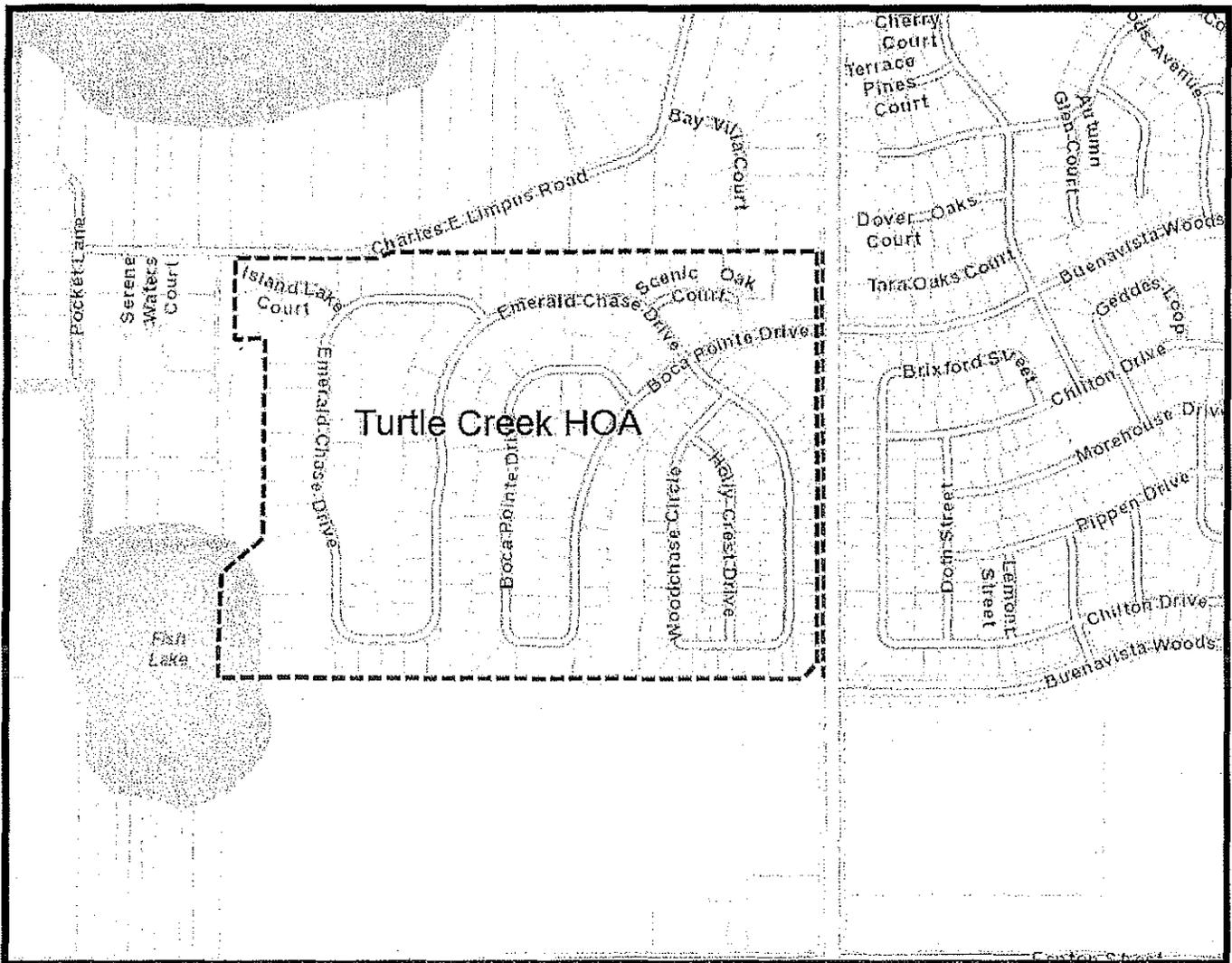
Summary: The neighborhood wishes to replace existing neighborhood signs and repair existing irrigation with drip lines.



Neighborhood Pride Grant Profile

Organization Name: Turtle Creek HOA	Request Amount: \$5,000
Commission District 1: Scott Boyd	Matching Amount: \$250
Municipality Jurisdiction: N/A	Total Project Cost: \$5,250
Property Ownership: Private	Type of Grant: Entranceway Grant

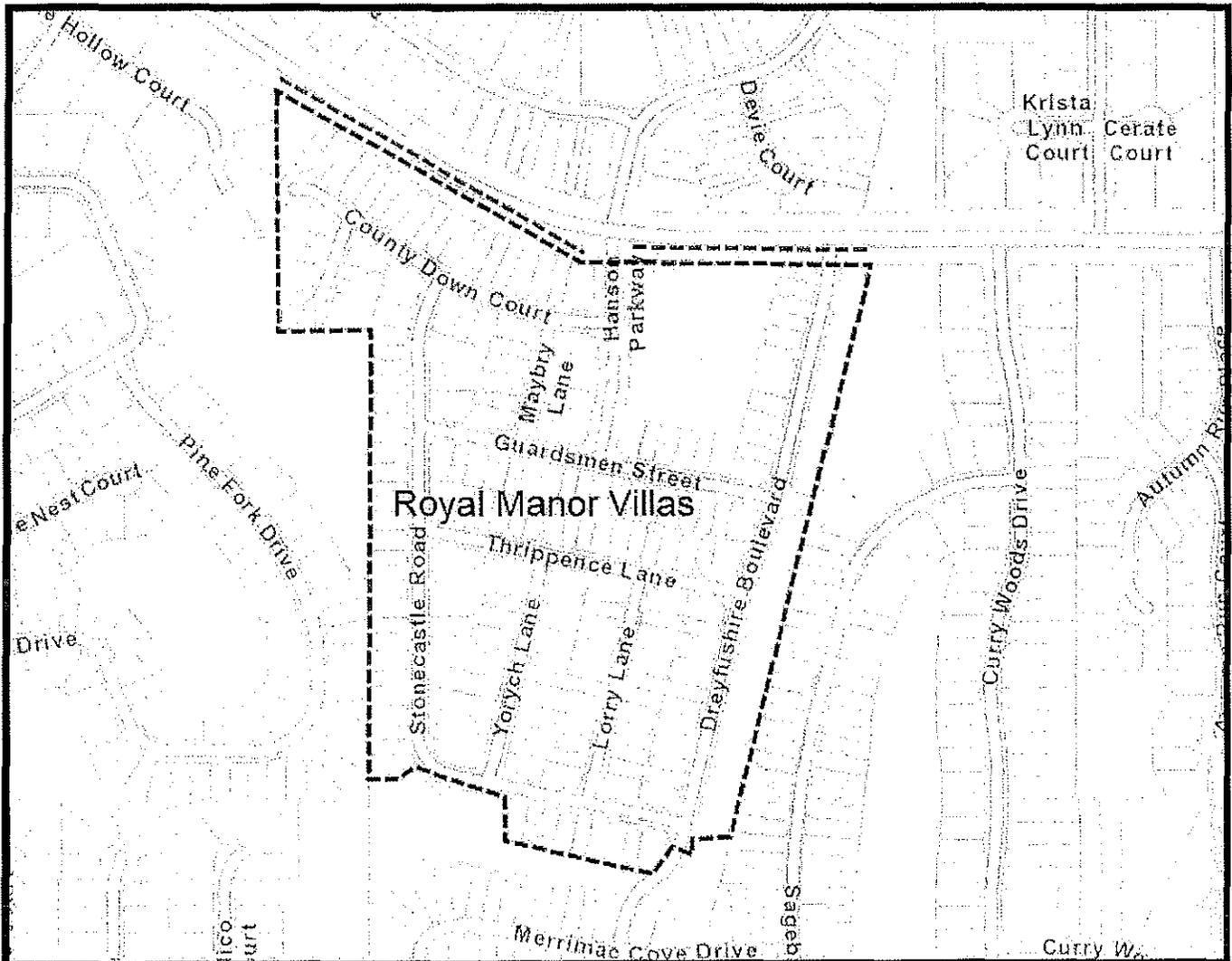
Summary: The neighborhood wishes to install lighting along their perimeter wall.



Neighborhood Pride Grant Profile

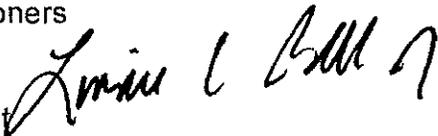
Organization Name: Royal Manor Villas HOA	Request Amount: \$5,000
Commission District 3: Pete Clarke	Matching Amount: \$250
Municipality Jurisdiction: N/A	Total Project Cost: \$5,250
Property Ownership: Private	Type of Grant: Entranceway Grant

Summary: The neighborhood wishes to pressure wash their perimeter wall. The homes within this neighborhood have met taxable value guidelines.



July 7, 2016

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

THRU: Lonnie C. Bell, Jr., Director 
Family Services Department

FROM: Lavon B. Williams, Manager, Esq., AICP
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item August 2, 2016
August 2016 Neighborhood Pride Nonprofit Housing Repair Grant
Recipient

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. There has been a continued interest from a wide range of neighborhood organizations for funding requests under the Neighborhood Pride Grant Program.

The Neighborhood Pride Nonprofit Housing Repair Grant Program is a strategy developed to respond to the rising foreclosure rates in Orange County. The purpose of this strategy is to assist Orange County neighborhoods threatened by physical decline and crippled by high foreclosures. The program is an opportunity to partner with nonprofit and faith-based organizations to provide minor housing repairs to owner-occupied homes in certain communities in Orange County through the use of community volunteers.

The grants are categorized as "Nonprofit Housing Repair Grant I" and "Nonprofit Housing Repair Grant II" and are available countywide in amounts ranging from \$1,000 to \$20,000. The Nonprofit Housing Repair Grant I is designed to encourage grassroots organizations to assist homeowners that are in need of minor exterior repairs. The organization provides the volunteer labor to perform the repairs and the Neighborhood Preservation and Revitalization Division purchases all the required materials for an amount not to exceed \$1,500. It is expected that these grants will benefit one to three homes per organization.

The Nonprofit Housing Repair Grant II will provide direct cash funding to nonprofit organizations that demonstrate organizational readiness to make minor repairs on a number of homes in a concentrated area. These nonprofits may contract or use volunteer labor to conduct the housing repair. However, preference will be given to those nonprofits that incorporate volunteer labor. The award amount for Grant II will typically range from \$5,000 to \$20,000. It is estimated that these grants will benefit 5 to 30 homes per organization.

The Neighborhood Grants Advisory Board is recommending approval of Habitat for Humanity of Seminole County and Greater Apopka, Florida, Inc. Nonprofit Housing Repair Grant II. The grant request is displayed in greater detail in Attachment A.

ACTION REQUESTED: Approval of August 2016 Neighborhood Pride Nonprofit Housing Repair Grant as recommended by the Neighborhood Grant Advisory Board for Habitat for Humanity of Seminole County and Greater Apopka, Florida, Inc. (\$11,000). District 2.

Attachment

c: Antwan Nelson, Neighborhood Preservation and Revitalization Division
Lyndon Carter, Chairperson, Neighborhood Grants Advisory Board

Neighborhood Pride Nonprofit Housing Repair Grant
 Orange County Board of County Commissioners
 August 2, 2016 Consent Agenda
ATTACHMENT A

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District	Organization	Community Served	# of Homes	Grant Program	Work Performed	Requested Amount
2	Habitat for Humanity of Seminole County and Greater Apopka, Florida, Inc.	Apopka	5	Grant II	Minor Exterior repair and painting	\$11,000
			Total Requests			\$11,000

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Interoffice Memorandum

I. CONSENT AGENDA
FAMILY SERVICES
DEPARTMENT
8

AGENDA ITEM

July 7, 2016

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

THRU: Lonnie C. Bell, Jr., Director *Lonnie C Bell Jr*
Family Services Department

FROM: Lavon B. Williams, Manager, Esq., AICP *LBW*
Neighborhood Preservation and Revitalization Division

SUBJECT: Consent Agenda Item – August 2, 2016
August 2016 Neighborhood Pride Sign Grant Recipients

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. The Neighborhood Pride Grants are available countywide in amounts ranging between \$1,500 to \$10,000. Neighborhood Pride Grant applications are accepted year-round and are reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending the approval of three Sign Grants: Mt. Plymouth Lake Homes, Oakwood Estates Neighborhood and Palm Grove Neighborhood (see Attachment A). The grant requests are displayed in greater detail in Attachments B through D. The grant requests were reviewed and scored by Orange County staff and presented to the NGAB for recommendation. The applications were reviewed based on project feasibility, organizational readiness, and benefit to the community. In addition, the applications were reviewed against the County's permitting requirements to ensure that the projects would comply with appropriate County codes. Finally, the organizations were required to document the appropriate cash match and demonstrate an ability to maintain the project.

ACTION REQUESTED: Approval of August 2016 Neighborhood Pride Sign Grants as recommended by the Neighborhood Grants Advisory Board for Mt. Plymouth Lake Homes (\$5,000); Oakwood Estates Neighborhood (\$5,000) and Palm Grove Neighborhood (\$5,000). Districts 2 and 6.

Attachment(s)

c: Antwan Nelson, Neighborhood Preservation and Revitalization Division
Lyndon Carter, Chairperson, Neighborhood Grants Advisory Board

Neighborhood Pride Sign Grant
 Orange County Board of County Commissioners
 August 2, 2016 Consent Agenda
ATTACHMENT A

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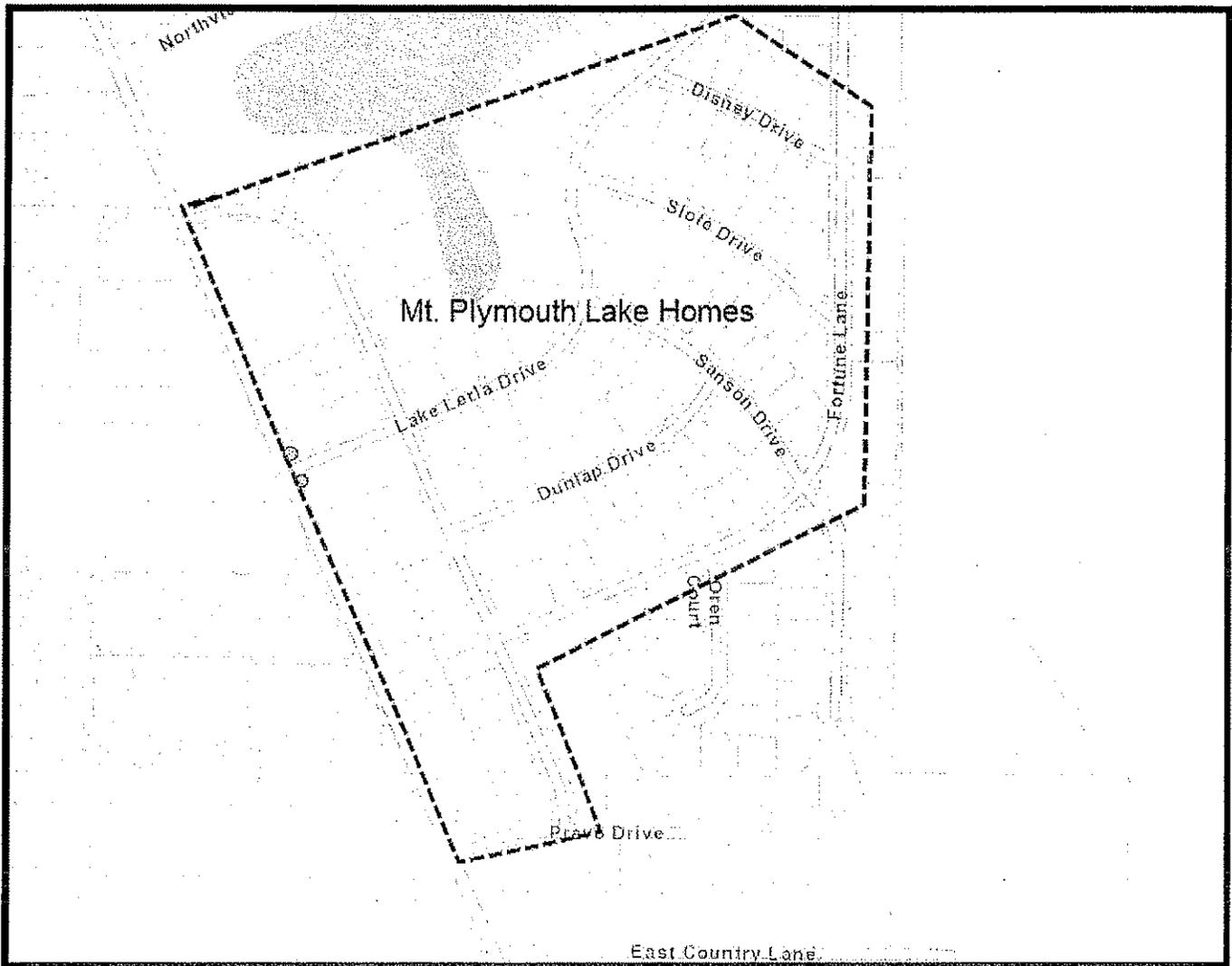
District	Organization	Type of Organization	Project	Property Ownership	Estimated Amount	Community Match	Project Location
2	Mt. Plymouth Lake Homes	Neighborhood	Sign Installation	Private	\$5,000	0	Mt. Plymouth Road and Lake Leria Drive
2	Oakwood Estates Neighborhood	Neighborhood	Sign Installation	Private	\$5,000	\$0	South Christiana Street, East Magnolia Street and East Orange Street
6	Palm Grove Neighborhood	Neighborhood	Sign Installation	Public	\$5,000	\$0	Mercy Drive and Kalwit Lane
			Total Requests		\$15,000		

271

Neighborhood Pride Grant Profile

Organization Name: Mt. Plymouth Lake Homes	Request Amount: \$5,000
Commission District 2: Bryan Nelson	Matching Amount: \$0
Municipality Jurisdiction: N/A	Total Project Cost: \$5,000
Property Ownership: Private	Type of Grant: Sign Grant

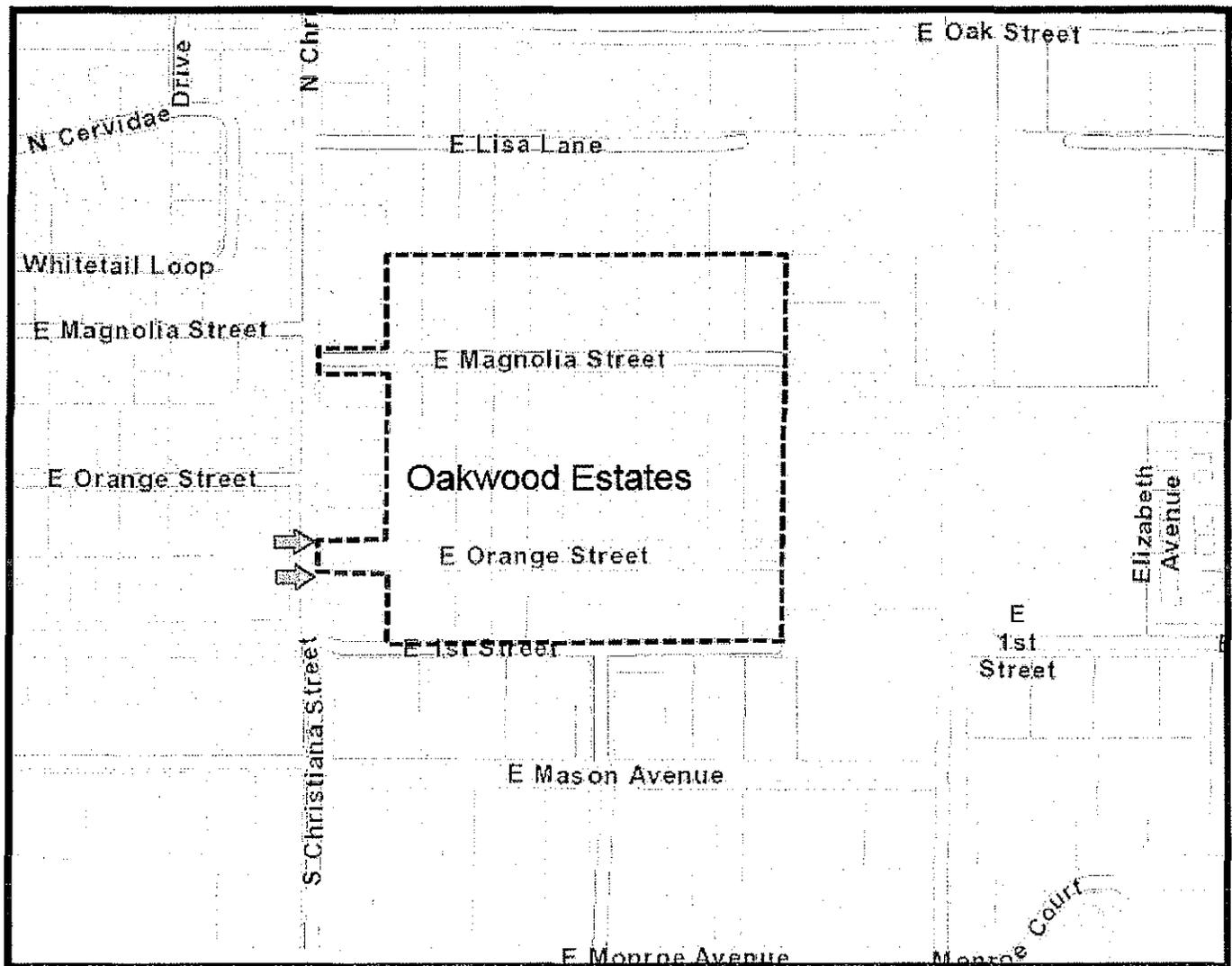
Summary: The neighborhood wishes to install two new sign lettering on their neighborhood wall. The homes within this neighborhood have met taxable value guidelines.



Neighborhood Pride Grant Profile

Organization Name: Oakwood Estates Neighborhood	Request Amount: \$5,000
Commission District 2: Bryan Nelson	Matching Amount: \$0
Municipality Jurisdiction: Apopka	Total Project Cost: \$5,000
Property Ownership: Private	Type of Grant: Sign Grant

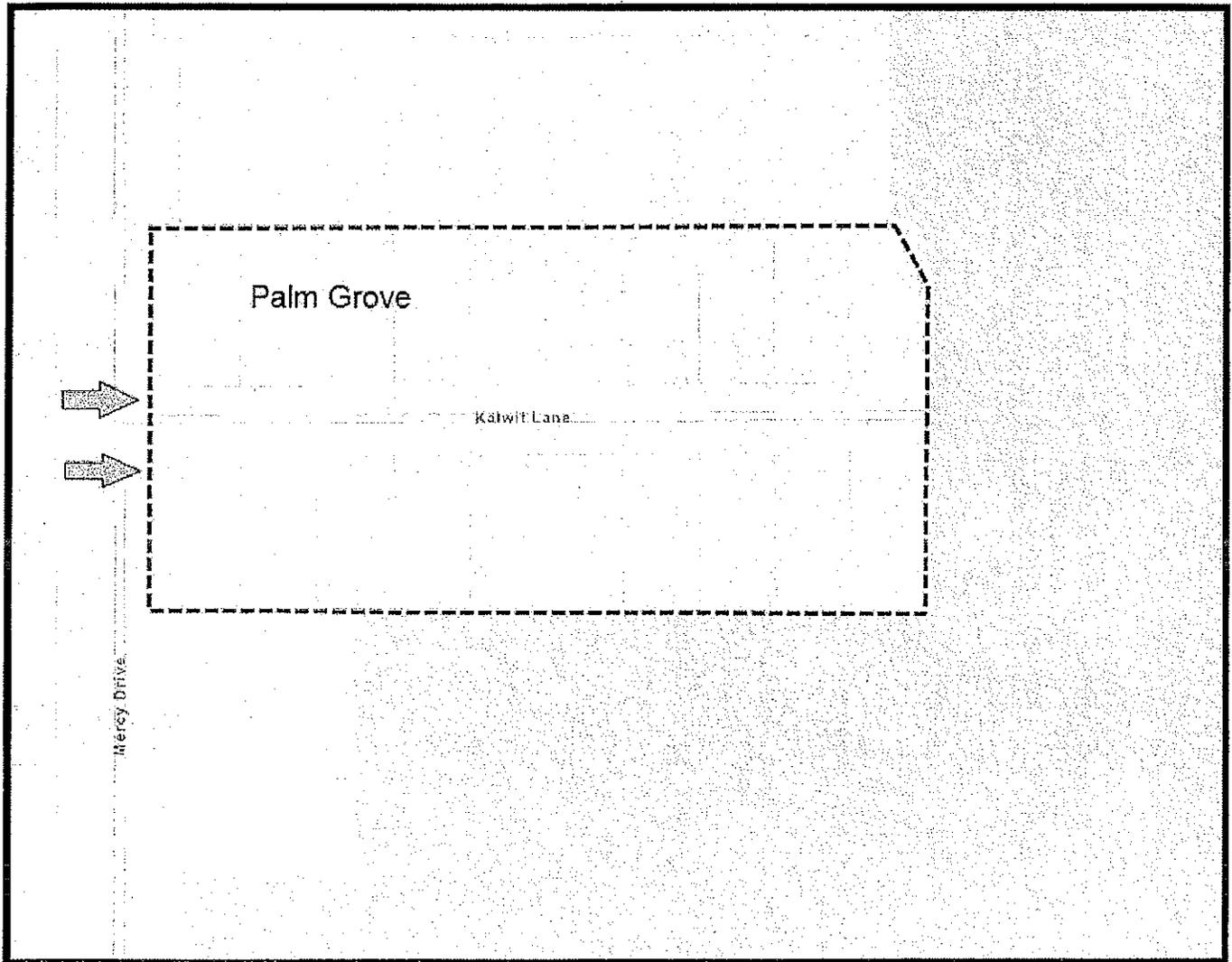
Summary: The neighborhood wishes to install two entranceway signs. The homes within this neighborhood have met taxable value guidelines.



Neighborhood Pride Grant Profile

Organization Name: Palm Grove Neighborhood	Request Amount: \$5,000
Commission District 6: Victoria P. Siplin	Matching Amount: \$0
Municipality Jurisdiction: N/A	Total Project Cost: \$5,000
Property Ownership: Public	Type of Grant: Sign Grant

Summary: The neighborhood wishes to install two signs at their neighborhood entrance. The homes within this neighborhood have met taxable value guidelines.





July 7, 2016

TO: Mayor Teresa Jacobs

-AND-

Board of County Commissioners

THRU: Lonnie C. Bell, Jr., Director
Family Services Department

A handwritten signature in black ink, appearing to read "Lonnie C. Bell, Jr.", written over the typed name.

FROM: Lavon B. Williams, Manager, Esq., MPA, MSP
Neighborhood Preservation and Revitalization Division

Handwritten initials in black ink, appearing to be "L.B.W.", written over the typed name.

SUBJECT: Consent Agenda Item August 2, 2016
August 2016 Neighborhood Pride Mini-Grant Recipient

The Neighborhood Preservation and Revitalization Division administers the Neighborhood Pride Grant Program that provides funds for citizen organizations to enhance the quality of their neighborhoods. There has been an overwhelming response from a wide range of neighborhood organizations showing continued interest in the Neighborhood Pride Mini-Grant Program.

The Neighborhood Pride Mini-Grant Program offers small grants to countywide volunteer neighborhood organizations for projects less than \$1,500. The neighborhood organizations are required to attend a mandatory grant workshop and establish a neighborhood team to work with staff on implementing neighborhood projects. The grant applications are accepted from October through June and reviewed monthly by the Neighborhood Grants Advisory Board (NGAB).

The NGAB is recommending approval of Lake Sunset Luola Terrace Mini-Grant (see Attachment A). The grant request is displayed in greater detail in Attachment B. The grant was reviewed by County staff and presented to the NGAB for recommendation. The application was reviewed based on project feasibility, organizational readiness, and benefit to the community.

In addition, the application was reviewed against the County's permitting requirements to ensure that the project would comply with appropriate County codes. Finally, the neighborhood organization was required to demonstrate the ability to maintain the project.

BCC Consent Agenda Item
July 7, 2016
Neighborhood Pride Mini-Grant Recipient
Page 2

ACTION REQUESTED: Approval of the August 2016 Neighborhood Pride Mini-Grant as recommended by the Neighborhood Grants Advisory Board for Lake Sunset Luola Terrace (\$1,500). District 6.

Attachments

c: Antwan Nelson, Neighborhood Preservation and Revitalization Division
Lyndon Carter, Chairperson, Neighborhood Grants Advisory Board

LBW/ydl

Neighborhood Pride Mini Grant
 Orange County Board of County Commissioners
 August 2, 2016 Consent Agenda

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ATTACHMENT A

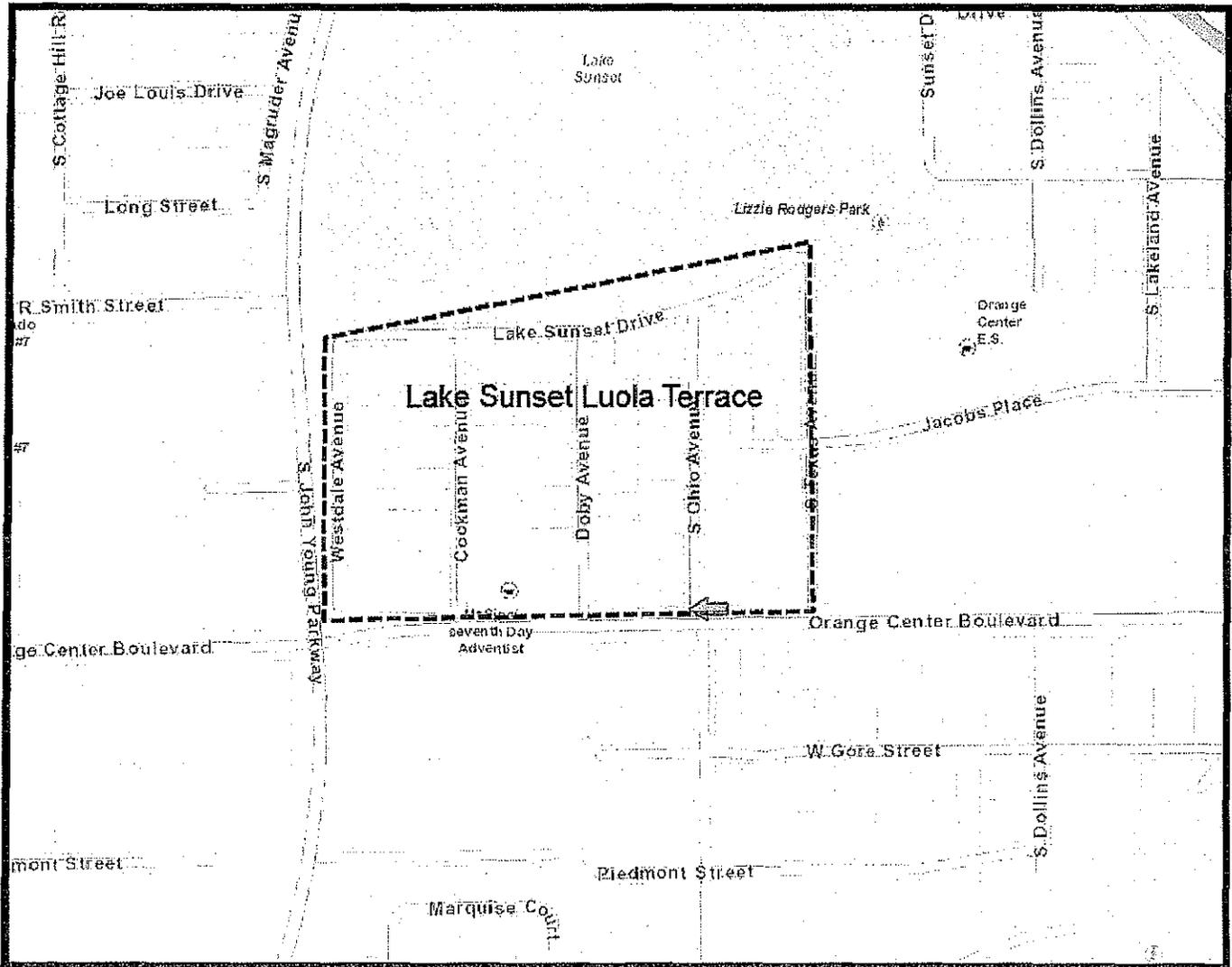
District	Organization	Type of Organization	Project	Property Ownership	Estimated Amount	Community Match	Project Location
6	Lake Sunset Luola Terrace	Neighborhood	Lighting Improvements	Private	\$1,500	\$0	Orange Center Boulevard and South Ohio Avenue
			Total Requests		\$1,500		

277

Neighborhood Pride Grant Profile

Organization Name: Lake Sunset Luola Terrace	Request Amount: \$1,500
Commission District 6: Victoria P. Siplin	Matching Amount: \$0
Municipality Jurisdiction: Orlando	Total Project Cost: \$1,500
Property Ownership: Private	Type of Grant: Mini Grant

Summary: The neighborhood wishes to install lighting for their sign. The homes within this neighborhood have met taxable value guidelines.





Interoffice Memo

July 14, 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
G8D, LLC
Consent Agenda – August 2, 2016

The EMS Office of the Medical Director requests approval and execution of the Paratransit Services License for G8D, LLC. G8D, LLC 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 G8D, LLC as contained in Orange County Ordinance 2001-09. The public notice has been posted for this request and no objection has been received.

ACTION REQUESTED: Approval and execution of the Paratransit Services License for G8D, LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2016 through August 1, 2018. There is no cost to the County.
(EMS Office of the Medical Director)

CH/cf

Attachments

Cc: George Ralls, M.D., Deputy County Administrator



PARATRANSIT SERVICES:
APPLICATION FOR LICENSE

APPLICATION DATE: May 20, 2016

PROPOSED DATE OPERATIONS WILL BEGIN: June 1, 2016

SECTION I: GENERAL INFORMATION

1. NAME OF SERVICE: G8D, LLC

2. BUSINESS ADDRESS (INCLUDE COUNTY):

490 COUNTRY CLUB DR.
WINTER PARK, FL 32789 Orange County

3. CONTACT INFORMATION: Business Phone 407-970-1022

Mobile Phone 908-416-4785

Email g8d11c@gmail.com

4. OWNERSHIP TYPE: PRIVATE CORPORATION GOVERNMENT AGENCY OTHER

a. If other, please describe: _____

5. CORPORATE OFFICERS AND DIRECTORS:

<u>NAME</u>	<u>ADDRESS</u>	<u>POSITION</u>
<u>SOPHIA TRICIA SOLOD</u>	<u>273 N. HUDSON ST. ORLANDO, FL</u>	<u>OWNER</u>
<u>LUZ T. SANTOS</u>	<u>1868 ARBOR LAKE UNION, NJ</u>	<u>CO-OWNER</u>

6. LEVEL OF SERVICE: WHEELCHAIR STRETCHER BOTH

7. COMMUNICATIONS EQUIPMENT: TELEPHONE TWO-WAY RADIO OTHER

a. If other, please describe: _____

SECTION II: REQUISITES TO OBTAINING LICENSE

1. PAYMENT OF ALL APPLICABLE FEES:

YES, DATE: 5/16/16 NO

2. VEHICLE INSPECTION COMPLETED BY EMS OFFICE:

YES, DATE: _____ NO

If not completed at the time of application, payment of fees and vehicle inspection by the EMS Office must be completed prior to commencing operations. Failure to do so may result in revocation of license.

3. REFERENCES/LETTERS OF SUPPORT SUBMITTED TO EMS OFFICE (Attachment I):

- Verifiable business or work references for 5 years, including one notarized letter of reference
- Five verifiable personal/business references, including two notarized letters of reference
- Five verifiable credit references, including two notarized letters of reference

4. CURRENT FINANCIAL STATEMENT SUBMITTED TO EMS OFFICE:

YES, DATE: 5/18/16 NO

Example: Current letter from bank verifying business account status (no account numbers please).

5. PROOF OF INSURANCE SUBMITTED TO EMS OFFICE:

YES, DATE: 5/18/16 NO

If insurance coverage has not been obtained at the time of application the provider must obtain insurance coverage and provide certificates of insurance coverage to the county prior to commencing operations. Failure to do so may result in revocation of license.

SECTION III: VEHICLES AND STAFFING

1. NUMBER OF VEHICLES IN OPERATION: 2

2. EMPLOYEE ROSTER:

<u>NAME</u>	<u>CURRENT CPR CARD (Y/N)</u>
SOPHIA TRICIA SOLON	Y
EDWIN NOIASCO VERON	Y

ATTACHMENT I: REFERENCES

1. List previous business experiences or work history for last five years. Submission of one notarized letter of reference from list below is required.

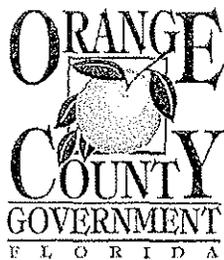
GTS AMBULANCE MEDICAL TRANSPORTATION, LLC
POL AMBULANCE, LLC
MEDITRANS, LLC
BONA LIFE
FREEDOM EMS

2. List five personal or business references. Submission of two notarized letters of reference from list below is required.

NAME	ADDRESS	PHONE
MALONY GAFFA	1117 PENNSYLVANIA AVE UNION, NJ	973-810-6404
ANAWEN PEREZ	2300 HALSEY ST. UNION, NJ	973-735-3344
RUTH GARCIA-COLON	1111 SAIL CREEK DR. ORLANDO, FL	407-412-6079
ESTHER YAP	450 OLOWY DR. WINTER PARK, FL	407-644-5814
JAY ALCORDO	570 LAKE FRONT BLVD. WINTER PARK, FL	407-247-1443

3. List five credit references. Submission of two notarized letters of reference from list below is required.

NAME	ADDRESS	PHONE
G&M EXXON MOBILE	556 WESTFIELD AVE. ENZABETH, NJ	908-510-8873
EDUARDO FABE	11 CHARLOTTE ST. CARTERS, NJ	732-715-7512
EDWARD ROGERS, TO	970 CHESTNUT ST. UNION, NJ	908-686-8896
SUNOCO GAS	2425 VANHOUTAN RD. UNION, NJ	973-462-9211
BULO JAP AUTO SERVICE	2051 So. ORANGE BLOSSOM TRAIL ORLANDO	407-426-9489



PARATRANSIT SERVICES:
APPLICATION FOR LICENSE

I, the undersigned representative of the service named in this application, do hereby attest the information provided in this application is truthful and honest to the best of my knowledge, and that my service meets all of the requirements for operation of a paratransit services in Orange County and the State of Florida. I acknowledge that as provided in Orange County Code of Ordinances Chapter 20, Division 3, Section 20-137, licenses obtained by an application in which any material fact was intentionally omitted or falsely stated are subject to revocation.

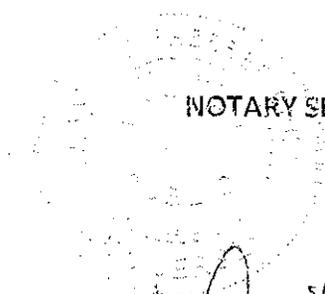


SIGNATURE OF APPLICANT OR REPRESENTATIVE

5/20/16

DATE

NOTARY SEAL




NOTARY SIGNATURE

DANIELLE SHERREE CRUZ
Notary Public
State of New Jersey
My Commission Expires July 8, 2018
I.D.# 2436000

License Paratransit Services

Orange County
Board of County Commissioners
Emergency Medical Services

This is to certify that G8D, LLC
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: August 1, 2016 Date of Expiration: August 1, 2018

Mayor, Board of County Commissioners



July 22, 2016

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

FROM:  James E. Harrison, Esq., P.E.
 Assistant County Administrator
 Office of Regional Mobility

CONTACT: (407) 836-5610

SUBJECT: August 2, 2016 - Consent Item
 MetroPlan Orlando FY 2016/2017 Funding Agreement

MetroPlan Orlando has submitted their annual funding agreement for Fiscal Year 2016/2017. The total funding level requested is \$471,438. This amount is based on a per capita assessment of \$0.50.

The Orange County budget for Fiscal Year 2016/2017 includes funding at the requested level. Payment is to occur on a semiannual basis in equal installments of \$235,719.

ACTION REQUESTED: Approval and Execution of Orange County/ MetroPlan Orlando (Urban Area Metropolitan Planning Organization) FY 2016-2017 Funding Agreement by and between Orange County and MetroPlan Orlando and authorization to make payment in the amount of \$471,438 in two installments of \$235,719 to be paid in October 2016 and April 2017. All Districts.

JEH/lab

Attachment

c: Ajit Lalchandani, County Administrator

ORANGE COUNTY/METROPLAN ORLANDO (URBAN AREA METROPOLITAN PLANNING ORGANIZATION) FY 2016-2017 FUNDING AGREEMENT

THIS AGREEMENT, is made and entered into this ____ day of _____, 2016, by and between Orange County, a political subdivision of the State of Florida, whose address is 201 South Rosalind Avenue, Orlando, Florida 32801, (hereinafter referred to as the ("COUNTY")), and the Orlando Urban Area Metropolitan Planning Organization, d/b/a MetroPlan Orlando, A Regional Transportation Partnership, a metropolitan planning organization, whose address is 250 South Orange Avenue, Suite 200, Orlando, Florida 32801 (hereinafter referred to as ("METROPLAN ORLANDO")).

WITNESSETH

WHEREAS, metropolitan planning organizations (MPOs) are the lead transportation planning agencies in urban areas throughout the United States; and

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (MAP-21) provides MPOs with the authority and responsibility for transportation planning and funding; and

WHEREAS, the quality of life and economic vitality of our community depends on coordinating transportation issues and developing complementary plans and policies; and

WHEREAS, METROPLAN ORLANDO has the lead role in formulating regional transportation plans and programs and coordinating transportation issues among local entities and the Florida Department of Transportation (FDOT); and

WHEREAS, METROPLAN ORLANDO has adopted the following Mission Statement:

To provide leadership in transportation planning by engaging the public and fostering effective partnerships.

METROPLAN ORLANDO shall achieve this mission by:

- A. Preparing and maintaining up-to-date transportation plans;
- B. Setting priorities for investing transportation resources to implement adopted regional plans;
- C. Shaping and communicating a regional perspective on transportation issues;
- D. Competing nationally and statewide for additional financial resources;
- E. Building strong alliances with the business community and residents of the region;
- F. Coordinating planning efforts with federal, state, and local governments and other transportation agencies; and
- G. Recruiting and retaining top quality staff and consultants.

WHEREAS, the COUNTY desires to enter into this Agreement with METROPLAN ORLANDO to provide it with funding to support the functions necessary to achieve METROPLAN ORLANDO's role in planning and funding the Orlando Kissimmee Urban Area Transportation System.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the COUNTY and METROPLAN ORLANDO agree as follows:

SECTION 1. RECITALS. The COUNTY and METROPLAN ORLANDO hereby declare that the recitals set forth above are true and correct and incorporated in this Agreement.

SECTION 2. REPORTING REQUIREMENTS. METROPLAN ORLANDO shall provide the COUNTY, on a quarterly basis commencing October 1, 2016, a written operational report which will include an accounting of all Unified Planning Work Program Tasks for the quarter. The report must identify each program task, the costs allocated to the task, and the percentage of the task completed. Each quarterly report must be cumulative.

SECTION 3. FISCAL YEAR 2016-2017 COUNTY FUNDING REQUIREMENTS. The COUNTY shall allocate FOUR HUNDRED SEVENTY-ONE THOUSAND FOUR HUNDRED THIRTY-EIGHT DOLLARS (\$471,438.00) to METROPLAN ORLANDO from the COUNTY's Fiscal Year 2016-2017 budget, to be utilized by METROPLAN ORLANDO during its fiscal year ending June 30, 2017, in accordance with this Funding Agreement. These funds will be paid to METROPLAN ORLANDO on a semi-annual basis. The first payment of TWO HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED NINETEEN DOLLARS (\$235,719.00) will be due and payable on October 1, 2016. The second payment of TWO HUNDRED THIRTY-FIVE THOUSAND SEVEN HUNDRED NINETEEN DOLLARS (\$235,719.00) must be paid on or before April 1, 2017. The funding provided to METROPLAN ORLANDO by the COUNTY is contingent upon funding by all local governments who are represented on the METROPLAN ORLANDO Board, such funding being equal to FIFTY CENTS (\$.50) per capita based, at time of budget adoption, on the latest available estimates of population within each local government's jurisdiction as provided by the Bureau of Economic and Business Research, University of Florida.

SECTION 4. EFFECTIVE DATE, TERM. The effective date of this Agreement will be the date of signature by the last party to sign this Agreement. The term of this Agreement commences on the effective date and terminates on September 30, 2017.

SECTION 5. INTERPRETATION. The headings contained in this Agreement are for reference purposes only and do not affect in any way the meaning or interpretation of this Agreement.

SECTION 6. NEGOTIATIONS. The parties to this Agreement acknowledge that all terms of this Agreement were negotiated at arm's length and that this Agreement and all documents executed in connection with this Agreement were prepared and executed without undue influence exerted by any party or upon any party. Further, this Agreement was drafted jointly by all parties, and no parties are entitled to the benefit of any rules of construction with respect to the interpretation of any terms, conditions, or provisions of this Agreement in favor of or against any person or party who drafted this Agreement.

SECTION 7. MISCELLANEOUS

- A. This Funding Agreement constitutes the entire agreement between the parties with respect to the specific matters contained in this Agreement and supersedes all previous discussions, understandings, and agreements, written or oral, between the parties to this Agreement. Any amendments to or waivers of the provisions of this Agreement must be made by the parties in writing. No other agreement, oral or otherwise, regarding the subject matter of this Funding Agreement may be deemed to exist or to bind either party to this Agreement.
- B. If any sentence, phrase, paragraph, provision or portion of this Funding Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion will be deemed an independent provision and such holding will not affect the validity of the remaining portions of this Agreement.
- C. The parties hereby acknowledge that they have freely and voluntarily entered into this Funding Agreement and that each party has been given the opportunity to receive the advice of independent legal counsel for all negotiations in connection with this Funding Agreement.

SECTION 8. CONTROLLING LAWS

- A. The laws of the State of Florida and all duly adopted ordinances, regulations, and policies of the COUNTY now in effect and those subsequently adopted govern the validity, enforcement and interpretation of this Funding Agreement and the provisions contained in it.
- B. The location for settlement of any and all lawsuits, claims, controversies, or disputes, arising out of or relating to any part of this Funding Agreement, or any breach of this Agreement, will be Orange County, Florida.
- C. The parties to this Funding Agreement agree to comply with all applicable Federal, State, and local laws, ordinances, rules and regulations pertaining to this Agreement.

SECTION 9. BINDING NATURE OF AGREEMENT. This Agreement is binding only between the COUNTY and METROPLAN ORLANDO.

SECTION 10. NOTICES. All notices, consents, approvals, waivers and deletions which any party is required or desires to make or give under this Agreement must be in writing and will be sufficient only when mailed by certified mail, first class postage affixed, addressed as follows:

COUNTY: Office of the County Administrator
Orange County Government
Orange County Government
P.O. Box 1393
Orlando, FL 32802-1393

METROPLAN ORLANDO: Executive Director
MetroPlan Orlando
250 South Orange Avenue, Suite 200
Orlando, FL 32801

SECTION 11. AUDIT AND RECORDKEEPING PROCEDURES. METROPLAN ORLANDO shall keep and maintain all records related to this Funding Agreement and the services rendered pursuant to this Funding Agreement for the period required by the State of Florida General Records Schedule GS1-L for Local Government Agencies or other applicable State law, whichever is greater. These records must be made available to the public for inspection, examination and copying pursuant to the terms of Chapter 119, Florida Statutes (2016), as this statute may be amended from time to time. If any litigation, claim or audit is commenced, these records must be maintained until all litigation, including appeals, claims or audits have been concluded or resolved.

SECTION 12. DISCLAIMER. Each party to this Agreement, its officers, employees and agents do not assume and specifically disclaim any liability for the acts, omissions or negligence of the other party, its officers, employees and agents, arising from or related to this Agreement.

SECTION 13. EMPLOYEE STATUS. Persons employed by METROPLAN ORLANDO in the performance of services and functions pursuant to this Agreement are deemed not to be the employees or agents of COUNTY, nor do these employees have any claims to pensions, worker's compensation, unemployment compensation, civil service or other employee rights or privileges granted to COUNTY's officers and employees either by operation of law or by COUNTY. Persons employed by COUNTY in the performance of services and functions pursuant to this Agreement are deemed not to be the employees or agents of METROPLAN ORLANDO, nor do these employees have any claims to pensions, worker's compensation, unemployment compensation, civil service or other employee rights or privileges granted to METROPLAN ORLANDO's officers and employees either by operation of law or by METROPLAN ORLANDO.

SECTION 14. CONFLICT OF INTEREST.

- A. Each party agrees that it shall not engage in any action that would create a conflict of interest in the performance of its obligations pursuant to this Agreement with the other party or which would violate or cause third parties to violate the provisions of Part III, Chapter 112, Florida Statutes (2016), as this statute may be amended from time to time, relating to ethics in government.
- B. Each party hereby certifies that no officer, agent or employee of that party has any material interest (as defined in Section 112.312(15), Florida Statutes (2016), as the statute may be amended from time to time, as over 5%) either directly or indirectly, in the business of the other party to be conducted here, and that no such person will have any such interest at any time during the term of this Agreement.
- C. Each party has the continuing duty to report to the other party any information that indicates a possible violation of this Section.

IN WITNESS WHEREOF, the parties have hereunto executed this Agreement as of the day and year first above written.

METROPLAN ORLANDO

By: Harold W. Barley

Print Name: Harold W. Barley

Title: Executive Director

Date: 6-7-16

ATTEST:

[Handwritten Signature]

(CORPORATE SEAL)

Orange County

By: _____

Print Name: _____

Title: _____

Date: _____

ATTEST:



Interoffice Memorandum

I. CONSENT AGENDA
PUBLIC WORKS
DEPARTMENT

1

June 22, 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 Division

PHONE NUMBER: (407) 836-7890

SUBJ: **Construction of Speed Humps on Sloewood Drive**

At the request of the residents on Sloewood Drive, a speed hump survey was mailed to the property owners. This was to determine if the property owners supported the installation of speed humps on Sloewood Drive. If two-thirds of the returned ballots from the property owners were in favor of the speed humps, the County would install the speed humps.

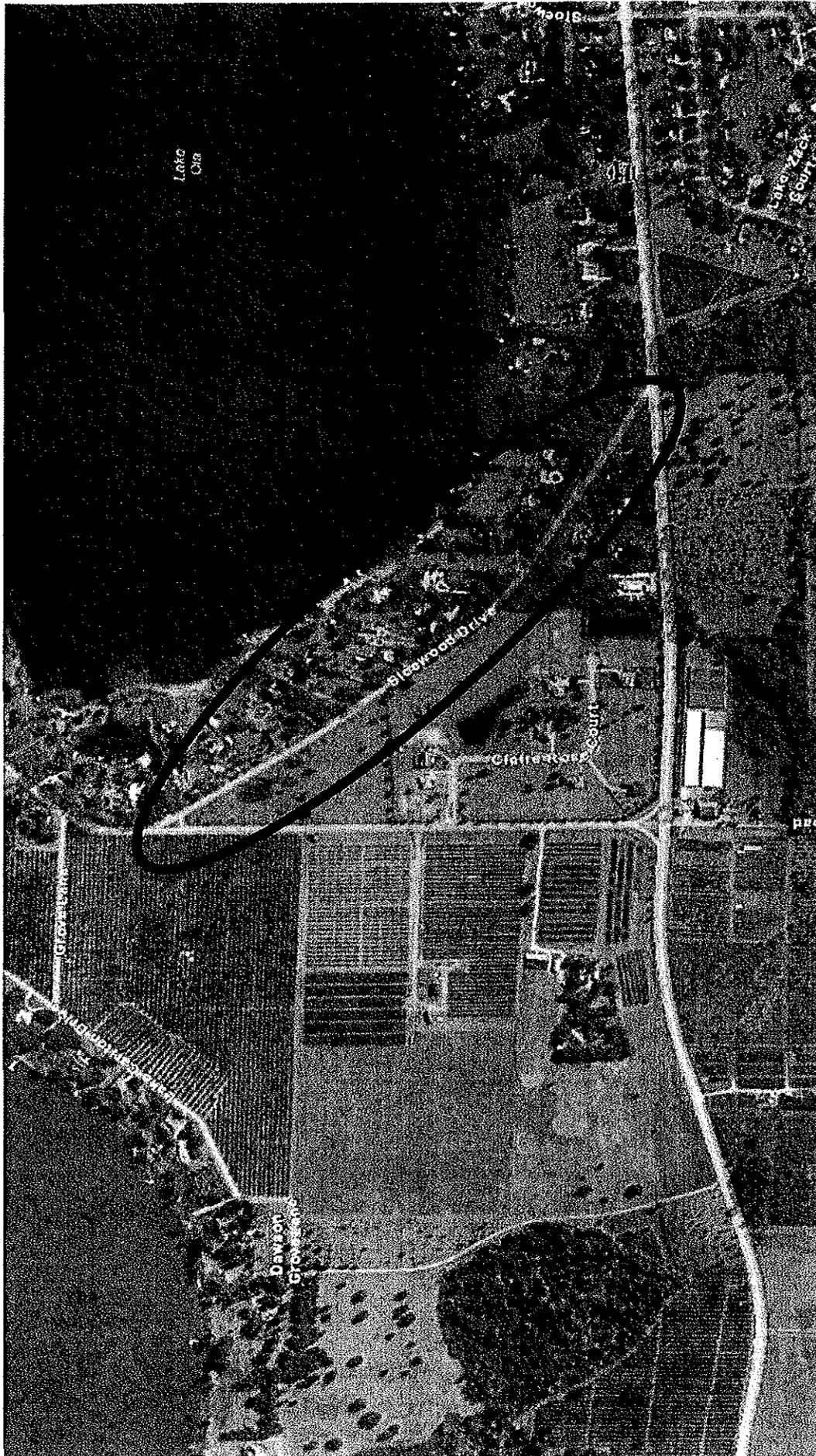
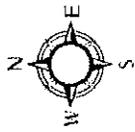
The result of the survey was that 70% of the returned ballots from the property owners supported the installation of speed humps. The current plan is to install four speed humps on Sloewood Drive. The project is being funded by the Commission District 2 and Public Works.

**Action Requested: Approval to construct speed humps on Sloewood Drive.
District 2.**

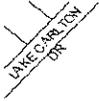
MVM/RDR/FCY/ahw

Attachments

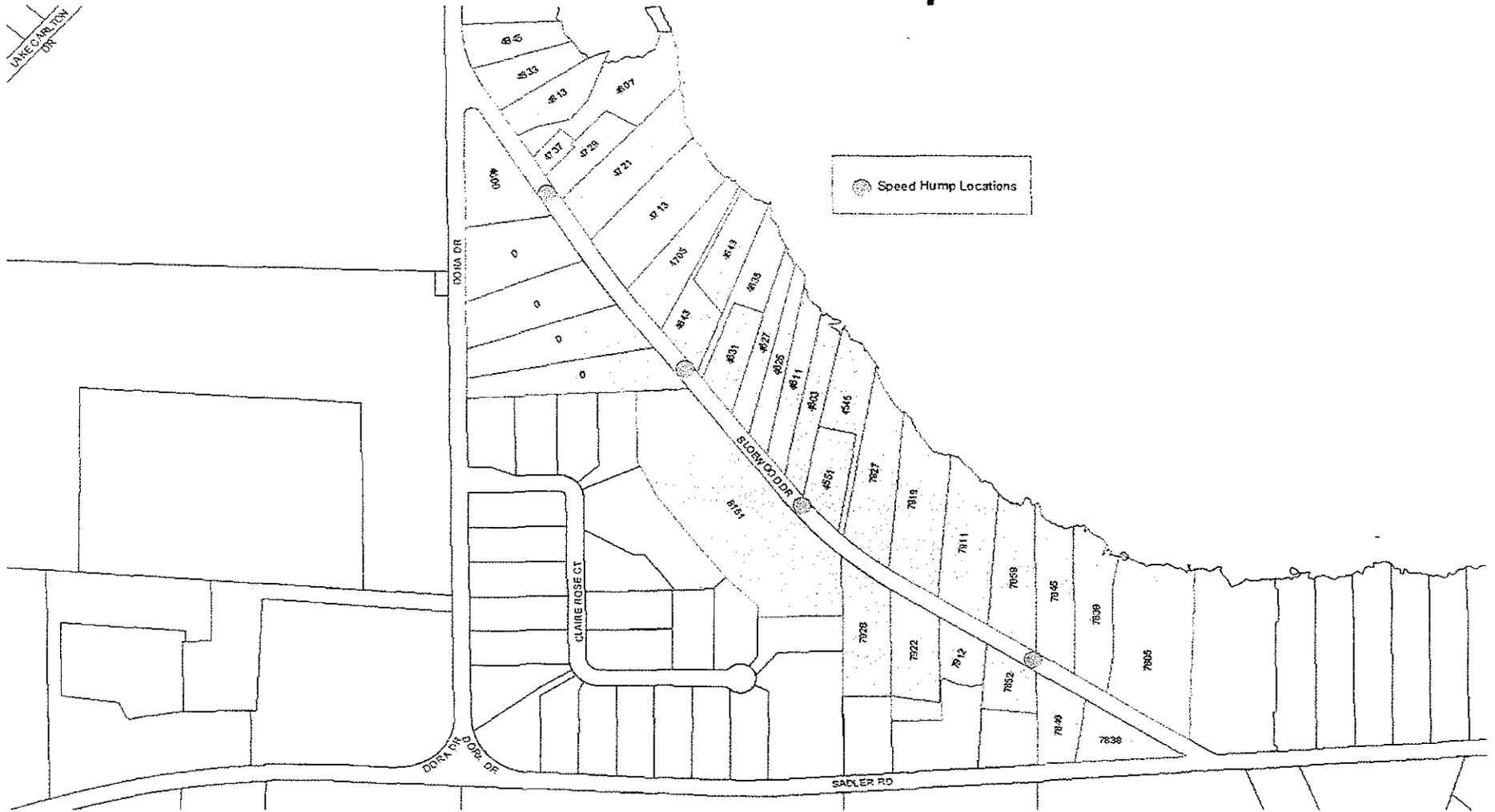
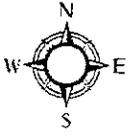
Sloewood Drive Consent Agenda District Map



District 2: Commissioner Bryan Nelson



Sloewood Drive Consent Agenda Location Map



● Proposed Speed Humps
 District 2: Commissioner Bryan Nelson



Interoffice Memorandum

June 21, 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 Division

PHONE NUMBER: (407) 836-7890

SUBJ: Establishment of a "No Parking" Zone on One Side of Winding Woods Lane, Weatherford Way, and Dry Creek Lane

The Moss Park Ridge Homeowners Association has requested that a "No Parking" zone be established on one side of Winding Woods Lane, Weatherford Way, and Dry Creek Lane around the community park. The parking of vehicles on both sides of these roads is creating a hazard for students walking to and from the school bus stop, as well as, for motorist dropping off and picking up their children.

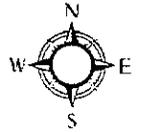
Staff recommends that the Board approve the establishment of a "No Parking" zone on one side of Winding Woods Lane, Weatherford Way, and Dry Creek Lane around the community park. The "No Parking" zones will not interfere with on-street parking in front of individual homes surrounding the community park.

Action Requested: Approval to install a "No Parking" zone on one side of Winding Woods Lane, Weatherford Way, and Dry Creek Lane. District 4.

MVM/RDR/CSY/ahw

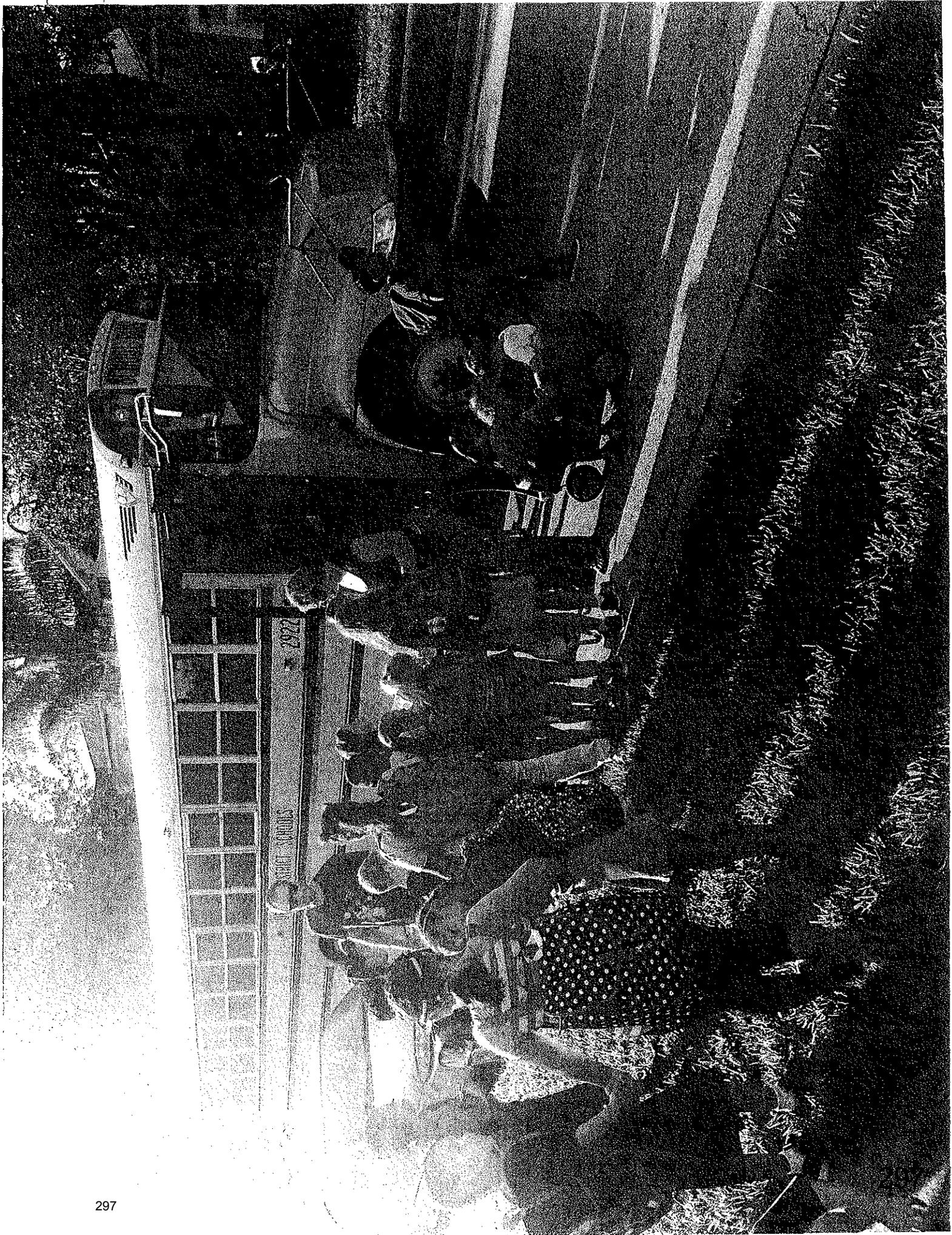
Attachments

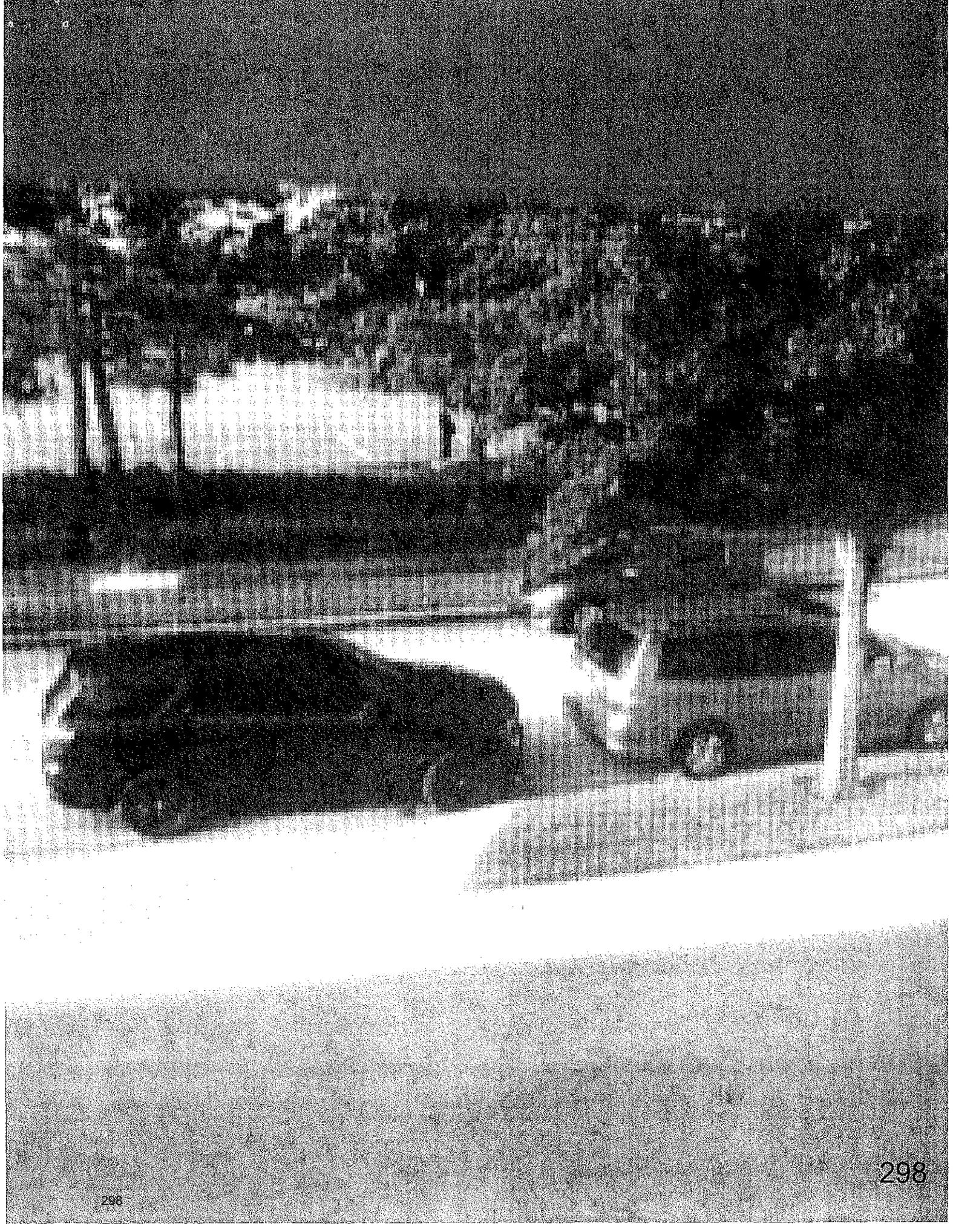
Moss Park Ridge Consent Agenda Location Map

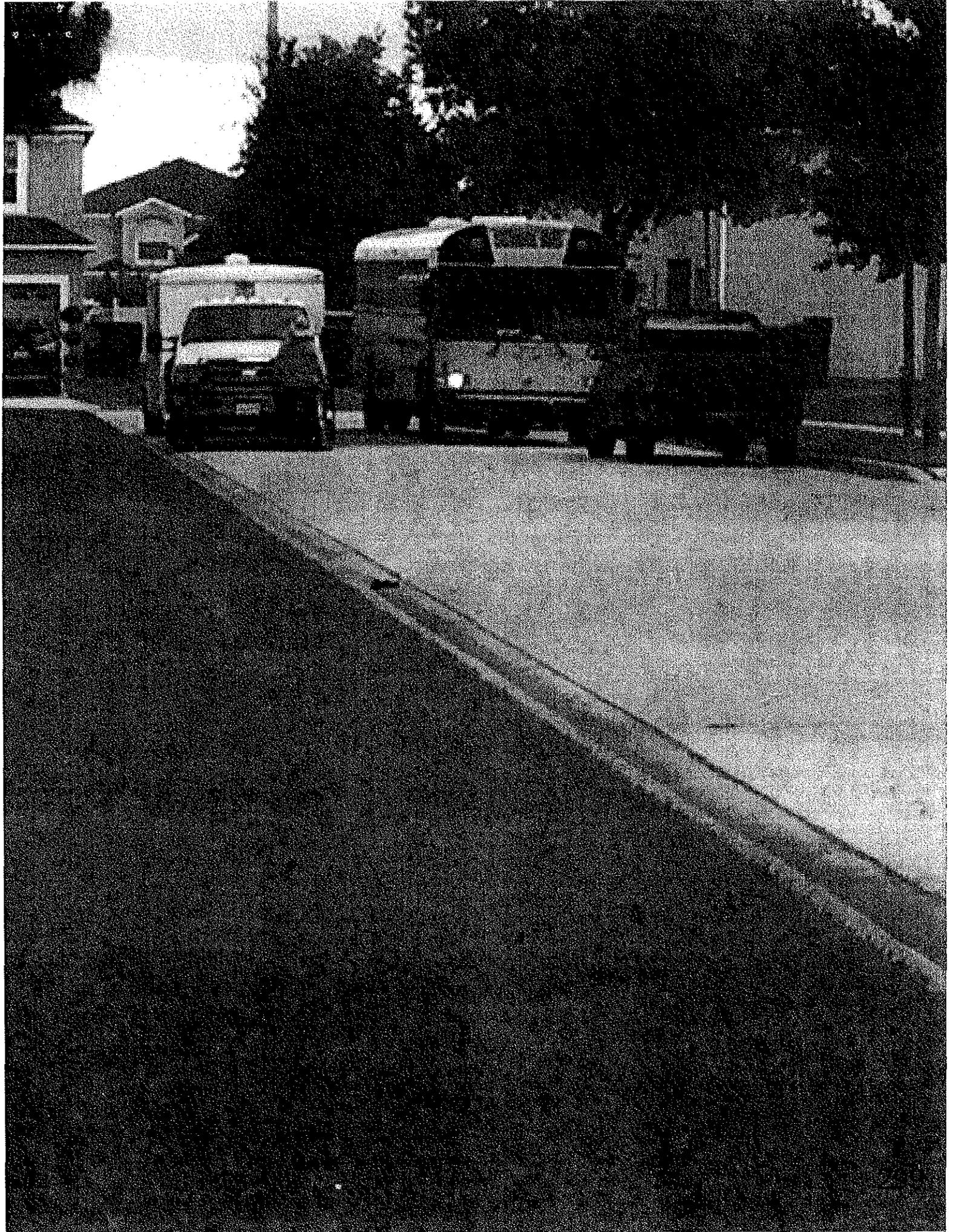


 "No Parking" signs

District 4: Commissioner Jennifer Thompson







NO PARKING
SIGNS AROUND
THE ENTIRE
PARK
AREA

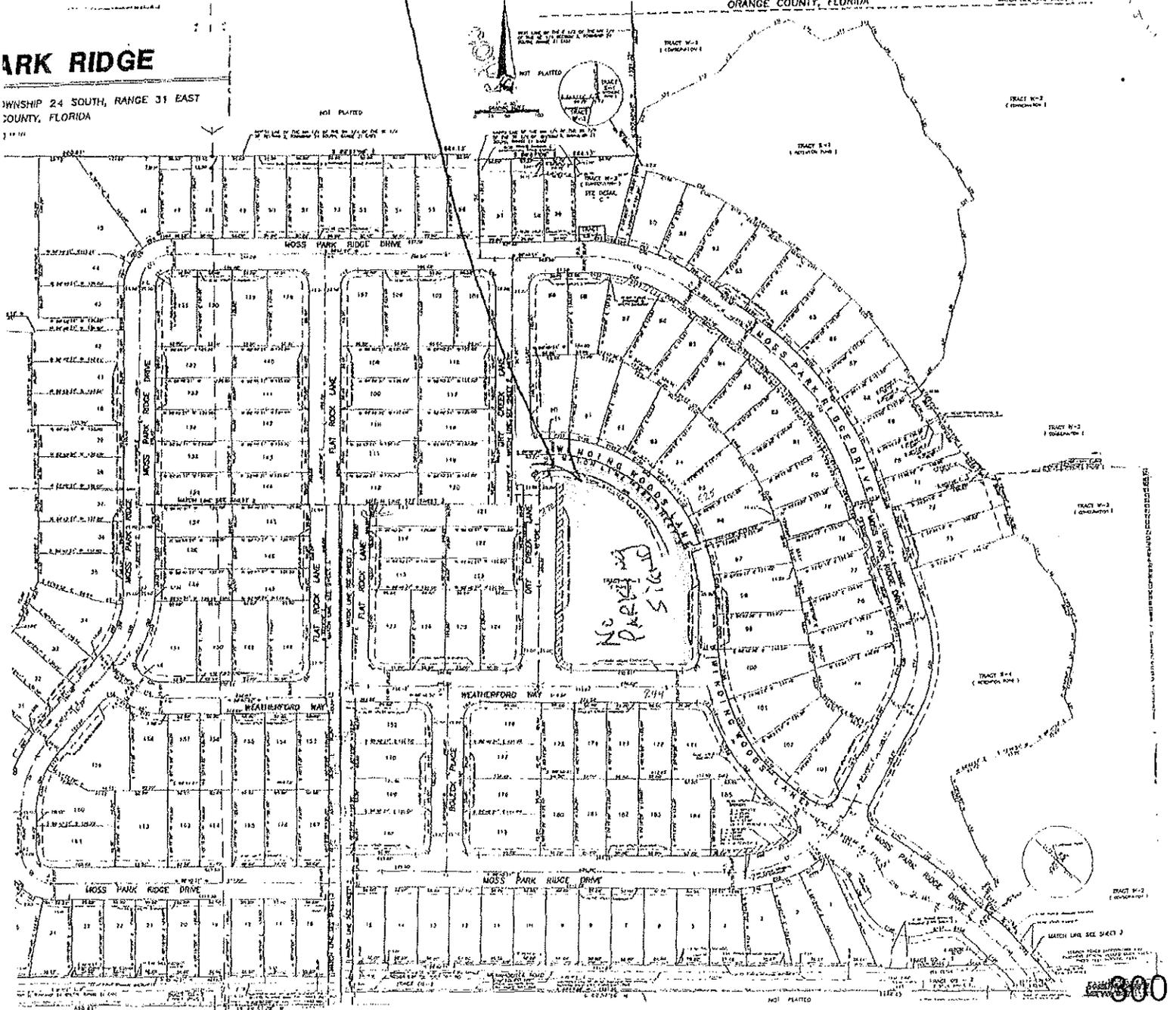
D-4

ARK RIDGE

TOWNSHIP 24 SOUTH, RANGE 31 EAST
COUNTY, FLORIDA

ORANGE COUNTY, FLORIDA

MATCH LINE SEE SHEET 7





Interoffice Memorandum

I. CONSENT AGENDA
PUBLIC WORKS
DEPARTMENT
3

Date July 11, 2016

TO: Mayor Teresa Jacobs
and Board of County Commissioners

FROM: Mark V. Massaro P.E., Director, Public Works Department

CONTACT PERSON: Julie R. Naditz, P.E., Manager
Highway Construction Division

PHONE NUMBER: (407) 836-7949

SUBJ: License Agreement For Office Trailers at 8694, 8696, 8698 Monument Parkway by and between The Lane Construction Corporation and Orange County, Florida for the Innovation Way/Beachline Interchange

The Amended and Restated 2006 Innovation Way/Beachline Interchange Agreement, between Orange County, Suburban Land Reserve, Inc., and Central Florida Expressway Authority (CFX), was approved by the BCC on June 10, 2014. In accordance with this Road Agreement, the CFX entered into a contract with Lane Construction to construct the Innovation Way/Beachline Interchange and Innovation Way Extension. Lane would like to use County property adjacent to the project site for temporary construction trailers in connection with Lane's completion of the project. This License Agreement allows Lane to enter and use the County's property for this purpose and shall expire once the project is complete.

The Orange County Risk Management and County Attorney's Office have reviewed and approved this License Agreement.

Action Requested: Approval and execution of License Agreement For Office Trailers at 8694, 8696, 8698 Monument Parkway by and between The Lane Construction Corporation and Orange County, Florida. District 4.

MVM/JRN/jo

Attachment

**LICENSE AGREEMENT
For Office Trailers at
8694, 8696, 8698 Monument Parkway**

THIS LICENSE AGREEMENT is made as of the last date of execution herein below (the “Effective Date”), by and between **THE LANE CONSTRUCTION CORPORATION**, a Florida corporation, (hereinafter “Lane”), having an address at 2601 Maitland Center Parkway, Maitland, Florida 32751 and **ORANGE COUNTY, FLORIDA**, a charter county and political subdivision of the State of Florida (hereinafter the “County”), having an address at c/o Orange County Administrator, P.O Box 1393, Orlando, Florida 32802.

RECITALS

WHEREAS, Lane was awarded a Unit Price Construction Contract/Design Build, Contract No. 528-313 with the Central Florida Expressway Authority (the “Contract”) for the construction of SR 528/Innovation Way Interchange and Innovation Way Extension (the “Project”) in accordance with the Amended and Restated 2006 Innovation Way/Beachline Interchange Agreement approved by the Board of County Commissioners dated June 10, 2014 a memorandum of which was recorded at O.R. Book 10758, Page 8144, Public Records of Orange County, Florida, as amended by that certain First Amendment to Amended and Restated 2006 Innovation Way/Beachline Interchange Agreement recorded at O.R. Book 10996, Page 3948, Public Records of Orange County, Florida, and that certain Second Amendment to Amended and Restated 2006 Innovation Way/Beachline Interchange Agreement recorded as Doc# # 20160337931, Public Records of Orange County Florida (collectively, the “Road Agreement”); and

WHEREAS, the County owns property near the Project located at 8694, 8696, 8698 Monument Parkway, more particularly described in Exhibit “A” attached hereto and

incorporated herein by this reference, which is presently vacant (the "County Property"); and

WHEREAS, Lane desires to use the County Property for temporary construction trailers in connection with Lane's completion of the Project; and

WHEREAS, both parties desire to work together for their mutual benefit, as contemplated in the Road Agreement.

NOW, THEREFORE, in consideration of the mutual promises and agreements set forth herein, the parties agree as follows:

1. **Creation of License.** The County grants to Lane the right to enter upon and use the County Property. Lane's use of the County Property shall be for the limited purpose of placing temporary office trailers and other related activities in support of the construction of the Project, subject to the terms and conditions herein. Storage of construction-related equipment, such as a loader, excavator, grader, water truck and other similar types of equipment, shall not exceed six such pieces of equipment at any given time. No storage other than those specified herein shall be permitted on the County Property. Lane shall ensure that its employees, agents, contractors, subcontractors, vendors and suppliers comply with all the terms and provisions of this Agreement. Use of the County Property for any other purpose by Lane shall be cause for termination of this License Agreement by the County pursuant to Paragraph 8, herein. This Agreement does not create an ownership or possessory interest in Lane.

2. **Term.** This Agreement shall take effect only upon execution of this document by both parties. Unless terminated earlier pursuant to the provisions contained herein, this Agreement shall terminate on April 30, 2018. This Agreement may be extended upon the written request by Lane to the County Administrator with copies to the Real Estate Management

Division and the Public Works Department and written approval by the County Administrator no less than thirty (30) days prior to the initial termination date.

3. ***Site Preparation and Maintenance.*** Lane shall bear all costs of site preparation necessary for its use of the County Property. All such site preparation shall conform in all respects to all applicable statutes, ordinances, codes, and governmental rules and regulations including, but not limited to, environmental regulations. Lane shall be fully and solely responsible for maintaining the County Property during the term hereof, in clean and safe condition (e.g. no trash and debris on premises, grass mowed).

4. ***Access.*** To the extent the area furnished by the County so abuts, Lane shall access the County Property only by way of the public road access.

5. ***Safety and Security Precautions.*** During the term of this Agreement,

a. Lane shall take all reasonable precautions for, and will be responsible for initiating, maintaining and supervising all activities relating to the safety and security of all persons and property affected by or involved in the Lane's use of the County Property under this Agreement.

b. Lane shall take all reasonable precautions for the safety and security of, and will provide all reasonable protection to prevent damage, injury or loss to:

1) all persons who may be affected by Lane's use of the County Property, including Lane's employees;

2) all materials and equipment located on the County Property; and

3) the County Property.

c. Lane shall comply with all applicable safety and security laws, ordinances,

rules, regulations, standards and lawful orders of any public authority bearing on the safety and security of persons or property or their protection, damage, injury or loss affected by Lane's use of the County Property under this Agreement.

d. Lane shall act with reasonable care and discretion to prevent any threatened damage, injury or loss in any emergency affecting the safety and security of persons or property affected by Lane's use of the County Property under this Agreement.

6. **Insurance.** Lane shall procure and maintain for the duration of this Agreement, insurance of the types and limits specified below and in the Contract. Insurance carriers furnishing these coverages must be authorized to do business in the State of Florida, and **must possess a minimum, current rating of B+ Class VIII in the most recent edition of "Best's Key Rating Guide"**.

a. Workers' Compensation - covering its employees with statutory workers' compensation limits, and no less than \$500,000 for Employers' Liability. Said coverage shall include a waiver of subrogation in favor of the County and its agents, employees and officials.

b. Commercial General Liability - covering all operations including, but not limited to, Contractual, Products and Completed Operations and Personal Injury. The limits shall be not less than \$1,000,000, per occurrence, . The General Aggregate limit shall either apply separately to the Contract or shall be at least twice the required occurrence limit. The County shall be specifically named as an additional insured.

c. Business Automobile Liability - covering all owned, non-owned and hired vehicles with limits of not less than \$1,000,000 per occurrence, Combined Single Limits (CSL) or its equivalent.

d. Pollution Legal Liability – Pollution Legal Liability with a limit of not less than one million dollars (\$1,000,000) per occurrence on a per-project basis.

e. “All-risk” property insurance, including equipment, for the full replacement value of such property.

Prior to entering upon the County Property, and during the duration of the Agreement, Lane shall file with the County current certificates of all required insurance on forms acceptable to the County, which shall include thirty (30) days prior written notice of cancellation or reduction in coverage, except ten (10) days prior written notice is allowed for cancellation due to non-payment of premium. The certificates shall be accompanied by the additional insured and waiver of subrogation endorsements for each policy that applies.

Failure of the County to demand such certificate or other evidence of full compliance with these insurance requirements or failure of the County to identify a deficiency from evidence provided will not be construed as a waiver of Lane’s obligation to maintain such insurance.

Failure of Lane to maintain adequate insurance coverage for itself or for any other persons or entities for whom it is responsible, shall not relieve Lane of any contractual responsibility or obligation.

It shall be the responsibility of Lane to ensure that all its subcontractors maintain adequate insurance until the completion of the work under the Contract. Lane shall obtain certificates evidencing such insurance from its subcontractors, and shall promptly furnish copies of certificates of insurance evidencing coverage for each subcontractor when requested by the County. Failure of Lane to maintain adequate insurance coverage for itself or for any other persons or entities for whom it is responsible, or to ensure that its subcontractors maintain adequate coverage, shall not

relieve Lane of any contractual responsibility or obligation or liability.

7. **Indemnification.** Lane shall indemnify, defend, and hold harmless the County from and against any and all liabilities, claims, losses, costs, damages, fees, fines, suits or expenses of any kind and nature (including without limitation, attorneys' fees), for injury or death to persons or damage to property or property rights arising out of Lane's use of the County Property, or the use of the County Property by Lane's employees, agents, contractors, subcontractors, vendors and suppliers.

Lane assumes all risk of damage to property owned by Lane, its employees, agents, contractors, subcontractors, vendors and suppliers that may occur while on or about the County Property for any reason whatsoever.

The indemnification provisions contained herein shall survive the termination of this Agreement.

8. **Breach of Agreement.** The failure of Lane to comply with any covenant or condition of this Agreement shall constitute a breach of this Agreement. If Lane is in material breach of this Agreement in any manner, the County shall give Lane thirty (30) days written notice and an opportunity to cure the breach before terminating the Agreement.

9. **Waiver of Breach.** Waiver of breach of one covenant or condition of this Agreement is not a waiver of breach of other covenants and conditions of this Agreement, or of a subsequent breach of the waived covenant(s) or condition(s).

10. **Termination.**

a. This Agreement may be terminated at any time by mutual written consent of the parties.

b. The County may terminate this Agreement upon the breach of this Agreement by Lane pursuant to the terms of Paragraph 8 herein.

11. **Restoration.**

a. Lane shall construct the County Property in accordance with the plan drawings that are part of this contract. Lane's obligation to restore shall not include replanting of trees removed during site preparation. The entire County Property shall be graded and level at the time it is returned to the County.

b. If Lane fails to restore the County Property as provided in subparagraph a above, the County may restore the County Property to such condition and Lane shall reimburse the County for all expenses thereby incurred for such restoration.

12. **Compliance with Applicable Laws.** Lane shall observe and comply with all applicable federal, state, and local rules, orders, laws and regulations pertaining to the use of the County Property.

13. **Amendments to Agreement.** The conditions and covenants of this Agreement shall not be amended or modified other than in writing signed by the parties hereto.

14. **Entire Agreement.** The entire Agreement between the parties with respect to the subject matter herein is contained in this Agreement. No other Agreement oral or written, regarding the subject matter herein shall be deemed to exist or to bind the parties hereto.

15. **Notices.** All notices to either party shall be given (i) by certified or registered mail, postage prepaid, return receipt requested, (ii) by nationally recognized overnight courier service providing proof of delivery, or (iii) by fax followed by confirmation under (i) or (ii).

As to County: Orange County Administrator
P.O. Box 1393

Orlando, Florida 32802
Fax: (407) 836-7399

and

Orange County Public Works
Highway Construction Division
Attn: Manager
4200 South John Young Parkway
Orlando, Florida 32839
Fax: (407) 836-7714

and

Real Estate Management Division
Attn: Manager
P.O. Box 1393
Orlando, Florida 32802
Fax: (407) 836-5969

As to Lane: Lane Construction Corporation
2601 Maitland Center Parkway
Maitland, Florida 32751
Fax: (407) 331-3614

The names, addresses and/or facsimile numbers may be changed by written notice as above provided. Notice shall be effective upon receipt. Notice will also be given simultaneously to any secured lenders whose addresses have been given to County.

Lane shall notify the County of any changes to its ownership or mailing address.

16. **Validity.** The validity, interpretation, construction and effect of this Agreement shall be in accordance with and be governed by the laws of the State of Florida. In the event any provision hereof shall be determined to be unenforceable or invalid, such unenforceability or invalidity shall not affect the remaining provisions of this Agreement, which shall remain in full force and effect.

17. ***Hazardous Waste and Materials.*** Lane, its employees, agents, contractors, subcontractors, vendors and suppliers shall not discharge any hazardous or toxic materials or waste on the County Property. The storage and containment of any hazardous or flammable materials shall be in accordance with all OSHA requirements and in compliance with all state and local laws, regulations and ordinances. Furthermore, the County may within 30 days of termination of this Agreement, request, and Lane shall promptly cause to be prepared at its sole expense and provided to the County, a Phase I Environmental Site Assessment for the County Property conducted according to ASTM E1527-05, or such other environmental report as the County may reasonably deem necessary. Lane shall be responsible for any necessary clean-up, monitoring, testing or other remedial action connected to any such storage or discharge.

Lane shall indemnify, defend, and hold harmless the County from and against any claims including without limitation third party claims for personal injury or property damage, actions, administrative proceedings (including informal proceedings), judgments, damages, punitive damages, penalties, fines, costs, taxes, assessments, liabilities, settlement amounts, interest or losses, including reasonable attorney's fees and expenses, consultant fees, expert fees, and all other costs and expenses of any kind or nature that arise directly or indirectly in connection with the presence, release or threatened release of any hazardous substances by, through, or at the direction of Lane, its employees, officers, agents, contractors, subcontractors, invitees or assignees including but not limited to known contaminants in or into the air, soil, groundwater, surface water or improvements at, on, about, under or within the County Property, or any portion thereof, or elsewhere in connection with the transportation of hazardous substances to or from the County Property.

18. *Assignment.* Neither party may assign its rights hereunder, or as hereinafter granted pursuant to the provisions hereof, in whole or in part, without the prior written consent of the other party.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day(s) and year below written.

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

Print name: _____

WITNESSES:

[Signature]
Print Name: Kevin Brancheau

Carol Felix
Print Name: Carol L. Felix

STATE OF Florida

COUNTY OF Orange

LANE CONSTRUCTION CORPORATION

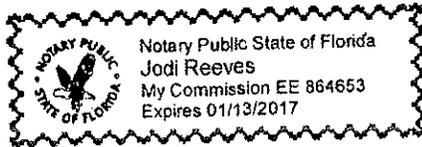
By: Lane Construction Corporation

By: [Signature]
Print Name: TERRY CARMICHAEL

Title: PROJECT MANAGER

BEFORE ME, a Notary Public in and for said County and State on the date below, personally appeared Terry Carmichael, as the project manager of Lane Construction Corporation, who acknowledged executing the foregoing instrument on behalf of said corporation. Said person () is personally known to me or () produced a driver's license issued by Florida, a State of the United States which is either current or has been issued within the past five (5) years and bears a serial or other identification number.

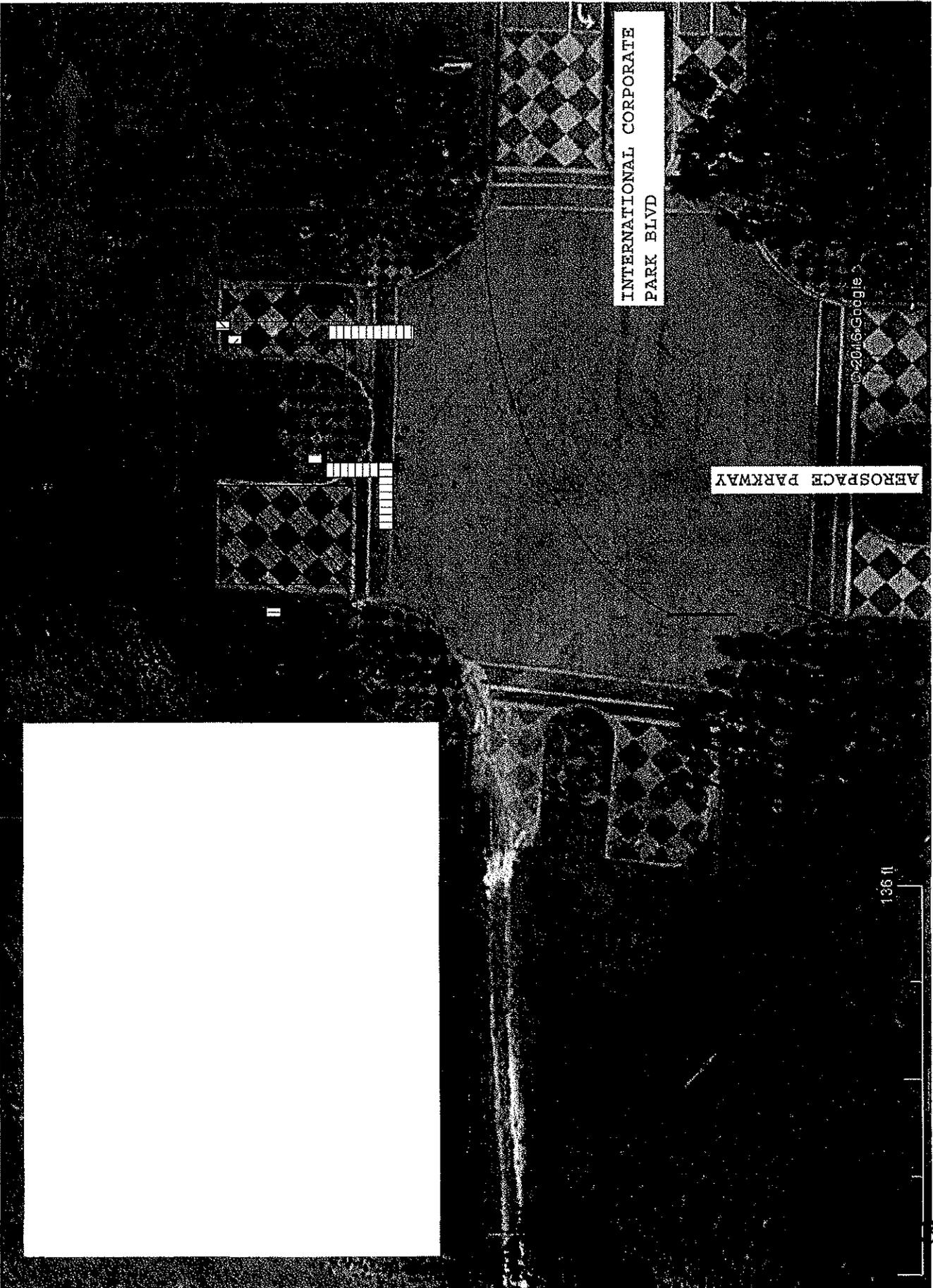
IN WITNESS WHEREOF, I have affixed my notarial seal this 5 day of July, 2016.



[Signature]
Signature of Notary Public

Jodi Reeves
Printed Name of Notary Public

My Commission expires: 1/13/2017

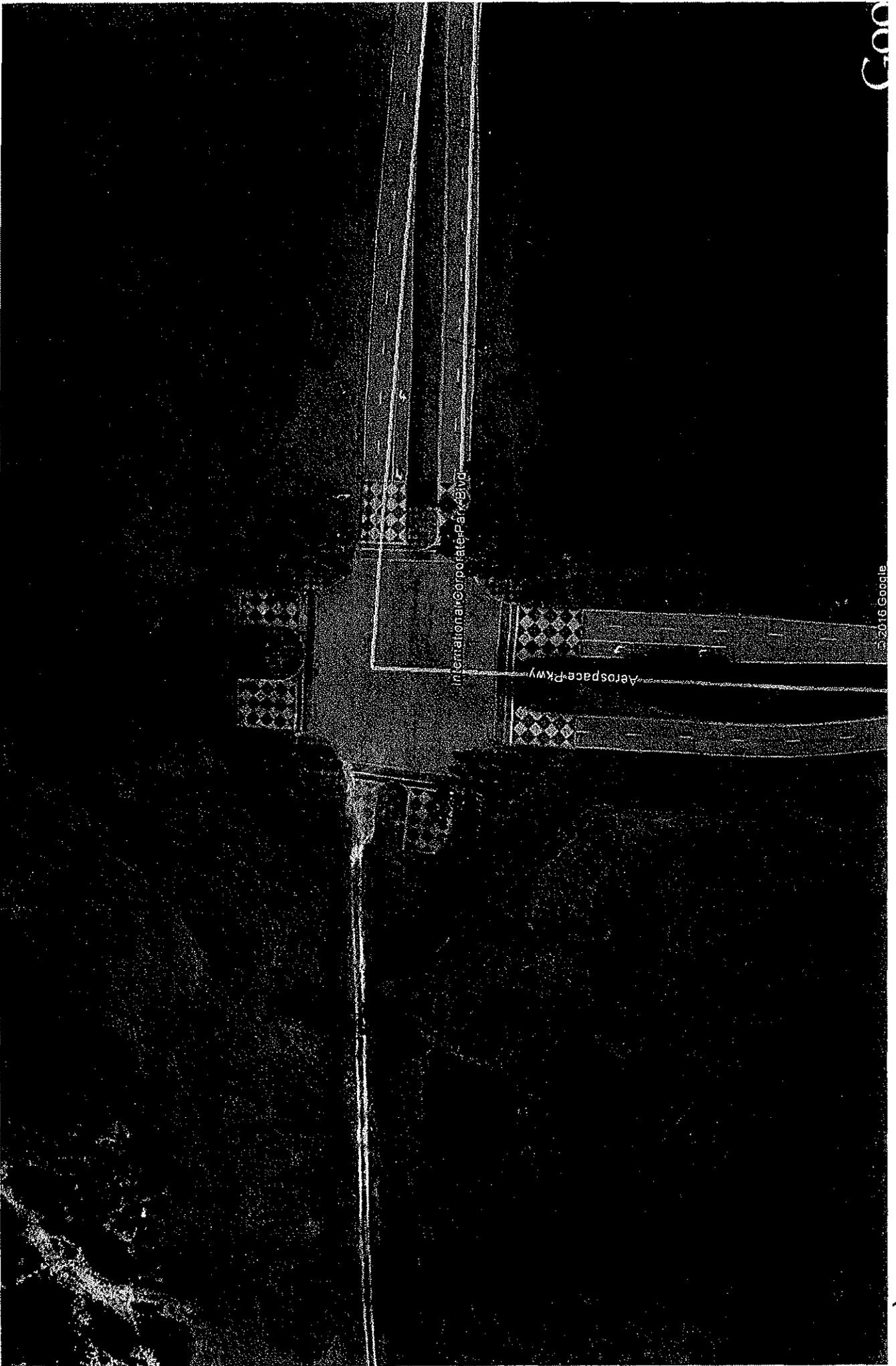


INTERNATIONAL CORPORATE
PARK BLVD

AEROSPACE PARKWAY

© 2016 Google

136 ft





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.occompt.com

COUNTY COMMISSION AGENDA

Tuesday, August 2, 2016

COUNTY COMPTROLLER

Informational only – No Board action required

Receipt of the following items to file for the record:

- a. Myrtle Creek Improvement District Proposed FY 2017 Operations & Maintenance Budget.
- b. Orange County, Florida Comprehensive Annual Financial Report For The Year Ended September 30, 2015.
- c. Orange County, Florida Bond Disclosure Supplement For The Year Ended September 30, 2015.
- d. Minutes of the May 14, June 9, July 9, and August 13, 2015, Charter Review Commission.

Items filed for the record can be accessed at www.occompt.com. Then navigate to Clerk of the BCC.



June 21, 2016

TO: Mayor Teresa Jacobs
AND
Board of County Commissioners

FROM: Commissioner S. Scott Boyd, District 1 

SUBJECT: Smart Irrigation Resolution Request

In follow up to our April 5, 2016 BCC discussion about Smart Irrigation Technologies, I am respectfully requesting the Board's consideration of the attached resolution.

As discussed, we are in an opportune position to lead the way in improving the stewardship of natural and economic resources through our support of Smart Irrigation Technologies. This resolution is the next key step to advance the use of these technologies.

I thank you in advance for your consideration of this request.

Cc: Ajit Lalchandani, County Administrator
Ray Hanson, Utilities Department Director
Jacqueline Torbert, Water Division Manager

COMMISSIONER S. SCOTT BOYD, DISTRICT 1

201 South Rosalind Avenue • Reply To: Post Office Box 1393 • Orlando, Florida 32808-1393
Telephone: 407-836-7312 • Fax: 407-836-5979
District1@ocfl.net

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding

SUPPORT FOR CONSERVING OUR WATER RESOURCES THROUGH THE USE OF INDUSTRY PROVEN SMART IRRIGATION TECHNOLOGIES; AND TO CONTINUE TO WORK TO ADVANCE THE USE OF PROVEN TECHNOLOGIES

Resolution No. 2016-M-_____

WHEREAS, the South Florida Water Management District, the Southwest Florida Water Management District, and the St. Johns River Water Management District (collectively the “Water Management Districts”) have determined that traditional groundwater sources will not sustain growth in the Central Florida region; and

WHEREAS, the State of Florida, the Water Management Districts, and Orange County Utilities continue to work in partnership to educate the general public and provide our residents and businesses incentives to use water in the most efficient manner; and

WHEREAS, in 2009 the Florida Legislature amended section 373.62, Florida Statutes, to establish a uniform process to exempt certain users of soil moisture sensors with remote monitoring and adjustment capabilities (a Smart Irrigation Technology) from day-of-the-week irrigation restrictions imposed by the rules of the Water Management Districts; and

WHEREAS, this change to the Florida water conservation law only applies to the use of soil moisture sensors as a Smart Irrigation Technology, and requires users of this technology to obtain a variance from the applicable Water Management District to be exempt from the day-of-the-week irrigation restrictions; and

WHEREAS, the Water Management Districts provide a mechanism to apply for a variance to the irrigation requirements, they do so inconsistently, at a cost in some cases, and on a case-by-case basis; and

WHEREAS, in 2009 the Orange County Board of County Commissioners, recognizing the potential to save significant quantities of water by encouraging residents and business to use Smart Irrigation Technologies, authorized a study to review the use

of two types of smart irrigation devices (soil moisture sensors and ET [evapotranspiration] controllers) in two types of soil environments (Sandy and Flatwoods) representative of soils found in Orange County; and

WHEREAS, the study showed significant water savings using both devices in both soil environments with a high degree of customer satisfaction.

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

Section 1. Declaration of Support. The Orange County Board of County Commissioners hereby declares its strong support of conserving our water resources through the use of industry proven Smart Irrigation Technologies in Orange County.

Section 2. Work to Advance the Use of Proven Technologies. Orange County will continue to work with the State of Florida, the Water Management Districts and other local governments to advance the use of proven technologies that can be easily used by customers without technical and/or financial burden.

Section 3. 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



Interoffice Memorandum

III. DISCUSSION AGENDA
COMMUNITY, ENVIRONMENTAL AND
DEVELOPMENT SERVICES
DEPARTMENT

1

AGENDA ITEM

July 12, 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: Mitchell Glasser, Manager
Housing and Community Development Division
407-836-5190

SUBJECT: August 2, 2016 – Discussion Item
2016-2020 Orange County Consolidated Plan, 2016-2017
One-Year Action Plan and 2016-2020 Analysis of
Impediments to Fair Housing Choice

The Housing and Community Development Division has developed the 2016-2020 Orange County Consolidated Plan, the 2016-2017 One-Year Action Plan, and the 2016-2020 Analysis of Impediments to Fair Housing Choice for housing and community development programs funded through the United States Department of Housing and Urban Development (HUD). The Consolidated Plan is a strategic plan covering five federal fiscal years that identifies the county's priority housing and community development objectives. The Consolidated Plan approach is a collaborative process that complies with the requirements of the Community Development Block Grant (CDBG), Home Investment Partnership (HOME) and the Emergency Shelter Grant (ESG) formula programs.

The One-Year Action Plan is submitted annually and identifies how resources, both federal and non-federal are being used to accomplish specific objectives and priority needs identified in the Consolidated Plan. It provides a concise summary of the actions, activities, and programs that will be implemented during Fiscal Year 2016-2017. The Analysis of Impediments to Fair Housing Choice is a five year plan addressing barriers to fair housing choice and actions to overcome those barriers.

A considerable amount of public participation and consultation was solicited in the development of the Consolidated Plan, Action Plan and Analysis of Impediments to Fair Housing Choice including:

- Two public notices were advertised in local newspapers to inform the public.
- Technical Assistance workshops were conducted to explain the application process.
- Focus group meetings and consultations were conducted with local neighborhood groups, nonprofit organizations, other County Departments and jurisdictions.

- A public hearing was conducted on June 15, 2016 to receive public input on the Consolidated, Action Plan, and Analysis of Impediments to Fair Housing Choice.
- Documents were made available on the Orange County's website, Orange County community centers, and the Orange County Public Library
- Provided a 30-day public comment period

The Action Plan will provide much needed services to the homeless, disabled, elderly and low-income residents of Orange County. Attached is the proposed budget for the Action Plan, which includes the projects and activities that will be implemented during Fiscal Year 2016-2017. The Action Plan includes funding from the Community Development Block Grant Program (CDBG) for the sum of \$5,576,866; Emergency Solutions Grant (ESG) \$491,249; and HOME Investment Partnership Program \$1,896,464; and for projects to be funded with reprogrammed CDBG funds in the amount of \$950,000. The proposed budget has been approved by the Community Development Advisory Board (CDAB), and will be submitted on approval to the U.S. Department of HUD for their approval.

A file labeled "BCC Agenda Backup" containing one copy of the 2016-2020 Orange County Consolidated Plan, 2016-2017 One-Year Action Plan, and 2016-2021 Analysis of Impediments to Fair Housing Choice are in the top drawer of the BCC file cabinet in the supply room adjacent to Commissioner Thompson's office.

ACTION REQUESTED: Approval and execution of 2016-2020 Orange County Consolidated Plan, Certifications, Specific CDBG Certifications, Specific HOME Certifications, ESG Certifications; and

Approval and execution of 2016-2017 One-Year Action Plan that includes Application for Federal Assistance SF-424, Certifications, Specific CDBG Certifications, Specific HOME Certifications, ESG Certifications; and

Approval and execution of 2016-2020 Analysis of Impediments to Fair Housing Choice and Certification to Affirmatively Further Fair Housing. All Districts

JWW/MG

Attachment

COMMUNITY DEVELOPMENT BLOCK GRANT

CAPITAL IMPROVEMENT PROJECTS

Clearance/Demolition

Harbor House of Central Florida, Inc. \$ 80,000

Construction of Public Facilities

Health Care Center for the Homeless, Inc. \$ 500,000

Rehabilitation of Public Facilities

Jewish Family Services of Greater Orlando, Inc. \$ 75,804

Pathways Drop-In Center, Inc. \$ 80,000

Life Concepts, Inc. \$ 100,000

Total Capital Improvement Projects \$ 835,804

HOUSING PROJECTS

Acquisition for Affordable Housing

Habitat for Humanity of Greater Orlando, Inc. \$ 476,000

Habitat for Humanity of Seminole County and Greater Apopka, Inc. \$ 330,000

Rental Housing Rehabilitation

Grand Avenue Economic Community Development Corp. \$ 296,675

Multi-Family Rental Housing Rehabilitation Projects \$ 200,000

Homeowners Single Family Rehabilitation \$ 987,014

Lead Based Paint Hazard Program \$ 100,000

Housing Rehabilitation Administration \$ 400,000

Total Housing Projects \$ 2,789,689

PUBLIC SERVICES

Aspire Health Partners, Inc. \$ 52,000

Boys and Girls Clubs of Central Florida, Inc. \$ 38,000

Center for Independent Living in Central Florida, Inc. \$ 36,000

Coalition for the Homeless of Central Florida, Inc. \$ 45,000

Community Coordinated Care for Children, Inc. \$ 186,000

Community Initiatives, Inc. \$ 30,000

Covenant House Florida, Inc. \$ 30,000

Grand Avenue Economic Community Development Corp. \$ 30,000

Harbor House of Central Florida, Inc. \$ 30,000

Health Care Center for the Homeless, Inc. \$ 43,000

Jewish Family Services of Greater Orlando, Inc. \$ 48,000

Life Concepts, Inc. \$ 48,000

LifeStream Behavioral Center, Inc. \$ 35,000

Lighthouse Central Florida, Inc. \$ 40,000

Primrose Center, Inc. \$ 30,000

Seniors First, Inc. \$ 115,000

Total Public Services \$ 836,000

CDBG ADMINISTRATION

Fair Housing Activities and Training \$ 10,000

General Administration \$ 1,105,373

Total Administration \$ 1,115,373

TOTAL CDBG \$ 5,576,866

HOME INVESTMENT PARTNERSHIPS (HOME)

Tenant Based Rental Assistance \$ 1,100,000

Homeowners Single Family Rehabilitation \$ 100,000

Rental Housing Rehabilitation \$ 222,348

Community Housing Development Organizations \$ 284,470

Administration \$ 189,646

TOTAL HOME \$ 1,896,464

EMERGENCY SOLUTIONS GRANT

SHELTER OPERATIONS

Coalition for the Homeless of Central Florida, Inc.	\$ 125,000
Covenant House Florida, Inc.	\$ 60,000
Harbor House of Central Florida, Inc.	\$ 60,749
Family Promise of Greater Orlando, Inc.	<u>\$ 49,000</u>
Total Shelter Operations	\$ 294,749

RAPID REHOUSING AND STABILIZATION SERVICES

Heart of Florida United Way, Inc.	\$ 180,000
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HOMELESS MANAGEMENT INFORMATION SYSTEMS (HMIS)

Homeless Services Network of Central Florida, Inc.	\$ 15,000
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ESG ADMINISTRATION

TOTAL ESG

<u>\$ 1,500</u>
\$ 491,249

TOTAL 2016-2017 ONE-YEAR ACTION PLAN BUDGET

<u>\$7,964,579</u>

REPROGRAMMED CDBG FUNDS

(Residual funds prior to FY 2015)

Holden Heights Phase IV	\$ 600,000
Public Facility Access – ADA Improvements (Orange County HCD)	<u>\$ 350,000</u>
Total Reprogrammed CDBG Funds	<u>\$ 950,000</u>

FINAL 2016-2017 BUDGET (including reprogrammed funds)

\$ 8,914,579



NDA ITEM

July 11, 2016

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

FROM : Lavon B. Williams, Esq., AICP, Manager *LBW*
Neighborhood Preservation and Revitalization Division
Co-Chair, 2016 Orange County United Way Campaign

SUBJECT: Discussion Agenda Item – August 2, 2016
Orange County United Way Campaign Update

Heart of Florida United Way has been serving the community for over 70 years. It provides funding to numerous local health and human services agencies that in turn provide services to over 600,000 of our local residents. Dollars raised by workplace campaigns are the largest funding source for Heart of Florida United Way's programs. Over the past years Orange County donated over \$3 million dollars.

Thanks to the generosity of the County employees and the efforts of departmental coordinators who worked with their teams to organize and host a variety of fundraising events, the County raised over \$507,000 in its 2015 campaign. The County's success didn't go unnoticed.

Earlier this year, Heart of Florida United Way hosted its annual Live United Victory Celebration where it recognized the companies and individuals who go above and beyond in their campaign efforts. Orange County was recognized as Top Campaign Partner for raising over \$500,000. The County also received the Exceptional Campaign Managers Awards and special recognition for the percentage increase in our total giving. By running successful workplace campaigns, Orange County is part of an elite group that is leading the way in meaningful impact throughout Central Florida.

I will be presenting more details about our successful campaign and outlining the strategy for our 2016 Orange County United Way Campaign.

ACTION REQUESTED: None

LBW/ydl

c: Ajit Lalchandani, County Administrator
Eric Gassman, Chief Accountability Officer
Jon Weiss, Director, Community, Environmental and Development Services
Paulette Julien, Deputy Chief, Corrections



Agenda

August 02, 2016 Open Discussion
Board of County Commissioners Chambers
201 S. Rosalind Ave., Orlando, FL 32801

There are no items requested for the August 02, 2016 Open Discussion Agenda.



**Orange County
Board of Zoning Adjustment
RECOMMENDATIONS
BOOKLET**

July 7, 2016

Prepared by:
Community, Environmental & Development Services Department,
Orange County Zoning Division



ORANGE COUNTY GOVERNMENT
BOARD of ZONING ADJUSTMENT
(BZA)

Carolyn C. Karraker <i>Vice-Chair</i>	District #1
Gregory A. Jackson	District #2
Tony Rey	District #3
Deborah Moskowitz	District #4
Zachary Seybold <i>Chairman</i>	District #5
Eugene Roberson	District #6
Chuck Norman	At Large

ORANGE COUNTY ZONING DISTRICTS

Agricultural Districts

A-I.....	Citrus Rural
A-2.....	Farmland Rural
A-R.....	Agricultural-Residential District

Residential Districts

R-CE.....	Country Estate District
R-CE-2.....	Rural Residential District
R-CE-5.....	Rural Country Estate Residential District
R-1, R-1A & R-1AA.....	Single-Family Dwelling District
R-1AAA & R-1AAAA.....	Residential Urban Districts
R-2.....	Residential District
R-3.....	Multiple-Family Dwelling District
X-C.....	Cluster Districts (where X is the base zoning district)
R-T.....	Mobile Home Park District
R-T-I.....	Mobile Home Subdivision District
R-T-2.....	Combination Mobile Home and Single-Family Dwelling District
R-L-D.....	Residential -Low-Density District
N-R.....	Neighborhood Residential

Non- Residential Districts

P-O.....	Professional Office District
C-1.....	Retail Commercial District
C-2.....	General Commercial District
C-3.....	Wholesale Commercial District
I-IA.....	Restricted Industrial District
1-1/1-5.....	Restricted Industrial District
1-2/1-3.....	Industrial Park District
1-4.....	Industrial District

Other District

P-D.....	Planned Development District
U-V.....	Urban Village District
N-C.....	Neighborhood Center
N-A-C.....	Neighborhood Activity Center

VARIANCE CRITERIA

Section 30-43 of the Orange County Code Stipulates specific standards for the approval of variances. No application for a zoning variance shall be approved unless the Board of Zoning Adjustment finds that all of the following standards are met:

1. **Special Conditions and Circumstances** – Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district. Zoning violations or nonconformities on neighboring properties shall not constitute grounds for approval of any proposed zoning variance.
2. **Not Self-Created** – The special conditions and circumstances do not result from the actions of the applicant. A self-created hardship shall not justify a zoning variance; i.e., when the applicant himself by his own conduct creates the hardship which he alleges to exist, he is not entitled to relief.
3. **No Special Privilege Conferred** – Approval of the zoning variance requested will not confer on the applicant any special privilege that is denied by the Chapter to other lands, buildings, or structures in the same zoning district.
4. **Deprivation of Rights** – Literal interpretation of the provisions contained in this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Chapter and would work unnecessary and undue hardship on the applicant. Financial loss or business competition or purchase of the property with intent to develop in violation of the restrictions of this Chapter shall not constitute grounds for approval.
5. **Minimum Possible Variance** – The zoning variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.
6. **Purpose and Intent** – Approval of the zoning variance will be in harmony with the purpose and intent of this Chapter and such zoning variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

SPECIAL EXCEPTION CRITERIA:

Subject to Section 38-78, in reviewing any request for a Special Exception, the following criteria shall be met:

1. The use shall be consistent with the Comprehensive Policy Plan.
2. The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development.
3. The use shall not act as a detrimental intrusion into a surrounding area.
4. The use shall meet the performance standards of the district in which the use is permitted.
5. The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district.
6. Landscape buffer yards shall be in accordance with Section 24-5, Orange County Code. Buffer yard types shall track the district in which the use is permitted.

In addition to demonstrating compliance with the above criteria, any applicable conditions set forth in Section 38-79 shall be met.

**ORANGE COUNTY BOARD OF ZONING ADJUSTMENT
RECOMMENDATIONS
July 7, 2016**

<u>PUBLIC HEARING</u>	<u>APPROVED</u>	<u>DISTRICT</u>	<u>BZA Recommendations</u>	<u>PAGE #</u>
VA-16-07-072	Lesly K. Laroche	6	Approved w/Conditions	1
VA-16-07-075	David Wiercinski	1	Approved w/Conditions	8
VA-16-07-076	Yuleisy Marquez	1	Approved w/Conditions	17
VA-16-07-077	Jenny Pierce	2	Approved w/Conditions	26
VA-16-07-078	Vera Clark	3	Denied	33
SE-16-07-079	Orlando Community Baptist Church	6	Approved w/Conditions	39
VA-16-07-080	Ross - Dress for Less	1	Approved w/Conditions	50
VA-16-07-081	Jason Swanson	5	Approved w/Conditions	61
VA-16-07-083	Casabella of Windermere HOA, Inc.	1	Approved w/Conditions	68
VA-16-07-084	Wesley Redden	5	Approved w/Conditions	80
VA-16-07-085	Saddle Up WCD, LLC	1	Denied	91
VA-16-07-086	Ruben Maldonado	2	Approved w/Conditions	101
SE-16-07-082	Eco-Site	5	Continued	109
SE-16-07-088	Kenneth Leeming	2	Continued	123
SE-16-08-089	Charles Lynch	6	Approved w/Conditions	131
VA-16-08-090	Habitat for Humanity	5	Approved w/Conditions	141

LESLY K. LAROCHE
VA-16-07-072

REQUEST: **Variances** in the C-1 zoning district to construct commercial building and parking as follows:
1) Parking: 51 ft. from the centerline of Rio Grande Ave. in lieu of 55 ft.;
2) Lot width of 75 ft. in lieu of 100 ft.;
3) Front (west) setback of 24 ft. in lieu of 25 ft.;
4) Rear (east) setback of 0 ft. in lieu of 20 ft.; and,
5) Provide 5 parking spaces in lieu of 8 spaces.

ADDRESS: 3001 S Rio Grande Avenue, Orlando FL 32805

LOCATION: Southeast corner of S. Rio Grande Ave. and 30th St., approximately 450 ft. north of LB McLeod Rd.

S-T-R: 03-23-29

TRACT SIZE: 75 ft. x 86 ft.

DISTRICT#: 6

LEGAL: ANGE BILT ADDITION NO 2 J/124 THE N1/2 OF LOTS 11 & 12 BLK 74 (LESS RD R/W)

PARCEL ID: 03-23-29-0182-74-111

NO. OF NOTICES: 106

DECISION: **APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0, 1 abstained, 2 absent):

1. Development in accordance with site plan dated April 25, 2016 and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

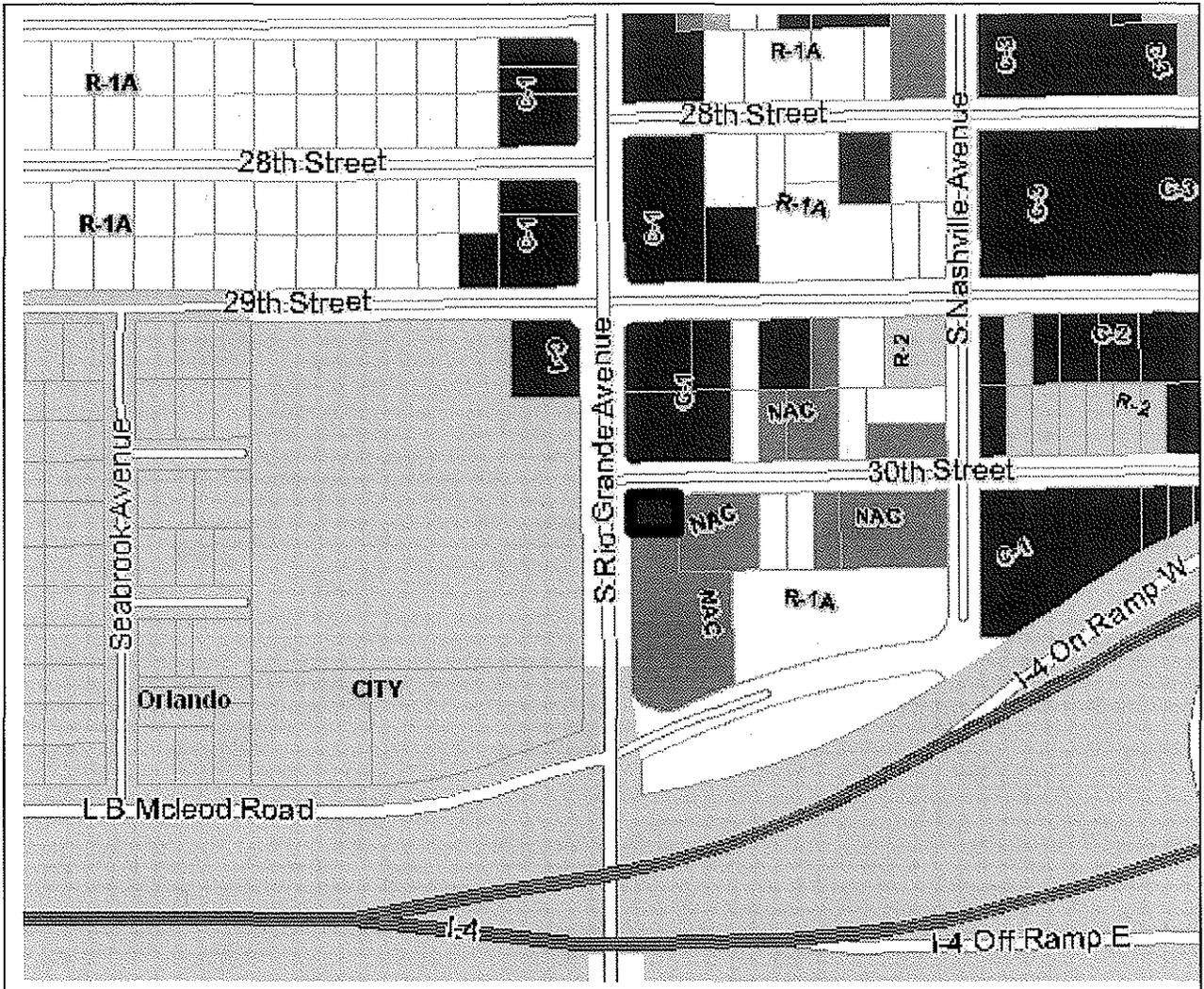
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Approval is for light auto repair services and routine car maintenance. Paint and body work, transmission repair and towing services are prohibited. All repair work to be done indoors;
5. Signage shall be pursuant to section 31.5, Orange County Code; and,
6. Landscaping shall be provided including landscaping adjacent to the building and along the public roadways in accordance with Chapter 24, Orange County Code to the greatest extent possible.

SYNOPSIS: The applicant proposes an auto service business which will perform light auto services. The site is too small to meet the parking and some of the setback requirements. Staff gave an overview of the request. Staff advised the BZA that this request provides a reasonable use of the land and the requested variances would not adversely impact the surrounding uses.

The applicant advised the BZA of the discussions he had with staff. He needs these variances to activate the commercial building plans. He confirmed that only light auto services will be conducted and all services will be indoors.

The BZA concluded the requests were reasonable and approved them.

There was no opposition.



Applicant: Lesly K. Laroche

BZA Number: VA-16-07-072

BZA Date: 07/07/2016

District: 6

Sec/Twn/Rge: 03-23-29-SE-D

Tract Size: 75 ft. x 86 ft.

Address: 3001 S Rio Grande Avenue, Orlando FL 32805

Location: Southeast corner of S. Rio Grande Ave. and 30th St., approximately 450 ft. north of LB McLeod Rd.

McKEON ENGINEERING & ASSOCIATES, Inc.

14808 Firestone St. Orlando, FL 32826 phone: 407-928-7192 or 407-201.LAND1 (407-205-2631) EMAIL: tmckeonPE@gmail.com
website: www.mckeon-engineering.com

April 18, 2016

Orange County Board of Zoning Adjustment
201 South Rosalind Avenue
Orlando, Fl. 32801

Re: 3001 S. Rio Grande
Auto Service Variance Request

To the ladies and gentlemen of the Board of Zoning Adjustment;

We are writing this letter to explain what we are trying to do with the property located 3001 Rio Grande Street Orlando Florida 32805. My client, Lesly K. Laroche, wishes to put an Auto Service Place at that location and he has coordinated to get a metal building of a certain size. This property is ideal for my client's wishes since there are several properties doing the same thing nearby and our requests have some circumstantial benefits.

We are going to be asking for a zero lot line to the South and to the east. There is a retention pond that services the Family Dollar to the South and there is unoccupied Forest / wetlands area to the east.

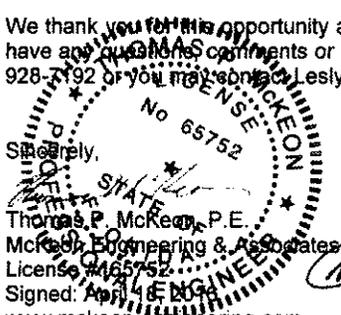
Our property does not have wetlands and is clear of major trees.

We are going to also be asking for a parking variance since we are able to get 5 parking spaces but should have 6 and we are asking for the parking variance due to the setback requirement from the Centerline of Rio Grande Street. We are only two and a half feet less than the required setback. We are also seeking some landscape relief which may need a variance or may be handled during the zoning approval.

We have already confirmed that we are suggesting an allowable use per zoning and are in agreement with the Future Land Use as well.

We thank you for this opportunity and look forward to a long and mutually beneficial relationship with you. If you have any questions, comments or suggestions please contact us at tmckeonPE@gmail.com or via phone at 407-928-7192 or you may contact Lesly at 407-489-8829.

Sincerely,


Thomas P. McKeon, P.E.
McKeon Engineering & Associates, Inc.
License #65752
Signed: April 18, 2016
www.mckeon-engineering.com
407-928-7192
407-20 LAND 1

RECEIVED
APR 25 2016
Zoning Division



STAFF REPORT
CASE #VA-16-07-072
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
07/07/2016
Commission District: 6

GENERAL INFORMATION:

APPLICANT: Lesly K. Laroche

REQUEST: Variances in the C-1 zoning district to construct commercial building and parking as follows:

- 1) Parking: 51 ft. from the centerline of Rio Grande Ave. in lieu of 55 ft.;
- 2) Lot width of 75 ft. in lieu of 100 ft.;
- 3) Front (west) setback of 24 ft. in lieu of 25 ft.;
- 4) Rear (east) setback of 0 ft. in lieu of 20 ft.; and,
- 5) Provide 5 parking spaces in lieu of 8 spaces.

LOCATION: Southeast corner of S. Rio Grande Ave. and 30th St., approximately 450 ft. north of LB McLeod Rd.

PROPERTY ADDRESS: 3001 S Rio Grande Avenue

PARCEL ID: 03-23-29-0182-74-111

TRACT SIZE: 75 ft. x 86 ft.

DISTRICT #: 6

ZONING: C-1

STAFF FINDINGS AND ANALYSIS:

1. The parcel is a legal lot of record. This exempts the parcel from the lot size requirement. However, all new construction must comply with the setback and parking requirements.
2. The size of the lot is the basis for the requested variances. The granting of the variances will provide this parcel a reasonable use of the land.
3. Staff's position is the request complies with the Variance Criteria. The requested variances are minimal variances that will provide this owner a reasonable use of the land.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated April 25, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Approval is for light auto repair services and routine car maintenance. Paint and body work, transmission repair and towing services are prohibited. All repair work to be done indoors;
5. Signage shall be pursuant to section 31.5, Orange County Code; and,
6. Landscaping shall be provided in accordance with Chapter 24, Orange County Code to the greatest extent possible.

cc: Thomas McKeon (Applicant's representative)
McKeon Engineering & Associates, Inc.
14808 Firestone Street
Orlando, FL 32826

Lesly K. Laroche (Applicant)
469 Harbour Island Road
Orlando, FL 32809

DAVID WIERCINSKI
VA-16-07-075

REQUEST: Variance in the R-CE zoning district to construct a 2,363 sq. ft. accessory structure in lieu of 2,000 sq. ft.
ADDRESS: 8441 Oakland Place, Orlando FL 32819
LOCATION: North side of Oakland Place, approximately 150 ft. west of Washington Ave.
S-T-R: 15-23-28
TRACT SIZE: 150 ft. x 270 ft.
DISTRICT#: 1
LEGAL: WINDERMERE HEIGHTS 2ND SECTION M/6 LOTS 4 5 & 6 & 19 20 & 21 BLK N & THE SOUTH 25 FT OF VAC R/W ON THE NORTH PER DOC# 20160074888
PARCEL ID: 15-23-28-9344-14-040
NO. OF NOTICES: 44

DECISION: **APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

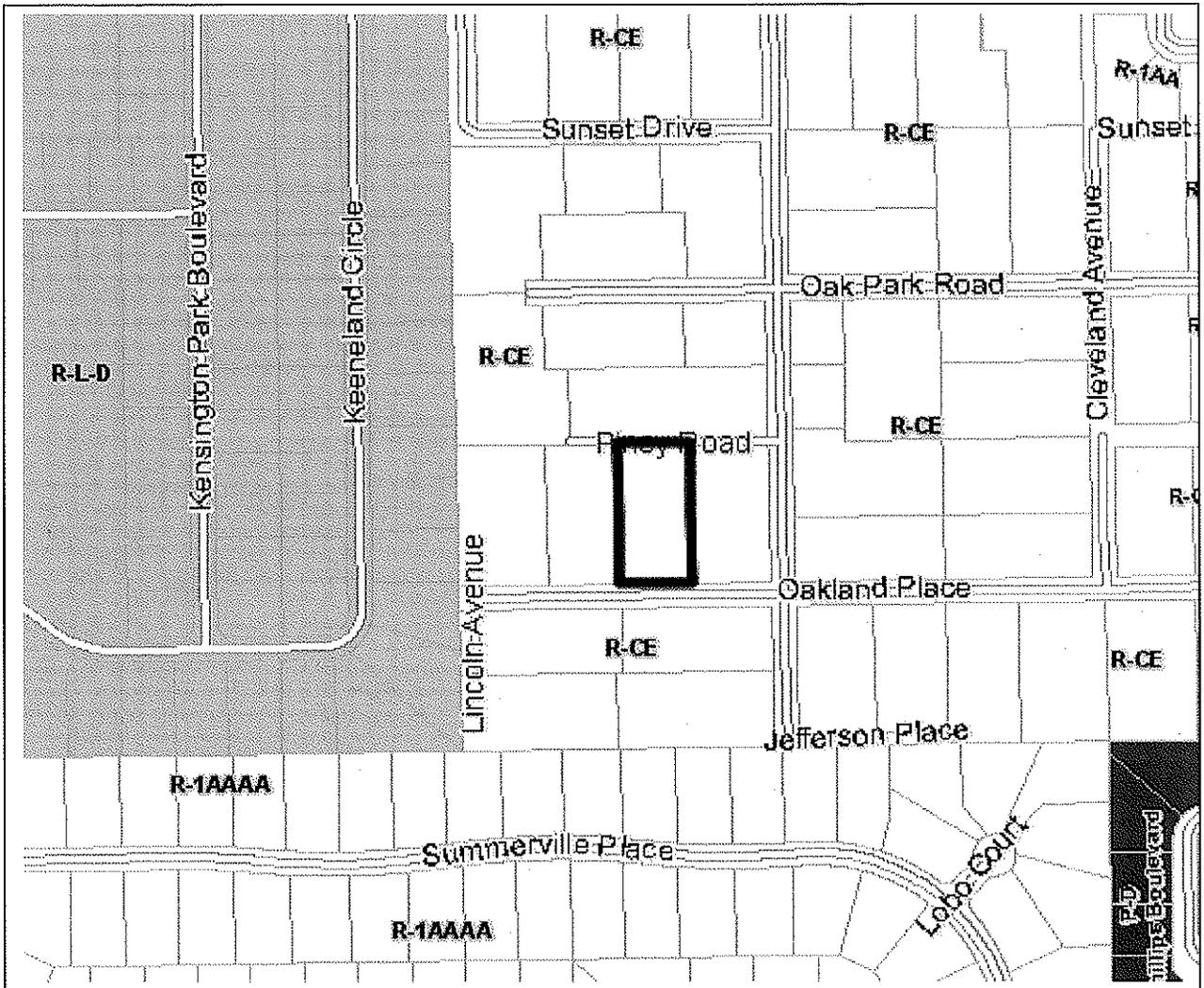
1. Development in accordance with site plan dated May 10, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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. The detached accessory building shall match the colors and design of the principal residence; and,

5. The detached accessory building shall be setback a minimum of fifteen (15) feet from the rear property line.

SYNOPSIS: The applicant collects classic cars. He is building a home on the lot as well as proposing to build a 2,363 sq. ft. accessory building to store his classic cars. Staff advised the BZA that the neighbors to the north and west submitted letters of no objection.

The BZA approved the variance stating the amount of deviation from the code requirement was reasonable.

There was no opposition.



Applicant: David Wiercinski

BZA Number: VA-16-07-075

BZA Date: 07/07/2016

District: 1

Sec/Twn/Rge: 15-23-28-NE-A

Tract Size: 150 ft. x 270 ft.

Address: 8441 Oakland Place, Orlando FL 32819

Location: North side of Oakland Place, approximately 150 ft. west of Washington Ave.

Request for Variance

by

David R. Wiercinski II

5-9-2016

To whom it may concern,

I am currently in permitting to build a new primary residence at 8441 Oakland Place in Orlando, Florida. The property is currently cleared and it is a vacant 1.02 acre lot. I am hoping to get a variance approved to allow me to construct a 2363 square foot detached garage for personal use to hold classic vehicles, tools, and provide some personal space for leisure. Currently, only 2000 square feet is allowed under zoning regulation. I have plenty of space on the property and I hope that an additional 363 square feet of space will get approved to help realize my dreams of building this residence. I have completed all of the necessary paperwork and have included the requested information along with my application including letters of no objection from the immediate neighbors that currently live near and connect to my property. The garage will be a very beautiful continuation of construction matching the primary custom residence in materials, design and build as can be seen in the pictures designed masterfully by local architect, Phil Kean Architecture of Winter Park and the landscape architectural firm Corey Mills Design Group. Thank you for your time and consideration.

PS. I wanted to mention the wonderful people I have met at the zoning office. I certainly will be sending an email to the mayor mentioning the names of the help that I have gotten in this process. It has been a pleasure dealing with the professionals in the administrative building.



David R. Wiercinski II

RECEIVED
MAY 10 2016
Zoning Division



STAFF REPORT
CASE #VA-16-07-075
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
07/07/2016
Commission District: 1

GENERAL INFORMATION:

APPLICANT: David Wiercinski

REQUEST: Variance in the R-CE zoning district to construct a 2,363 sq. ft. accessory structure in lieu of 2,000 sq. ft.

LOCATION: North side of Oakland Place, approximately 150 ft. west of Washington Ave.

PROPERTY ADDRESS: 8441 Oakland Place

PARCEL ID: 15-23-28-9344-14-040

TRACT SIZE: 150 ft. x 270 ft.

DISTRICT #: 1

ZONING: R-CE

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to build a single family home with a detached garage. The detached garage will contain 2,363 sq. ft. and be used to store classic vehicles.
2. The site plan is not clear but it appears the detached accessory building will be setback approximately twenty (20) feet from the rear property line.
3. The deviation equals eighteen percent (18%).
4. The most impacted property owner to the north has submitted a letter of no objection.
5. The level of deviation is consistent with the amount of deviation the BZA has granted in the recent past.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated May 10, 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. The detached accessory building shall match the colors and design of the principal residence; and,
5. The detached accessory building shall be setback a minimum of twenty (20) feet from the rear property line.

cc: David Wiercinski II (Applicant)
4731 Kensington Park Blvd.
Orlando, FL 32819

YULEISY MARQUEZ
VA-16-07-076

REQUEST: **Variance** in the P-D zoning district to permit a sunroom and building addition (closet) 38 ft. from the rear property line in lieu of 50 ft.
(Note: The Hunters Creek PD requires that all lots backing up to the SR 417 to have a 50 ft. building setback. Otherwise, the normal rear setback for a lot in this community is 25 ft).

ADDRESS: 4909 Bellthorn Drive, Orlando FL 32837

LOCATION: North side of Bellthorn Dr., south of SR 417, approximately 350 ft. east of Westshire Dr., in the Hunter's Creek PD

S-T-R: 31-24-29

TRACT SIZE: 45 ft. x 145 ft.

DISTRICT#: 1

LEGAL: HUNTERS CREEK TRACT 545 38/56 LOT 59

PARCEL ID: 31-24-29-3865-00-590

NO. OF NOTICES: 64

DECISION: **APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan date stamped "Received May 13, 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; and,
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

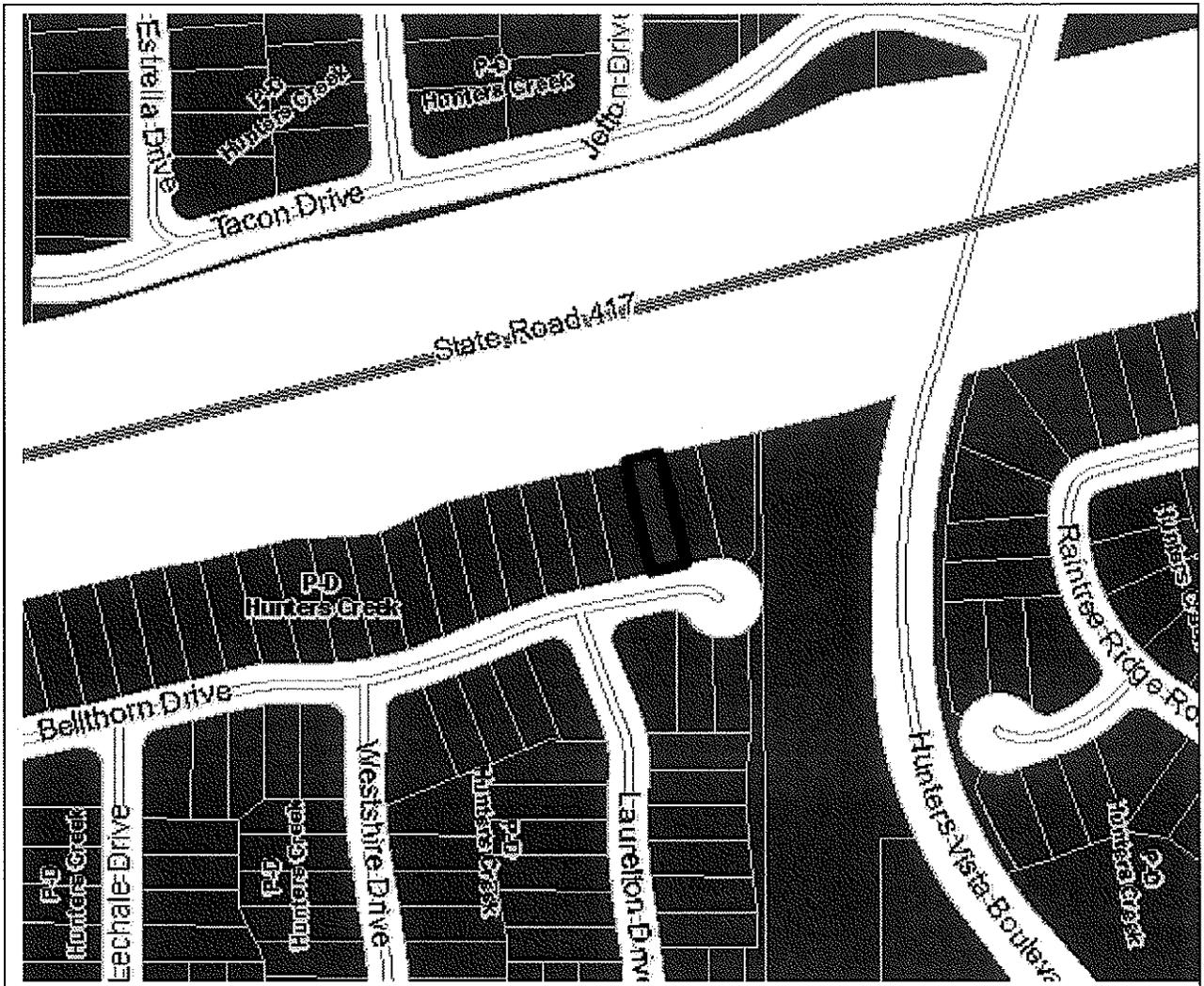
SYNOPSIS: Staff gave a brief presentation on the case, and showed the location of the addition in relation to SR 417.

The applicant agreed with the staff recommendation.

Staff received no commentaries favor of or against the application.

There was no opposition at the hearing.

The BZA approved the variance.



Applicant: Yuleisy Marquez

BZA Number: VA-16-07-076

BZA Date: 07/07/2016

District: 1

Sec/Twn/Rge: 31-24-29-NW-B

Tract Size: 45 ft. x 145 ft.

Address: 4909 Bellthorn Drive, Orlando FL 32837

Location: North side of Bellthorn Dr., south of SR 417, approximately 350 ft. east of Westshire Dr., in the Hunter's Creek PD

5/12/2016

Parcel: 31-24-29-3865-00-590

Situs: 4909 BELLTHORN DR.

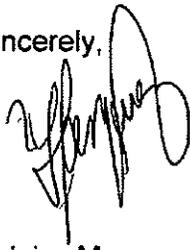
Legal: HUNTERS CREEK TRACT 545 38/56 LOT 59

To Whom It May Concern:

I, Yuleisy Marquez owner of above property would like to add a porch and closet to the rear of the existing home. The closet I have is too small and does not fit my needs and the porch will complement the design of the house. The variance required is for 12'x35' concrete porch.

In addition I will add a screen enclosure to the house. This addition will not require a variance.

Sincerely,



Yuleisy Marquez

Owner

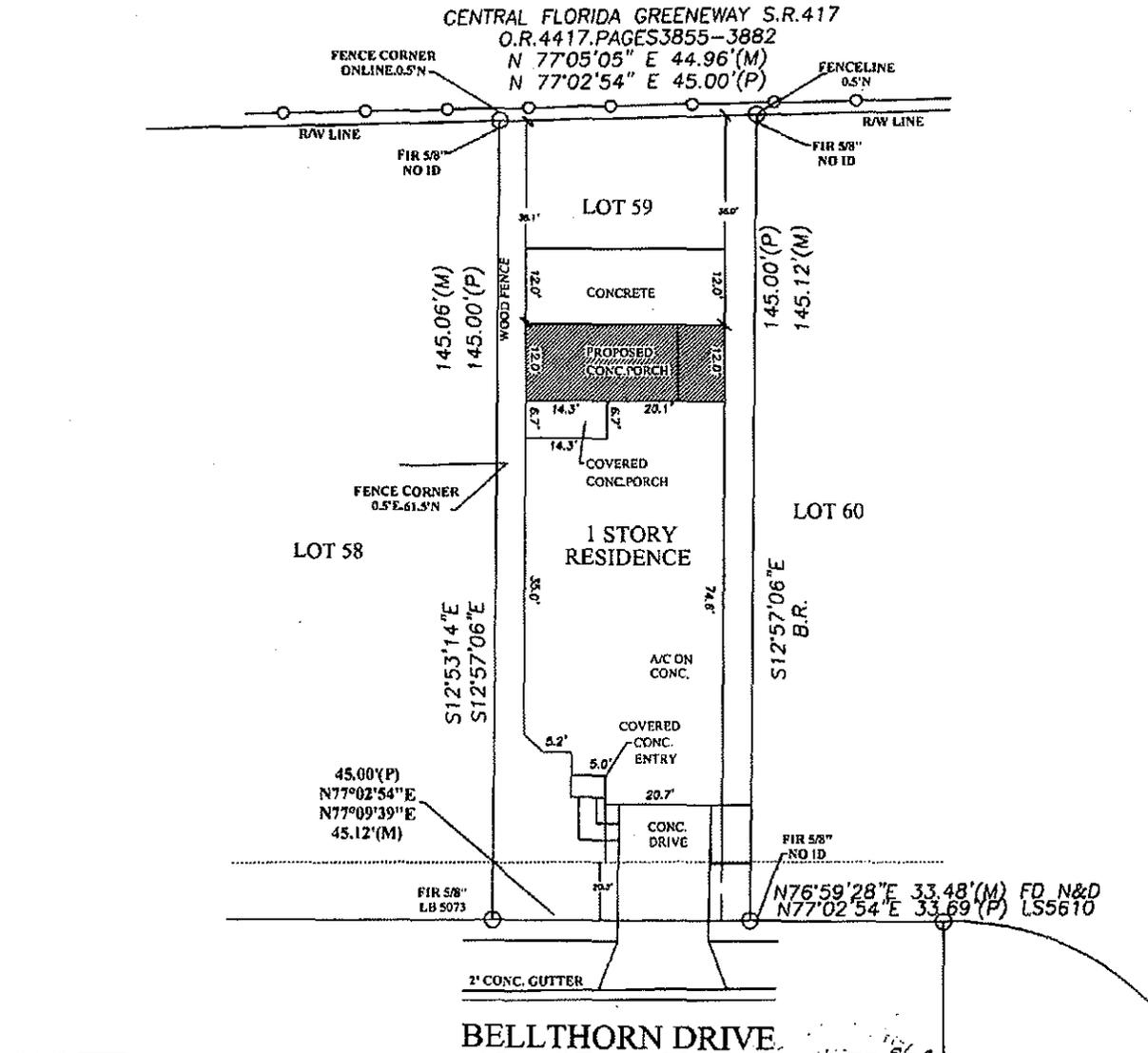
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MAY 13 2016

Zoning Division

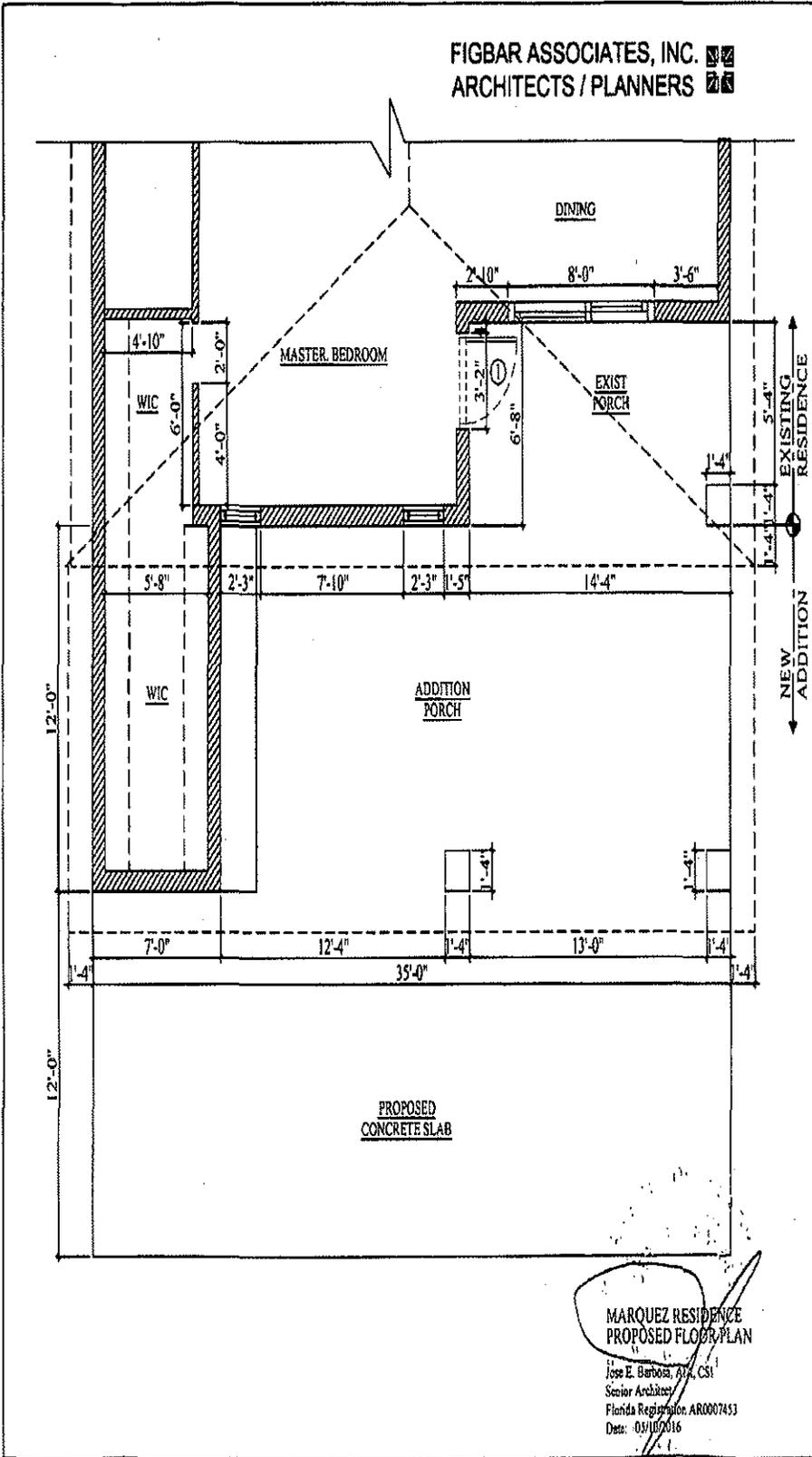
FIGBAR ASSOCIATES, INC. 
 ARCHITECTS / PLANNERS 



RECEIVED
 MAY 13 2016
 Zoning Division

MARQUEZ RESIDENCE
 ROOF PLAN
 Jose E. Barbosa, AIA, CSI
 Senior Architect
 Florida Registration AR0007453
 Date: 05/10/2016

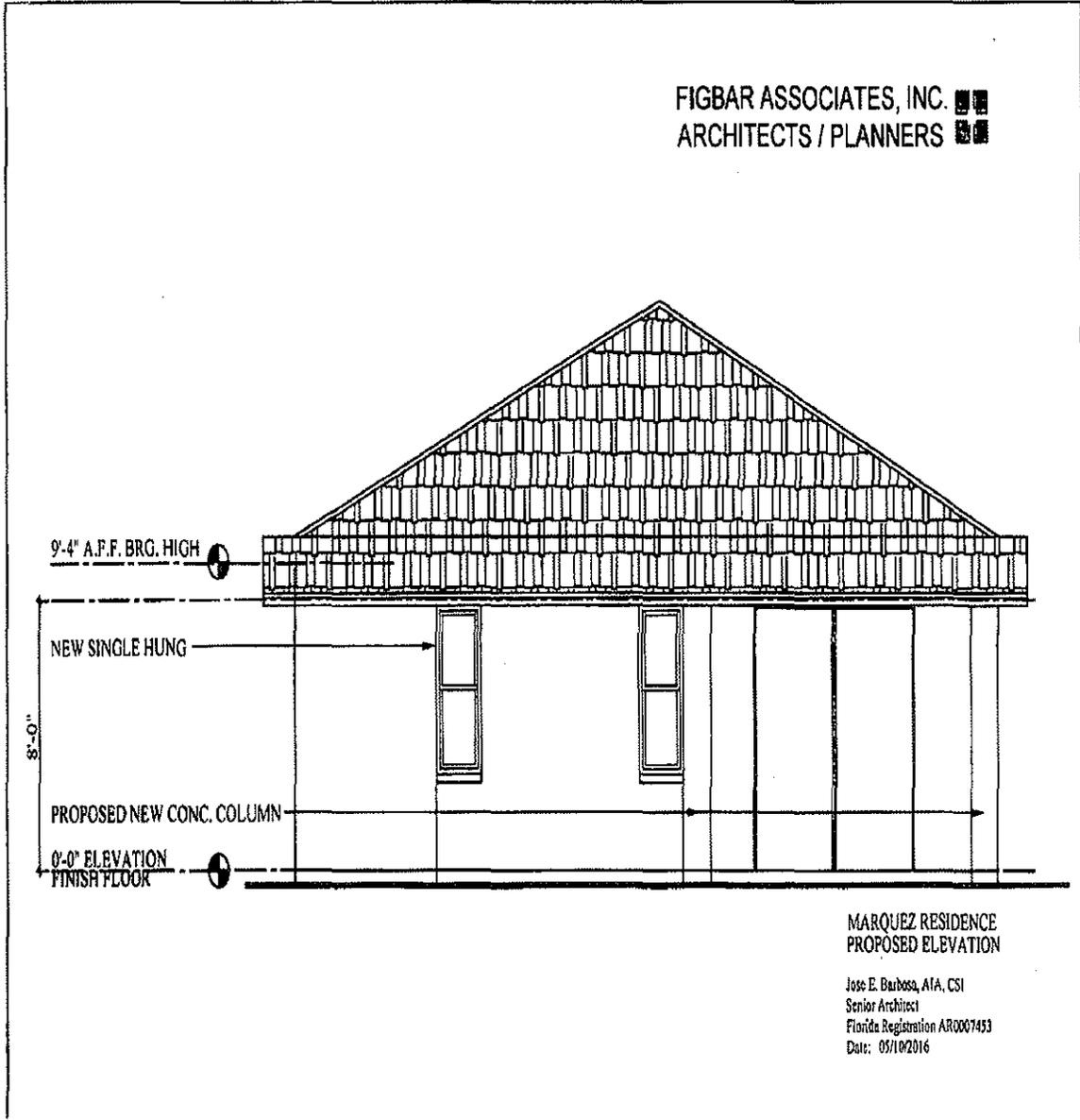
FIGBAR ASSOCIATES, INC. 
 ARCHITECTS / PLANNERS 



MARQUEZ RESIDENCE
 PROPOSED FLOOR PLAN

Jose E. Barbosa, AIA, CSI
 Senior Architect
 Florida Registration: AR0007453
 Date: 03/10/2016

FIGBAR ASSOCIATES, INC. ■■
ARCHITECTS / PLANNERS ■■





STAFF REPORT
CASE #VA-16-07-076
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
07/07/2016
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Yuleisy Marquez

REQUEST: Variance in the P-D zoning district to permit a sunroom and building addition (closet) 38 ft. from the rear property line in lieu of 50 ft.

(Note: The Hunters Creek PD requires that all lots backing up to the SR 417 to have a 50 ft. building setback. Otherwise, the normal rear setback for a lot in this community is 25 ft).

LOCATION: North side of Bellthorn Dr., south of SR 417, approximately 350 ft. east of Westshire Dr., in the Hunter's Creek PD

PROPERTY ADDRESS: 4909 Bellthorn Drive

PARCEL ID: 31-24-29-3865-00-590

TRACT SIZE: 45 ft. x 145 ft.

DISTRICT #: 1

ZONING: P-D

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to construct an addition thirty-eight (38) feet from the rear property line in lieu of fifty (50) feet.
2. This lot backs up to SR 417. The Hunters Creek PD requires a fifty (50) foot building setback for all lots backing up to SR 417.

3. The normal rear setback for a lot in this community is twenty-five (25) feet. The proposed thirty-eight (38) feet setback far exceeds the normal requirement, thus, the variance is only needed because the lot backs up to SR 417.

4. No rear neighbors will be affected by this request.

5. Staff has no objections to this request because:

- a) the request will not adversely impact any quality of life circumstances;
- b) no rear neighbors will be affected;
- c) the remaining setback of thirty-eight (38) feet is still significant; and,
- d) the proposal is minimal and reasonable.

STAFF RECOMMENDATION:

If the BZA approves the request, the following conditions should be imposed:

- 1. Development in accordance with site plan date stamped "Received May 13, 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; and,
- 3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.

cc: Yuleisy Marquez (Applicant)
4909 Bellthorn Drive
Orlando, FL 32837

JENNY PIERCE
VA-16-07-077

REQUEST: **Variance** in the R-2 zoning district to allow a lot width of 75 ft. in lieu of 80 ft. for a duplex.
(Note: Structure is existing. This is the result of code enforcement action).

ADDRESS: 5327 Brownell Street, Orlando FL 32810

LOCATION: North side of Brownell St., east of Leaf Ave., east of Rose Ave.

S-T-R: 29-21-29

TRACT SIZE: 75 ft. x 135 ft.

DISTRICT#: 2

LEGAL: 10932/7631 ERROR IN DESCRIPTION-AVONDALE PARK
SECOND ADDITION Q/35 THE E1/2 OF LOT 15 & ALL LOT 16 BLK
1

PARCEL ID: 29-21-29-0357-09-151

NO. OF NOTICES: 55

DECISION: **APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan date stamped, "Received May 16, 2016", and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,

4. The applicant shall obtain permits within 180 days or this approval becomes null and void.

SYNOPSIS: Staff gave a brief presentation on the case, and showed photographs and the location of the other duplexes on the same street.

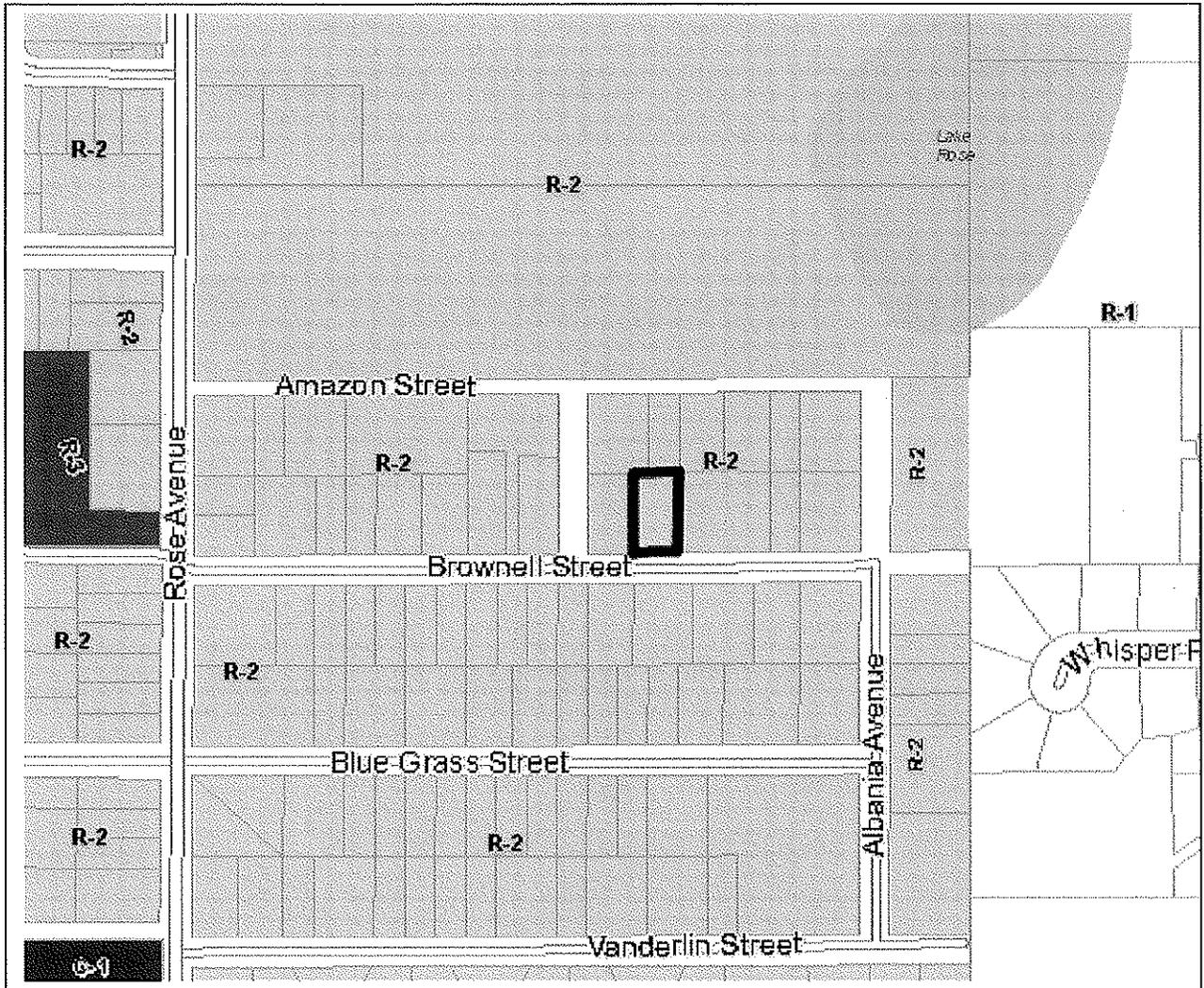
The applicant stated that the structure was built in the late 1950s, before zoning and lot width requirements. The applicant further stated that they cannot pull permits because of the lot width issue, and they want to get permits and rectify the situation.

The BZA confirmed with Code Enforcement staff that the upcoming Code Enforcement Board hearing will be cancelled if the BZA approves the variance.

Staff received no commentaries in favor of or against the application.

There was no opposition at the hearing.

The BZA approved the variance.



Applicant: Jenny Pierce

BZA Number: VA-16-07-077

BZA Date: 07/07/2016

District: 2

Sec/Twn/Rge: 29-21-29-SW-C

Tract Size: 75 ft. x 135 ft.

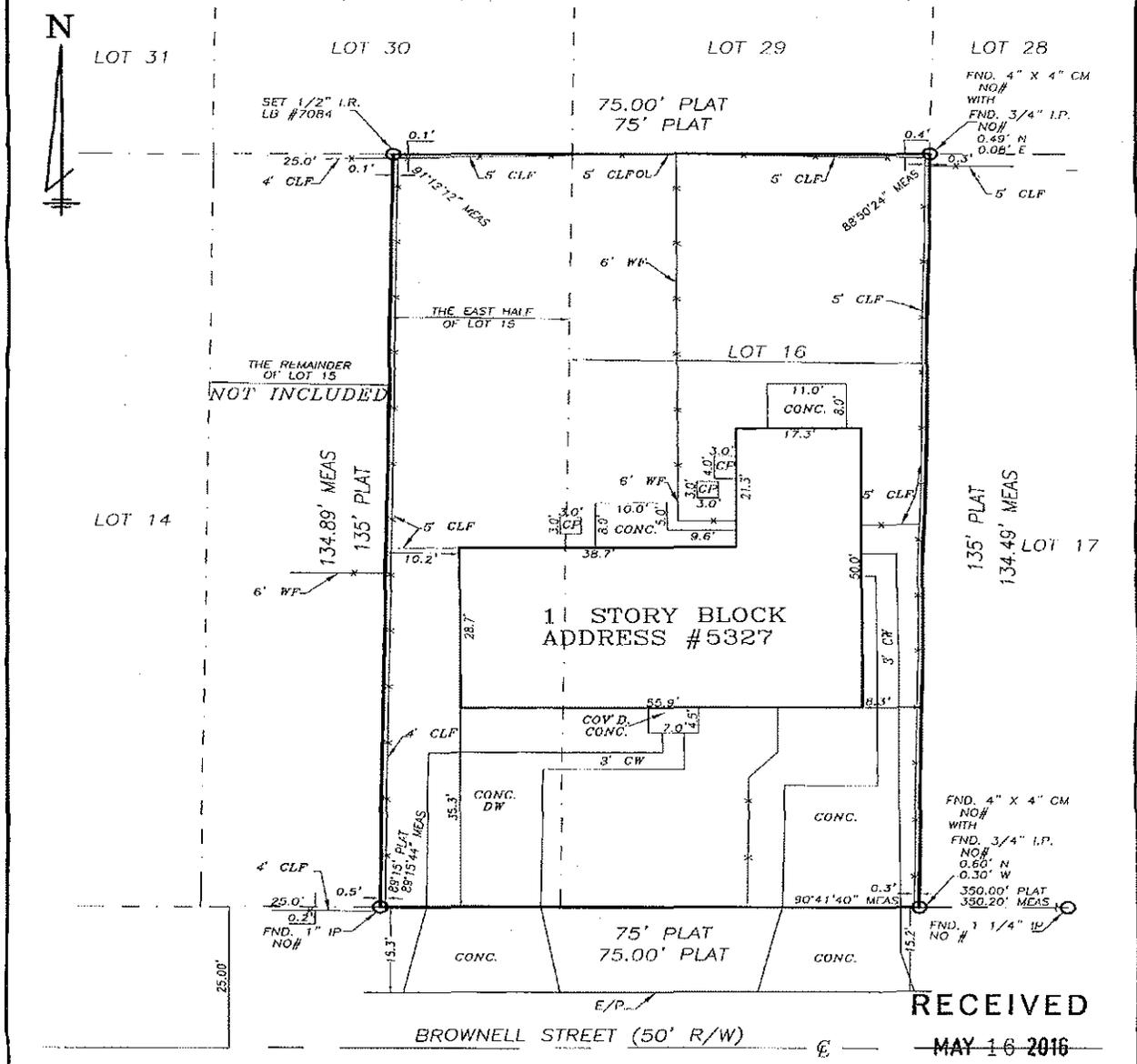
Address: 5327 Brownell Street, Orlando FL 32810

Location: North side of Brownell St., east of Leaf Ave., east of Rose Ave.

MAP OF SURVEY

DESCRIPTION

LOT 16 AND THE EAST 1/2 OF LOT 15, BLOCK I, AVONDALE PARK SECOND ADDITION, AS RECORDED IN PLAT BOOK Q, PAGE 35, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.



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MAY 16 2016
ORANGE COUNTY

DF# 000-35-BUKI-LOTS15,16 NOTE: UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN.
 BOUNDARY SURVEY CERTIFIED TO: J. M. CONSTRUCTION & ASSOCIATION.

FIELD ZONING DIVISION 16
 SCALE: 1"=20' DRAWN BY: D. R.
 BEARING STRUCTURE BASED ON THE NORTH RIGHT OF WAY-LINE OF BROWNELL STREET.

THIS BUILDING/LOT IS IN FLOOD ZONE X, BASED ON FLOOD INSURANCE RATE MAP, NO.120179 0140 F, ORANGE COUNTY, FLORIDA.

LEGEND

BC - BACK OF CURB	IR - IRON ROD
CALC - CALCULATED	L - ARC LENGTH
C - CENTERLINE	LB - LICENSE BUSINESS
CA - CENTRAL ANGLE	MEAS - MEASURED
CLF - CHAIN LINK FENCE	MS - METAL SHED
CONC - CONCRETE	M&D - NAIL & DISK
CONC. BLOCK WALL	N - NUMBER
CONC. MONUMENT	OHT - OVERHEAD ELECTRICAL
CONC. PAD	OL - ON LINE
CONC. WALKWAY	POB - POINT OF BEGINNING
COVERED	POC - POINT OF COMMENCEMENT
COVD - COVERED	PC - POINT OF CURVATURE
DESC - DESCRIPTION	PP - POWER POLE
DW - DRIVEWAY	P&M - PLAT & MEASURED
DE - DRAINAGE EASEMENT	R - RADIUS
ESMT - EASEMENT	R/W - RIGHT OF WAY
E/P - EDGE OF PAVEMENT	TYP - TYPICAL
FTE - FINISHED FLOOR ELEVATION	UE - UTILITY BASEMENT
FND - FOUND	ULB - UTILITY BOX
IP - IRON PIPE	WF - WOOD FENCE
	Y - GUY WIRE ANCHOR

M.A.P. Land Surveying, Inc.

4515 Curry Ford Rd.
 Suite C
 Orlando Fl. 32812
 PH. 407 896 4557
 FAX 407 277 3778

E-Mail: Maplandsurvey@cfl.rr.com I.B. #7084

Andrew Perry
Andrew Perry, P.S.M.
 Professional Surveyor & Mapper #6124
 "NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL, OR THE ELECTRONIC SIGNATURE AND SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER."

COVER LETTER

May 16, 2016

Orange County Board of Zoning Adjustment
200 S. Rosalind Avenue
Orlando, Florida

**RE: Variance Application for
5327 Brownell Street
Orlando, Florida 32810**

To Whom It May Concern:

We are requesting a variance for the property described above to convert an existing 1,815 sf. Single Family Residence into a duplex consisting of a 1,105 sf. three bedroom two bath unit, and a 710 sf. one bedroom one bath unit. The foot print and exterior of the existing structure will remain unchanged as per the attached survey dated April 29, 2016. As per Orange County Code section 38-1501 R2 basic requirements, we request the minimum lot width be reduced from 80' to 75' or the maximum lot size be increased from 9,000 sf. to 10,125 sf. in order to be "deemed to be vested..."

Approval of this variance will allow us to provide 2 small rental units better suited to the neighborhood than 1 large rental unit and is in better keeping with the intent of R2 zoning.

Your consideration in this matter is greatly appreciated. Thank You.

Sincerely,



Joachim M. Hache on behalf of JJM Nine LLC

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MAY 16 2016
ORANGE COUNTY
ZONING DIVISION

Page 1 of 1.



STAFF REPORT
CASE #VA-16-07-077
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
07/07/2016
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Jenny Pierce

REQUEST: Variance in the R-2 zoning district to allow a lot width of 75 ft. in lieu of 80 ft. for a duplex.

(Note: Structure is existing. This is the result of code enforcement action.)

LOCATION: North side of Brownell St., east of Leaf Ave., east of Rose Ave.

PROPERTY ADDRESS: 5327 Brownell Street

PARCEL ID: 29-21-29-0357-09-151

TRACT SIZE: 75 ft. x 135 ft.

DISTRICT #: 2

ZONING: R-2

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a five (5) foot variance for lot width for a duplex.
2. The single family residence was converted to a duplex without permits.
3. Code Enforcement inspected the property on March 18, 2016, and re-inspected the property on April 20, 2016, at which time, permits still had not been obtained. The case is scheduled to be heard by the Code Enforcement Board on July 20, 2016.
4. Staff observed four (4) other duplexes on the street, similar in appearance to the subject property.

5. Staff has no objections to this request because:

- a) the request will not adversely impact any quality of life circumstances, and,
- b) the amount of variance requested is minimal.

STAFF RECOMMENDATION:

If the BZA approves the request, the following conditions should be imposed:

1. Development in accordance with site plan date stamped, "Received May 16, 2016", and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The applicant shall obtain permits within 180 days or this approval becomes null and void.

cc: Jenny Pierce (Applicant)
811 Montana Street
Orlando, FL 32803

**VERA CLARK
VA-16-07-078**

REQUEST: Variance in the R-2 zoning district to allow existing garage with 640 sq. ft. to remain in lieu of 500 sq. ft.
(Note: This is a result of code enforcement action).

ADDRESS: 7506 Cielo Court, Orlando FL 32822

LOCATION: West end of Cielo Ct., approximately 200 ft. west of Rio Pinar Lakes Blvd.

S-T-R: 02-23-30

TRACT SIZE: 70 ft. x 115 ft. (AVG)

DISTRICT#: 3

LEGAL: RIO PINAR LAKES UNIT 1 9/55 LOT 23 BLK E

PARCEL ID: 02-23-30-7446-05-230

NO. OF NOTICES: 63

DECISION: DENIED the Variance request in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3) (unanimous; 5-0, 2 absent).

SYNOPSIS: Staff gave a brief presentation on the case, and showed photographs and the location of the garage.

The BZA confirmed that construction continued after the Code Enforcement Citation, and that there was no response from the adjacent neighbor.

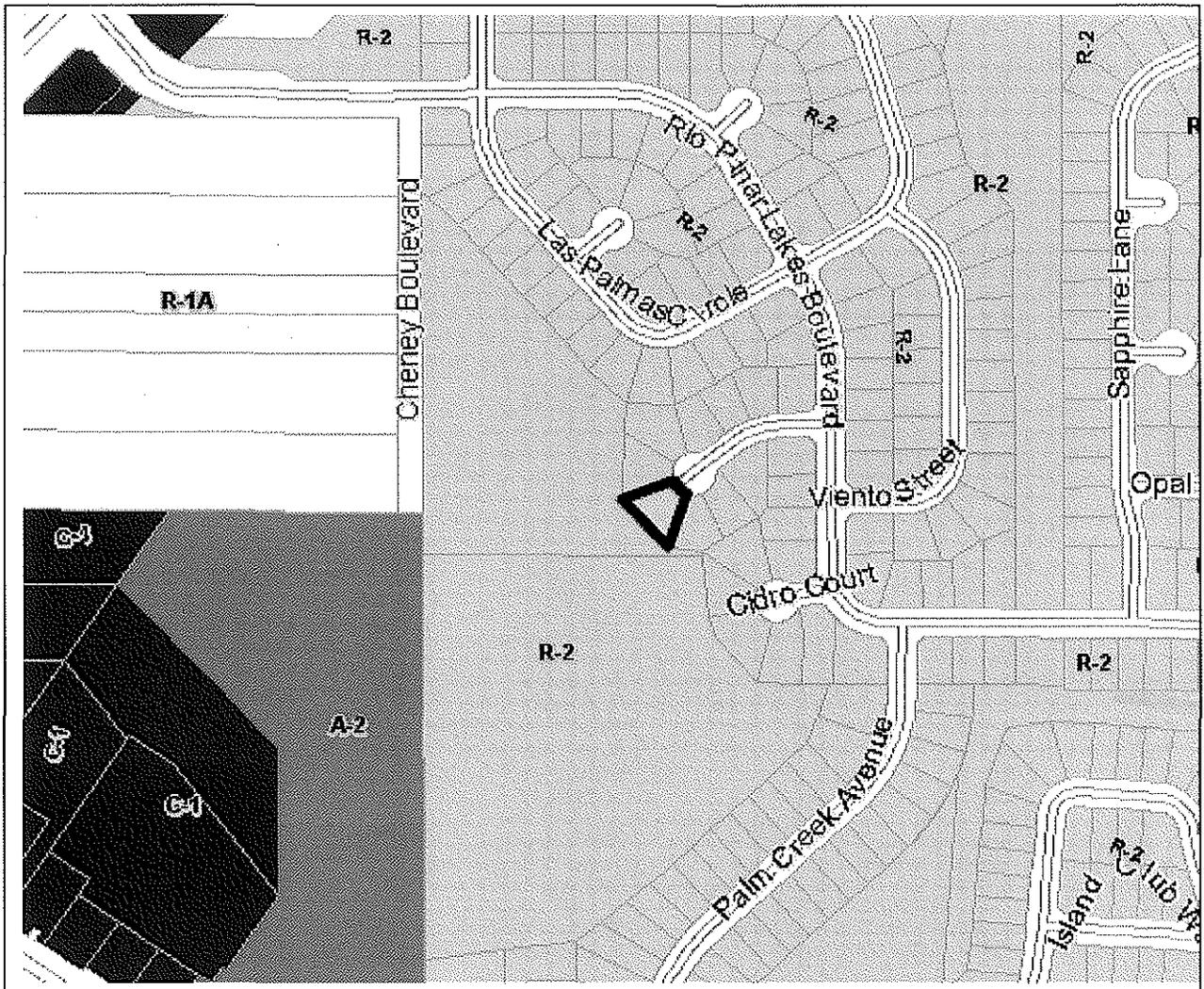
The applicant stated they did not understand that they were supposed to stop construction, and thought the Code Enforcement Citation was for the interior of the house, and not the garage. The applicant stated that their contractor did not tell them permits were required and, since then, has fired that contractor and are pulling permits themselves.

Code Enforcement staff confirmed that they received an anonymous complaint on April 15, 2016, and the upcoming Code Enforcement Board hearing will be cancelled if the BZA approves the variance.

Staff received six (6) commentaries in favor of the application and none in opposition.

There was no opposition at the hearing.

The BZA felt the percentage of variance was acceptable, but the criteria for a variance was not met. The BZA denied the variance.



Applicant: Vera Clark

BZA Number: VA-16-07-078

BZA Date: 07/07/2016

District: 3

Sec/Twn/Rge: 02-23-30-NE-A,02-23-30-SE-D

Tract Size: 70 ft. x 115 ft. (AVG)

Address: 7506 Cielo Court, Orlando FL 32822

Location: West end of Cielo Ct., approximately 200 ft. west of Rio Pinar Lakes Blvd.

May 25, 2016

Board of Zoning Adjustment
201 South Rosalind Avenue PO Box 2687
Orlando, FL 32802-2687

To whom it may concern:

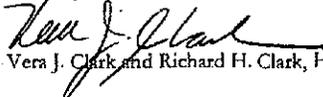
I am asking the Board of Zoning Adjustment for a variance for a detached garage I built on my property. It is of wood frame construction and measures 20 feet wide by 32 feet long by 12 feet high. It has 8 foot walls and a 4 over 12 pitch roof finished with architectural shingles and a white soffit to match the surrounding homes. It is clad with composite siding and will be painted to match the home. The garage door was originally on the main residence, and was reused to maintain a consistent appearance. It has one steel entry door and one 36" aluminum window, also salvaged from the original garage.

Our reason for building the detached garage was that the existing garage needed to be enclosed to make more living space inside the main residence. My husband is a disabled veteran and we raised the floor of the garage in the main residence to the level of the rest of the floors so that he could access the entire home. This left us without a garage, so we build the detached structure. It serves two main purposes:

- 1) A part of the garage is dedicated to storing my seasonal decorations, party supplies, etc.
- 2) The main area of the garage will be my son's workshop. He builds and fixes all manner of things, maintains our family's cars, and is restoring a 1953 Studebaker Champion Starlight Coupe. This has been his dream for many years and I am delighted to help him make it a reality.

We have complied with all setbacks and utility easements (5' on the side and 7.5' on the back), while positioning the garage as far back on the lot as possible so that it would be minimally intrusive. While every effort was made to build the garage "to code," we were initially misinformed by a contractor as to the requirement of permitting but are working diligently to obtain all required documentation. We were also misinformed by a contractor about the allowable size of the garage, which is why we are seeking permission for this 640 sq. ft. structure which is slightly over the 500 sq. ft. limit for our area. It is our hope that you will see the garage for what it is; a well built, consistently styled addition to our property which will bring us much utility and joy, even if it is just a little big.

Sincerely,


Vera J. Clark and Richard H. Clark, Homeowners

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MAY 16 2016
Zoning Division

Boundary Survey

Legal Description:

Lot 23, Block E, Rio Pinar Lakes Unit One, according to the Plat thereof as recorded in Plat Book 9, Page(s) 55-56, Public Records of Orange County, Florida.

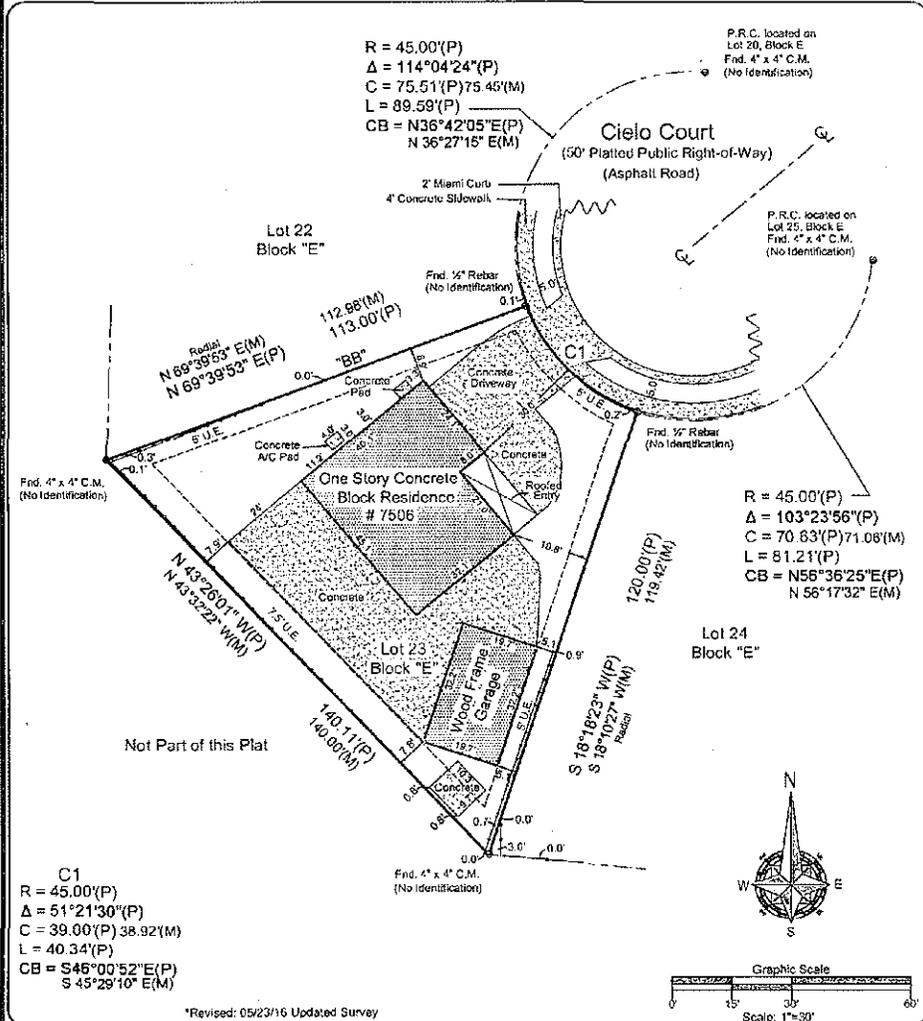
Flood Zone: X Panel: 0270F
Community Number: 12095C Date: 9/25/2009

La Rosa Tille, LLC

CERTIFIED TO:
Vera Judith Clark
Richard Houston Clark

American Financial Resources, Inc., and the
Department of Veterans Affairs
Old Republic National Title Insurance Company

RECEIVED
MAY 16 2016
Zoning Division



C1
R = 45.00'(P)
Δ = 51°21'30"(P)
C = 39.00'(P) 38.92(M)
L = 40.34'(P)
CB = S46°00'52"E(P)
S 45°29'10" E(M)

R = 45.00'(P)
Δ = 103°23'56"(P)
C = 70.83'(P) 71.08(M)
L = 81.21'(P)
CB = N56°36'25"E(P)
N 56°17'32" E(M)

*Revised: 05/23/16 Updated Survey

Field Date: 02/17/16	Date Completed: 05/23/16	Notes:	Notice: City of Rio Pinar
Drawn By: BK	File Number: IS-26547	Survey is Based upon the Legal Description supplied by Client. Adjoining Properties Deeds have NOT been researched for Grps, Easements and/or Rights. Subject to any Easements and/or Restrictions of Record. Bearing Bats shown herein, is Assumed and Based upon the Lines Denoted with a "B". Building Ties are NOT to be used to reconstruct Property Lines. Fences Ownership is NOT determined. Flood Overhangs, Underground Utilities and/or Features have NOT been located UNLESS otherwise noted. Septic Tanks and/or Drainage locations are approximate and MUST be verified by appropriate US or Local Companies. Use of this Survey for Purposes other than intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing herein shall be construed to give ANY Rights or Benefits to Anyone Other than those Contained. Flood Zone Determination Shown Herein is given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NEITHER known nor shown on this Surveying Company at the time of this Boundary Survey. Ireland & Associates Surveying, Inc. and the signing surveyor assume NO Liability for the Accuracy of this Determination.	Notice: City of Rio Pinar Ireland & Associates Surveying, Inc. Patrick K. Ireland, P.S. 576637 This Survey is intended for use of Said Certified Person. The Survey is NOT VALID UNLESS signed and sealed with Said Person's Seal.
Legend:			
C - Contour	PC - Point of Curvature		
CB - Concrete Block	PI - Page		
CM - Cont'd Measurement	PI - Point of Intersection		
Conc. - Concrete	P.O.B. - Point of Beginning		
D - Ditch	P.O.L. - Point on Line		
DE - Driveway Easement	RP - Reverse Point		
Eas. - Easement	PRM - Permanent Reference Monument		
F.E.M.A. - Federal Emergency Management Agency	PT - Point of Tangency		
F.F.E. - Finished Floor Elevation	R - Radius		
Fnd - Found	R&C - Reset & Cap		
I - Iron Pipe	Rec - Recovered		
L - Length (ft)	RIG - Rebar		
M - Misc.	Stg - 5/8" x 1/2" Rebar, 5'		
N&D - Not to Scale	Trav - 1/2" x 1/2" Rebar, 5'		
N.R. - Non-Record	Typ - Typical		
NSD - Official Records Book	UE - Utility Easement		
P - Plat	W - Water Meter		
P.B. - Plat Book	WA - Water (Central Angle)		
RF - Right of Way	W - Chain Link Fence		



STAFF REPORT
CASE #VA-16-07-078
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
07/07/2016
Commission District: 3

GENERAL INFORMATION:

APPLICANT: Vera Clark

REQUEST: Variance in the R-2 zoning district to allow existing garage with 640 sq. ft. to remain in lieu of 500 sq. ft.

(Note: This is a result of code enforcement action).

LOCATION: West end of Cielo Ct., approximately 200 ft. west of Rio Pinar Lakes Blvd.

PROPERTY ADDRESS: 7506 Cielo Court

PARCEL ID: 02-23-30-7446-05-230

TRACT SIZE: 70 ft. x 115 ft. (AVG)

DISTRICT #: 3

ZONING: R-2

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a size variance for an existing garage.
2. The garage was constructed without permits.
3. Code Enforcement observed a concrete pour, and the beginning stages of garage construction at the property on May 2, 2016, and cited the property owner. Subsequent site visits confirmed that the construction continued and the garage was finished without permits.
4. The garage is located in the rear of the property and meets all setback requirements.
5. Staff has no objections provided the adjacent neighbor to the southeast does not object.

STAFF RECOMMENDATION:

If the BZA approves the request, the following conditions should be imposed:

1. Development in accordance with site plan date stamped "Received May 16, 2016", and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The applicant shall obtain a permit within 180 days, or this approval becomes null and void.

cc: Vera Clark (Applicant)
7506 Cielo Court
Orlando, FL 32837

**ORLANDO COMMUNITY BAPTIST CHURCH
SE-16-07-079**

REQUEST: **Special Exceptions** and **Variances** in the R-1 zoning district as follows:
1) Special Exception: To permit expansion of the sanctuary to 290 seats;
2) Special Exception: To add 1,785 sq. ft. floor area to the existing sanctuary building;
3) Special Exception: To add 2,485 sq. ft. of floor area to the existing fellowship hall/classroom/daycare building;
4) Variance: To permit the addition to the sanctuary and the existing sanctuary building to have a side street setback of 5 ft. in lieu or 15 ft.; and,
5) Variance: To allow 65 of the required 97 parking spaces to be grassed in lieu of paved with paved drive aisles.
(Note: The applicant submitted 31 letters in support of the requests).

ADDRESS: 651 Campanella Avenue, Orlando FL 32811

LOCATION: Southeast corner of Campanella Ave. and College Dr., approximately 375 ft. west of S. Ivey Ln.

S-T-R: 32-22-29

TRACT SIZE: 1.58 acres

DISTRICT#: 6

LEGAL: BOOKER WASHINGTON ESTATE P/97 LOTS 1 THRU 5 & 21 THRU 25 BLK C

PARCEL ID: 32-22-29-8992-03-010

NO. OF NOTICES: 124

DECISION: **APPROVED** the Special Exception requests in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; and, **APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan dated May 17, 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;

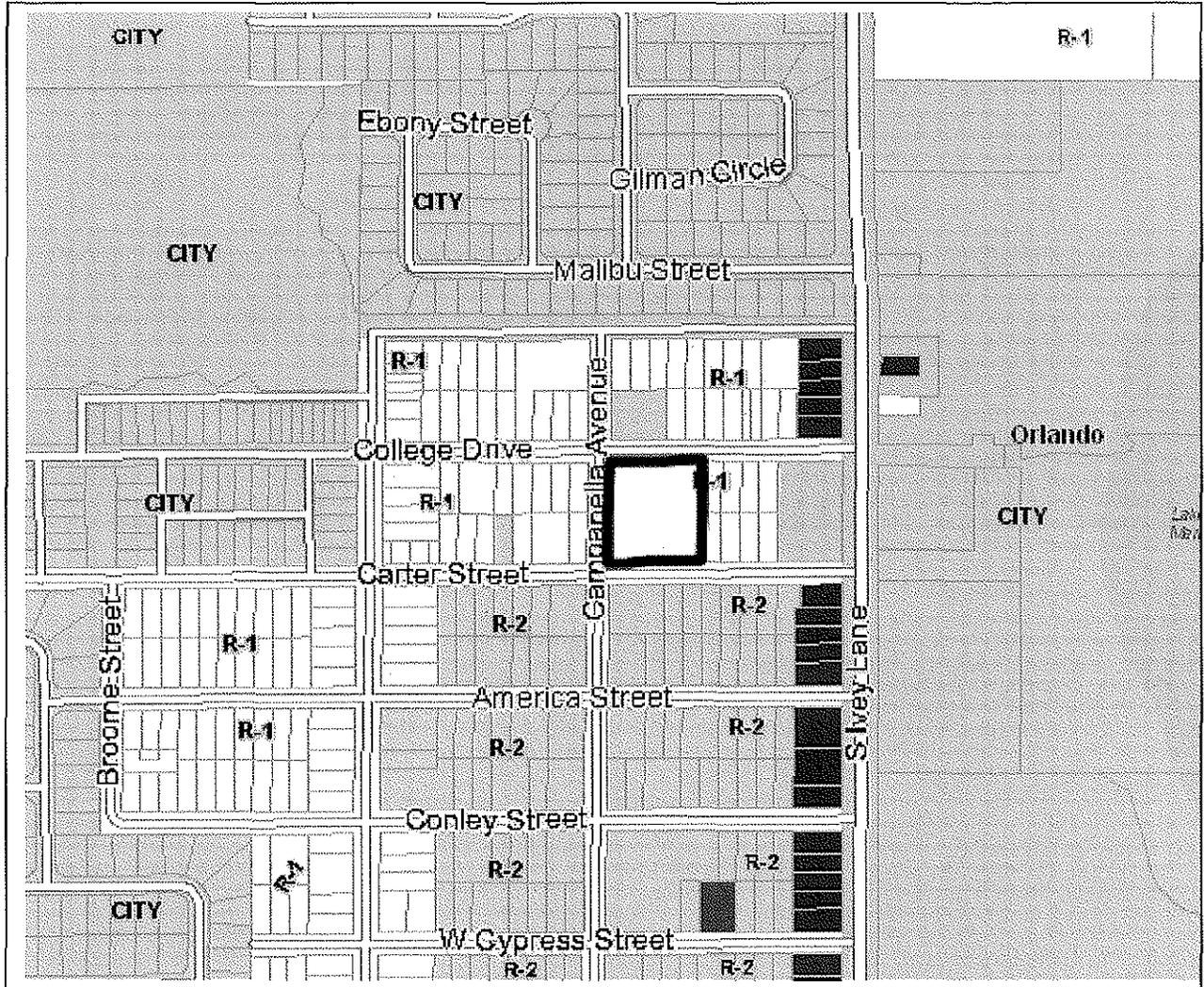
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit 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. All conditions of SE-15-04-021, regarding the modular classrooms/day care shall remain in full force and effect;
5. Construction plans shall be submitted within three (3) years or this approval becomes null and void;
6. All phases shall be completed within five (5) years of final County approval to coincide with the expiration of the approval of the modular units, unless the applicant submits a request to extend the phasing schedule and use of the modular. The Zoning Manager may grant one extension of up to six (6) months to the phasing plan and use of the modulars provided the applicant can show good cause;
7. If applicable, approval of this request does not constitute approval of the use of septic tanks and wells. The use of septic tanks and wells shall be in accordance with all applicable regulations; and,
8. Once construction of the addition to the sanctuary is completed, the five (5) modular units will be removed from the property.

SYNOPSIS: Staff explained the phasing plan, noting that in Phases II and III, the church would use the fellowship hall as the sanctuary while the sanctuary was under renovation/expansion. At that time, they would use the five (5) modular building approved in April 2015, for classrooms; a day care; and, to house the food pantry. Once Phase III was completed, the modular units would be removed from the site. Finally, staff noted that the church had letters of support from nearly thirty (30) neighboring property owners.

The applicant was in agreement with the conditions recommended by staff. However, there was a concern regarding the time limit for use of the portables. It was explained that the current conditions allow the Zoning Manager to grant one six (6) month extension. After that, the church would need to return to the BZA to request an extension, if necessary.

There being no one in attendance to speak for or against the application, the public hearing was closed.

The BZA concluded that the proposed plan and phasing plan would be beneficial to the community.



Applicant: Orlando Community Baptist Church

BZA Number: SE-16-07-079

BZA Date: 07/07/2016

District: 6

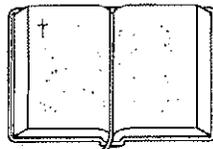
Sec/Twn/Rge: 32-22-29-NW-B

Tract Size: 1.58 acres

Address: 651 Campanella Avenue, Orlando FL 32811

Location: Southeast corner of Campanella Ave. and College Dr., approximately 375 ft. west of S. Ivey Ln.

Community Missionary
Baptist Church



651 Campanella Avenue
Orlando, Florida 32811
(407) 293-3100

Reverend Alfred J. Moore, Pastor

May 15, 2016

ORANGE COUNTY ZONING DIVISION

201 S. Rosalind Avenue

Orlando, FL 32801

**SUBJECT: TRANSMITTAL OF SPECIAL EXCEPTION/VARIANCE APPLICATION
COMMUNITY BAPTIST CHURCH MASTER DEVELOPMENT PLAN
ORANGE COUNTY (ORLANDO), FL (WG2016-COMMBAPTCHMSTDEVPLAN)**

The purpose of this letter is to transmit this application, and required accompanying documents, for special exception/variance approval on this site. The purpose of this request is obtain SPECIAL EXCEPTION approval of

Community Baptist Church's phased MASTER DEVELOPMENT PLAN and allow administrative review/approval by the

Zoning Department Official as more defined plans are prepared for each phase. Additionally, the church is requesting

a variance to allow the use of 65 grassed parking spaces. **I will be the Authorized Agent for this application and ask that all questions or comments be sent to directly to me.**

The Community Baptist Church site is located at 651 Campanella Avenue in Orlando, Florida on Orange County

property appraiser's parcel i.d. number 32-22-29-8992-03-010. More specifically, the site is located on the southeast

corner of the Campanella Avenue/Carter Street intersection. The site area is approximately 1.58 acres.

This property

is zoned rR1.

Community Baptist Church desires to obtain a **Special Exception to the R-1 site zoning needed to construct the proposed phased religious facilities:**

*PHASE 1: Construction of a 35'x71' addition on the east side of building #2. This addition will become the new

offices and fellowship hall, while the existing building #2 will house the community food bank.

*PHASE 2: Re-construction of building #1 for code and aesthetic improvements.

*PHASE 3: Construction of a 35'x51' addition will be constructed onto the re-construction sanctuary to increase

the number of seats to 290, along with the construction of 97 parking spaces, including 65 grassed spaces.

Additionally, the church would like to request a **variance to the County ordinance to use 65 grassed parking spaces.**

Thank you, in advance, for your consideration and approval of this application.

RECEIVED

MAY 17 2016

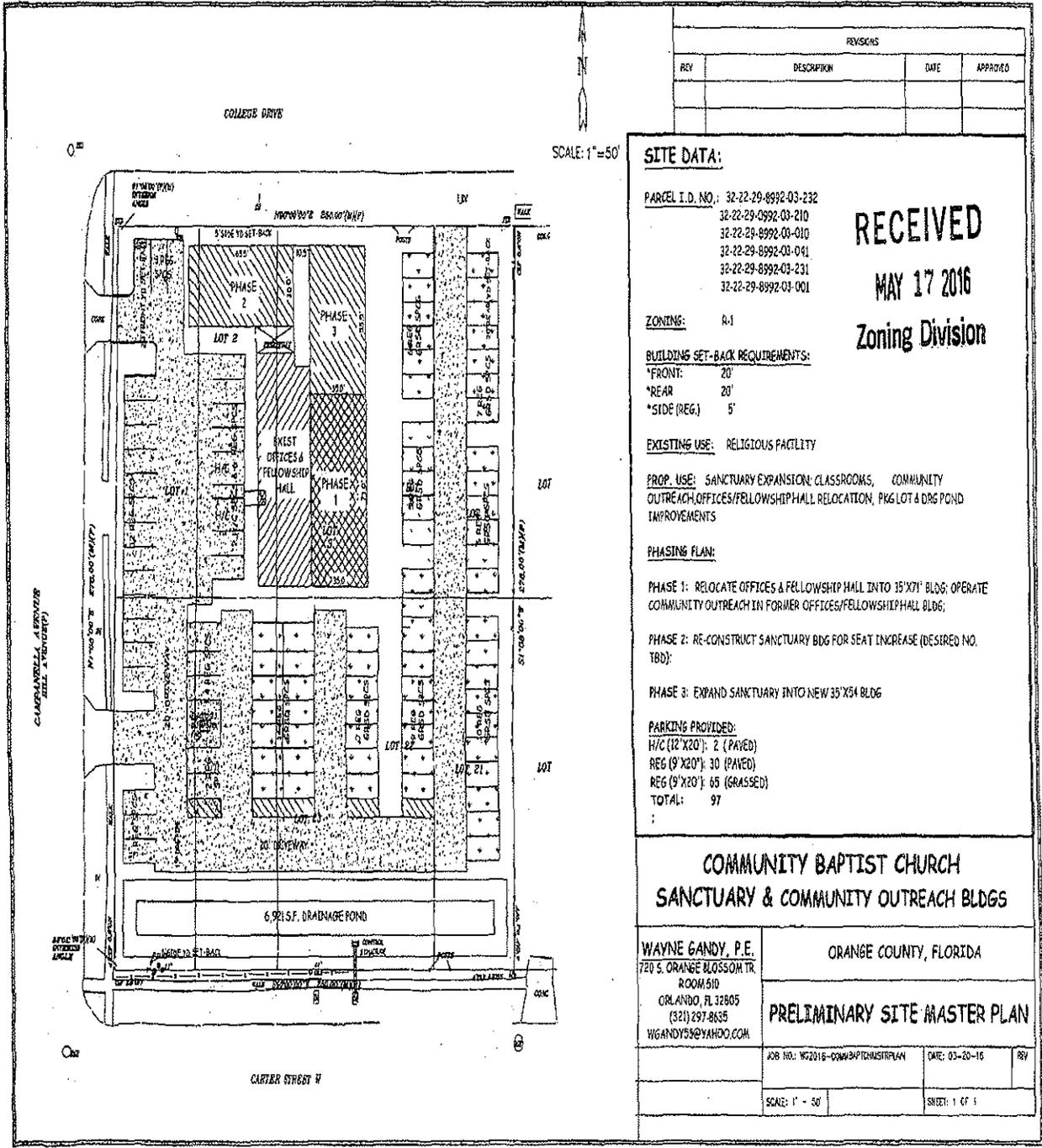
Zoning Division

Sincerely,

A handwritten signature in cursive script, appearing to read "Rev. Alfred J. Moore".

Rev. Alfred J. Moore
Pastor

Orlando Community Baptist Church
651 Campanella Avenue
Orlando, Florida 32811



REVISIONS			
REV	DESCRIPTION	DATE	APPROVED

SITE DATA:

PARCEL I.D. NO.: 32-22-29-8992-03-232
 32-22-29-8992-03-210
 32-22-29-8992-03-010
 32-22-29-8992-03-041
 32-22-29-8992-03-231
 32-22-29-8992-03-001

RECEIVED
MAY 17 2016
Zoning Division

ZONING: R-1

BUILDING SET-BACK REQUIREMENTS:
 *FRONT: 20'
 *REAR: 20'
 *SIDE (REG.): 5'

EXISTING USE: RELIGIOUS FACILITY

PROP. USE: SANCTUARY EXPANSION; CLASSROOMS, COMMUNITY OUTREACH, OFFICES/FELLOWSHIP HALL RELOCATION, PKG LOT & DRG POND IMPROVEMENTS

PHASING PLAN:

PHASE 1: RELOCATE OFFICES & FELLOWSHIP HALL INTO 35'X71' BLDG; OPERATE COMMUNITY OUTREACH IN FORMER OFFICES/FELLOWSHIP HALL BLDG;

PHASE 2: RE-CONSTRUCT SANCTUARY BLDG FOR SEAT INCREASE (DESIRED NO. TBD);

PHASE 3: EXPAND SANCTUARY INTO NEW 35'X34 BLDG

PARKING PROVIDED:
 H/C (12'X20'): 2 (PAVED)
 REG (9'X20'): 30 (PAVED)
 REG (9'X20'): 65 (GRASSED)
 TOTAL: 97

COMMUNITY BAPTIST CHURCH
SANCTUARY & COMMUNITY OUTREACH BLDGS

WAYNE GANDY, P.E.
 720 S. ORANGE BLOSSOM TR.
 ROOM 510
 ORLANDO, FL 32805
 (321) 297-8635
 WGANDY53@YAHOO.COM

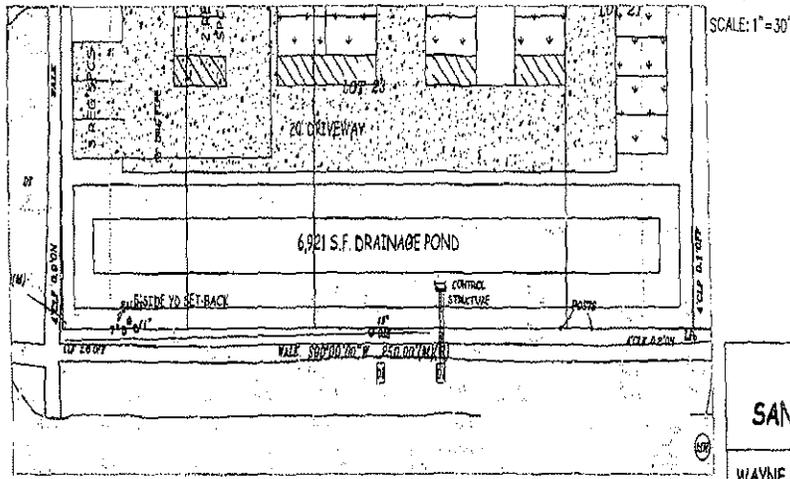
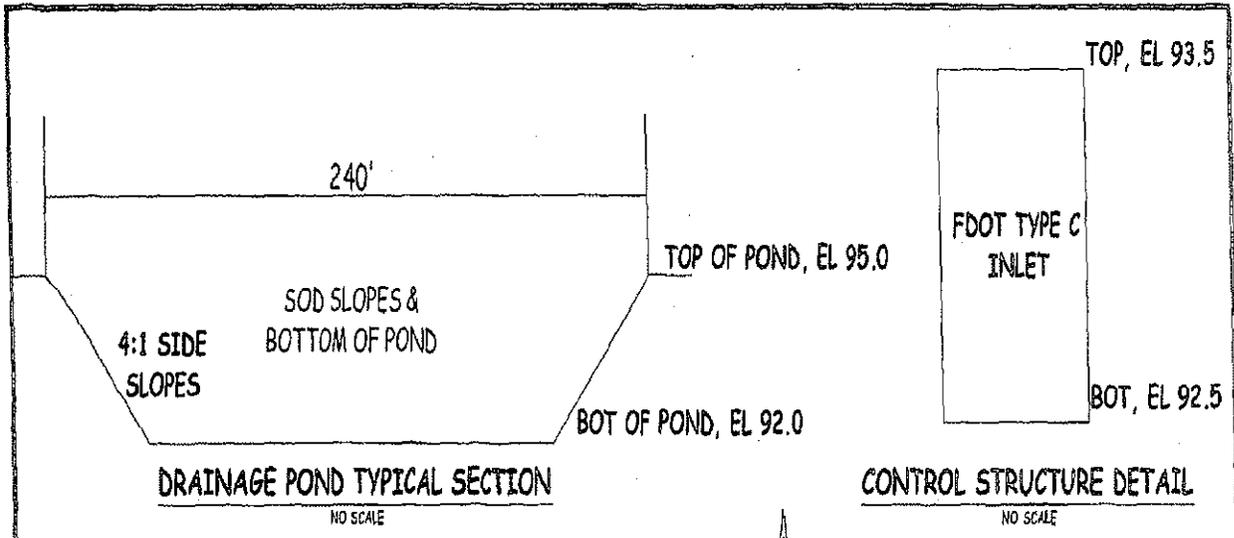
ORANGE COUNTY, FLORIDA

PRELIMINARY SITE MASTER PLAN

JOB NO.: W2016-0004-PM MASTER PLAN DATE: 03-20-16 REV

SCALE: 1" = 50'

SHEET: 1 OF 1



COMMUNITY BAPTIST CHURCH SANCTUARY & COMMUNITY OUTREACH BLDGS	
WAYNE GANDY, P.E. 720 S. ORANGE BLOSSOM TR. ROOM 510 ORLANDO, FL 32805 (321) 297-8635 W.GANDY55@YAHOO.COM	ORANGE COUNTY, FLORIDA
PRELIMINARY DRAINAGE POND PLAN & DETAILS	
JOB NO.: NC2016-CONS&PCINSTRORP&ID	DATE: 04-27-16
SCALE: 1" = 50'	SHEET: 1 OF 1



STAFF REPORT
CASE #SE-16-07-079
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
July 7, 2016
Commission District: 6

GENERAL INFORMATION:

APPLICANT: Orlando Community Baptist Church

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exceptions and Variances in the R-1 zoning district as follows:

- 1) Special Exception: To permit expansion of the sanctuary to 290 seats;
- 2) Special Exception: To add 1,785 sq. ft. floor area to the existing sanctuary building;
- 3) Special Exception: To add 2,485 sq. ft. of floor area to the existing fellowship hall/classroom/daycare building;
- 4) Variance: To permit the addition to the sanctuary and the existing sanctuary building to have a side street setback of 5 ft. in lieu or 15 ft.; and,
- 5) Variance: To allow 65 of the required 97 parking spaces to be grassed in lieu of paved with paved drive aisles.

(Note: The applicant submitted 31 letters in support of the requests).

LOCATION: Southeast corner of Campanella Ave. and College Dr. approximately 375 ft. west of S. Ivey Ln.

PROPERTY ADDRESS: 651 Campanella Avenue

PARCEL ID: 32-22-29-8992-03-010

TRACT SIZE: 1.58 acres

DISTRICT #: 6

ZONING: R-1

EXISTING USE(S): Religious use campus with child day care services

PROPOSED USE(S): Two additions to existing religious institution

SURROUNDING USES: The subject property is located within a well established residential neighborhood.

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting approval of a Special Exception to implement a multi-phased plan to expand the existing church campus. The first phase will add 2,485 sq. ft. of floor area to the existing fellowship hall/classroom/daycare building. This request will allow additional room to accommodate the existing food pantry, as well as better implementing the approved daycare facility and Sunday School program. In the interim while phase II is under construction, the fellowship hall will temporarily house the congregation for services. Phase II will add 1,785 sq. ft. floor area to the existing sanctuary building, which will increase its capacity to 290 seats.
2. In April 2015, the BZA approved the use of five (5) modular units for five (5) years to accommodate the classrooms, daycare, and pantry. The applicant now desires to construct the permanent floor area to house these uses rather than rely on modular units. If the phasing plan is approved, the applicant will still use the modulars on a temporary basis while the construction takes place to house the daycare, food pantry, and Sunday School. Once construction is complete, the modulars will be removed.
3. In order to add onto the existing sanctuary building, which is currently only five (5) feet off of the side street property line, a variance will be needed. There will be no increase in the current encroachment into the setback.
4. The applicant will provide a total of ninety-seven (97) parking spaces, meeting current code. Of the ninety-seven (97) spaces, thirty-two (32) will be paved, including the two (2) required handicap parking spaces. The applicant is requesting approval to allow up to sixty-five (65) parking spaces to be grassed. Paved drive aisles are being proposed.
5. The Church has been a part of this community for over thirty (30) years. The applicant submitted signatures from thirty-one (31) members of the community from twenty-eight (28) different addresses. This includes a letter from the current president of the Washington Park HOA.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated May 17, 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. All conditions of SE-15-04-021, regarding the modular classrooms/day care shall remain in full force and effect;
5. Construction plans shall be submitted within three (3) years or this approval becomes null and void;
6. All phases shall be completed within five (5) years of final County approval to coincide with the expiration of the approval of the modular units, unless the applicant submits a request to extend the phasing schedule and use of the modular. The Zoning Manager may grant one (1) extension of up to six (6) months to the phasing plan and use of the modulares provided the applicant can show good cause;
7. If applicable, approval of this request does not constitute approval of the use of septic tanks and wells. The use of septic tanks and wells shall be in accordance with all applicable regulations; and,
8. Once construction of the addition to the sanctuary is completed, the five (5) modular units will be removed from the property.

cc: Rev. Alfred J. Moore (Applicant's representative)
4313 Kandra Court
Belle Isle, FL 32812

ROSS - DRESS FOR LESS
VA-16-07-080

REQUEST: **Variance** in the C-1 zoning district to allow a total of 351 sq. ft. of wall signage in lieu of 180 sq. ft.
(Note: The total sign area includes 60 sq. ft. of area that does not contain any signage but is being counted towards signage).

ADDRESS: 7603 Turkey Lake Road, Orlando FL 32819

LOCATION: East of Turkey Lake Road, West of I-4, approximately 725 feet north of Sand Lake Road

S-T-R: 26-23-28

TRACT SIZE: 17 ac.

DISTRICT#: 1

LEGAL: COMM SW COR OF SE1/4 OF SE1/4 RUN E 421.97 FT N 49.76 FT N 85 DEG E 364.55 FT N 236.31 FT N 50 DEG W 208.08 FT N 17 DEG W 190.03 FT TO POB CONT N 17 DEG W 142.14 FT N 1008.11 FT N 35 DEG E 134.15 FT S 80 DEG E 658.84 FT S 18 DEG W 105.31 FT N 72 DEG W 20

PARCEL ID: 26-23-28-0000-00-047

NO. OF NOTICES: 106

DECISION: **APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (4 in favor, 1 opposed, 2 absent):

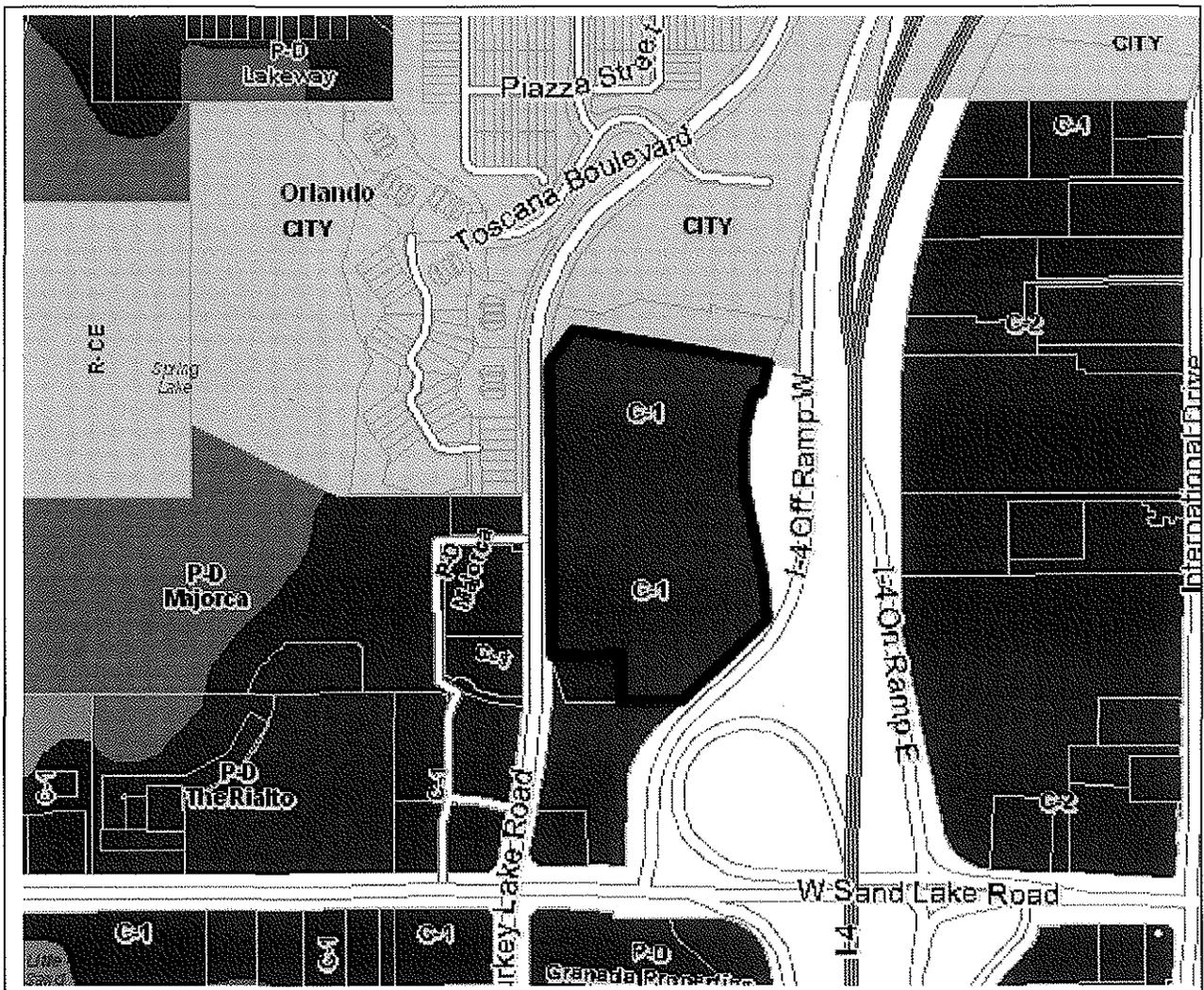
1. Development in accordance with site plan dated May 17, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for 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. Total wall signage shall be limited to 225 sq ft.; and,
5. An electric message center sign and any additional ground, monument or pole signs are prohibited.

SYNOPSIS: The applicant is requesting additional wall signage for their store. Staff advised the BZA there were two (2) existing pole signs on the property and the additional signage requested was excessive.

Three (3) persons representing the applicant spoke in favor of the request. They stated this request was standard signage for any Ross Store.

The BZA concluded there was a visibility issue with this shopping center. The applicant indicated that additional ground signs would not help them since there were already two (2) existing pole signs on the property. Staff advised the BZA if they were inclined to allow additional wall signage that they should impose a prohibition on any additional ground or pole signs. The BZA agreed and granted a total of 225 square footage.



Applicant: Ross - Dress For Less

BZA Number: VA-16-07-080

BZA Date: 07/07/2016

District: 1

Sec/Twn/Rge: 26-23-28-SE-D

Tract Size: 17 ac.

Address: 7603 Turkey Lake Road, Orlando FL 32819

Location: East of Turkey Lake Road, West of I-4, approximately 725 feet north of Sand Lake Road

**Variation
Letter of Justification**

Ross Dress For Less

Bay Hill Plaza
NEC Turkey Lake Rd. & West Sand Lake Rd.
Orlando, Orange County, FL

Background:

Ross Stores, Inc. currently operates nine Ross Dress For Less stores in the greater Orlando area. These stores have proven to be an asset to the communities they serve. Opening the new Ross Dress For Less store at Bay Hill Plaza is evidence of Ross' plans to further partner with Orange County, but they find that they need to bolster their identity by increasing the signage entitlements dictated by the County's zoning ordinance. Therefore, as agents of Ross Stores, Inc., we are applying for a variance requesting an increase in the maximum sign area.

The new Ross Dress For Less store will occupy the 25,321 sq. ft. in what will be the newly refurbished space at Bay Hill Plaza. Their lease provides for a 120'-0" frontage. They will be employing around 50 full and part time employees. Orange County code establishes a maximum sign area of 180 square feet. The proposed ROSS is 72" hi (144 sq. ft.) and the DRESS FOR LESS letters are 42" (147 sq. ft.) The required method for calculating sign area puts Ross at a disadvantage given their logo configuration; the area between the two lines of copy, which is background, not sign area, totals 60 sq. ft. In essence, the proposed sign layout has 60 sq. ft. of "dead" space that is counting against the proposed sign area.

Petitioner Justification (per Section 30-43 (3) of the Orange County Code):

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.

Sign ordinances are generally written with consideration that most retail businesses abut the street frontage in the traditional manner of retail development. In this case, the store is set back from the Interstate about 600 feet, the length of two full football fields. From Turkey Lake Road, the storefront is blocked from view by retaining wall, guard rail and numerous mature trees. These unique conditions must be taken into account when considering the resulting size and proportion of the primary wall sign.

We feel that when the required 180 sq. ft. maximum ROSS DRESS FOR LESS sign is viewed from such a distance and/or through the described obstacles, it will look disproportionately small when compared to the stores that front I-4 and Turkey Lake Rd.

2. That the special conditions do not result from the actions of the applicant.

Bay Hill Plaza is existing and therefore the site characteristics are to be inherited. Additionally, one would reasonably assume that the original landscape plan did not factor in that the immature trees would grow to generally block the storefront.

3. Approval of the zoning variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, structures or buildings in the same zoning district.

We believe that those businesses that have little or no setback from the retail traffic corridors of Orange County actually have a special privilege. We are not asking for special privilege as much as we are asking that Ross Dress For Less, which is set back a long distance, and blocked from view as described previously, be given extra consideration regarding sign size based upon these factors.

4. That literal interpretation of the provisions of the sign code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant.

As described above, the viewing distance from the highway is significantly greater than nearby retail and service businesses along the I-4 corridor, Turkey Lake Road and nearby Sand Lake Road. Many of these businesses either front the right-of-way (ROW) or are set back a minimal distance from the street. Furthermore, most other properties in the area do not have the physical obstacles blocking their storefronts from direct view. This actually gives these businesses an unfair advantage over stores with significant setbacks.

Ross Stores Inc. is requesting a 351 sq. ft. wall sign, where the County sets a 180 sq. ft. max. sign area. It should be clearly evident that a 180 sq. ft. wall sign located right next to the ROW gives that business an advantage over a store that is set back from the street by a long distance.

As previously mentioned, it should also be noted that the required method for calculating sign area puts Ross at a disadvantage given their logo configuration; the area between the two lines of copy, which is background, not sign area, totals 60 sq. ft.

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this sign code to other lands, structures or buildings in the same zoning district.

We believe that those businesses that have little or no setback from the retail traffic corridors of Collier County actually have a special privilege. We are not asking for special privilege as much as we are asking that Ross Dress For Less, which is set back a long distance, and must deal with previously described visual obstacles, be given extra consideration regarding sign size.

5. That the variance approved is the minimum variance that will make possible the reasonable use of the land, building or structure.

The proposed wall sign represents a proportionate and balanced presentation, consistent with the goals of the ordinance and general plan.

6. Approval of the zoning variance will be in harmony with the purpose and intent of the Zoning Regulations and such zoning variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

We believe that the addition of the proposed signage will actually be a material benefit to the public by assisting them in locating the store. *The Signage Sourcebook*, published by the Small Business Administration, has documented how properly sized and formatted signs can reduce traffic incidents, finding that hard to read signs distract the driver because they can't find what they're looking for. This is an especially critical consideration given the elderly citizens common to the area.

With this variance request, Ross Stores, Inc. is seeking to balance the visual perception of a sign that appears smaller than those closer to the traffic corridors. It would also signify the relative importance Ross Stores Inc. will play in the local community and economy.

We appreciate the opportunity to present our reasoning behind the request for limited relief from the Orange County's sign regulations. We feel that the purposes and intent of the ordinance and General Plan would be advanced by the requested deviations from the requirements, and the benefits of such a deviation will substantially outweigh the detriment that would result in ineffective identification.

RECEIVED
MAY 17 2016
Zoning Division

Notes:

LANDLORD TO PROVIDE:

- ADEQUATE ACCESS BEHIND LOGO LETTERS FOR INSTALLATION AND MAINTENANCE, PER ARTICLE 600 OF THE M.C.
- ONE (1) 20 AMP 120V ISOLATED SIGN CIRCUIT AND JUNCTION BOX TO AREA BEHIND SIGN LETTERS CONNECTED TO THE ENERGY MANAGEMENT SYSTEM
- AT LEAST 1/2" THICK PLYWOOD BACKING BEHIND ALL E.F.F.S. WALL SYSTEMS FOR SIGN AND BANNER SUPPORT

SIGN FASCIA TO BE FREE OF JOINTS & REVEALS, AND OF A LIGHT COLOR (MINIMUM 80% L.R.V.) TO PROVIDE HIGH CONTRAST AND VISIBILITY FOR THE SIGN.

ALL COLORS ARE SUBJECT TO ROSS STORES, INC. REVIEW AND APPROVAL. COLOR APPEARANCE MAY BE ALTERED BY PRINTING, SEE APPROVED FINAL CONSTRUCTION DRAWINGS FOR COLOR SPECIFICATIONS.

IF ANY SIGNAGE PROPOSED IN THIS EXHIBIT IS ALTERED BY LOCAL GOVERNMENT AUTHORITIES, ROSS STORES INC. RESERVES THE RIGHT TO, AT NO COST, ADJUST ARCHITECTURAL FEATURES TO BEST ACCOMMODATE THE ALTERED SIGNAGE.

(A) 72"H INDIVIDUAL "ROSS" PAN CHANNEL LETTER 40X LOGO LETTERS:
FACES: TUF-GLAS SG 2020-E4 MATTE BLUE
RETURNS: B'D ALUM. W/ WHITE FINISH
TRIM CAP: 2" WHITE JEWELITE
LETTER BACKS: ALUMINUM
LEDS: INSEM SS-K0L2CLR-KW 8000K WHITE
MOUNTING: 1/4"-20 GALV. THRU BOLTS
PEG OFF: 1/2" SPACERS

(C) 23"H X 46"W X 10"D DOUBLE-FACE INTERNALLY ILLUMINATED UNDER-CANOPY SIGN. SEE SHEET UC FOR DETAILS.

1 SIGN FASCIA BY LANDLORD, SEE NOTES

(B) 42"H INDIVIDUAL "DPL" LOGO LETTERS:
ALL CALLOUTS SAME AS "ROSS" EXCEPT:
RETURNS: S'D ALUM. W/ WHITE FINISH
TRIM CAP: 1" WHITE JEWELITE



VARIANCE REQUIRED:

		SIGN AREA ALLOWED : 180 S.F. SIGN AREA USED : 358.2 S.F.
STOREFRONT SIGN TOTAL = 351 sf		UC SIGN: 1.9 X 3.8' = 7.2 S.F.

1 STOREFRONT · SOUTH · TURKEY LAKE ROAD · ELEVATION

SCALE: 3/32" = 1'-0" TK-E

1057 solaris ave.
p.o. box 6133
atlanta, ga 30326-6133
810/514-0296 fax 328-0092
www.bma.com

bma
bill moore & associates

ROSS
DRESS FOR LESS

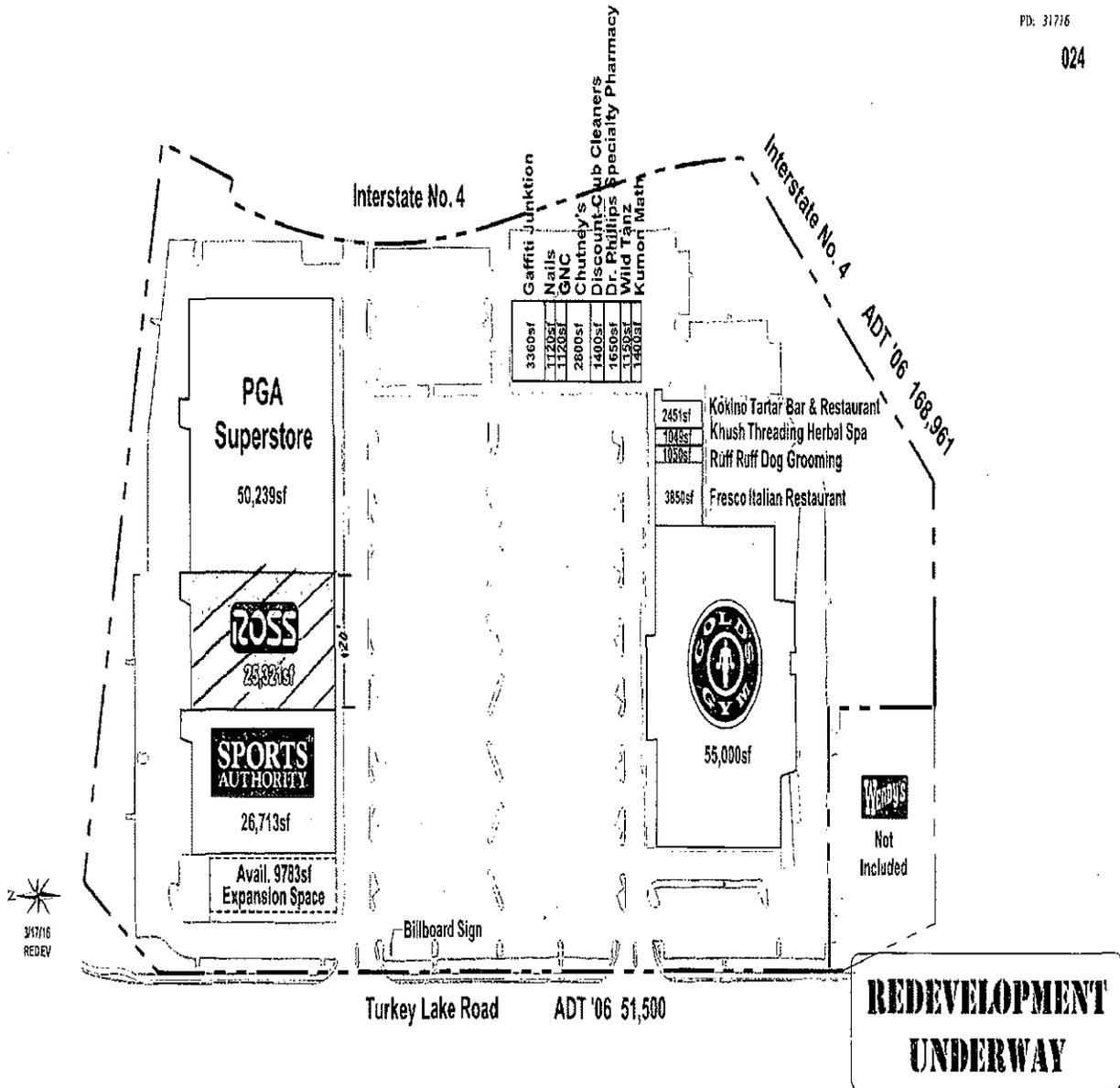
#1889 SOUTHWEST ORLANDO
Bay Hill Plaza
NEC Turkey Lake Road & West Sand Lake Road
Orlando, FL

drawn	02/04/15
checked	01/23/16
revised	04/12/16

SHEET
S1

PD: 31716

024



**REDEVELOPMENT
UNDERWAY**

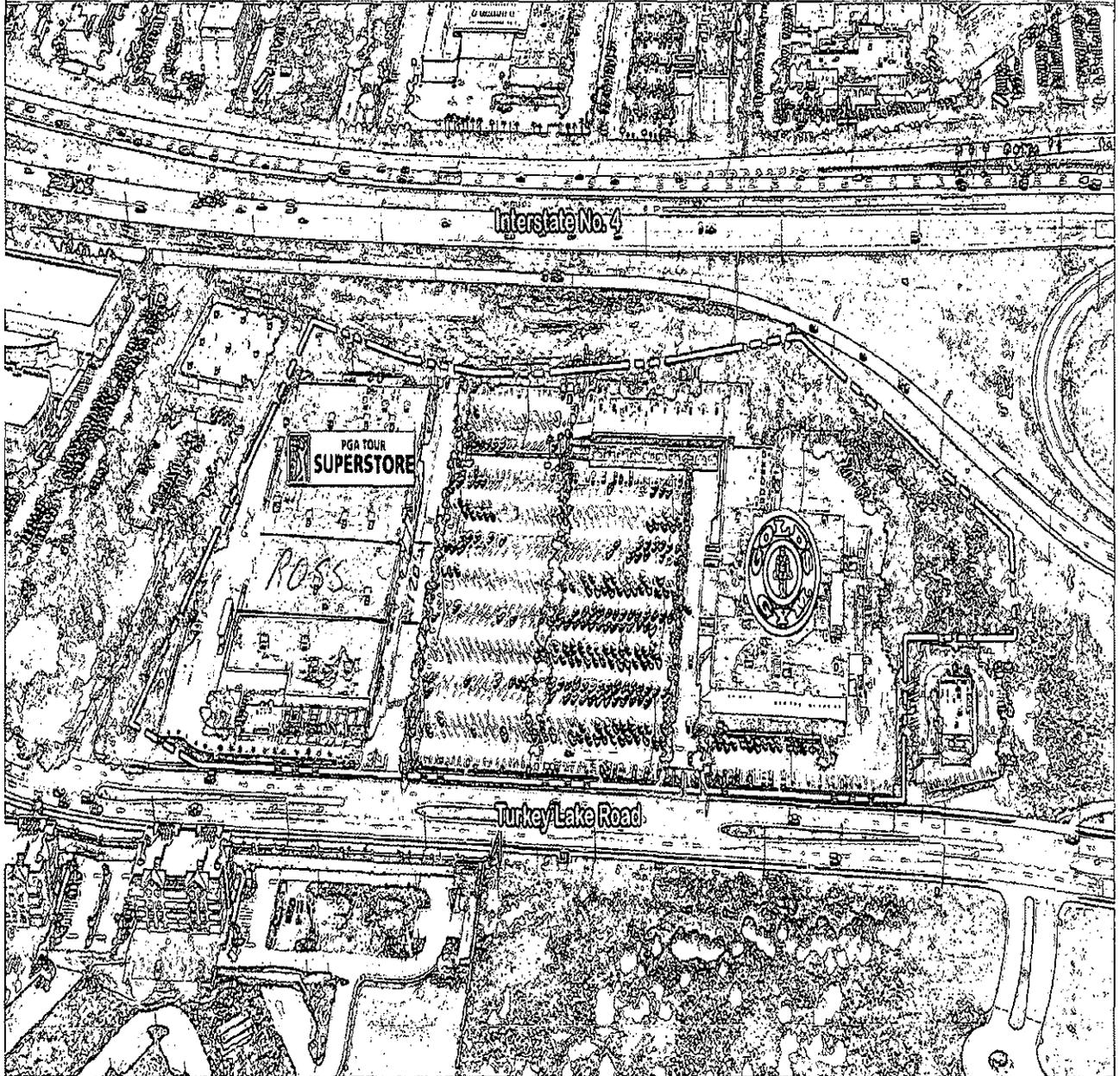
Monday, May 16, 2016

Charlotté Manley | tel: (407) 302-6510 | cmanley@kimcorealty.com

Disclaimer: This site plan shows the approximate location, square footage, and configuration of the shopping center and adjacent areas, and is illustrative of the size and relationship of the stores and common areas generally, all of which are subject to change. The showing of any names of tenants, parking spaces, square footage, cut-outs or other controls shall not be deemed to be a representation or warranty that any tenants will be at the shopping center, the square footage is accurate, or that any parking spaces, cut-outs or other controls do or will continue to exist. Moreover, any demographics set forth in this flyer are for illustrative purposes only and shall not be deemed a representation by Landlord of the accuracy.

AERIAL |

Orlando, FL | www.kimcorealty.com/0024



Monday, May 16, 2016

Charlotte Manley

Integrity . Creativity . Stability

tel: (407) 302-6510 | cmalley@kimcorealty.com



STAFF REPORT
CASE #VA-16-07-080
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
07/07/2016
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Ross - Dress For Less

REQUEST: Variance in the C-1 zoning district to allow a total of 351 sq. ft. of wall signage in lieu of 180 sq. ft.

(Note: The total sign area includes 60 sq. ft. of area that does not contain any signage but is being counted towards signage).

LOCATION: East of Turkey Lake Road, West of I-4, approximately 725 feet north of Sand Lake Road

PROPERTY ADDRESS: 7603 Turkey Lake Road

PARCEL ID: 26-23-28-0000-00-047

TRACT SIZE: 17 ac.

DISTRICT #: 1

ZONING: C-1

STAFF FINDINGS AND ANALYSIS:

1. The applicant's cover letter states that the Ross store is requesting a 351 sq. ft. wall sign. However, when calculating the actual signage on the wall, it equals 291 sq. ft. The applicant needs to explain this discrepancy.
2. The sign code allows up to 180 sq. ft. of wall signage. There is no reason to grant a special privilege to this applicant especially since it will give this tenant an advantage that the other tenants are not receiving.
3. It appears this application is simply based on wanting more. Orange County does not grant additional signage because applicants are requesting more. That would invalidate the intent of the County's sign code. If the tenant has a sign issue, it is best to work it out with the landlord and not ask the citizens of Orange County to waive the sign code.

STAFF RECOMMENDATION:

Staff cannot support the request for the following reasons:

1. The deviation is excessive;
2. Approval of the request will provide justification for others to request the same variance; and,
3. The current sign code allows for property owners to adequately advertise themselves on the public roadways.

If the BZA approves this request, the following conditions should be imposed:

1. Development in accordance with site plan dated May 17, 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. Total wall signage shall be limited to ----- sq. ft.; and,
5. An electric message center sign is prohibited.

cc: Thomas G. Bradford Jr. (Applicant's representative)
c/o Ross - Dress For Less
3175 Grissom Parkway
Cocoa, FL 32926

JASON SWANSON
VA-16-07-081

REQUEST: **Variances** in the R-1 zoning district to park RV as follows:
1) In the front yard in lieu of side or rear yards; and,
2) 1 ft. from a side (east) property line in lieu of 10 ft.
(Note: This is a result of code enforcement action. The applicant submitted 11 letters in support).

ADDRESS: 8223 Alveron Avenue, Orlando FL 32817

LOCATION: North side of Alveron Ave., approximately 750 ft. east of N. Chickasaw Trail

S-T-R: 12-22-30

TRACT SIZE: 60 ft. x 110 ft.

DISTRICT#: 5

LEGAL: SUN HAVEN X/33 LOT 28 BLK B

PARCEL ID: 12-22-30-8410-02-280

NO. OF NOTICES: 113

DECISION: **APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan dated May 17, 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;

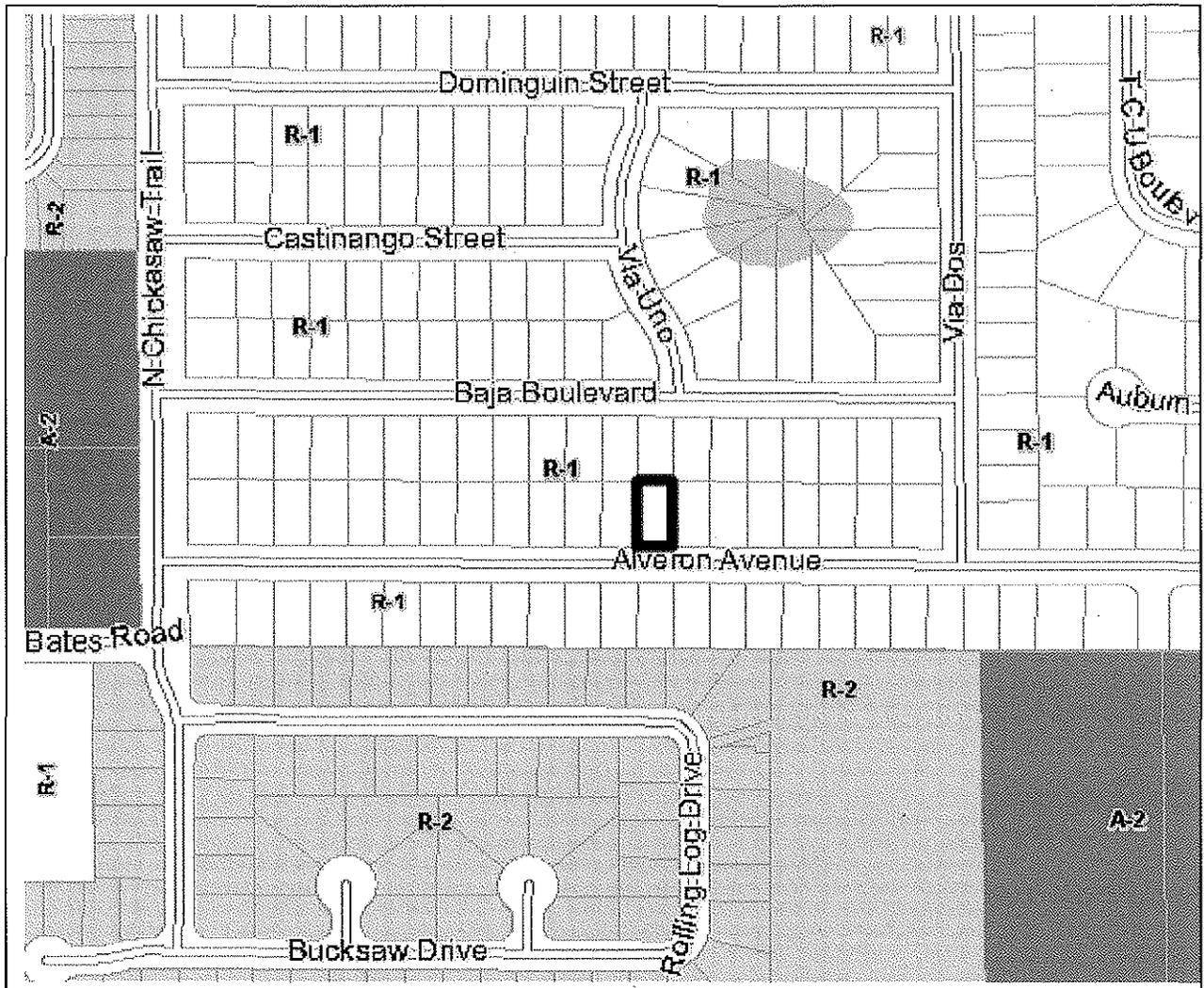
4. The applicant shall obtain a permit for the storage of the RV within ninety (90) days of final action by the County or this approval becomes null and void; and,
5. The applicant shall install pavers in the location where the RV is to be parked.

SYNOPSIS: Staff noted that a review of historic aerials revealed that the travel trailer had been on the property for several years. The applicant had apparently been turned in to code enforcement by a neighbor further down the road, as ten (10) nearby neighbors supported the request. It was also noted that the two (2) adjacent neighbors had not submitted any correspondence in opposition.

The applicant noted that the home on one side of their property was for sale and vacant, and the home on the other side was under renovation, and the owner was never there when the applicant was present. The applicant further noted that they were in agreement with the staff recommendation.

There being no one in attendance to speak for or against the application, the public hearing was closed.

The BZA concluded that given the general acceptance of the trailer by the immediate neighbors, it appeared that the request was not considered adverse to the appearance of the neighborhood.



Applicant: Jason Swanson

BZA Number: VA-16-07-081

BZA Date: 07/07/2016

District: 5

Sec/Twn/Rge: 12-22-30-SW-C

Tract Size: 60 ft. x 110 ft.

Address: 8223 Alveron Avenue, Orlando FL 32817

Location: North side of Alveron Ave., approximately 750 ft. east of N. Chickasaw Trail

To whom it may concern

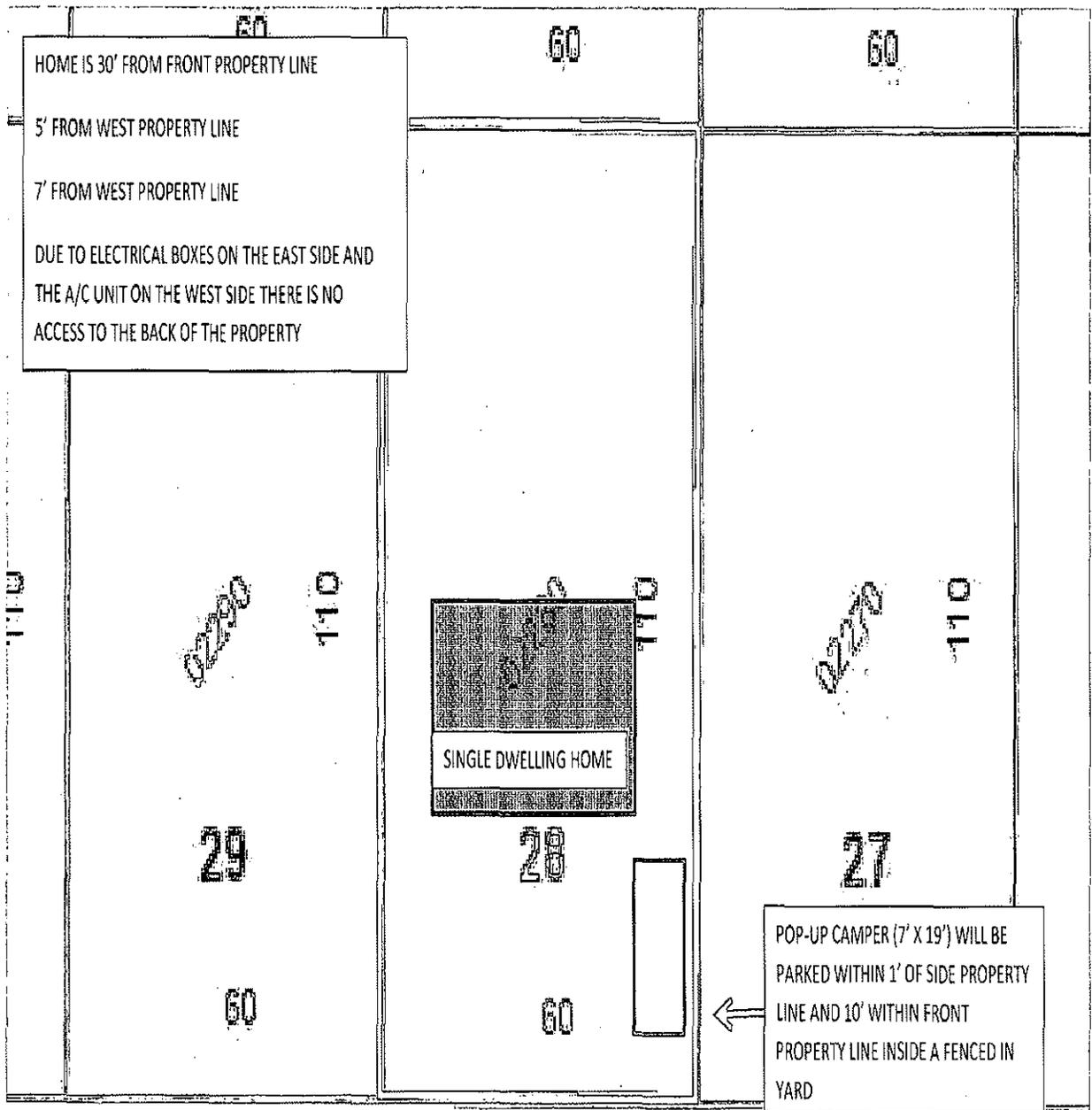
I, Jason Swanson of 8223 Alveron Ave would like to request a variance to allow me to keep my pop-up camper parked in the front of my home next to my drive way on an approved parking surface. The camper will not fit into the back yard due to an A/C unit on the west side of the lot and electrical panels on the east side of my lot. I have included the names of my neighbors to make sure they are not bothered with keeping the camper in the front yard and lack of accessibility to the back yard.

Thank you for your time

Jason Swanson

407-760-4192

dadofecs@cfl.rr.com



8219

8223

8227

RECEIVED

MAY 17 2016

Zoning Division



STAFF REPORT
CASE #VA-16-07-081
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
07/07/16
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Jason Swanson

REQUEST: Variances in the R-1 zoning district to park RV as follows:

- 1) In the front yard in lieu of side or rear yards; and,
- 2) One (1) ft. from a side (east) property line in lieu of 10 ft.

(Note: This is a result of code enforcement action. The applicant submitted 11 letters in support).

LOCATION: North side of Alveron Ave., approximately 750 ft. east of N. Chickasaw Trail

PROPERTY ADDRESS: 8223 Alveron Avenue

PARCEL ID: 12-22-30-8410-02-280

TRACT SIZE: 60 ft. x 110 ft.

DISTRICT #: 5

ZONING: R-1

STAFF FINDINGS AND ANALYSIS:

1. According to the applicant, they have been storing their RV (pop-up camper) in its current location for a number of years. Recently, they were cited by code enforcement for storing it in the front yard rather than along side or behind the house.
2. The applicant contends, and staff has verified through a site visit, that due to the width of the house and the location of A/C equipment, it is not possible for the owners to get the RV along side of the house, let alone behind it.
3. The current location along side of the existing driveway is the only logical location for the unit. Placing it anywhere else in the front yard would be unsightly. Therefore, the variance is the least amount required.

4. Denial of the variance would actually deprive the applicant of rights from others in the same zoning district with wider lots enjoy, that being the keeping of an RV on their property.
5. The applicant has obtained the support of eleven (11) of their neighboring property owners on Alveron Avenue. As of the writing of this report, only two (2) letters of objection were received. One from a person on Baja Court to the north who does not abut the subject property, and one from someone on S. Econlockhatchee Trail, over 3.5 miles away.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated May 17, 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. The applicant shall obtain a permit for the storage of the RV within ninety (90) days of final action by the County or this approval becomes null and void; and,
5. The applicant shall install pavers in the location where the RV is to be parked.

cc: Jason Swanson (Applicant)
8223 Alveron Avenue
Orlando, FL 32817

CASABELLA OF WINDERMERE HOA, INC.
VA-16-07-083

REQUEST: **Variations** in the R-CE-C zoning district to allow playground equipment for private park as follows:
1) 13 ft. from front (west) property line in lieu of 30 ft.;
2) 7 ft. from side (south) property line in lieu of 10 ft.; and,
3) Accessory structure (shade canopy) 21 ft. in height in lieu of 20 ft.
(Note: This is a dedicated park owned and maintained by the HOA).

ADDRESS: 4131 Isabella Circle, Windermere FL 34786

LOCATION: East side of Isabella Ct., approximately 300 ft. north of Casabella Dr.

S-T-R: 12-23-27

TRACT SIZE: 85 ft. x 43 ft. (AVG)

DISTRICT#: 1

LEGAL: CASABELLA 79/139 TRACT N (PARK)

PARCEL ID: 12-23-27-1215-14-000

NO. OF NOTICES: 81

DECISION: **APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan dated May 17, 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;

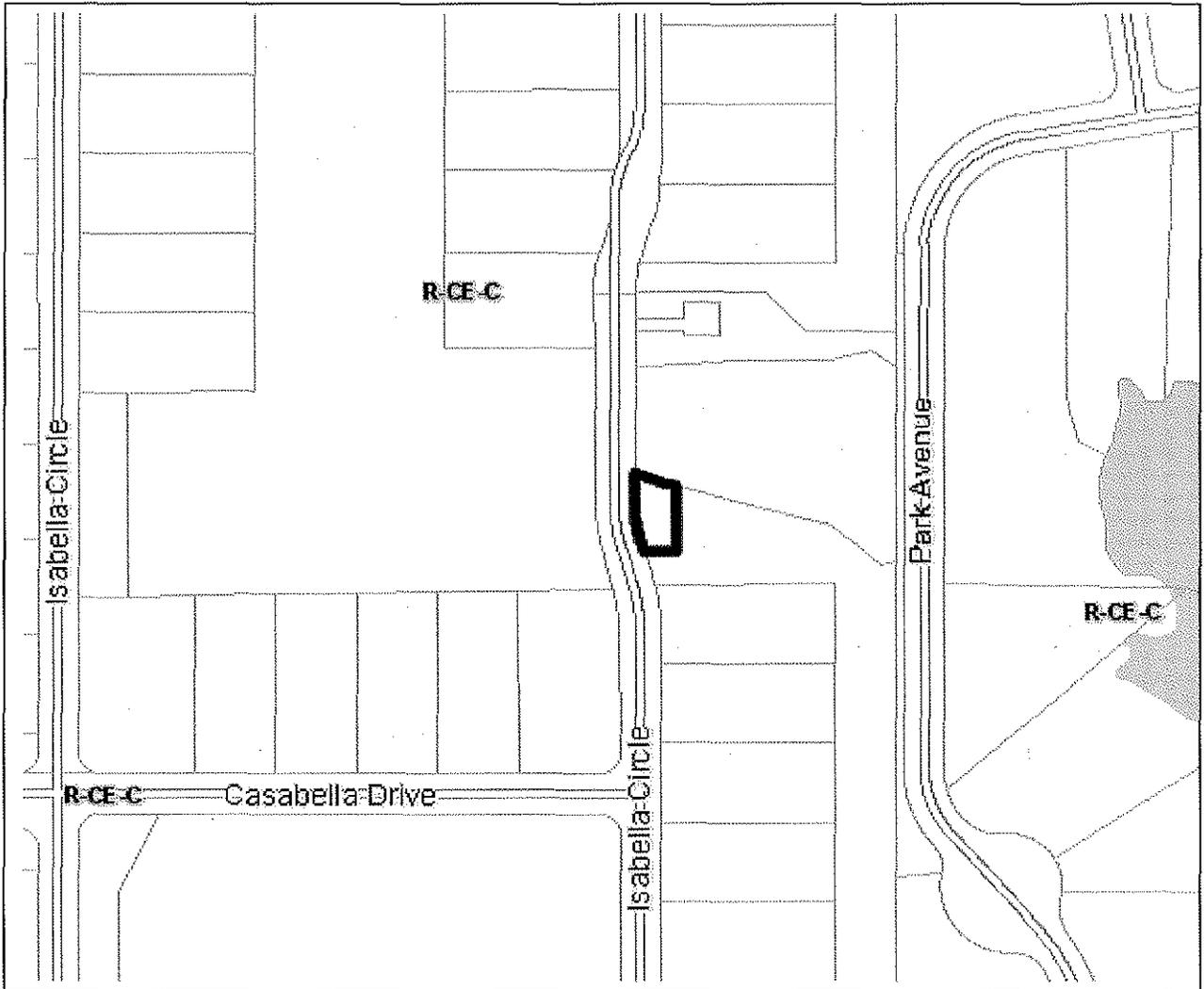
4. Development shall comply with Chapter 24 (Landscaping) except where conflicts exist. In the event there is a conflict between Chapter 24 and the site plan, the provisions of Chapter 24 shall prevail unless waivers are granted; and,
5. The applicant shall submit construction plans through the commercial site plan review process.

SYNOPSIS: Staff clarified that even though the applicant provided a site plan, the BZA was not approving the equipment in the park, only the reduced setbacks and increased height of the canopy. The equipment could be different, and may change. In fact, the equipment currently on the property was being replaced at this time. Staff noted that the tract was much smaller than the normal size lot in the R-CE-C zoning district, thus, the need to reduce the setbacks.

The applicant noted that they were in agreement with the staff recommendation.

There being no one in attendance to speak for or against the application, the public hearing was closed.

The BZA found that the request was reasonable and necessary to accommodate use of the subject property.



Applicant: Casabella of Windermere HOA, Inc.

BZA Number: VA-16-07-083

BZA Date: 07/07/2016

District: 1

Sec/Twn/Rge: 12-23-27-SW-C

Tract Size: 85 ft. x 43 ft. (AVG)

Address: 4131 Isabella Circle, Windermere FL 34786

Location: East side of Isabella Ct., approximately 300 ft. north of Casabella Dr.

Casabella at Windermere
Homeowners Association, Inc.
2966 Commerce Park Dr.
Orlando, FL 32819

May 12, 2016

Board of Zoning Adjustments
Orange County Zoning Division
201 S. Rosalind Ave.
Orlando FL 32802-2687

Dear Staff:

This request is for park equipment to be installed in the Park Area at Casabella. The existing setbacks will not allow sufficient playground equipment to be installed in the park area. We have attached a site plan that shows the playground with the existing and proposed setbacks. The total area of the proposed park is 3,053 SF. Included in this total, there is a shade canopy which is 30'x30'(900SF). We have included drawings to show the details of the playground.

The existing front setback is 30' and we are requesting this to be revised to 13'4".
The existing side setback is 10' and we are requesting this to be revised to 7'5".



Dave Hulme
President
Casabella of Windermere
Homeowners Association, Inc.

RECEIVED
MAY 17 2016
Zoning Division

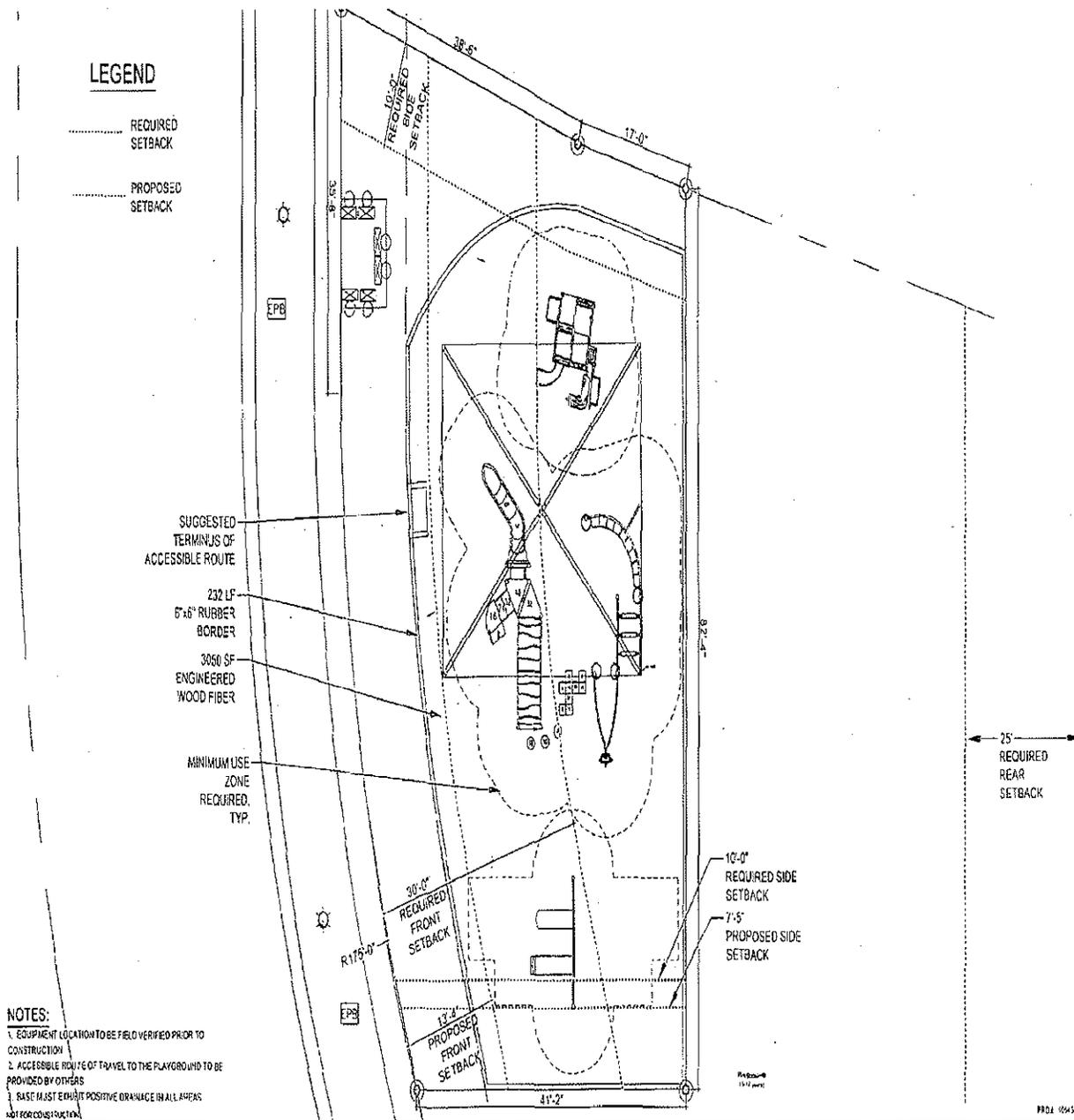
LEGEND

- REQUIRED SETBACK
- PROPOSED SETBACK

- SUGGESTED TERMINUS OF ACCESSIBLE ROUTE
- 232 LF 6"x6" RUBBER BORDER
- 3060 SF ENGINEERED WOOD FIBER
- MINIMUM USE ZONE REQUIRED, TYP.

NOTES:

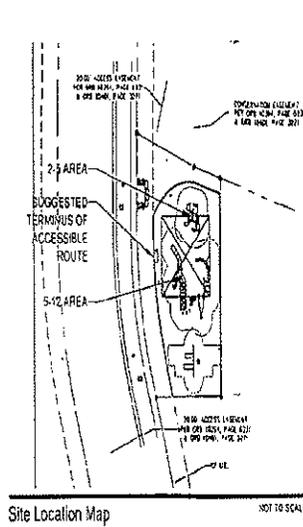
1. EQUIPMENT LOCATION TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION
 2. ACCESSIBLE ROUTE OF TRAVEL TO THE PLAYGROUND TO BE PROVIDED BY OTHERS
 3. BASE MUST EXHIBIT POSITIVE DRAINAGE IN ALL AREAS
- NOT FOR CONSTRUCTION



Casabella at Windermere Windermere, FL



MAY 17 2016
Zoning Division



Site Location Map

SUGGESTED TERMINUS OF ACCESSIBLE ROUTE

232 LF 6"x6" RUBBER BORDER

3050 SF ENGINEERED WOOD FIBER

MINIMUM USE ZONE REQUIRED, TYP.

NOTES:

1. EQUIPMENT LOCATION TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION
2. ACCESSIBLE ROUTE OF TRAVEL TO THE PLAYGROUND TO BE PROVIDED BY OTHERS
3. BASE MUST EXHIBIT POSITIVE DRAINAGE IN ALL AREAS

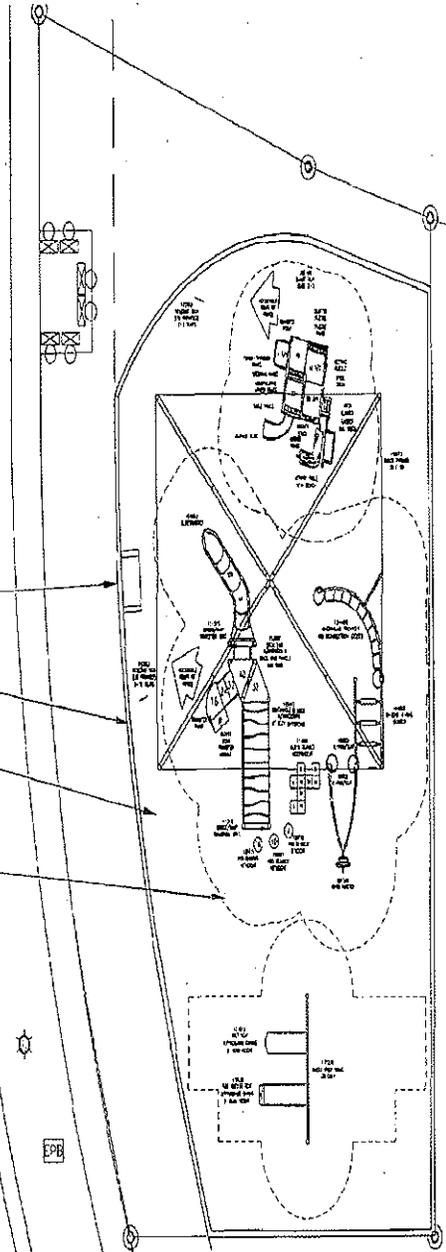
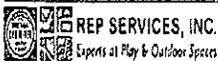
2.5 AREA

TOTAL ELEVATED PLAY COMPONENTS	10		
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY RAMP	0	REQUIRED	0
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY TRANSFER	10	REQUIRED	5
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN	3	REQUIRED	3
TOTAL DIFFERENT TYPES OF GROUND LEVEL COMPONENTS	3	REQUIRED	3

5-12 AREA

TOTAL ELEVATED PLAY COMPONENTS	2		
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY RAMP	0	REQUIRED	0
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY TRANSFER	2	REQUIRED	1
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN	9	REQUIRED	1
TOTAL DIFFERENT TYPES OF GROUND LEVEL COMPONENTS	5	REQUIRED	1

NOT FOR CONSTRUCTION



Casabella at Windermere Windermere, FL

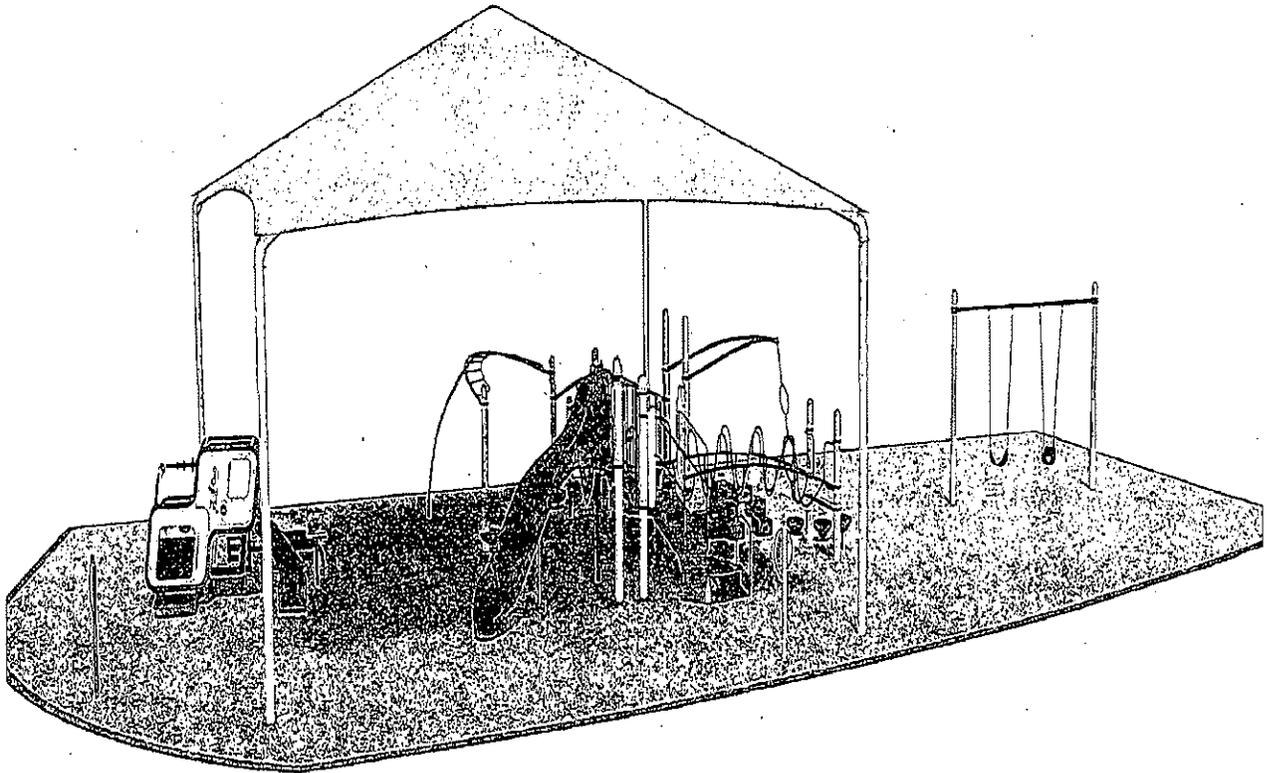
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MAY 17 2016
Zoning Division



Casabella at Windermere

Windermere April 28, 2016 10543-2-1



landscape structures



Better playgrounds.
Better world.®
playlsi.com



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JT Almon



REP SERVICES, INC.
Experts at Play & Outdoor Spaces

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MAY 17 2016
Zoning Division



STAFF REPORT
CASE #VA-16-07-083
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
07/07/16
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Casabella of Windermere HOA, Inc.

REQUEST: Variances in the R-CE-C zoning district to allow playground equipment for private park as follows:

- 1) 13 ft. from front (west) property line in lieu of 30 ft.;
- 2) 7 ft. from side (south) property line in lieu of 10 ft.; and,
- 3) Accessory structure (shade canopy) 21 ft. in height in lieu of 20 ft.

(Note: This is a dedicated park owned and maintained by the HOA).

LOCATION: East side of Isabella Ct., approximately 300 ft. north of Casabella Dr.

PROPERTY ADDRESS: 4131 Isabella Circle

PARCEL ID: 12-23-27-1215-14-000

TRACT SIZE: 85 ft. x 43 ft. (AVG)

DISTRICT #: 1

ZONING: R-CE-C

STAFF FINDINGS AND ANALYSIS:

1. The subject property is owned by the HOA for the community, and has been dedicated through the record plat for use as a park. On the south end of the site, it is only forty-one (41) feet deep. Further, while zoned R-CE-C, the site only contains .104 acres as opposed to the minimum .5 acres which would be required for a standard residential building lot.
2. The reduced setbacks would not adversely impact anyone.

3. The variance for the height of the canopy is minimal, and will permit a more functional play area protected from the elements.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated May 17, 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. Development shall comply with Chapter 24 (Landscaping) except where conflicts exist. In the event there is a conflict between Chapter 24 and the site plan, the provisions of Chapter 24 shall prevail unless waivers are granted; and,
5. The applicant shall submit construction plans through the commercial site plan review process.

cc: Dave Hulme (Applicant's representative)
2966 Commerce Park Drive, Suite 100
Orlando, FL 32819

WESLEY REDDEN
VA-16-07-084

REQUEST: **Variances** in the R-1AA zoning district as follows:
1) To validate the existing residence located 25 ft. from the front setback in lieu of 30 ft.;
2) To validate the existing residence located 4 ft. from the side (west) property line in lieu of 7.5 ft.; and,
3) To construct an addition and covered porch 4 ft. from the side lot line in lieu of 7.5 ft.
(Note: According to the Property Appraiser's information, the home was constructed in 1947, 10 years prior to the inception of zoning in Orange County. The applicant intends to continue the current west side wall back following the current house setback. There will be no further encroachment into the side setback than that which currently exists. The applicant has letters of no objection from both side neighbors and the neighbor across Lakeside Drive).

ADDRESS: 2206 Lakeside Drive, Orlando FL 32803
LOCATION: South side of Lakeside Dr., approximately 150 ft. east of Merritt Park Dr.
S-T-R: 18-22-30
TRACT SIZE: 55 ft. x 115 ft.
DISTRICT#: 5
LEGAL: MERRITT PARK J/64 LOT 34 AND W 5 FT LOT 33
PARCEL ID: 18-22-30-5596-00-340
NO. OF NOTICES: 63

DECISION: **APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan dated June 10, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain

requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

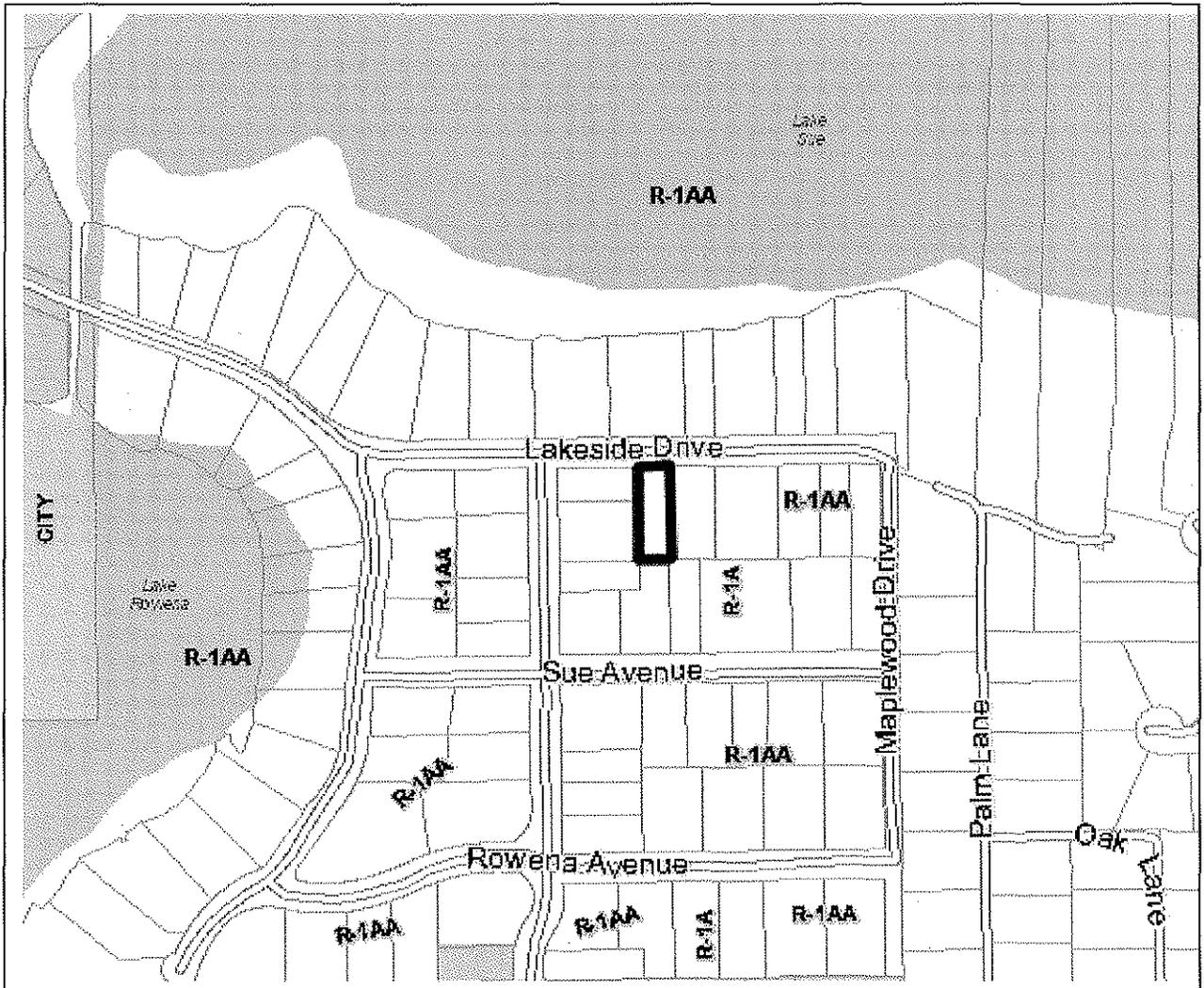
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The exterior of the additions shall match the exterior of the existing residence.

SYNOPSIS: Staff noted that the addition would follow the existing line of the side walls of the residence, so there would be no increase in the encroachment into the side setback. The lot was narrow along with the home being very wide. Staff showed photographs of the property to demonstrate how restricted the lot was overall.

The applicant noted their agreement with the staff recommendation.

There being no one in attendance to speak for or against the application, the public hearing was closed.

The BZA concluded that given that the home already encroaches into the side and front setbacks, the request was the least variance needed, and would not result in any greater encroachment.



Applicant: Wesley Redden

BZA Number: VA-16-07-084

BZA Date: 07/07/2016

District: 5

Sec/Twn/Rge: 18-22-30-SW-C

Tract Size: 55 ft. x 115 ft.

Address: 2206 Lakeside Drive, Orlando FL 32803

Location: South side of Lakeside Dr., approximately 150 ft. east of Merritt Park Dr.

HENTON/REDDEN RESIDENCE

2206 Lakeside Drive
Orlando, FL 32803

C: 407.908.4879
E: hms.enterprise@mac.com

May 17, 2016

David C. "Dave" Nearing, AICP
Development Coordinator
Orange County Zoning Division
201 Rosalind Avenue
Orlando, FL 32801

Re: Cover Letter for Variance Application
Henton/Redden Residence

Dear Dave,

This cover letter outlines the nature of this variance request for the single family residence located at 2206 Lakeside Drive, Orlando, FL 32803 (Tax ID #: 18-22-30-5596-00-340).

The variance request is to build an enclosed addition that is 8 ft (w) x 30 ft (l) x 9 ft (h) off the south end of the current house and a covered deck that is 8 ft (w) x 30 ft (l) x 9 ft (h) off this enclosed addition. The proposed enclosed addition and covered deck is 2.89 ft (7.5 ft minus 4.61 ft) x 16 ft for a total area of 46.24 sq. ft. out of compliance along the west property line. See Variance Application, Map of Survey, Proposed Site Plan, Roof Plan, Renovation Concept Floor Plan, and North, South, East, and West Elevation Plans for additional details.

We are submitting this request because my wife and I would like to complete renovations to expand the size of our current house to better accommodate space needs for our dining room, laundry (utility) room, bathrooms, and bedrooms and to add outdoor decks to allow us to better enjoy our back yard. The estimated total enclosed square feet added to the existing house is 240 sq. ft. The estimated square feet of the outdoor deck is 240 sq. ft. We would like to confirm approval of this variance request before proceeding with formal discussions with General Contractors to complete the work.

The type of construction will be consistent with the current construction of the house. i.e., concrete block foundation with crawl space, concrete block walls, and a wood joist roof. New insulation will be installed in ceiling and on walls. Exterior walls will be covered with stucco. There will be a new roof consistent with roofing material on the rest of the house.

Sincerely,



Wesley Redden
2206 Lakeside Drive
Orlando, FL 32803

Attachments:

- Variance Application plus Tax Property Details
- Three Letters of No Objection from Next Door Neighbors
- Map of Survey (2)
- Proposed Site Plan (2)
- Roof Plan
- Renovation Concept Floor Plan
- Elevation Plans

RECEIVED

MAY 18 2016

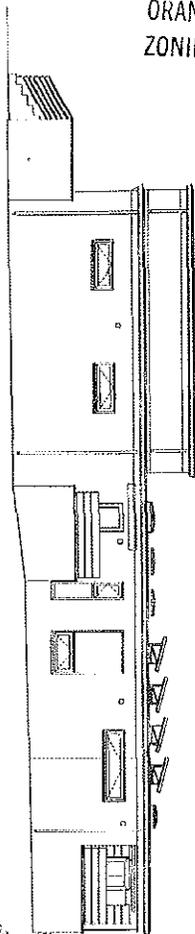
Zoning Division

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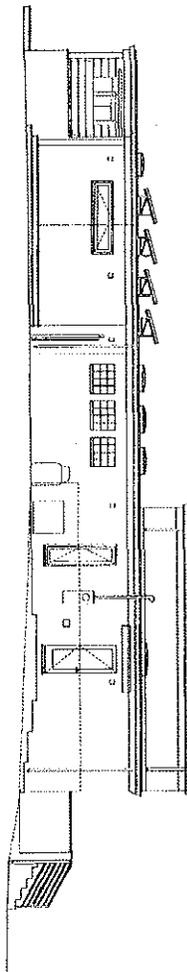
JUN 10 2016

ORANGE COUNTY
ZONING DIVISION

1
PROPOSED WEST ELEVATION



1
PROPOSED EAST ELEVATION



WORK IN PROGRESS
NOT FOR CONSTRUCTION

A2.3

Proposed Exterior Elevations

Redden Residence - Renovation & Addition
Orlando, Florida - Unincorporated Orange County

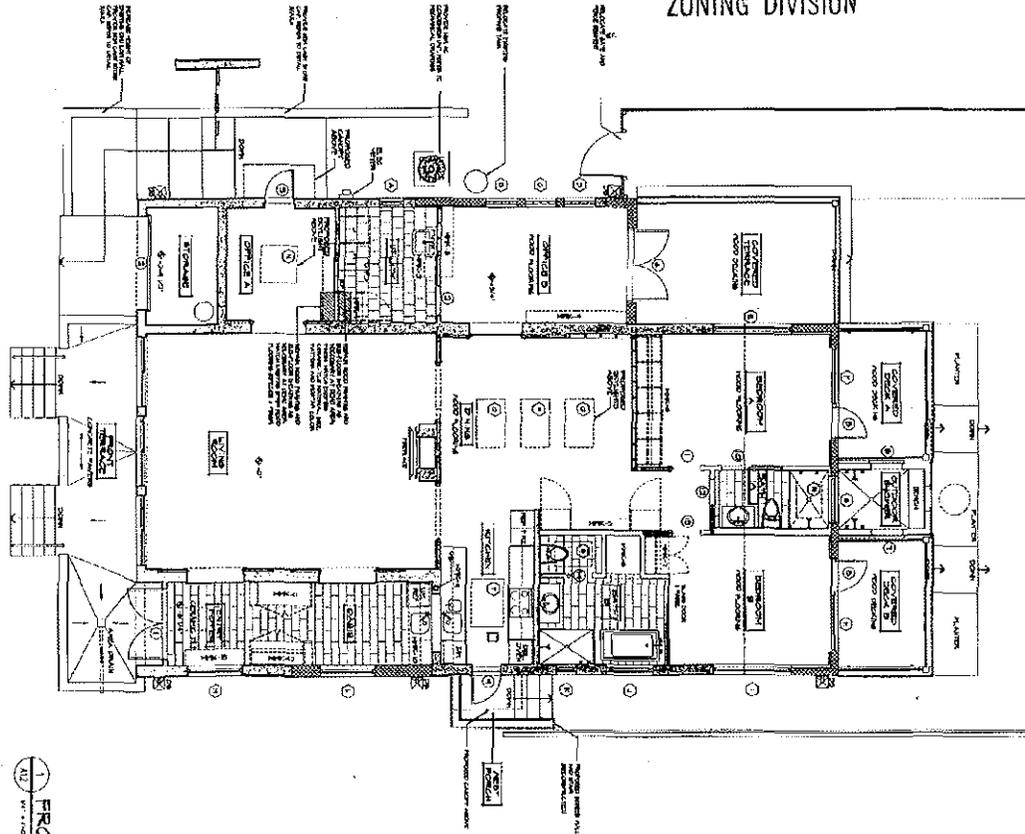


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JUN 10 2016

ORANGE COUNTY
ZONING DIVISION



1
111
PROPOSED FLOOR PLAN

WORK IN PROGRESS
NOT FOR CONSTRUCTION



A1.2

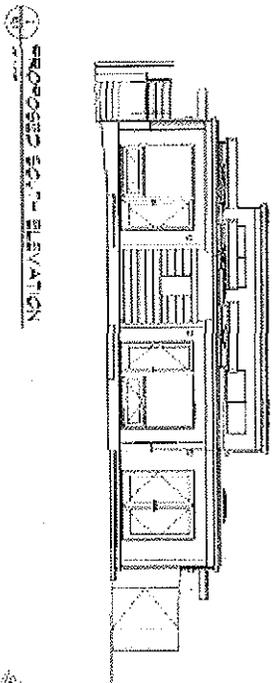
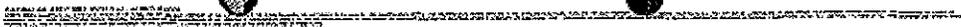
DATE: 05/13/2015
DRAWN BY: JF
CHECKED BY: JF
PROJECT: REDDEN RESIDENCE RENOVATION & ADDITION

Proposed Floor Plan

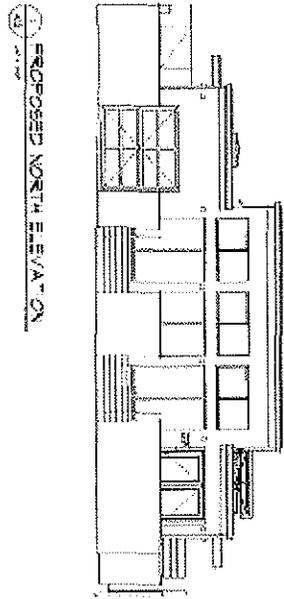
Redden Residence - Renovation & Addition
Orlando, Florida - Unincorporated Orange County

111
111
KENNETH
FINKE
ARCHITECT
LLC

DATE: 05/13/2015
DRAWN BY: JF
CHECKED BY: JF
PROJECT: REDDEN RESIDENCE RENOVATION & ADDITION



PROPOSED SOUTH ELEVATION



PROPOSED NORTH ELEVATION

RECEIVED FOR PROCEEDING
PLAT FOR RECORDATION

RECEIVED

JUN 10 2016

ORANGE COUNTY
ZONING DIVISION

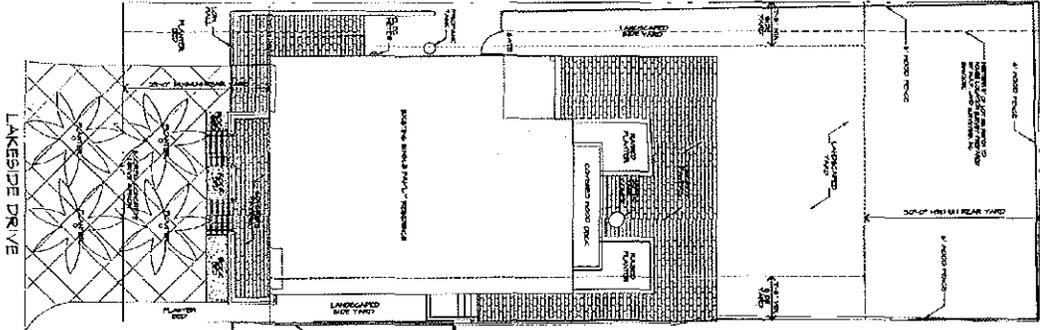
A2.2

DATE: 06/09/16
SCALE: AS SHOWN
SHEET NO. 22 OF 22

Proposed Exterior Elevations

Redden Residence - Renovation & Addition
Orlando, Florida - Unincorporated Orange County

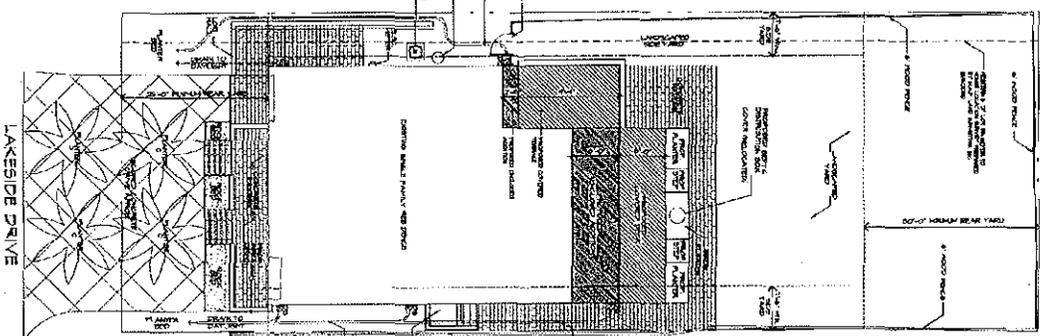




1
EXISTING SITE PLAN
10'-0" = 1" = 0'-0"

RECEIVED
JUN 10 2016
ORANGE COUNTY
ZONING DIVISION

PAGE IDENTIFICATION NUMBER
LOCAL DISCRESSION
ORANGE COUNTY ZONING DESIGNATION
EXISTING LOT COVERAGE / OPEN SPACE
EXISTING LOT AREA
EXISTING LOT PERCENTAGE
EXISTING LOT PERCENTAGE



2
PROPOSED SITE PLAN
10'-0" = 1" = 0'-0"

NOTE
THIS PLAN IS A PRELIMINARY DESIGN AND IS SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT.

WORK IN PROGRESS
NOT FOR CONSTRUCTION

PROPOSED LOT COVERAGE / OPEN SPACE
PROPOSED LOT AREA
PROPOSED LOT PERCENTAGE
PROPOSED LOT PERCENTAGE



ARCHITECT
SHEET NUMBER
A0.2

Existing & Proposed Site Plans
Redden Residence - Renovation & Addition
Orlando, Florida - Unincorporated Orange County

Kenneth Fisher ARCHITECT
11 First St. Suite 200
Orlando, Florida 32801
407.855.5500



STAFF REPORT
CASE #VA-16-07-084
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
07/07/16
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Wesley Redden

REQUEST: Variances in the R-1AA zoning district as follows:

- 1) To validate the existing residence located 25 ft. from the front setback in lieu of 30 ft.;
- 2) To validate the existing residence located 4 ft. from the side (west) property line in lieu of 7.5 ft.; and,
- 3) To construct an addition and covered porch 4 ft. from the side lot line in lieu of 7.5 ft.

(Note: According to the Property Appraiser's information, the home was constructed in 1947, 10 years prior to the inception of zoning in Orange County. The applicant intends to continue the current west side wall back following the current house setback. There will be no further encroachment into the side setback than that which currently exists. The applicant has letters of no objection from both side neighbors and the neighbor across Lakeside Drive).

LOCATION: South side of Lakeside Dr., approximately 150 ft. east of Merritt Park Dr.

PROPERTY ADDRESS: 2206 Lakeside Drive

PARCEL ID: 18-22-30-5596-00-340

TRACT SIZE: 55 ft. x 115 ft.

DISTRICT #: 5

ZONING: R-1AA

STAFF FINDINGS AND ANALYSIS:

1. According to the Property Appraiser's information, the home was constructed in 1947, ten (10) years prior to the inception of zoning laws in Orange County. The applicant intends to continue the current west side wall back following the current house setback. There will be no further encroachment into the side setback than that which currently exists.
2. The applicant has letters of no objection from both side neighbors and the neighbor across Lakeside Drive.
3. The rear setback will be met. Since the house is not being expanded any further toward the side (west) property line, the addition will not be perceptible from the street.
4. The property is zoned R-1AA which would require a minimum lot width of eighty-five (85) feet, were it platted under today's standards. The lot is only fifty (50) feet in width.
5. Staff research shows that Variance #1 is not needed, as that addition was approved on February 3, 2000.
6. Staff research also reveals that numerous variances for side yard, side street yard, and front yard setbacks have been granted for nearby properties.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated June 10, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The exterior of the additions shall match the exterior of the existing residence.

cc: Wesley Redden (Applicant)
2206 Lakeside Drive
Orlando, FL 32803

SADDLE UP WCD, LLC
VA-16-07-085

REQUEST: **Variance** in the P-D zoning district to allow 150 s.f. of wall signage (two 75 s.f. signs) in lieu of 79.8. sq. ft.
(Note: This is the result of code enforcement action).

ADDRESS: 8200 World Center Drive, Orlando FL 32821

LOCATION: South side of World Center Dr., east of S.R. 535.

S-T-R: 34-24-28

TRACT SIZE: 1.16 acres

DISTRICT#: 1

LEGAL: INTERNATIONAL PLAZA 29/110 THAT PORTION OF LOT 1 DESC AS BEG AT THE SE COR OF LOT 1 TH W 204.83 FT N 04 DEG E 255.02 FT S 85 DEG E 204.51 FT S 04 DEG W 240.02 FT TO POB

PARCEL ID: 34-24-28-3857-00-011

NO. OF NOTICES: 35

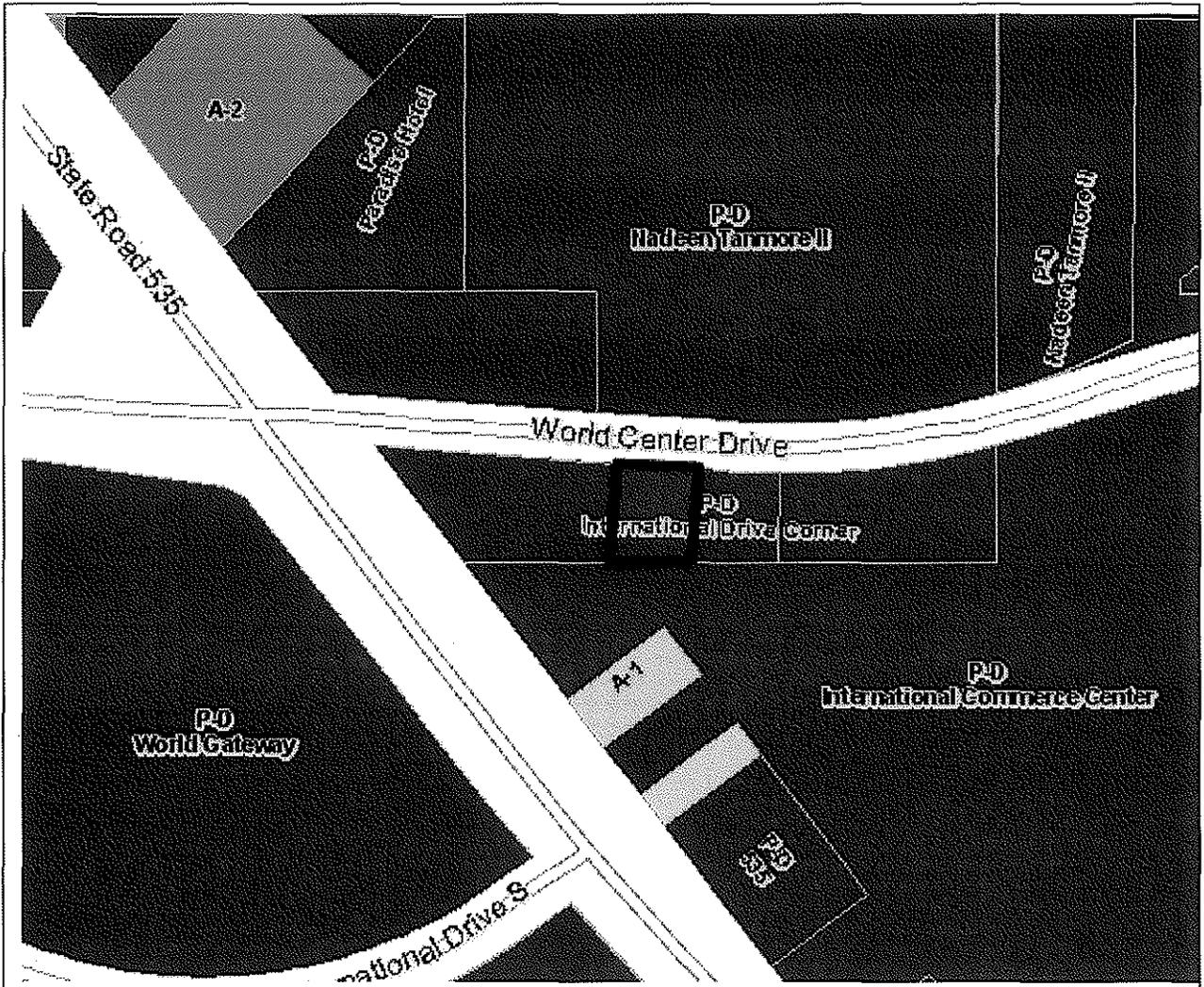
DECISION: **DENIED** the Variance request in that there was no unnecessary hardship shown on the land; and further, it did not meet the requirements governing variances as spelled out in Orange County Code, Section 30-43(3) (unanimous; 4-0, 1 abstained, 2 absent).

SYNOPSIS: Staff noted that the signs were erected without permits, and constituted an eighty percent (80%) variance over what would be permitted. Staff showed photos demonstrating that there was no issue with visibility for this site. The site also has a very large and tall pylon sign. Staff also noted that the area was designated tourist/commercial, and that the sign code was actually more restrictive in that designation than in typical commercial areas.

The applicant noted that they had hired a sign contractor to install the signs and was not aware that permits had not been obtained, or that too much signage had been installed until they were informed by Code Enforcement.

There being no one in attendance to speak for or against the application, the public hearing was closed.

The BZA concluded that by installing the signs without permits, the hardship was self imposed. Further, the BZA recognized that there was no visibility issue justifying additional signage.



Applicant: Saddle Up WCD, LLC

BZA Number: VA-16-07-085

BZA Date: 07/07/2016

District: 1

Sec/Twn/Rge: 34-24-28-NE-A

Tract Size: 1.16 acres

Address: 8200 World Center Drive, Orlando FL 32821

Location: South side of World Center Dr., east of S.R. 535.

Saddle Up WCD LLC
8200 World Center Dr.
Orlando, FL 32821

May 11, 2016

REF: Zoning Variance for 2 Building Signs

To whom it may concern:

The following BZA application is for two building signs on a corner lot located at 8200 World Center Drive, Orlando, FL 32821. Each sign is 180" x 60" (approximately 75 sq ft each). Orange County Building code allows for Max square footage 1.5 for each 1 copy. The total square footage of the front of the building at world center drive is 90 sq ft. We are asking for a total Sign variance of 150 sq ft. Total of 60 copy sign more

The sign has been designed in accordance with the requirements of the 2014 Florida Building Code, Fifth edition - Building, Chapter 16: Structural design.

Attached are the following:

1. BZA Application for Variance Zoning
2. Letter of Authorization from landlord
3. Sign Engineering plan (sign and sealed)
4. Property Survey
5. Orange County Sign Permit Application

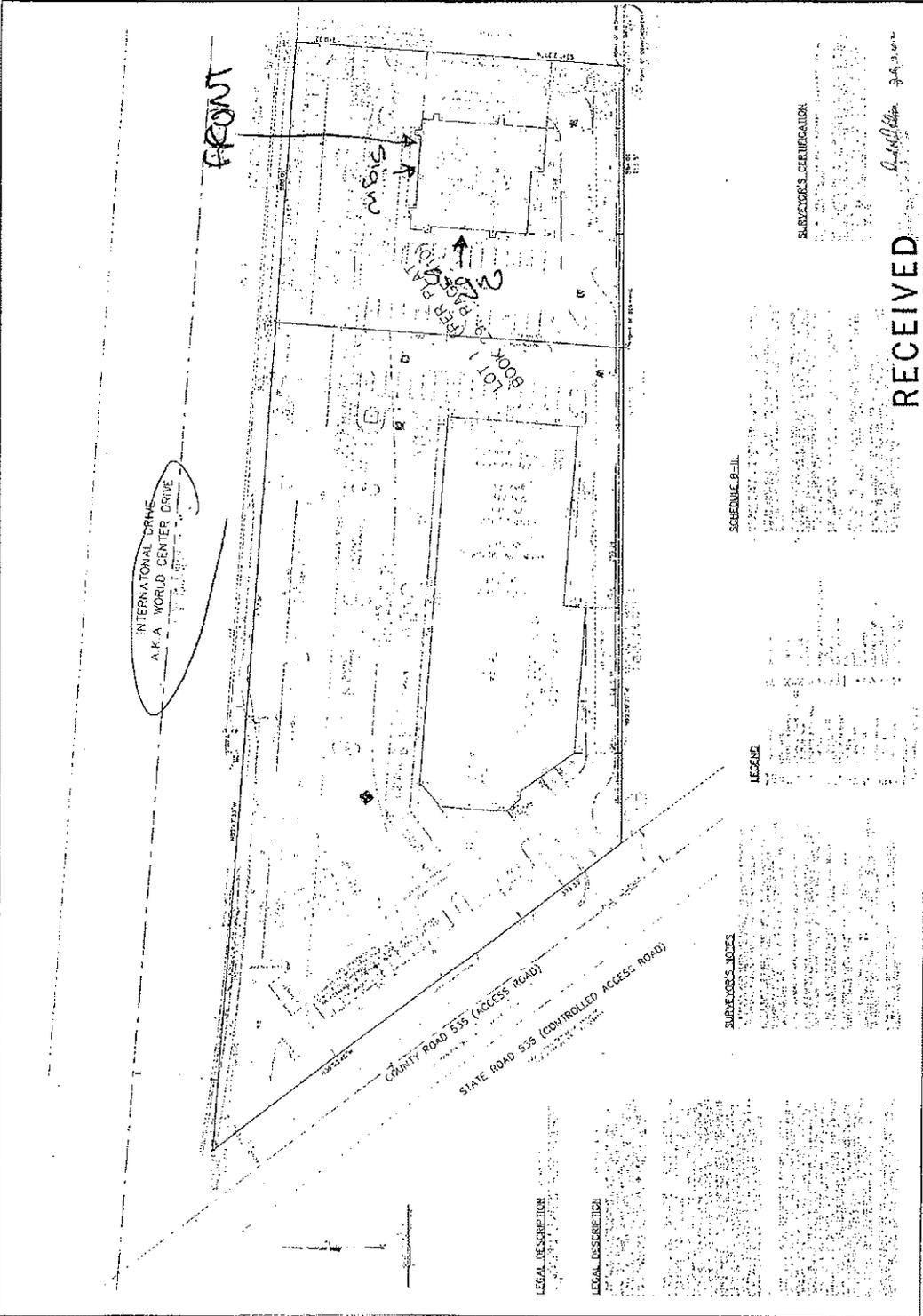
Sincerely,

Travis Barr
Owner

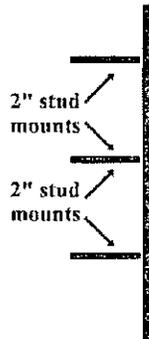
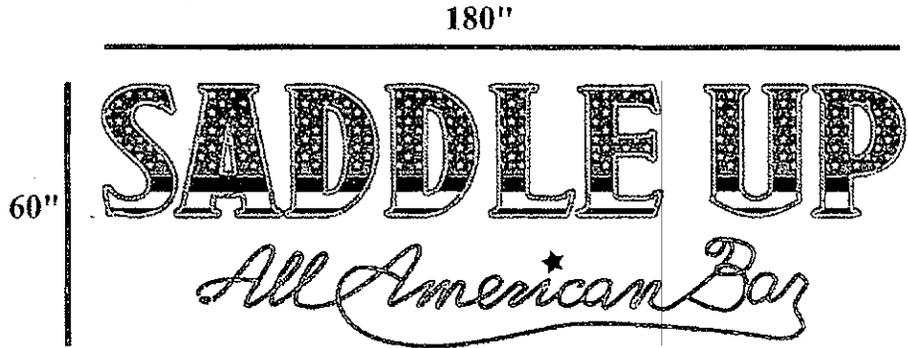
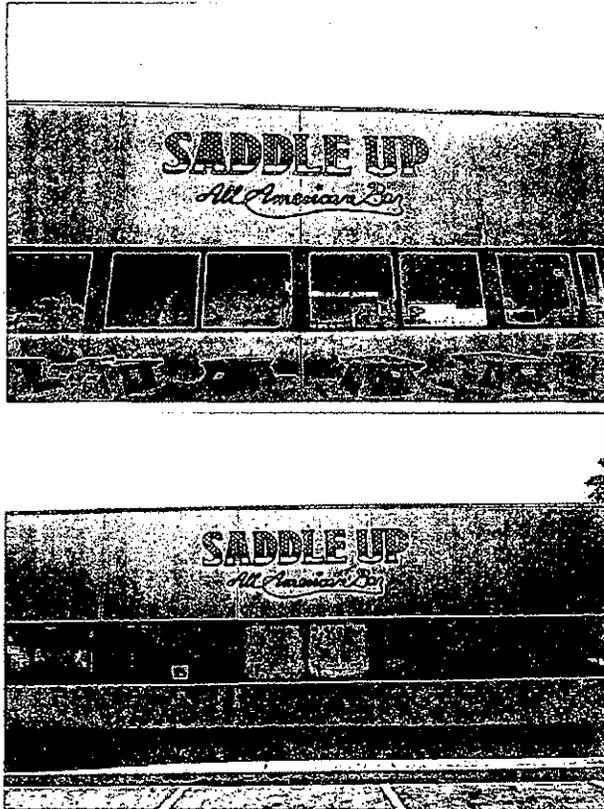


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ZONING DIVISION

see
3/25 Tourist Comm allows
1 for Every 1 L.F. front
79.8 ft Linear front
requesting 150



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← letter face

Letters are attached to the wall with a minimum of (3-5) 2" Stud Mounts per Letter (3/16" thick). VHB Tape is also used as additional adhesive along with silicone bead around top edges of letters on both sides of building.

[Handwritten signature]
3/29/16

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ORANGE COUNTY
ZONING DIVISION

Saddle Up
All American Bar
Orlando, FL

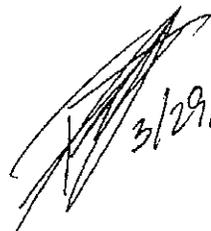
This wall sign attachment only has been designed in accordance with the requirements of the 2014 Florida Building Code, Fifth Edition - Building, Chapter 16, Structural Design. The following wind load requirements, in accordance with Section 1609, and ASCE 7-10 were employed in the design of the structure:

Ultimate Design Wind Speed (V_{ult}): 140 MPH (3-Second Gust)
Nominal Design Wind Speed (V_{usd}): 108.44 MPH (3-Second Gust)
Risk Category: II
Wind Exposure Category: C
Applicable Internal Pressure Coefficient: N/A
Design Pressure for Exterior Components & Cladding: +25.66/-31.03 PSF

Fastener Chart

Wall Construction	Type of Connector	Attachment Requirements
Stud Mount	2" Studs	Minimum of (3-5) Studs, Provided by the Manufacturer, per Letter with Structural Silicone Adhesive Epoxy w/ 2" (Min.) Emb. into Solid Concrete (Typ.). Also use VHB as Stated on Drawing.

Davis & Cleaton Engineering, Inc.
260 Wekiva Springs Road, Suite 1060
Longwood, FL 32779
Ph.# 407-539-2353 Lic.#35816
CA #8689


3/29/16

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STAFF REPORT
CASE #VA-16-07-085
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
07/07/16
Commission District: 1

GENERAL INFORMATION:

APPLICANT: Saddle Up WCD, LLC

REQUEST: Variance in the P-D zoning district to allow 150 s.f. of wall signage (two 75 sq. ft. signs) in lieu of 79.8. sq. ft.

(Note: This is the result of code enforcement action.)

LOCATION: South side of World Center Dr., east of S.R. 535.

PROPERTY ADDRESS: 8200 World Center Drive

PARCEL ID: 34-24-28-3857-00-011

TRACT SIZE: 1.16 acres

DISTRICT #: 1

ZONING: P-D

STAFF FINDINGS AND ANALYSIS:

1. The applicant's property is located in a tourist commercial area where the Sign Ordinance dictates that signage be computed at an amount equal to one (1) sq. ft. of copy area per linear foot of building frontage.
2. The applicant's building has 79.8 ft. linear of frontage. The applicant is requesting a total of 150 sq. ft. of sign area. This equates to an eighty-eight percent (88%) variance over what would normally be permitted. The signage is already in place. This is the result of code enforcement.
3. There is no issue with visibility from the street. The second sign actually faces a neighboring building.
4. The sign ordinance was last revised in September, 2015. The revision was a major re-write of the prior code. Typically, variances are not granted to a code which recently has gone through a major re-write until there has been a period to

determine if further revisions are needed. In this case, staff has found no reason to question the integrity of the tourist commercial provisions of the Code.

STAFF RECOMMENDATION:

Staff recommends denial of the request for the following reasons:

1. The subject property is located in a tourist commercial corridor. The County Sign Ordinance specifically limits signage in these areas to less than that permitted in a typical commercially zoned area;
2. The subject property has no visibility issues. Therefore, there is no special circumstance due to limitations of the property;
3. The amount of the variance is over eighty percent (80%) more than that permitted, which staff considers excessive. Other businesses in this area function under the current sign guidelines; therefore, the applicant is not being deprived of rights other businesses commonly enjoy; and,
4. The applicant chose to install the signage without permits, thereby, making the hardship self-imposed.

However, should the BZA find that the applicant has satisfied the criteria for the granting of a variance, staff recommends the following conditions be attached:

1. Development in accordance with site plan dated May 18, 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. This approval shall be limited to two (2) wall signs, each with a maximum of seventy-five (75) sq. ft. of copy area. No additional signage or outdoor graphics shall be permitted on the building without authorization of the BZA;

5. The applicant shall obtain a permit for the signage within ninety (90) days of final County action or this approval becomes null and void; and,
6. Any violations of these conditions shall be subject to action by the Code Enforcement Board, not the BZA.

cc: Edgar Silva (Applicant's representative)
c/o Saddle Up WCD, LLC
25 E. Central Blvd.
Orlando, FL 32801

RUBEN MALDONADO
VA-16-07-086

REQUEST: Variance in the R-1 zoning district to construct attached carport 15 ft. from the front property line in lieu of 25 ft.
ADDRESS: 3902 Castell Drive, Orlando FL 32810
LOCATION: Southwest corner of Castell Dr. and Magnolia Homes Rd., approximately 150 ft. north of Calloway Dr.
S-T-R: 29-21-29
TRACT SIZE: 75 ft. x 136 ft.
DISTRICT#: 2
LEGAL: WEST RIVERSIDE ACRES REPLAT X/24 LOT 22
PARCEL ID: 29-21-29-9171-00-220
NO. OF NOTICES: 56

DECISION: **APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 5-0, 2 absent):

1. Development in accordance with site plan date stamped "Received May 18, 2016", and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The color(s) of the carport shall match the exterior of the existing house.

SYNOPSIS: Staff gave a brief presentation on the case, and showed photographs and the location of other similar carports on the street.

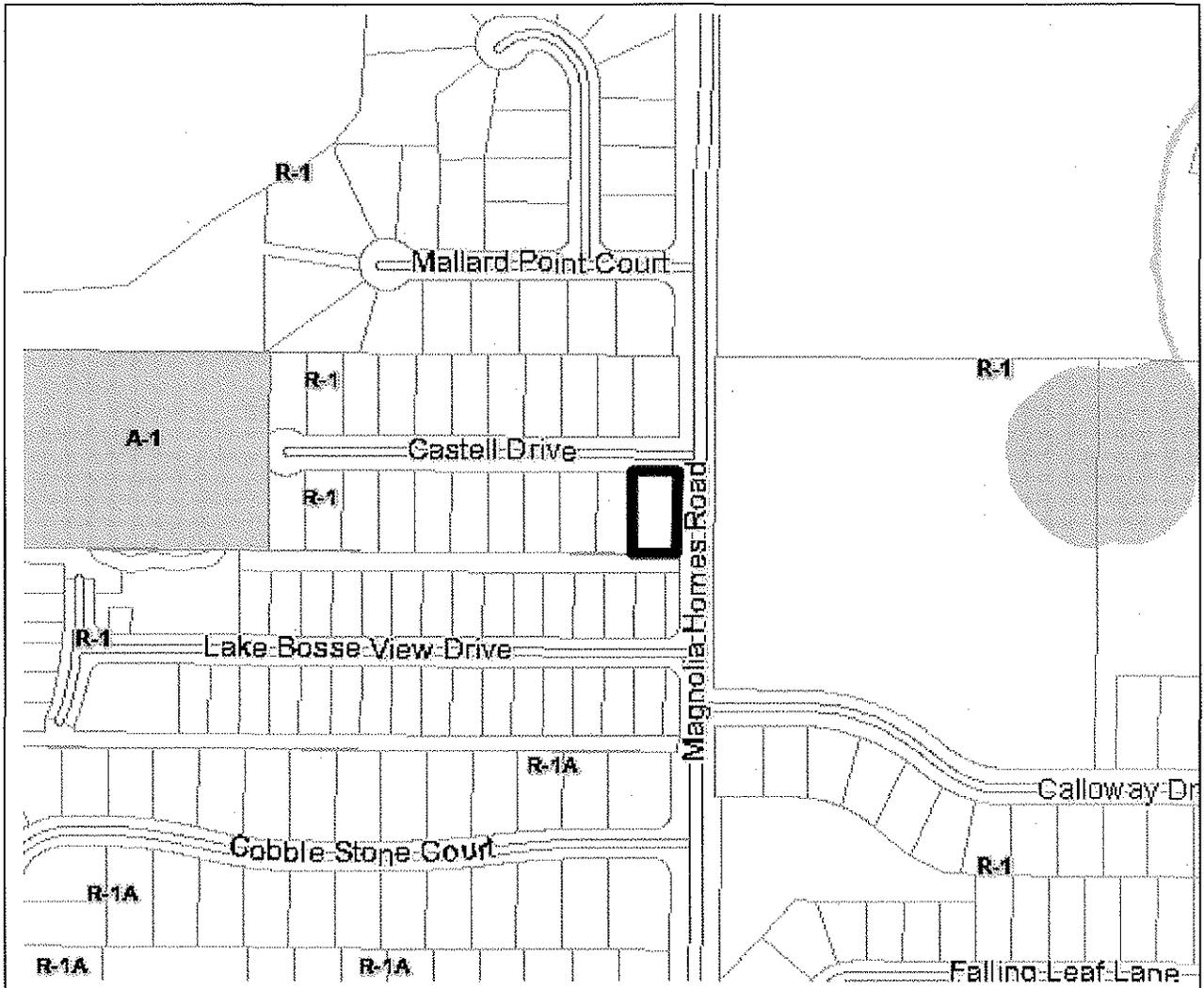
Staff received one (1) commentary in favor of the application and one (1) in opposition.

The applicant agreed with the staff report.

There was no opposition at the hearing.

The BZA felt the request was straightforward and follows what has taken place in the neighborhood.

The BZA approved the variance.



Applicant: Ruben Maldonado

BZA Number: VA-16-07-086

BZA Date: 07/07/2016

District: 2

Sec/Twn/Rge: 29-21-29-NE-A

Tract Size: 75 ft. x 136 ft.

Address: 3902 Castell Drive, Orlando FL 32810

Location: Southwest corner of Castell Dr. and Magnolia Homes Rd., approximately 150 ft. north of Calloway Dr.

Orange County
Building Division
201 South Rosalind Avenue
Orlando Fl 32802

Reference: Variance Application
Project Name: Maldonado Residence
Project Location : 3902 Castell Dr Orlando Fl 32810
Subdivision Name : West Riverside

To whom it may concern:

Hi

I am Ruben Maldonado owner of the property address:

3902 castell Dr Orlando Fl 32810.

Could you please help me to do an a aluminum covered carport in the front of my house 19' x 20' similar to my side neighbors.

The Actual required setback is 25' Ft
The Remain Setback after the new structure will be 16' Ft
I am asking for 9' Ft on my front property setback
That will be the 36 % Of My front property setback.

Unfortunately the existing house do not have an attached parking garage. I am a 50 + Men this situation cause me to get wet in the rain especial in the summer time.

My vehicles has to be seating in the sun for long time without any shade this situation is ruined my vehicle.

I just ask for the same commonly rights from my neighbors under the same terms and code.

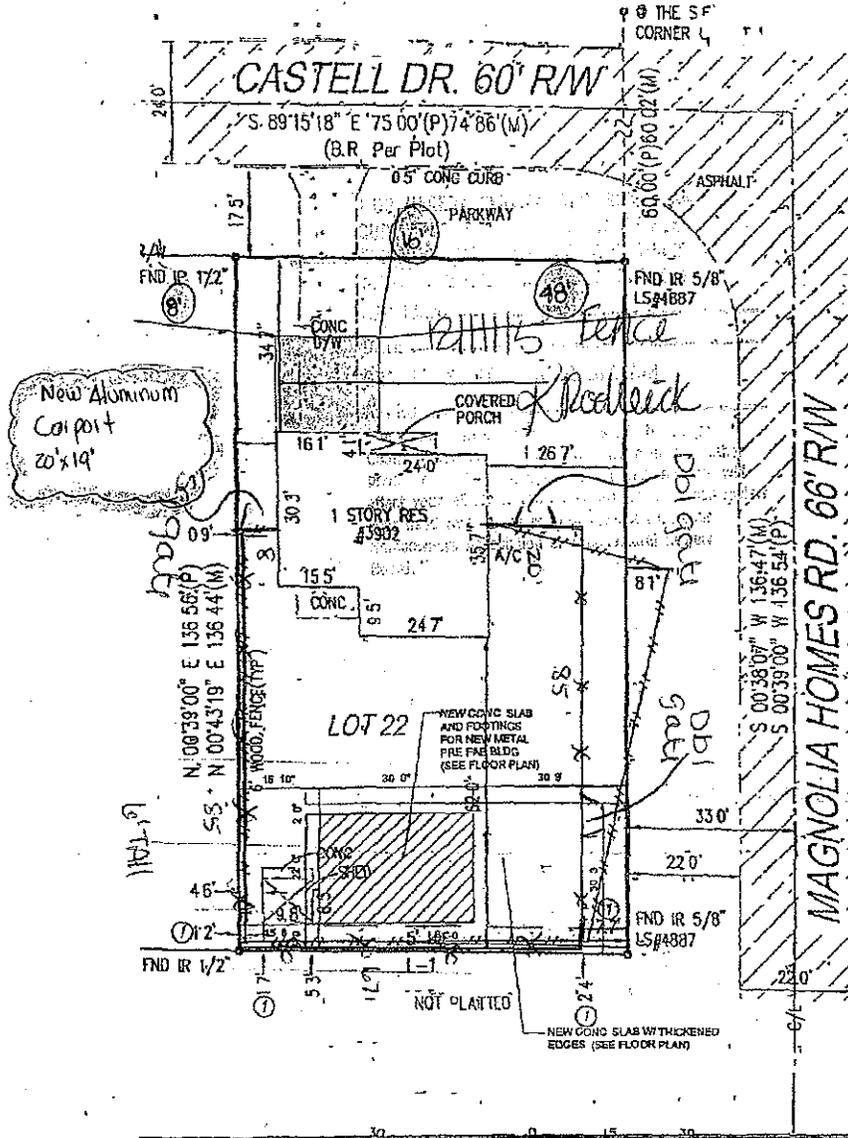
This especial condition or circumstances do not result from my action is the zoning protocol I just want to do everything in the right way.

I believe several neighbors have been granted the variance for the same type of roof in my street.

I am requesting the minimum variance that will be make possible the reasonable use of the land.

We appreciate your cooperation.
Sincerely,

Ruben Maldonado
3902 Castell Dr
Orlando Fl 32810



SITE PLAN
SCALE: 1" = 10'

Ruben Maldonado
VA-10-06-029

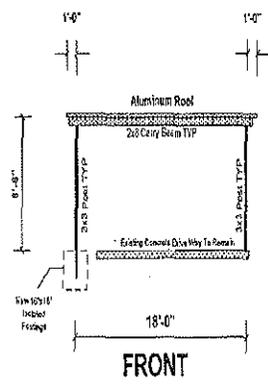
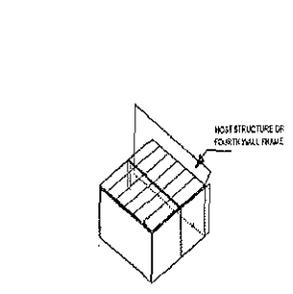
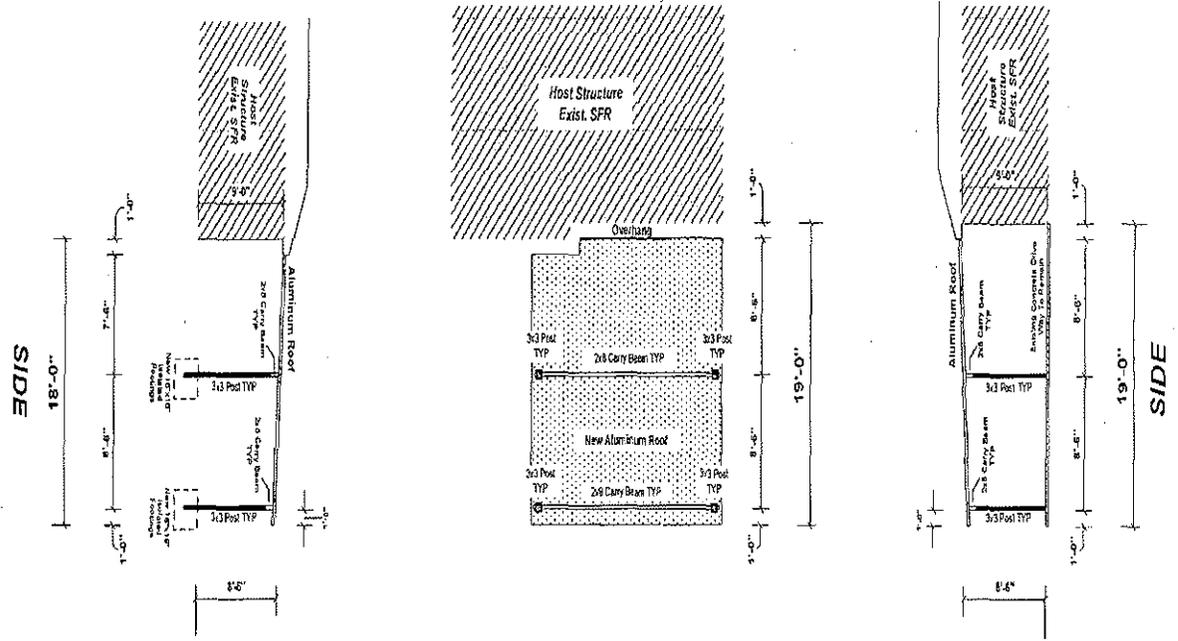
or Residential

AREA TABULATION

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Zoning Division

Agile Engineering
Foundations and Slabs for

**NEW ALUMINUM CAR PORT
ONE SIDE OVER EXISTING CONCRETE
ONE SIDE OVER NEW ISOLATED FOOTINGS**



In the event of a conflict in member sizes shown on the plans and the general notes, the contractor must utilize the more stringent member size requirements.

Date: 04/21/16
Client: Ruben Maldonado Address: Castell Dr
Project Information:
Style: Car Port Color: White Screen: N/A
Scale: 1/8" = 1'-0"

Signature



STAFF REPORT
CASE #VA-16-07-086
Orange County Zoning Division
Planner: Nick Balevich
Board of Zoning Adjustment
07/07/2016
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Ruben Maldonado

REQUEST: Variance in the R-1 zoning district to construct attached carport 15 ft. from the front property line in lieu of 25 ft.

LOCATION: Southwest corner of Castell Dr. and Magnolia Homes Rd., approximately 150 ft. north of Calloway Dr.

PROPERTY ADDRESS: 3902 Castell Drive

PARCEL ID: 29-21-29-9171-00-220

TRACT SIZE: 75 ft. x 136 ft.

DISTRICT #: 2

ZONING: R-1

STAFF FINDINGS AND ANALYSIS:

1. The applicant is requesting a variance to construct an attached carport fifteen (15) feet from the front property line in lieu of twenty-five (25) feet.
2. The existing house does not have a garage or carport. The applicant wishes to keep his car out of the sun and rain.
3. Four (4) homes on the street have similar aluminum carports, including the house next door. Said carports match the colors of each house/roof.
4. Staff has no objections to this request because:
 - a) the request will not adversely impact any quality of life circumstances;
 - b) the remaining setback of fifteen (15) feet is still significant; and,
 - c) the proposal is minimal and reasonable.

STAFF RECOMMENDATION:

If the BZA approves the request, the following conditions should be imposed:

1. Development in accordance with site plan date stamped "Received May 18, 2016", and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. The color(s) of the carport shall match the exterior of the existing house.

cc: Ruben Maldonado (Applicant)
3902 Castell Drive
Orlando, FL 32810

**ECO-SITE
SE-16-07-082**

REQUEST: **Special Exception** in the I-1/I-5 zoning district to construct a 135 ft. high monopole communications cell tower.
(Note: The tower will accommodate up to 3 users. No variances are required as the application complies with all of the off-site land use separation requirements).

ADDRESS: 6810 Stapoint Court, Winter Park FL 32792

LOCATION: South side of Stapoint Ct., west of N. Forsyth Rd.

S-T-R: 10-22-30

TRACT SIZE: 4.4 acres

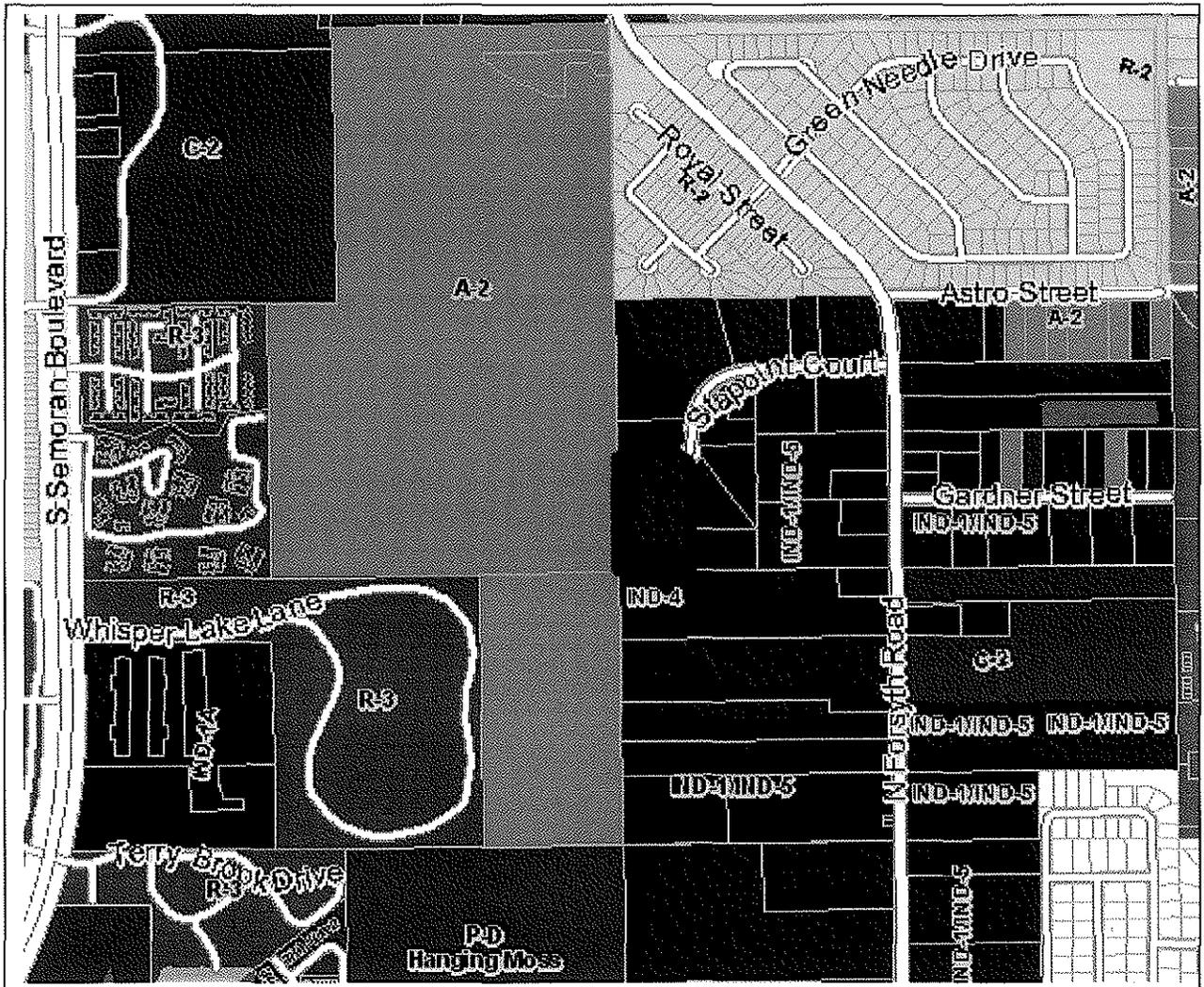
DISTRICT#: 5

LEGAL: EASTPOINT INDUSTRIAL PARK 12/20 LOT 10

PARCEL ID: 10-22-30-2358-00-100

NO. OF NOTICES: 135

The BZA **CONTINUED** this case to the September 1, 2016, BZA Meeting.



Applicant: Eco-Site

BZA Number: SE-16-07-082

BZA Date: 07/07/2016

District: 5

Sec/Twn/Rge: 10-22-30-SE-D

Tract Size: 4.4 acres

Address: 6810 Stapoint Court, Winter Park FL 32792

Location: South side of Stapoint Ct., west of N. Forsyth Rd.



Powder River Development Services, LLC
9010 Alister Blvd East #106
Palm Beach Gardens, Florida 33418
(561) 768-3705 office
www.powderriverdev.com

May 17, 2016

RECEIVED

Rocco Relvini
Orange County Zoning Division
201 S Rosalind Avenue, 1st Floor
Orlando, FL 32802

MAY 24 2016

ORANGE COUNTY
ZONING DIVISION

RE: Special Exception Application for Eco Site FL0046-130' Monopole Wireless Telecommunications Facility

Mr. Relvini,

Please find the enclosed Special Exception Application and supporting materials on behalf of Eco-Site. This application is being submitted for consideration of the construction of an unmanned 130' Monopole Wireless Telecommunications Facility, Eco Site FL0046, to accommodate multiple Service Providers. The total proposed height will be 135' with the addition of a 5' lightning rod. The proposed location of this facility is:

Parcel # ~~PO~~-22-10-2358-00-100
6810 Stapoint Court
Winter Park, FL 32782

It is the intent of Eco-Site to receive Zoning and Building permits so that they can begin construction of this site within one year of the date of this application. The construction of this tower is consistent with Orange County Comprehensive Plan.

Eco-Site has entered into an agreement with the owners of this parcel, East Forsythe, LLC, to lease a 70' x 50' portion of the parcel, please see attached site plan sheet ZD-2. This parcel is classified as vacant industrial; there are no existing buildings on this property. The proposed 60' x 40' compound is within the leased area. The tower will comply with all EIT/TIA 222-E Standards and all applicable county codes and the Construction Drawings will follow all current building codes and Orange County code standards.

Per the Master agreement between T-Mobile and Eco-Site, T-Mobile has signed a letter of Intent to colocate on this Wireless Telecommunications Facility, Eco Site FL0046, in order to offer phone, data, e-mail, and messaging services that provide communication that is cost effective and efficient to end users, please see attached Letter of Intent. T-Mobile and any other Service Providers that intend to colocate on this proposed tower will be licensed by the FCC, and follow all FCC regulations to protect the public health, safety and general welfare of the community.

The placement of the proposed facility and related equipment is necessary to provide T-Mobile continuous coverage in an area where coverage is lacking. It is the intent of Eco-Site to pursue agreements for colocation with other Service Providers.

In addition to the cover and code compliance letters, please find the following documents in support of Eco-Site's Special Exception application:

1. Cover Letter and Eco Site County Code Responses
2. Special Exception Application
3. Special Exception for Communication Tower fees \$1560.00
4. T-Mobile RF Search Ring
5. T-Mobile RF Propagation Plot
6. Signed and Sealed Zoning Drawings with Site Plan
7. Signed and Sealed Survey
8. Aerial Separation Map
9. Aerial Tax Map with Applicant Notes
10. 1 set of Photo Sims
11. Letter of Intent from T-Mobile
12. Letter of Authorization from Eco-Site for Powder River Development Services, LLC to act on their behalf
13. 2015 Tax Bill
14. Warranty Deed

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MAY 24 2016

ORANGE COUNTY
ZONING DIVISION

Please contact me if any additional information is required.

Best Regards,

Signature: [Handwritten Signature]
(Sign in the Presence of a Notary)

Date: 5-17-2016

State of Florida
County of Palm Beach

I hereby certify that on this 17th day of May, 20 16
Personally appeared before me the signer and subject of the above form, who signed or attested to the same in my presence, and presented the following form of identification as proof of his or her identity:
Driver's License FDL 1400-01378-841-0 or Personally Known to me n/a

Notary Public Signature: [Handwritten Signature]

My Commission Expires: 7/30/2019

Christine A. Bee
Notary Public
State of Florida
My Commission Expires 7/30/2019
Commission No. FF 905050

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MAY 24 2016

ORANGE COUNTY
ZONING DIVISION

Eco-Site Orange County Code Responses:

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;

Eco-Site has proposed a 130' Monopole that is necessary to provide T-Mobile continuous coverage where coverage is lacking for customer cost effective and efficient phone, data, e-mail and messaging services. The total height being 135' with the 5' lightning rod.

(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;

The 130' proposed tower will support up to 3 sets of antennas and it is the intent of Eco-Site to pursue agreements for colocation with other Service Providers.

(6) To consider the public health and safety of communication towers;

The proposed Monopole will meet all FAA and FCC requirements. If necessary, Eco-Site will submit the FAA Notice Criteria Tool before permitting.

(7) To avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

The proposed Monopole is setback from the adjacent properties as follows:

North: 320.3'

South: 230.7'

East: 48.3'

West: 307.2'

(8) For purposes of implementing this section, the term "memorandum of lease" shall mean a document in recordable form which shall indicate that one (1) or more other service providers have entered into an agreement and/or lease with the communication tower owner and that more than one (1) service provider is entitled to locate communication antennas on the tower and shall be located on the tower within three (3) years from the date the certificate of completion is issued for the communication tower. While the memorandum of lease must specifically name one (1) or more other service providers at the time it is recorded, it may or may not remain service provider specific throughout the three-year co-location period. Should the other service provider(s) on the initial recorded memorandum of lease fail to co-locate on the tower, for whatever reason, it is the responsibility of the tower owner to make a good-faith effort to accomplish co-location within the prescribed three-year period. Failure to have co-location accomplished within the three-year period may require the tower approval being subject to review under subsection 38-1427(m) and the county may seek to revoke the permit and proceed with removal of the tower at the owner's expense. If the zoning manager determines to pursue this option, he shall first prepare a report and forward it to the board of county commissioners and the tower owner. For the purpose of applying subsection 38-1427(m) to a memorandum of lease, the term "special exception" shall be read as "tower use permit."

Eco-Site has obtained a Letter of Intent from T-Mobile to colocate on the proposed monopole, see attached LOI. A recordable lease between the two parties will be submitted with building permit application.

(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.

(d) Performance standards.

MAY 4 2016

(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.

The setbacks for the proposed tower exceed the required front, side and rear setbacks for this parcel.

(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.

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
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The proposed 130' Monopole with the 5' lightning rod exceeds the 500% or 675' distance requirement from residential, see attached Aerial Separation Map. Distance to Residential Property to the North: 1080' Distance to Residential Property to the West: 995'

(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

	Lattice	Guyed	Monopole greater than 170'	Monopole 80' to 170'	Monopole less than 80'
Monopole greater than 170 ft. in height	2,500	2,500	2,500	1,500	500

(Ord. No. 97-11, § 6, 6-23-97)

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.

The proposed Monopole exceeds the separation distance from other existing towers, see attached Aerial Separation Map. Distance to Orange County Government Lattice Tower 1053237: 2734' Distance to CCI 70' Monopole 1200514: 2680'

- b. The separation distances listed in subsection 38-1427(d)(3)a. above for proposed monopole towers shall be decreased by 500 feet for proposed towers eighty (80) feet and higher in height and decreased by one hundred (100) feet for proposed towers less than eighty (80) feet in height provided such proposed monopole towers provide a permit for an up-front, co-located facility (two (2) communication antennas detailed on the permit application and erected prior to certificate of completion).

- (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.

N/A

- (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 Monopole will be galvanized finish.

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- (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.

The building permit application will include Signed and Sealed Construction Drawings that comply with all building code standards.

- (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).

Eco-Site will comply with this requirement.

- (9) *Public information signage.*
- 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.
 - 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.
 - 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.
 - Appropriate county building permits shall be obtained prior to installation of the signage.
 - 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.
 - Other than the above requirements, such signage shall be exempt from all other provisions of the County Code regarding outdoor signs.

Eco-Site will comply with this requirement.

- (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.

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Eco-Site will comply with this requirement, see attached Zoning Drawings page ZD-7.

MAY 24 2018

- (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 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;
 - 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;
 - All landscaping shall be of the evergreen variety;
 - All landscaping shall xeriscape tolerant or irrigated and properly maintained to ensure good health and viability.

Eco-Site will comply with this requirement, see attached Zoning Drawings page ZD-6.

- (12) *Documentation, performance bond or deposit for removal*. Prior to receiving a building permit for construction of the communication tower if the applicant does not provide a recorded memorandum of lease of co-location then the applicant shall provide either:
- Documentation supplied to the zoning manager sufficient to demonstrate that an adequate methodology and/or sufficient funds are dedicated to and available for removal of the tower structure upon abandonment (by way of example and not limitation, sufficient documentation would include evidence that the tower owner has the obligation under the governing lease to dismantle and remove the tower upon abandonment); or
 - A twenty-year performance bond which shall be posted with the county in an amount sufficient to remove the tower structure upon abandonment. Upon construction of multiple towers under the control of one (1) service provider, the service provider may provide the county with one (1) twenty-year performance bond in an amount not to exceed sixty thousand dollars (\$60,000.00) applicable to all of the service provider's towers for removal upon each tower's abandonment; or
 - For placement into a communication tower removal account established with the county comptroller's office, the adequate amount of an irrevocable cash deposit to cover the cost of removal of the tower. The county shall be entitled to use the funds deposited into such account for the necessary removal of any communication tower within unincorporated Orange County. The adequate amount shall be thirty dollars (\$30.00) per foot of height for monopole towers and one hundred dollars (\$100.00) per foot of height for lattice or guyed towers. In no event shall any one (1) service provider be required to place more than thirty thousand dollars (\$30,000.00) into the account for the cumulative number of towers under its control and located within unincorporated Orange County.

Eco-Site will comply with this requirement and provide a recordable lease agreement with building permit application submittal.

(f) *Abandonment of communication towers*.

- Compelling public interest*. The board of county commissioners finds and declares that, because of the national public policy of ensuring that the wireless communications industry and its evolving new technologies are accommodated notwithstanding the undesirable effects that communication towers may have on the aesthetics of communities and neighborhoods, there is a compelling public interest in ensuring that communication towers are promptly disassembled, dismantled, and removed once they are no longer being used. Further, the board finds that there is substantial risk that towers may cease being used in large numbers if there is a concentration or consolidation of competitors within the industry or if even newer technologies arise, obviating the need for towers.
- 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.

- (3) *Duty to remove abandoned towers.* Notwithstanding the provisions of subsection (2), upon abandonment of a communication tower as determined under subsection (2) by the zoning manager and the failure or refusal by the owner/operator of the tower to either reactivate the tower or dismantle and remove it within one hundred eighty (180) days as required by subsection (2), the following persons or entities (the "responsible parties") shall have the duty jointly and severally to remove the abandoned tower:
- a. The owner of the abandoned tower (and, if different, the operator of the abandoned tower);
 - b. The owner of the land upon which the abandoned tower is located;
 - c. The lessee, if any, of the land upon which the tower is located;
 - d. The sublessee or sublessees, if any, of the land upon which the tower is located;
 - e. Any communication service provider who or which by ceasing to utilize the tower or otherwise failing to operate any of its transmitters or antennas on the tower for which it leased space or purchased the right to space on the tower for its transmitters or antennas and such ceasing or failure to utilize the tower in fact caused the tower to become abandoned;
 - f. Any person to whom or entity to which there has been transferred or assigned any license issued by the Federal Communications Commission and under which the tower owner/operator operated the tower;
 - g. Any person or entity which has purchased all or a substantial portion of the assets of the tower owner or operator;
 - h. Any entity which has merged with, or which has arisen or resulted from a merger with, the tower owner or operator;
 - i. Any person or entity which has acquired the owner or the operator of the abandoned tower;
 - j. Any parent or subsidiary of any of the foregoing which happens to be a corporation;
 - k. Any managing partner of any of the foregoing which happens to be a limited partnership; and
 - l. Any partner of any of the foregoing which happens to be a general partnership.

The abandoned tower shall be removed on or before the ninetieth day after receipt by the responsible party or parties of a notice from the zoning manager ordering its removal. The duty imposed by this subsection shall supersede and otherwise override any conflicting provision of any contract, agreement, lease, sublease, license, franchise or other instrument entered into or issued on and after June 10, 1997.

Eco-Site will comply with this requirement.

- (g) *Communication antennas.* Any communication antenna which is not attached to a communication tower, shall be a permitted ancillary use to any commercial, industrial, professional, institutional, or multifamily structure of at least three (3) stories in height provided:
- (1) The communication antenna and its ancillary supporting apparatus does not extend above the highest point of the structure the greater of thirty (30) feet or fifty (50) percent of height of building, not to exceed maximum combined height of sixty (60) feet for the antenna and its ancillary supporting apparatus, and further provided that the antenna and its ancillary supporting apparatus are not attached to the ground; and
 - (2) The communication antenna complies with all applicable FCC and FAA regulations; and
 - (3) The communication antenna complies with all applicable building codes.

N/A

- (h) *Co-location of communication antennas.* To minimize adverse visual impacts associated with the proliferation and clustering of communication towers, co-location of communication antennas by more than one (1) carrier on existing or new communication towers shall take precedent over the construction of new single-use communication towers as follows:

N/A

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ZONING DIVISION

- (i) *Certification of compliance with Federal Communication Commission (FCC) NIER Standards.* Prior to receiving final inspection by the county building department, documented certification shall be submitted to the FCC, with copy to the county zoning department, certifying that the communications facility complies with all current FCC regulations for non-ionizing electromagnetic radiation (NIER).

Eco-Site will comply with this requirement.

- (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.

Eco-Site will comply with this requirement, see attached Site Plan, Aerial Separation Map and Aerial Tax Map with Applicant Notes.

- (2) A current tax map and aerial as provided by the county property appraiser's office showing the location of the proposed tower.

See Included Aerial Separation Map

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- (3) Legal description of the parent tract and leased parcel (if applicable).

See included Survey

ORANGE COUNTY
ZONING DIVISION

- (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 Included Aerial Separation Map

- (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 Included Aerial Tax Map with Applicant Notes.

- (6) A landscape plan showing specific landscape materials.

See Included Landscape Plan, Zoning Drawings page ZD-6

- (7) Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.

See Included Zoning Drawings page ZD-7

- (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.

See Attached Cover Letter

- (9) A statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users.

See Attached Cover Letter

- (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:
- The type of tower or structure;
 - The height of the tower including antennas;
 - Latitude and longitude location;
 - Street address; and
 - Indication whether the site is co-located and, if so, with whom.

Eco-Site is not using any towers in Orange County, and has no existing towers under their control in Orange County.

- (11)a. A copy of the recorded memorandum of lease evidencing co-location, if such memorandum exists.

Eco-Site will comply with this requirement. A recordable document will be submitted with the building permit application.

- (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.

Eco-Site will comply with this requirement.

- (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.

T-Mobile RF search ring included. See Aerial Tax Map with Applicant Notes.

- (14) In addition to the above, all communication towers/ antennas shall comply with the commercial site plan review requirements set forth in chapter 30, article VIII, of the County Code.

Eco-Site will comply with this requirement.

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- (m) *Co-location condition for towers eighty (80) feet in height and taller.*

**ORANGE COUNTY
ZONING DEPARTMENT**

- (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:
- All new communication towers shall be designed and constructed to accommodate at least one (1) other service provider.
 - 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.
 - 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.

Eco-Site will comply with this requirement, see attached, notarized Cover Letter and Site Plan.

- (2) Technical requirements, site constraints and reasonable terms and conditions are relevant factors in determining if co-location is feasible.

- (3) Any request for co-location by one (1) service provider to the applicant for or holder of a special exception for a communication tower shall be in written form and a copy forwarded by the requesting service provider to the zoning manager. A request for co-location shall also include: (i) a request for co-location by a third-party service provider under a memorandum of lease for a tower which is not yet physically co-located and (ii) an inquiry by the zoning manager as to whether a tower actually provides for co-location by physically supporting two (2) or more antennas after the prescribed three-year period set forth in a memorandum of lease applicable to the particular tower; provided, however, that the foregoing inquiry authority of the zoning manager under this clause (ii) and subsection (b)(8) shall not be exercised with respect to a particular communication tower more frequently than after three (3) years initially and thereafter annually.

Eco-Site will comply with this requirement.

(n) *Standards and criteria for review of special exception requests on communication tower facilities.*

- (1) *Intent and purpose.* The intent and purpose of this subsection is to address and balance the concern that communication towers may not be appropriate uses in residential areas because of the aesthetic and compatibility conflicts that arise when these facilities are located in close proximity to residential uses and the recognized need of the services the communication towers provide to the public. These issues shall be reviewed on a case-by-case basis for each special exception request in accordance with the standards set forth in subsection 30-42(2) of this Code and section 38-78 of this chapter and the provisions of this subsection. The board of zoning adjustment (BZA) shall consider and weigh the aesthetic impact and compatibility issues with the public benefit derived from having an efficient and reliable wireless communications systems when determining whether or not to grant special exception approval. To assist the BZA in reaching such determination, the application shall provide the following information set forth in subsection (2) and may optionally supply that information set forth in subsections (3) through (6) below and comply with the procedures and requirements set forth in this subsection, including production of documentation to verify the completion of these requirements.
- (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.

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If required, Eco-Site will comply with this requirement.

- (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.

See attached Photo Simulation of the proposed monopole and compound.

- (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.

KENNETH LEEMING
SE-16-07-088

REQUEST: **Special Exception** in the R-1 zoning district to permit a multi-phased project providing VPK for ages 4 and up for up to 40 students from August 2016 to June 2018, then converting to an adult day care for up to 59 adults from August 2018 to August 2019, then converting to a multigenerational day care with up to 10 school age students and 20 adults from August 2019 thereon.

ADDRESS: 5111 Clarcona Ocoee Road, Orlando FL 32810

LOCATION: North side of Clarcona Ocoee Rd., east of N. Pine Hills Rd.

S-T-R: 31-21-29

TRACT SIZE: 1.72 acres

DISTRICT#: 2

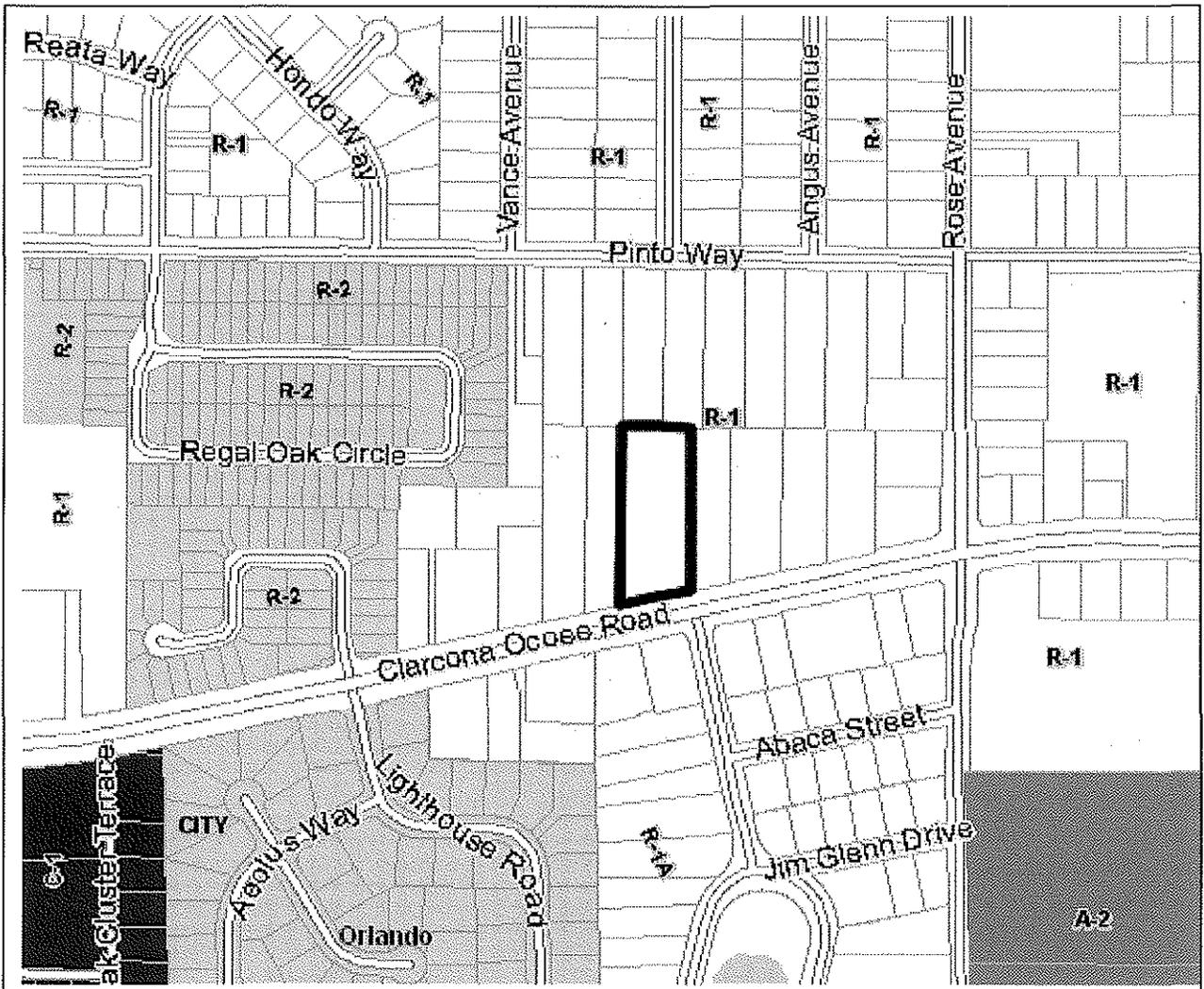
LEGAL: FLORAL HEIGHTS 4/76 LOTS 13 & 14 (LESS THE S 23 FT THEREOF FOR RD R/W)

PARCEL ID: 31-21-29-2768-00-130

NO. OF NOTICES: 71

DECISION:

The BZA **CONTINUED** this request to a date uncertain in order for a Community Meeting to be held.



Applicant: Kenneth Leeming

BZA Number: SE-16-07-088

BZA Date: 07/07/2016

District: 2

Sec/Twn/Rge: 31-21-29-SE-D

Tract Size: 1.72 acres

Address: 5111 Clarcona Ocoee Road, Orlando FL 32810

Location: North side of Clarcona Ocoee Rd., east of N. Pine Hills Rd.



May 18, 2016

Orange County Zoning Division
201 S. Rosalind Avenue
Orlando, Florida 32802

**RE: Special Exception Application
5111 Clarcona Ocoee Road
Orange County Parcel ID # 31-21-29-2768-00-130**

To whom it may concern:

The subject application is for the conversion of the existing one story residential structure to a Child Day Care and Adult Day Care Facility, to be implemented in phases.

The site improvements include upgrading the existing drive aisle to commercial standards, provide parking for employees, including a handicap parking space, and provide landscaping along the Clarcona Ocoee R/w line, as well as the west property line to buffer the proposed activities from the residential uses. Fire protection is provided by an existing Fire Hydrant located at the southeast corner of the subject property, within the road R/W.

The existing house will be modified, as needed, to comply with building department requirements. All improvements to the existing building will be internal. The existing Garage will be converted to a Storage Building. A playground will be provided, as required, for the Child Day Care operations.

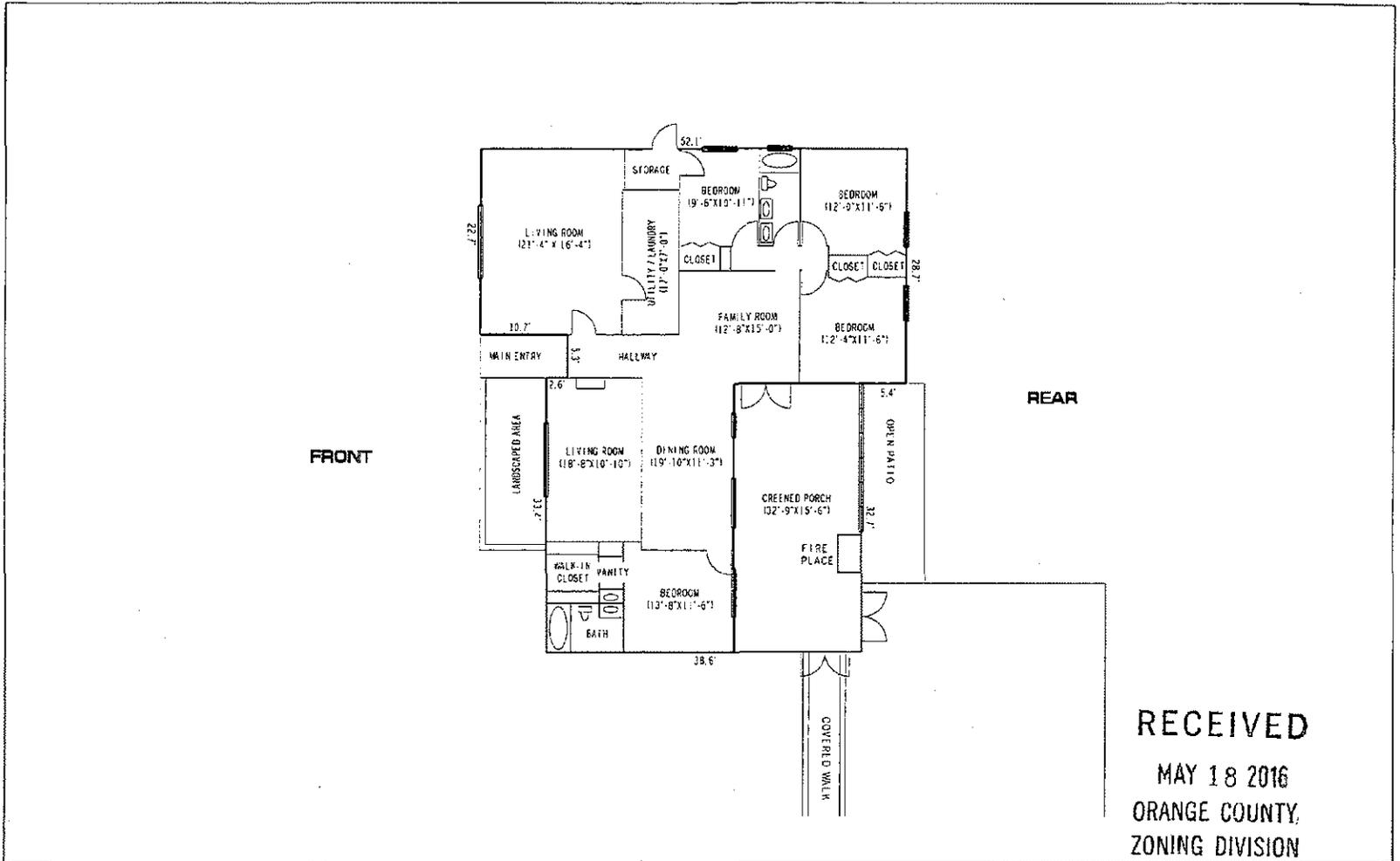
Phasing of the activities is as described on the attached Site Plan.

Should you have any questions, or need additional information, please do not hesitate to contact this office.

Sincerely,

Kenneth J. Leeming, P.E.
Project Manager

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ORANGE COUNTY
ZONING DIVISION



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 MAY 18 2016
 ORANGE COUNTY,
 ZONING DIVISION

REVISIONS NO. DATE COMMENT APPROVED BY		<p>INTERNATIONAL ENGINEERING CONSULTANTS</p>	PREPARED FOR: Dr. Frank Thompson, Planner The Planning Center - Orlando 1828 Silver Star Road Orlando, FL 32818 Phone: 321-659-7807	5111 CLARCONA OCOEE ROAD EXISTING HOUSE FLOOR PLAN ORANGE COUNTY FLORIDA	NOT VALID FOR CONSTRUCTION UNLESS WORDS AND DIMENSIONS IN THIS BLOCK APPROVED BY (SIGNATURE) (LICENSE NO. & EXPIRE DATE) DATE	JOB NUMBER: 201611A DATE: 05/18/16 DRAWING NO.: E-211 DRAWING: F.L.P. CHECKED: F.L.P. C-2
NO. DATE COMMENT APPROVED BY						



STAFF REPORT
CASE #SE-16-07-088
Orange County Zoning Division
Planner: David Nearing, AICP
Board of Zoning Adjustment
July 7, 2016
Commission District: 2

GENERAL INFORMATION:

APPLICANT: Kenneth Leeming

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exception in the R-1 zoning district to permit a multi-phased project providing VPK for ages 4 and up for up to 40 students from August 2016 to June 2018, then converting to an adult day care for up to 59 adults from August 2018 to August 2019, then converting to a multigenerational day care with up to 10 school age students and 20 adults from August 2019 thereon.

LOCATION: North side of Clarcona Ocoee Rd., east of N. Pine Hills Rd.

PROPERTY ADDRESS: 5111 Clarcona Ocoee Road

PARCEL ID: 31-21-29-2768-00-130

TRACT SIZE: 1.72 acres

DISTRICT #: 2

ZONING: R-1

EXISTING USE(S): Single Family Residence

PROPOSED USE(S): Child/Adult Daycare

SURROUNDING USES: The subject site is surrounded by single family residences

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes a day care which will ultimately become a multi-generational facility. As proposed, it will start as a facility for children ages four (4) and up. It will then be converted to a facility for adults. The proposed

building is then to be converted to a multi-generational facility with approximately twice as many adults as school aged children.

2. While this section of Clarcona Ocoee Road is a four-lane road, the residents of this area have historically fought to keep the area residential in character. Past attempts to establish non-residential uses in this immediate area have been strongly resisted by the residents. Little has changed in this area to justify a change from that stance. The area should remain single family residential.
3. The proposed use would introduce a non-residential use into the area which could be used to justify other non-residential uses be approved, potentially destabilizing the residential character of the area. Given that the area has a major roadway, this could potentially lead to requests for non-residential zoning.
4. The area remains a viable residential area worth preserving.

STAFF RECOMMENDATION:

Staff recommends denial of the request for the following reasons:

- The area is an established single family community; and,
- Past request for non-residential uses in this area have been met by staunch opposition as the neighbors wish to preserve their way of life.

However, should the BZA find that the request warrants approval of a Special Exception, staff recommends the following conditions be imposed:

1. Development in accordance with site plan dated May 18, 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 three (3) years or this approval becomes null and void;
5. No more than fifty-nine (59) total clients shall be permitted at any time without further approval by the BZA;
6. Hours of operation shall be 6:00 a.m. to 7:00 p.m.;
7. No outdoor speakers or other audio amplification;
8. A six (6) foot high vinyl fence shall be constructed along the side and rear property lines;
9. Signage shall be in accordance with 31.5, Orange County Code; and,
10. If applicable, approval of this request does not constitute approval of the use of septic tanks and wells. The use of septic tanks and wells shall be in accordance with all applicable regulations.

cc: Kenneth Leeming (Applicant's representative)
4767 New Broad Street
Orlando, FL 32814

Frank E. Thompson (Applicant)
8001 Silver Star Road
Orlando, FL 32818

CHARLES LYNCH
SE-16-08-089

REQUEST: **Special Exceptions and Variance** in the P-O and R-1A zoning districts as follows:
1) Special Exception: To validate existing religious use (church);
2) Special Exception: To construct 600 s.f. classroom addition; and,
3) Variance: To allow unpaved parking spaces and driving aisles.
(Note: The church building was constructed in the early 1960's. The purpose of this application is to validate the non-conforming religious use and to allow for the classroom addition).

ADDRESS: 1506 W Michigan Street, Orlando FL 32805
LOCATION: South side of W. Michigan St., east of S. Rio Grande Ave.
S-T-R: 03-23-29
TRACT SIZE: 100 ft. x 131 ft.
DISTRICT#: 6
LEGAL: ANGE BILT ADDITION H/79 LOT 8 (LESS N 4 FT RD R/W) BLK 63
PARCEL ID: 03-23-29-0180-63-080 03-23-29-0180-63-090
NO. OF NOTICES: 85

DECISION: **APPROVED** the Special Exception requests in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exceptions does not adversely affect general public interest; and, **APPROVED** the Variance request in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0, 3 absent):

1. Development in accordance with site plan dated May 25, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. No more than four (4) outdoor special events per calendar year limited between the hours of 8:00 a.m. to 9:00 p.m.;
5. Parcel ID 03-23-29-0180-63-071, requires special exception approval prior to using the lot for any parking; and,
6. Construction plans shall be submitted within two (2) years or this approval becomes null and void.

SYNOPSIS: The applicant is proposing a classroom addition onto the existing church use building.

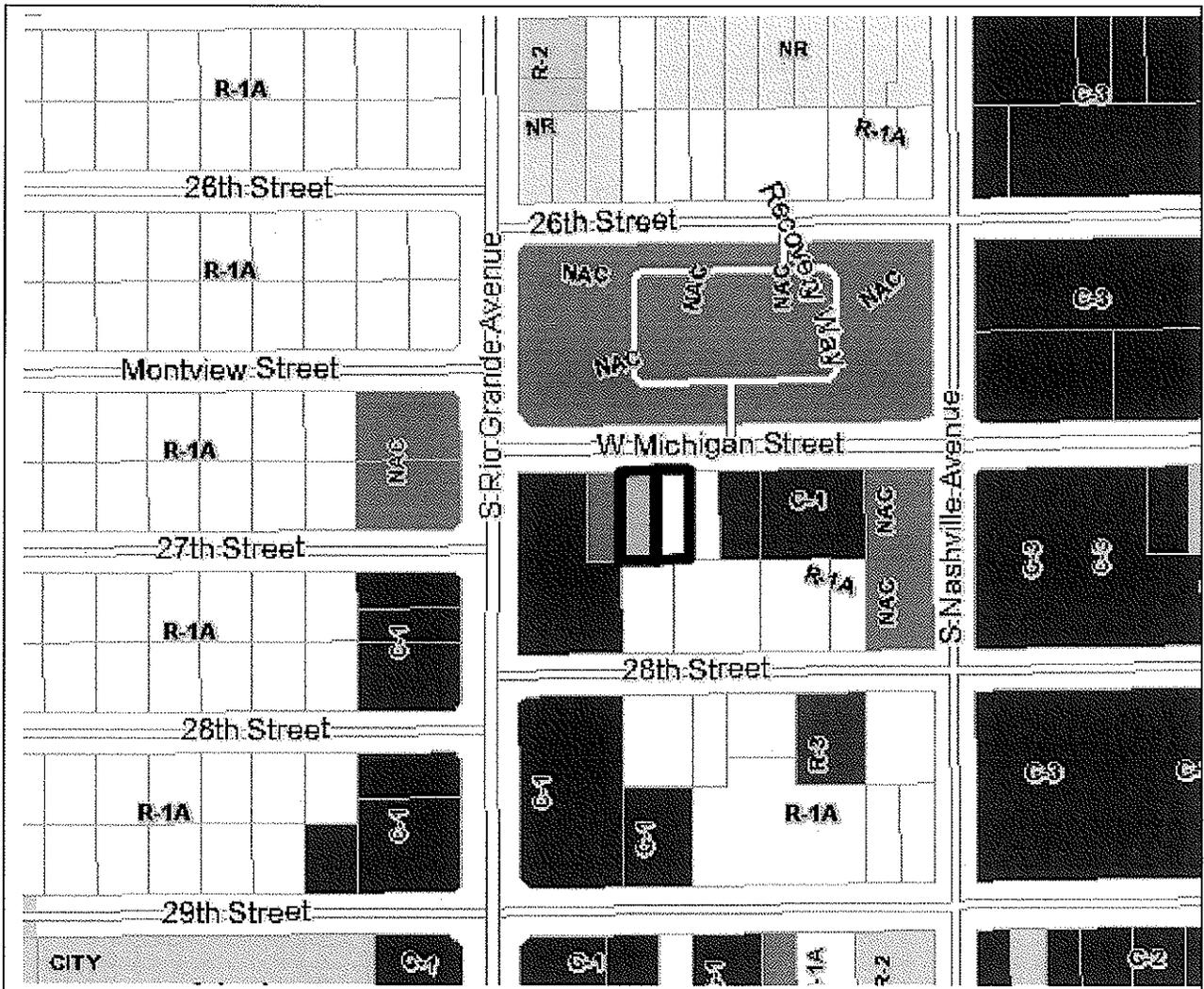
Staff advised the BZA that there was no record of a church receiving any Special Exception approval. Therefore, the applicant included the existing church with the classroom addition.

The applicant gave the BZA a short history of this case and needed BZA approval in order to activate his building permit plans.

The BZA asked the applicant several questions about parking. The applicant understood the staff conditions of approval.

The BZA approved the request stating the church was in existence for over fifty (50) years.

There was no opposition.



Applicant: Charles Lynch

BZA Number: SE-16-08-089

BZA Date: 07/07/2016

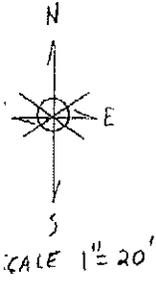
District: 6

Sec/Twn/Rge: 03-23-29-SE-D

Tract Size: 100 ft. x 131 ft.

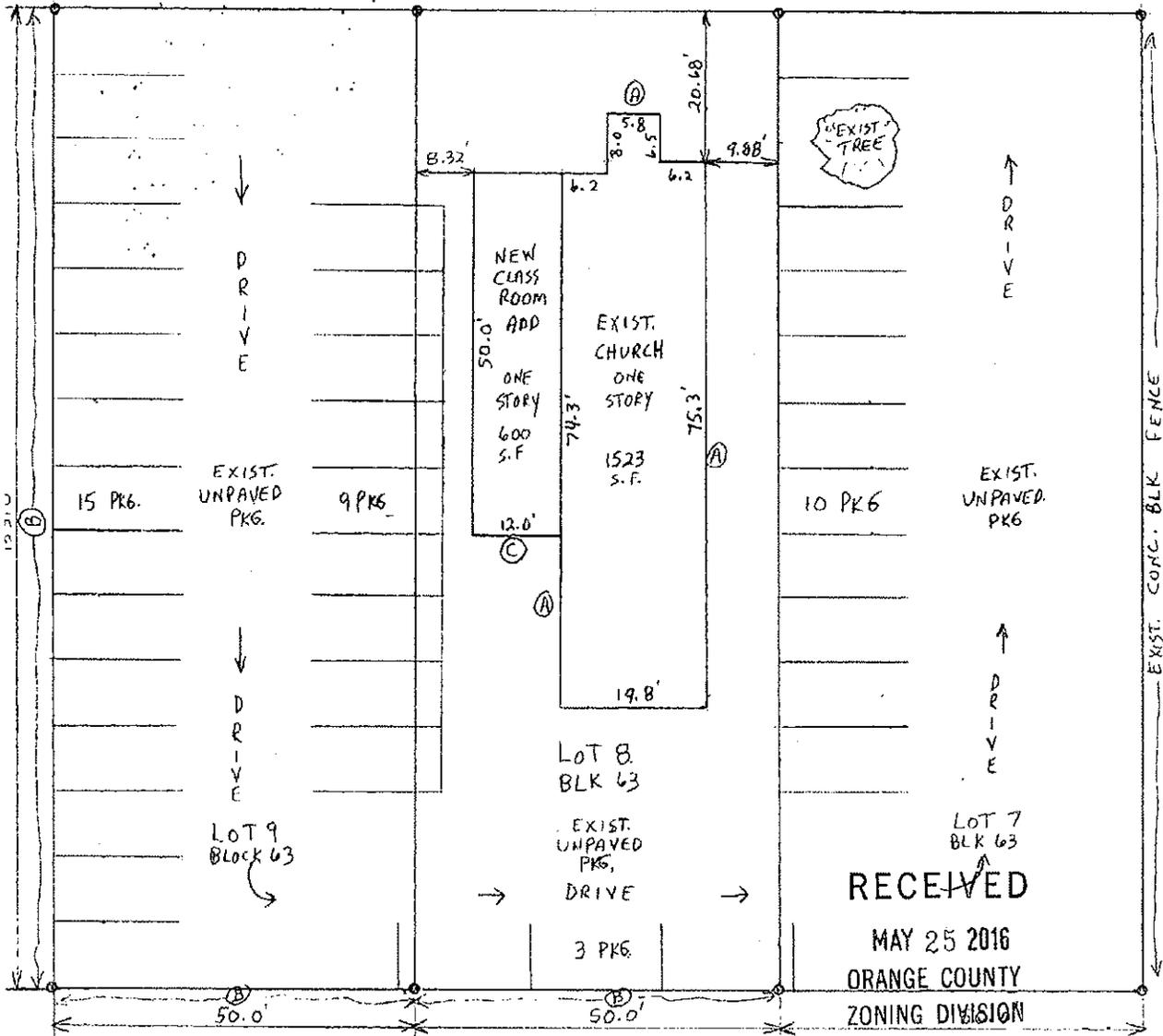
Address: 1506 W. Michigan Street, Orlando FL 32805

Location: South side of W. Michigan St., east of S. Rio Grande Ave.



WEST MICHIGAN STREET
ASPHALT PAVEMENT

1506 W. MICHIGAN ST.



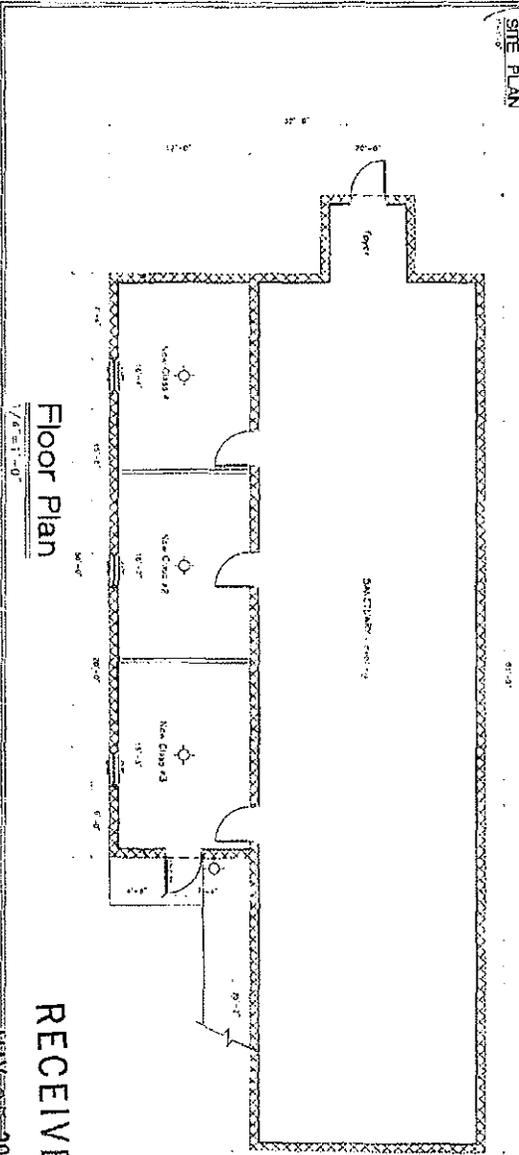
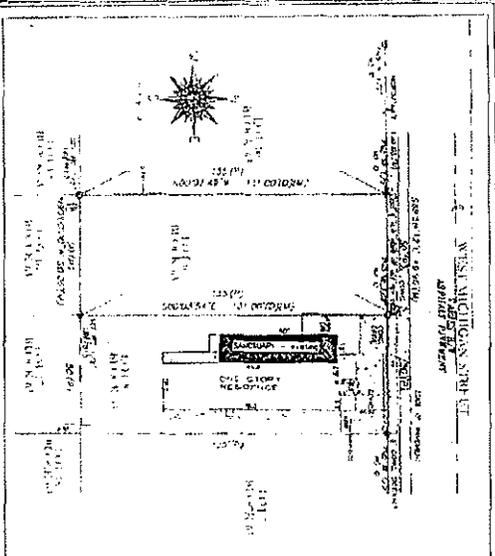
- (A) EXIST. ENTRANCE DOORS
- (B) EXIST 6' HIGH WOOD FENCE
- (C) NEW ENTRANCE DOOR

NO OUTDOOR ACTIVITIES
NONE PROPOSED.

TOTAL PKG 37
EXIST. BLDG. HGT. 8.0'
NEW ADD HGT. 8.0'

HRS OF OPER TUES + FRI 7:30 PM
SUN 10:00 AM
10:30 PM

EXIST NON FIXED SEATS 72
MAX OCCUPANCY 85



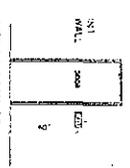
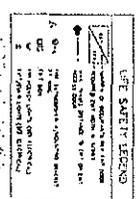
Floor Plan
1/8" = 1'-0"

Project: Pentecostal Church of Das
1365 West Michigan Street
Orlando, Florida 32805

CODE DATA

Florida Building Code, 2010 Edition
Florida Fire Prevention Code, 2010 Edition
Florida Electrical Code, 2010 Edition
Florida Mechanical Code, 2010 Edition
Florida Plumbing Code, 2010 Edition
Florida Energy Code, 2010 Edition
Florida Wind-Borne Debris Code, 2010 Edition
Florida State Building Code, 2010 Edition
Florida State Fire Prevention Code, 2010 Edition
Florida State Electrical Code, 2010 Edition
Florida State Mechanical Code, 2010 Edition
Florida State Plumbing Code, 2010 Edition
Florida State Energy Code, 2010 Edition
Florida State Wind-Borne Debris Code, 2010 Edition
Florida State Building Code, 2010 Edition
Florida State Fire Prevention Code, 2010 Edition
Florida State Electrical Code, 2010 Edition
Florida State Mechanical Code, 2010 Edition
Florida State Plumbing Code, 2010 Edition
Florida State Energy Code, 2010 Edition
Florida State Wind-Borne Debris Code, 2010 Edition

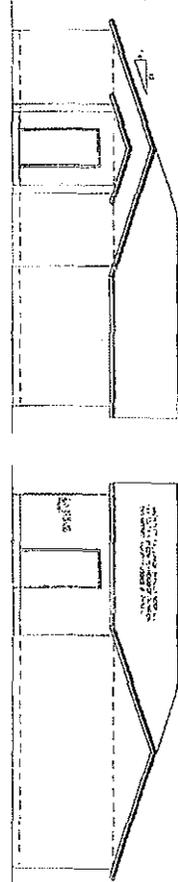
DATE: 05/25/2016
DRAWN BY: N.W.
CHECKED BY: N.W.
PROJECT: Pentecostal Church of Das
ADDRESS: 1365 West Michigan Street
ORLANDO, FLORIDA 32805
SCALE: 1/8" = 1'-0"
SHEET: 1 OF 1



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MAY 25 2016
ORANGE COUNTY ZONING DIVISION
ORANGE COUNTY ZONING DIVISION

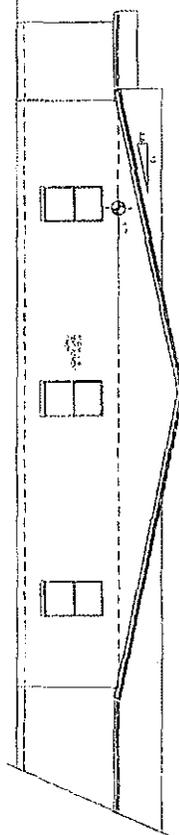
<p>DATE: 05/25/2016 DRAWN BY: N.W. CHECKED BY: N.W. PROJECT: Pentecostal Church of Das ADDRESS: 1365 West Michigan Street ORLANDO, FLORIDA 32805 SCALE: 1/8" = 1'-0" SHEET: 1 OF 1</p>		<p>Address & Plans for: Iglesia Pentecostal Ciudad de Das Address: 1365 West Michigan Street Orlando, Florida 32805</p>	<p>NATHAN WILLIAMS, DESIGNER 699 N. PINE HILLS ROAD ORLANDO, FLORIDA 32810 PH: (407) 924-2652 nwilliams@nwilliams.com</p>
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BUILDING
HIGH
8'
SINGLE
STORY

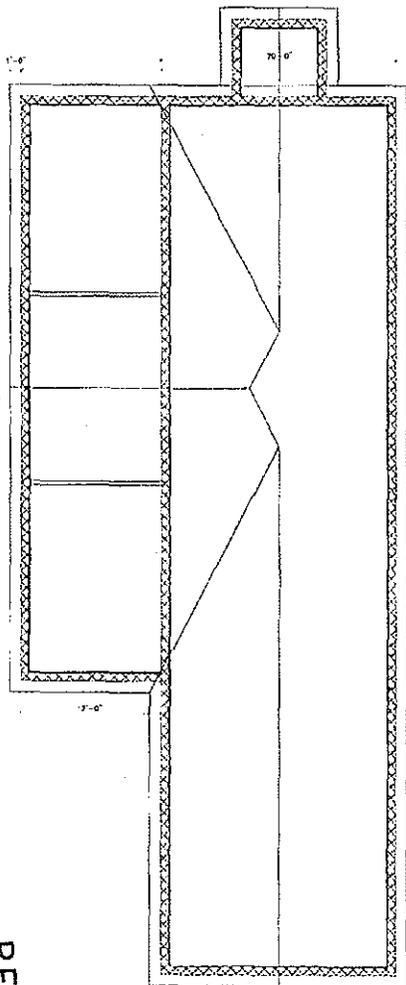


NORTH ELEVATION

SOUTH ELEVATION



West Elevation



Floor Plan - proposed



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MAY 25 2016
ORANGE COUNTY
ZONING DIVISION

<p>Application & Plans Fee: Iglesia Pentecostal Catal de Dios</p>		<p>NATHAN WILLIAMS, DESIGNER 909 N PINE HILLS ROAD ORLANDO, FLORIDA 32810 917 4601 524 255 nwilliamsdesigner@gmail.com</p>
<p>DATE 04 15 16</p>	<p>SCALE 1/4"=1'-0"</p>	
<p>PAGE A2</p>	<p>Address: 1505 West Michigan Street Orlando, Florida 32807</p>	<p>REVISIONS</p>

5/23/2016

The Board of Zoning Adjustment,

We are requesting to build a single story concrete block classroom addition to the west side of the existing Church. The size is 12.0' x 50.0' = 600 square feet and the height is the same as the existing Church which is 8.0' classroom addition.

We are also requesting to use the following existing items as they are:

- 1.) unpaved parking areas.
- 2.) wood fence and landscaping.
- 3.) Front entrance sign.

The existing Church size is 1,523 sq. ft.

The added classroom space will be used for Bible Study.

The operating hours are:

Tuesday & Friday Evenings at 7:30

Sunday 10 am to 6:30 pm.

Church congregation capacity is 85 and will remain the same.

There are no outside activities and none are planned.

The existing Church interior is only large enough for the worship services only which is why we are requesting the additional space.

Your careful consideration and approval is respectfully requested.

The Church owns The Church that's on Lot 8 & the adjacent vacant Lot 9 and maintains parking space agreement with the owner of the adjacent Lot 7 for additional parking.

Thank You Sincerely!

Charles E Lynch - Agent for

Pastor Juan Acevedo &

Iglesias Pentecostal

"Candelero De Dios" Church

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MAY 25 2016
ORANGE COUNTY
ZONING DIVISION



STAFF REPORT
CASE #SE-16-08-089
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
July 7, 2016
Commission District: 6

GENERAL INFORMATION:

APPLICANT: Charles Lynch

HEARING TYPE: Board of Zoning Adjustment

REQUEST: Special Exceptions and Variance in the P-O and R-1A zoning districts as follows:

- 1) Special Exception: To validate existing religious use (church);
- 2) Special Exception: To construct 600 s.f. classroom addition; and,
- 3) Variance: To allow unpaved parking spaces and driving aisles.

(Note: The church building was constructed in the early 1960's. The purpose of this application is to validate the non-conforming religious use and to allow for the classroom addition).

LOCATION: South side of W. Michigan St., east of S. Rio Grande Ave.

PROPERTY ADDRESS: 1510 W Michigan Street

PARCEL ID: 03-23-29-0180-63-080 and 03-23-29-0180-63-090

PUBLIC NOTIFICATION: 85

TRACT SIZE: 100 ft. x 131 ft.

DISTRICT #: 6

ZONING: R-1A and P-O

EXISTING USE(S): Church

PROPOSED USE(S): Classroom addition

SURROUNDING USES: The site is surrounded by single family homes and commercial uses

STAFF FINDINGS AND ANALYSIS:

1. The applicant submitted construction plans to add a classroom onto the existing church building. The applicant was advised that the existing church building never received Special Exception approval. The church building has been in existence since the early 1960s. Since the classroom addition requires a special exception in the R-1A zoning district, staff advised the applicant to include the existing church building as part of the request to clear up any future title issues.

2. In reviewing the application, it appears that the owner is using Lot 7 for church parking and to meet the required parking for this church. However, Lot 7 was not included in the application and was not advertised. The parcel identification numbers stated on the application are only for Lots 8 and 9, not Lot 7. A parking use requires a Special Exception in the R-1A zoning district. However, when calculating the required parking for this use twenty-four (24) spaces are required and the applicant is in fact providing twenty-four (24) spaces on Lots 8 and 9, which were legally advertised.

4. Staff does not object to the request and the church has been existing at this location for approximately fifty-five (55) years.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated May 25, 2016, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. No more than _____ outdoor special events per calendar year limited between the hours of 8:00 a.m. to 9:00 p.m.;
5. Parcel ID 03-23-29-0180-63-071, requires Special Exception approval prior to using the lot for any parking; and,
6. Construction plans shall be submitted within two (2) years or this approval becomes null and void.

cc: Charles Lynch (Applicant)
c/o Iglesias Pentecostal
5415 Satel Drive
Orlando, FL 32810

**HABITAT FOR HUMANITY
VA-16-08-090**

REQUEST: **Variances** in the R-T-2 zoning district to create 7 lots containing lot widths ranging from 58 ft. to 86 ft. in lieu of a minimum lot width of 100 ft.
(Note: The property is comprised of 3 platted lots. The applicant proposes to subdivide the lots into a total of 8 lots, 7 of which require lot width variances).

ADDRESS: 18925 Lansing Street, Orlando FL 32833

LOCATION: North side of Lansing St., 1/4 mile south of E. Colonial Dr.

S-T-R: 21-22-32

TRACT SIZE: 4.83 acres

DISTRICT#: 5

LEGAL: UNRECORDED PLAT BITHLO RANCHES ANNEX TRACT 7 ALSO DESC AS COMM E1/4 COR SEC 27 22 32 RUN S 419.36 FT W 331.59 FT TO POB TH W 280.09 FT N 14 DEG E 157 FT N 27 DEG E 115 FT N 49 DEG E 93 FT N 65 DEG E 129.27 FT S 366.27 FT TO POB & TRACT 8 DESC AS BEG 166.5

PARCEL ID: 21-22-32-0735-00-070 and 21-22-32-0735-00-090

NO. OF NOTICES: 36

DECISION: **APPROVED** the Variance requests in that the Board made the finding that the requirements of Orange County Code, Section 30-43(3) have been met; further, said approval is subject to the following conditions (unanimous; 4-0, 3 absent):

1. Development in accordance with site plan dated May 25, 2016 and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. Prior to the issuance of any single family residential dwelling permits, the applicant shall process and obtain lot split approval.

SYNOPSIS: The applicant proposes to create eight (8) lots out of three (3) platted lots. Seven (7) of those lots require lot width variances. Staff advised the BZA the proposed lots were compatible with the surrounding area. Staff also advised the BZA the applicant submitted a lot split as well.

The BZA concurred the request was reasonable and was consistent with the development trend of the area.

There was no opposition.



HOUSING AND COMMUNITY DEVELOPMENT DIVISION
MITCHELL L. GLASSER, *Manager*
525 East South Street • Orlando, Florida 32801
407-836-5150 • Fax: 407-836-5193
www.OrangeCountyFL.net

May 19, 2016

Ms. Catherine McManus
President and CEO
Habitat for Humanity of Greater Orlando Area, Inc.
4116 Silver Star Rd.
Orlando, FL 32808

Subject: Bithlo Ranches Tract

Dear Ms. McManus:

Orange County is looking forward to working with you to build affordable housing on a county owned property in the Bithlo community. The property is known as the Bithlo Ranches Tract 7, 8, and 9. The County has completed some preliminary due diligence on the property such as an environmental phase I and II and has also completed a survey. Orange County has submitted a request to the Property Appraiser's Office to combine Parcels 21-22-32-0735-00-070 and 21-22-32-0735-00-090 into one parcel.

It is my understanding that you will be submitting an application to the Board of Zoning Adjustments concerning the lot split. Please accept this letter as authorization from Orange County for you to act as agent for the purpose of zoning matters related to the property.

We support your efforts to bring much needed affordable housing to this community and look forward to working with Habitat.

Sincerely,

Mitchell Glasser
Manager

MG/er



May 18, 2016

Orange County Zoning Division
201 S. Rosalind Avenue
Orlando, FL 32802

Subject: Bithlo Ranches Tract

Dear Board of Zoning Adjustment,

Habitat for Humanity of Greater Orlando is a not-for-profit, recognized as a corporation described in Section 501(c)(3) of the Internal Revenue Code, dedicated to transforming the lives of low-income, hard-working families through the American dream of homeownership. We are strengthening families by working together to build a decent place for each to call home and a safe place for parents to raise their children.

Attached is an application for your review along with supporting documentation. Please let me know if we can provide any additional information as you consider our request. We are truly grateful for your consideration as we work to fulfill our mission of bringing people together to build homes, communities and hope! Your approval will provide eight hardworking, low-income families with the opportunity to move from substandard housing into their own stable, affordable home.

Sincerely,

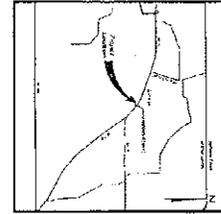
A handwritten signature in cursive script that reads "Catherine".

Catherine Steck McManus
President and CEO

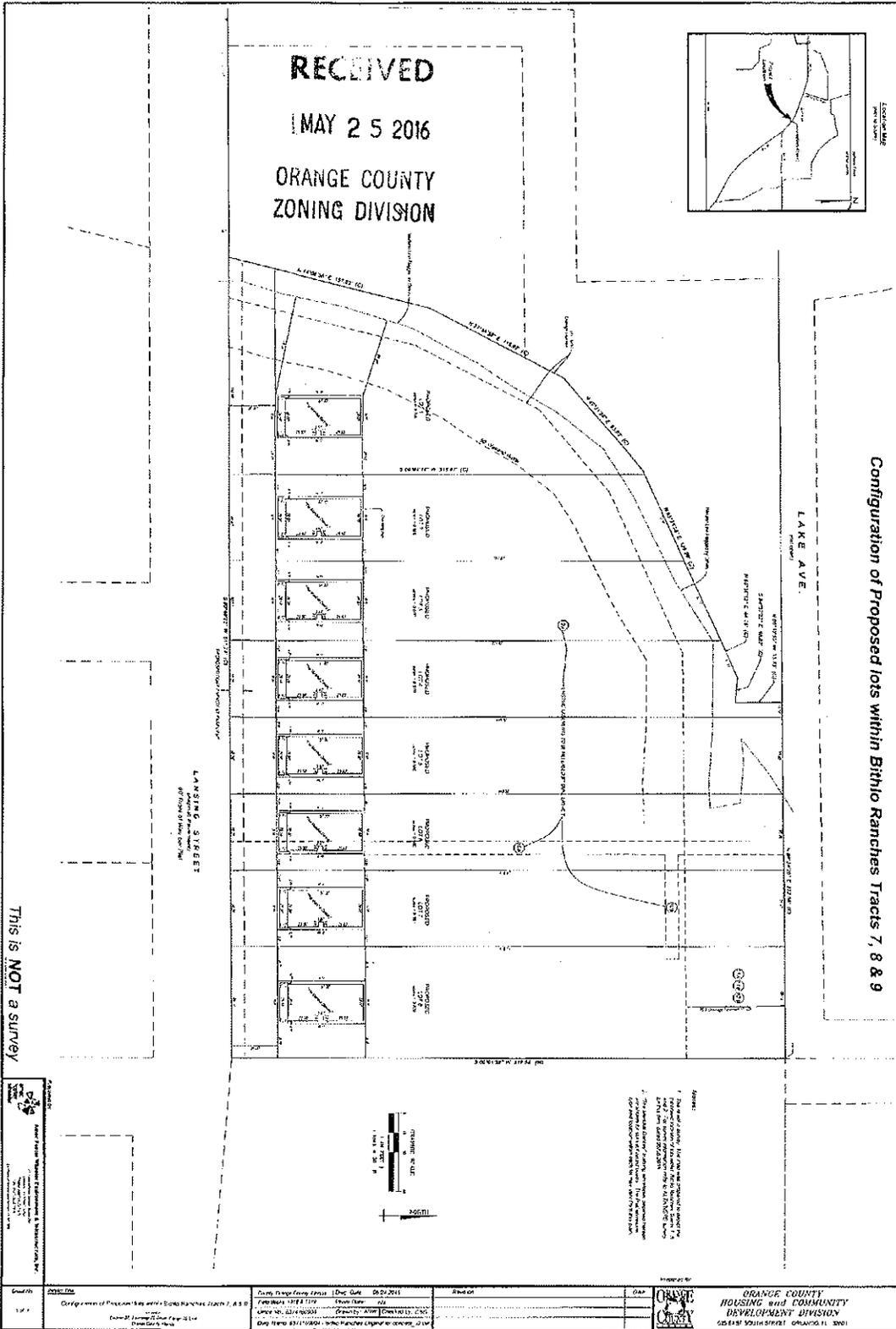
RECEIVED

MAY 25 2016

ORANGE COUNTY
ZONING DIVISION



Configuration of Proposed lots within Birtha Ranches Tracts 7, 8 & 9



This is NOT a survey



Notes:
1. This is not a survey. It is a preliminary site plan for informational purposes only. It is not intended to be used for any legal or financial purposes.
2. The information shown on this plan is based on the information provided to the County Planning Department.
3. The information shown on this plan is not intended to be used for any legal or financial purposes.

<p>Orange County Planning Department 1000 West Orange Avenue Orange, CA 92667 Tel: 714/937-2000 Fax: 714/937-2001</p>	<p>County Design Review Process - Check Guide: 06/24/2011</p> <p>Project Name: 1000 West Orange Avenue Project No.: 1000-000000 City: Orange County: Orange State: CA Date: 05/25/2016</p>	<p>Project No.: 1000-000000 Project Name: 1000 West Orange Avenue Project No.: 1000-000000 Project Name: 1000 West Orange Avenue Project No.: 1000-000000 Project Name: 1000 West Orange Avenue</p>	<p>ORANGE COUNTY HOUSING and COMMUNITY DEVELOPMENT DIVISION 525 EAST SOUTH STREET, ORANGE, CA 92667</p>
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STAFF REPORT
CASE #VA-16-08-090
Orange County Zoning Division
Planner: Rocco Relvini
Board of Zoning Adjustment
07/07/2016
Commission District: 5

GENERAL INFORMATION:

APPLICANT: Habitat for Humanity

REQUEST: Variances in the R-T-2 zoning district to create 7 lots containing lot widths ranging from 58 ft. to 86 ft. in lieu of a minimum lot width of 100 ft.

(Note: The property is comprised of 3 platted lots. The applicant proposes to subdivide the lots into a total of 8 lots, 7 of which require lot width variances).

LOCATION: North side of Lansing St., 1/4 mile south of E. Colonial Dr.

PROPERTY ADDRESS: 18925 Lansing Street

PARCEL ID: 21-22-32-0735-00-070 and 21-22-32-0735-00-090

TRACT SIZE: 4.83 acres

DISTRICT #: 5

ZONING: R-T-2

STAFF FINDINGS AND ANALYSIS:

1. The applicant proposes to create seven (7) substandard lots out of three (3) platted lots. The lots are substandard as to lot width only. The lot width requirement is 100 feet. The proposed lots range in lot width from fifty-eight (58) feet to eighty-six (86) feet.
2. All lots meet the minimum lot size requirement.
3. The applicant is also processing a lot split application. However, the zoning variances need to be obtained prior to any lot split approval.

4. The proposed lots are compatible in lot size with the existing lots in the general area. Staff has no objections to this request.

STAFF RECOMMENDATION:

Staff recommends approval of the request subject to the following conditions:

1. Development in accordance with site plan dated May 25, 2016 and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard; and,
4. Prior to the issuance of any single family residential dwelling permits, the applicant shall process and obtain lot split approval.

cc: Catherine McManus (Applicant's representative)
c/o Habitat for Humanity
4116 Silver Star Road
Orlando, Florida 32808



OFFICE OF COMPTROLLER

INTEROFFICE MEMO

ORANGE
COUNTY
FLORIDA

Martha O. Haynie, CPA
County Comptroller
Finance and Accounting Department
Special Assessments
P O Box 38
Orlando, FL 32802
Telephone: 407-836-5770
Fax: 407-836-5753

Date: July 22, 2016

To: Mayor Teresa Jacobs
and
Board of County Commissioners
M.A. McGarrity

From: Margaret A. McGarrity, Chief Deputy Comptroller

Contact: Ann Troutman, 407-836-5770

Subject: Public Hearings to Amend the Existing Municipal Service Benefit Unit (MSBU) for Streetlighting

MSBU District: **Royal Legacy Estates and Royal Legacy Estates Tract M Replat 11/2016**

Applicant: Ann Troutman
Special Assessments
Orange County Comptroller

District: Commissioner Boyd, District 1

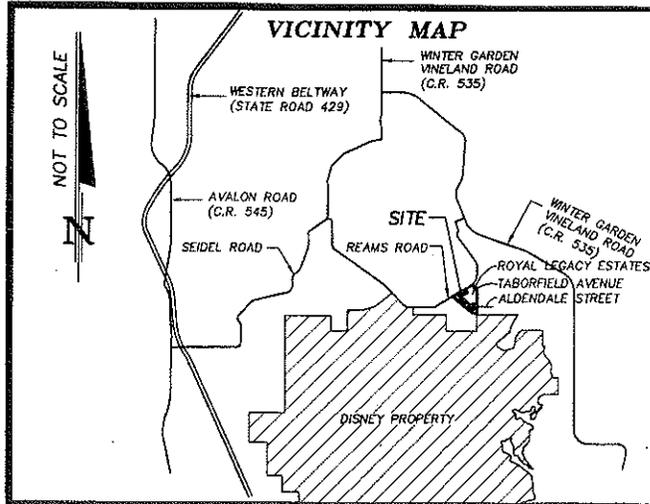
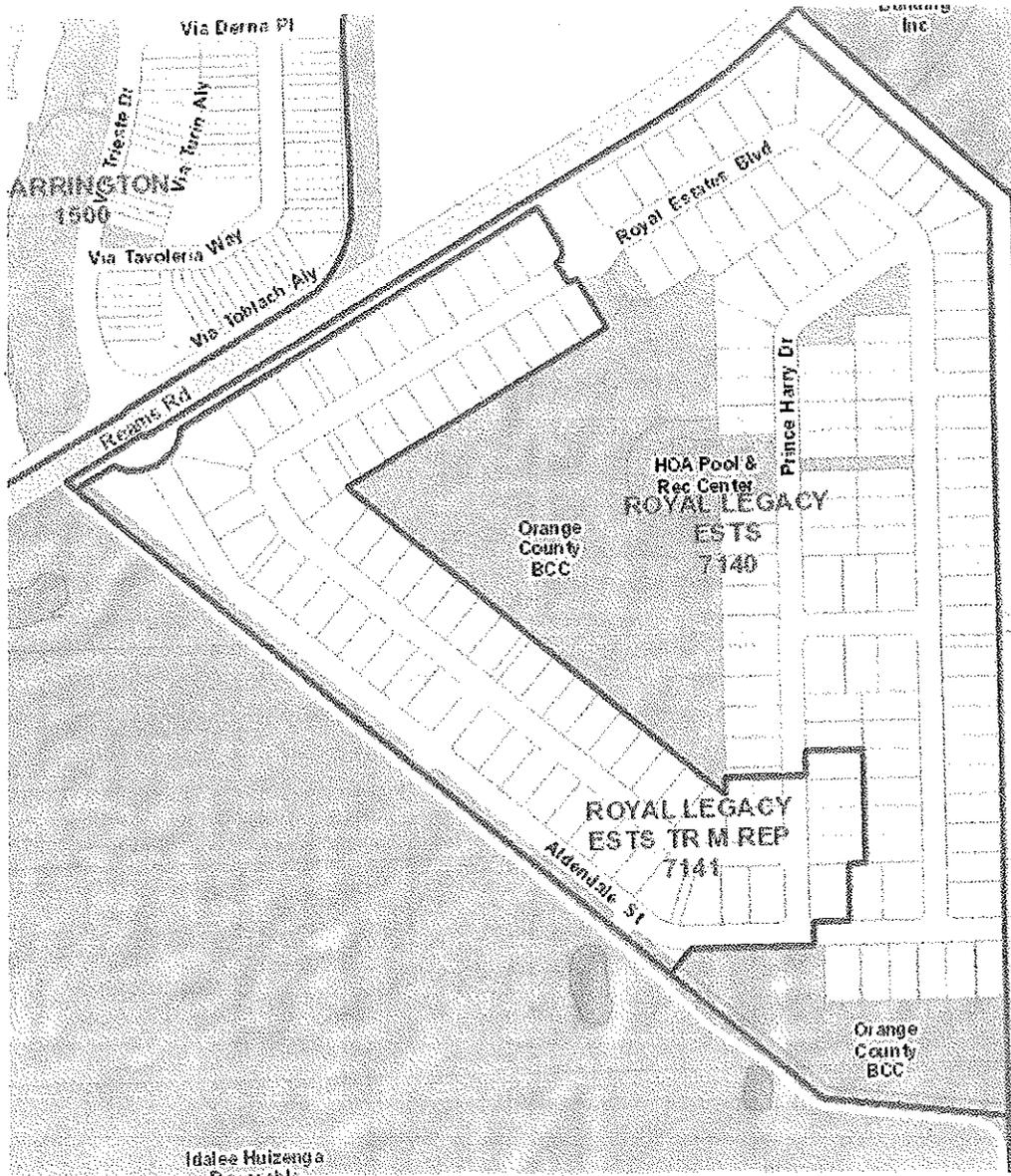
Report: The attached resolution will amend the existing MSBU for streetlighting. The amendment will add decrease the streetlighting inventory and reduce the special assessment from \$127.00 to \$79.00 for all of the 169 lots.

Streetlighting: The revised streetlighting inventory will consist of 37 - 100 watt decorative ocala (acorn) fixtures with 37 - 16 foot single decorative victorian concrete poles. Last year's assessment was \$98.00 per lot.

Effective Date: The amending MSBU would be effective November 1, 2016.

Action Requested: Approval of attached resolution for streetlighting.

Royal Legacy Estates and Royal Legacy Estates Tract M Replat



**RESOLUTION
OF THE
BOARD OF COUNTY COMMISSIONERS
AMENDING AND RESTATING A
MUNICIPAL SERVICE BENEFIT UNIT
FOR STREETLIGHTING
FOR**

**Royal Legacy Estates and
Royal Legacy Estates Tract M Replat
11/2016**

WHEREAS, Section 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Benefit Units (hereinafter known as the "MSBU") for any part of the unincorporated areas of Orange County, and

WHEREAS, Section 197.3632, Florida Statutes, authorizes the levy, collection, and enforcement of non-ad valorem assessments in the same manner as ad valorem taxes; and

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board"), is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter; and

WHEREAS, by the Resolution dated April 5, 2016, the Board established the Royal Legacy Estates and Royal Legacy Estates Tract M Replat 11/2016 Municipal Service Benefit Unit (hereinafter known as the "MSBU") for streetlighting (hereinafter known as the "Resolution"), said Resolution being recorded in Official Records as Document Number 20160189066 on April 14, 2016, Public Records of Orange County, Florida; and

WHEREAS, the County has now received a request for the amendment of such Resolution for the subdivisions which are more fully described below in that portion of the unincorporated area of Orange County to decrease the streetlighting inventory from 60 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures and 60 - 16 foot single decorative victorian concrete poles to 37 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures with 37 - 16 foot single decorative victorian concrete poles; and

WHEREAS, this Board has determined that the amendment and restatement of the existing MSBU, the purpose of which is to decrease the streetlighting inventory, together with the other information pertaining to the operation of the proposed MSBU submitted therewith, to be feasible, necessary to facilitate the services desired and in the public interest, and that the properties will be benefited, now and in the future, and that the existing MSBU should be amended and restated for said subdivisions which are more fully described below and to decrease the streetlighting inventory; and

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

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. The **Royal Legacy Estates and Royal Legacy Estates Tract M Replat 11/2016** Resolution for streetlighting which is recorded in Official Records Document Number **20160189066**, Public Records of Orange County, Florida, is hereby amended as the **Royal Legacy Estates and Royal Legacy Estates Tract M Replat 11/2016** MSBU, subject to final adjustment and approval as provided for in Section 197.3632, Florida Statutes. This MSBU is to include said subdivisions, the boundaries of which appear on the recorded plats of **Royal Legacy Estates and Royal Legacy Estates Tract M Replat 11/2016** subdivisions, Plat Book **81**, Pages **125 through 129** for **Royal Legacy Estates**, and Plat Book **87**, Pages **8 through 11** for **Royal Legacy Estates Tract M Replat**, Section **01**, Township **24**, Range **27**, and Lots **1 through 97** for **Royal Legacy Estates** and Lots **98 through 169** for **Royal Legacy Estates Tract M Replat**, Public Records of Orange County, Florida and to decrease the streetlighting inventory which is more fully described below. The purpose of such MSBU is to provide for collection and disbursement by the County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSBU, including energy charges, streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, electrical services and current used in their operation, and for payment of administrative costs and appropriate reserves for cash balance. It is the understanding of the County that **Duke Energy Florida, Inc.** is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of Royal Legacy Estates and Royal Legacy Estates Tract M Replat subdivisions and that Duke Energy Florida, Inc. will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such standard maintenance and operation. Such equipment is to include **37 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures at \$13.18 per fixture, per month and 37 - 16 foot single decorative victorian concrete poles at \$13.07 per pole, per month for a yearly rate of \$11,655.00**, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the properly constituted legal authorities who control, govern and set the rates for Duke Energy Florida, Inc. for the services described herein. It is further understood by the County that Duke Energy Florida, Inc. may construct such streetlighting equipment only in those portions of the MSBU as may be necessary concurrent with the development of Royal Legacy Estates and Royal Legacy Estates Tract M Replat subdivisions and that the streetlighting district created herein will be operated only in such portions of the MSBU until such construction is completed in other portions of the MSBU; provided that if such construction is only to be in portions of such MSBU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board. After presentation and approval by the Board, it is understood and agreed between the County and the Developer that (if applicable) as Royal Legacy Estates and Royal Legacy Estates Tract M Replat subdivisions expands the additional Additions, Phases, Sections, Units and/or etc., as the case may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration. **It is further understood that the revised contract between the County and Duke Energy Florida, Inc. for Royal Legacy Estates and Royal Legacy Estates Tract M Replat subdivisions will not be effective until November 1, 2016.** Streetlights installed prior to this date are the responsibility of the developer and not the County. It is further understood that only **37 - 100 watt 9500 lumen high pressure sodium decorative ocala (acorn) fixtures at \$13.18 per fixture, per month and 37 - 16 foot single decorative victorian concrete poles at \$13.07 per pole, per month** are approved for this MSBU. Any additional streetlighting will be the responsibility of the developer.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSBU. This non-ad valorem assessment is levied for the first time as of **November 1, 2016** and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. The property owners within Royal Legacy Estates and Royal Legacy Estates Tract M Replat subdivisions shall pay any cost exceeding standard operating and maintenance expense as determined by the Board. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars (\$1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSBU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSBU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSBU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment, including the establishment and maintenance of an appropriate reserve for cash balance, is **\$13,351.00** and the estimated annual charge to each individual freeholder is **\$79.00**. Proceeds of collection of such assessments as provided hereinafter put into a special revenue fund of the County to the credit of the MSEU, and are to be used only by the district as provided herein.

4. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSBU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plat(s) of Royal Legacy Estates and Royal Legacy Estates Tract M Replat subdivisions, Plat Book 81, Pages 125 through 129 for Royal Legacy Estates, Pages and Plat Book 87, Pages 8 through 11 for Royal Legacy Estates Tract M Replat, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district and appropriate reserves for cash balance for paying expenses, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board

shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County ad valorem taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to the Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by Duke Energy Florida, Inc., related administrative costs, and to the establishment and maintenance of an appropriate reserve for cash balance. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

5. The Board intends that non-ad valorem special assessments authorized by this resolution be collected pursuant to the Uniform Assessment Collection Act, Sections 197.3632 and 197.3635, Florida Statutes. The Board authorizes utilization of this Uniform Method of collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector as provided by Florida Law.

6. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSBU assessments.

7. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the Uniform Method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, however, a public hearing notice conforming to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County.

8. The Board of County Commissioners shall be the governing board of said Municipal Service Benefit Unit.

9. This resolution which amends and restates the Resolution recorded in Official Records as Document Number 20160189066, is controlling and supersedes the Resolution recorded in Official Records as Document Number 20160189066, Public Records of Orange County, Florida.

ADOPTED THIS _____ DAY OF _____, 2016

ORANGE COUNTY, FLORIDA

BY: _____
ORANGE COUNTY MAYOR

DATE: _____

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

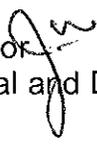
BY: _____
DEPUTY CLERK



Interoffice Memorandum

July 20, 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, Manager
Transportation Planning Division
(407) 836-8072**

SUBJECT: August 2, 2016 – Public Hearing
UCF/Alafaya Trail Pedestrian Safety Study

On April 26, 2016, staff conducted a Work Session regarding the UCF/Alafaya Trail Pedestrian Safety Study. This study was intended to evaluate challenges and opportunities to improve bicycle/pedestrian safety within the study corridor. The recommended projects would proceed into design and construction would be funded through Mayor Jacobs' INVEST Program.

On August 2, 2016, a public hearing to consider specific project recommendations was scheduled before the Board of County Commissioners. However, this public hearing needs to be cancelled to allow staff sufficient time to complete negotiations with the University of Central Florida and the Florida Department of Transportation relative to the installation and maintenance of the recommended improvements.

Therefore, no action by the Board of County Commissioners is required at this time.

JVW/RN:rep

Attachment



Interoffice Memorandum

July 21, 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 2, 2016 - Public Hearing
Christopher Wrenn, DR Horton
Conventional Rezoning Case # RZ-16-02-007
(Pulled from the April 21, 2016 PZC Recommendations Book)

This request is to rezone a 7.73-acre parcel located at 1302 S. Econlockhatchee Trail, from R-1AA (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District), in order to subdivide and develop twenty-eight (28) lots with one (1) conventional single-family detached dwelling unit per lot.

On April 21, 2016, the Planning and Zoning Commission (PZC) made a finding of consistency with the Comprehensive Plan, and recommended approval of the request, subject to three (3) restrictions. As summarized in the staff report, two (2) community meetings were also held for this request at Deerwood Elementary School on February 2, 2016 and April 21, 2016. At both community meetings, residents expressed significant opposition to the request.

Finally, the Specific Project Expenditure Report and Relationship Disclosure Form have been completed in accordance with the requirements of Ordinance 2008-14. Copies of these forms may be obtained in the Planning Division for further reference.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and APPROVE the requested R-1 (Single-Family Dwelling District) zoning, subject to the restrictions listed under the PZC Recommendation in the Staff Report. District 3

Attachment

GENERAL INFORMATION

APPLICANT	Christopher Wrenn, AICP, D.R. Horton, Inc.
OWNER	Primera Construction Corp.
HEARING TYPE	Planning and Zoning Commission
REQUEST	R-1AA (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)
LOCATION	1302 S. Econlockhatchee Trail; or generally located on the west side of S. Econlockhatchee Trail, approximately 650 feet north of Oriente Street
PARCEL ID NUMBERS	31-22-31-0000-00-108 and 31-22-31-0000-00-036
PUBLIC NOTIFICATION	<p>The notification area for this public hearing extended beyond 500 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Five hundred and four (504) notices were mailed to those property owners in the mailing area.</p> <p>Two community meetings were also held for this application on February 3, 2016 and June 7, 2016 at Deerwood Elementary School (<i>refer to meeting summary on page 2</i>).</p>
TRACT SIZE	7.73 gross acres
PROPOSED USE	Up to twenty-eight (28) lots with one (1) conventional single-family detached dwelling unit per lot.

STAFF RECOMMENDATION

PLANNING

Make a finding of inconsistency with the Comprehensive Plan and recommend DENIAL of the requested R-1 (Single-Family Dwelling District) zoning.

IMPACT ANALYSIS

Land Use Compatibility

The R-1 (Single-Family Dwelling District) zoning would allow for development that is inconsistent with the character of surrounding neighborhoods, which primarily consist of R-1AA and R-1A zoned properties. Although the applicant has offered to restrict lots located along the northern property line to a minimum width of eight-five (85) feet (*consistent with adjacent development*), the minimum 50-foot lot width allowed within the remaining areas of the proposed R-1 zoning district is unprecedented along the S.

Econlockhatchee Trail corridor. For this reason, staff has found the request to be incompatible with the surrounding area.

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, but is inconsistent with the following applicable CP provisions:

FLU1.4.2 states Orange County shall ensure that land use 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.

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.

Community Meeting Summary

A community meeting was held on February 3, 2016 at Deerwood Elementary School. Excluding the applicant and various Orange County staff, 47 residents were in attendance. Community residents were strongly opposed to the request to change the zoning and general development of the subject property. Issues raised included the perception of incompatibility; increased traffic; proximity to Deerwood Elementary School; impacts to existing wildlife and trees; stormwater runoff; and possible flooding.

Subsequent to the April 21, 2016 Planning and Zoning Commission (PZC) public hearing, an additional community meeting was held on June 7, 2016 at Deerwood Elementary School. Excluding the applicant and Orange County staff, 53 residents were in attendance. Community residents maintained their strong opposition to the request.

SITE DATA

Existing Use	Undeveloped Residential
Adjacent Zoning	N: R-1AA (Single-Family Dwelling District) (1979)
	E: R-CE (Country Estate District) (1968)

W: R-1AA (Single-Family Dwelling District) (1972)

S: R-1AA (Single-Family Dwelling District) (1979)

Adjacent Land Uses

N: Detached Single-Family Residential

E: Undeveloped Residential

W: Retention Pond

S: Deerwood Elementary School

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:	
<i>Front:</i>	20 ft.
<i>Rear:</i>	20 ft.
<i>Side:</i>	5 ft.
<i>Side Street:</i>	15 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 7.73-acre property is generally located on the west side of S. Econlockhatchee Trail, approximately 650 feet north of Oriente Street and is currently undeveloped. Through this request, the applicant is seeking to rezone the two parcels from R-1AA (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District) with the intent to develop twenty-eight (28) lots with one (1) conventional single-family detached dwelling unit per lot. To ensure compatibility with an adjacent single-family subdivision, the applicant has offered to restrict lots along the northern site perimeter to minimum width of eighty-five (85) feet. However, the request would otherwise permit a minimum lot width of 50 feet, and reduce the current R-1AA minimum lot area from 10,000 square feet to 5,000 square feet.

The surrounding area is residential in nature, and is primarily developed with suburban

subdivisions, with Deerwood Elementary School located immediately south of the subject property. Located further east of the S. Econlockhatchee Trail corridor and across State Road 417, the area exhibits larger agriculturally zoned residential properties.

Comprehensive Plan (CP) Amendment

A CP amendment is not required for this application, as the requested R-1 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.

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 located within Airport Noise Zone "E". The proposed use is subject to minor land use restrictions, as stated in Orange County Code Article XV – "Airport Noise Impact Areas".

Environmental

Wetlands are located on this property. Prior to any Orange County permits or development approval, the Environmental Protection Division (EPD) will require a completed Conservation Area Determination (CAD), and if encroachments are proposed, a Conservation Area Impact (CAI) Permit, consistent with Chapter 15, Article X Wetland Conservation Areas. Approval of this request does not authorize any direct or indirect impacts to conservation areas or protective buffers.

Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

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 developer.

Transportation / Access

Based on the 9th Edition of the Institute Trip Generation manual, 28 single family dwelling units will generate approximately 33 trips during the PM peak period. Trips from the proposed development will impact segments of Dean Road and Lake Underhill Road, which are currently operating below adopted Levels of Service. This information is dated and is subject to change.

A traffic study will be required prior to obtaining an approved Capacity Encumbrance Letter (CEL) and building permit.

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 36-inch and 16-inch main are located in the S. Econlockhatchee Trail right-of-way adjacent to this property.
Wastewater:	Orange County Utilities	A 20-inch main is located in the S. Econlockhatchee trail right-of-way adjacent to this property.
Reclaim Water:	Orange County Utilities	There are no reclaimed water mains in the vicinity of the site.

Schools

Orange County Public Schools (OCPS) has indicated there is school capacity for the proposed development (School Capacity Determination Application OC-16-002).

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 – (April 21, 2016)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-1 (Single-Family Dwelling District) zoning, subject to the following restrictions:

- 1) A minimum lot width of 85 feet shall be provided along the north property line;
- 2) A minimum lot area of 5,250 square feet shall be provided along the south property line; and
- 3) Preservation of key tree clusters shall be considered during subdivision plan review.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

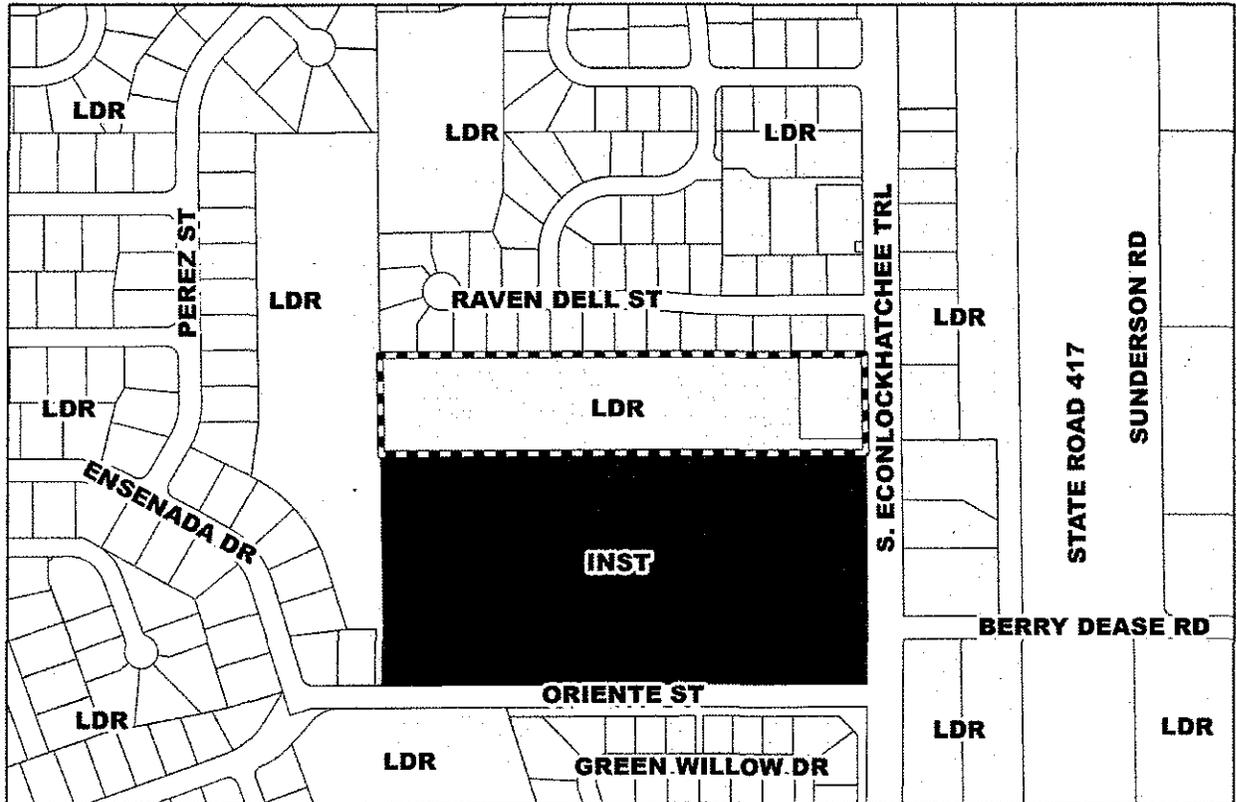
The staff report was presented to the PZC with the recommendation that they make a finding of inconsistency with the Comprehensive Plan and recommend denial of the requested R-1 (Single-Family Dwelling District) zoning.

Staff indicated that five-hundred four (504) notices were mailed to surrounding property owners within a buffer extending beyond 500 feet from the subject property, with twenty-four (24) responses in opposition to the request received. The applicant was present and disagreed with the staff recommendation, stating that their willingness to restrict lots located along the northern property line to a minimum width of eight-five (85) feet (*consistent with adjacent development*), would ensure compatibility. There were seven (7) members of the surrounding community present to express opposition to the request.

Following PZC discussion regarding compatibility of the proposed zoning district, Commissioner Demostene made a motion to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the R-1 (Single-Family Dwelling District) zoning, subject to three (3) restrictions. Commissioner Dunn seconded the motion, which was then carried on a five (5) to four (4) vote.

Motion / Second	<i>Tina Demostene / James Dunn</i>
Voting in Favor	<i>Tina Demostene, James Dunn, Yog Melwani, Jose Cantero, and Rick Baldocchi</i>
Voting in Opposition	<i>Paul Wean, Marvin Barrett, JaJa Wade, and Pat DiVechhio</i>

RZ-16-02-007



 Subject Property



★ Subject Property

Future Land Use Map

FLUM: Low Density Residential (LDR)

APPLICANT: Christopher Wrenn, DR Horton, Inc.

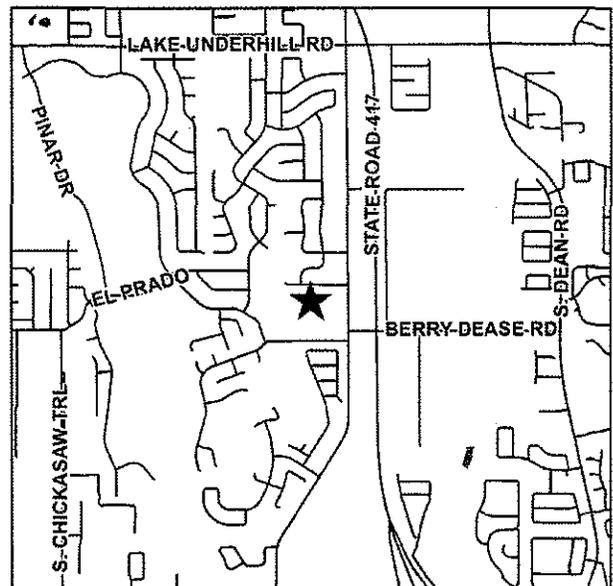
LOCATION: 1302 S. Econlockhatchee Trail; or generally located on the west side of S. Econlockhatchee Trail, approximately 650 feet north of Oriente Street

TRACT SIZE: 7.73 gross acres

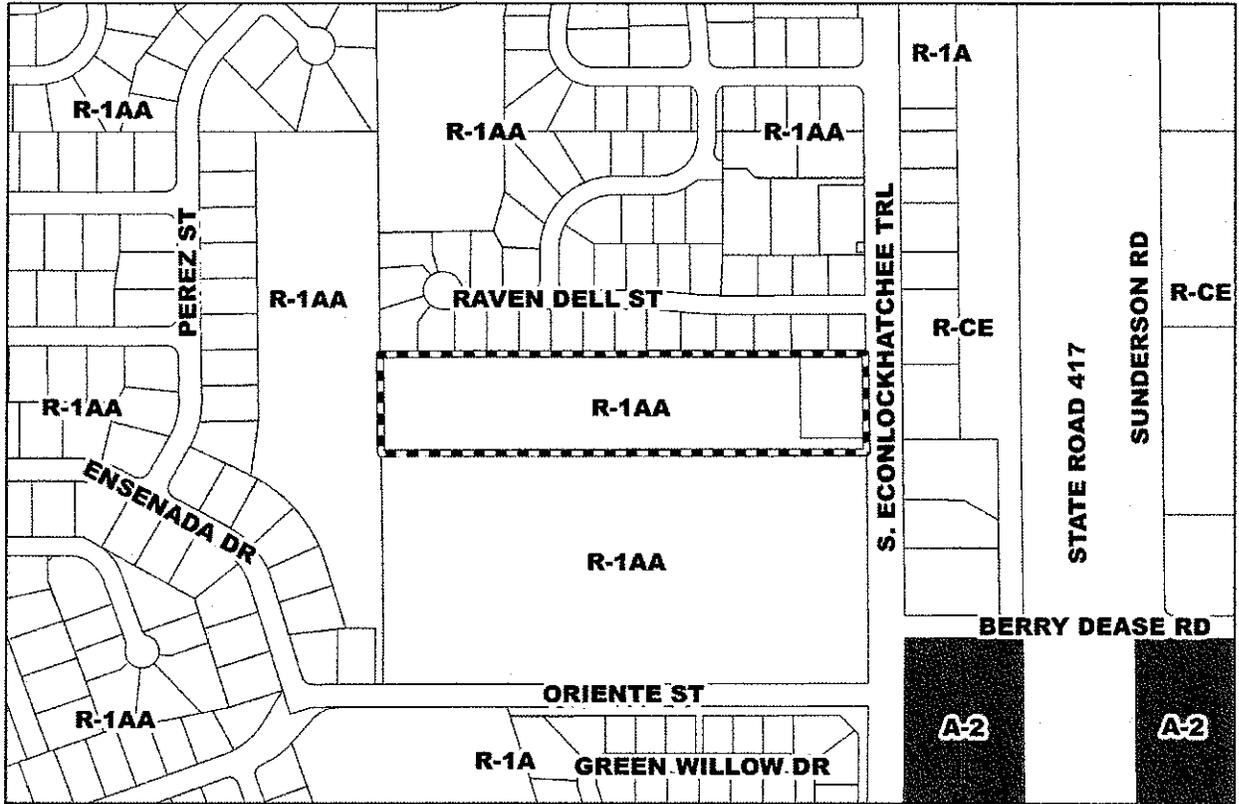
DISTRICT: #3

S/T/R: 31/22/31

1 inch = 417 feet



RZ-16-02-007



 Subject Property



★ Subject Property

Zoning Map

ZONING: R-1AA (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District)

APPLICANT: Christopher Wrenn, DR Horton, Inc.

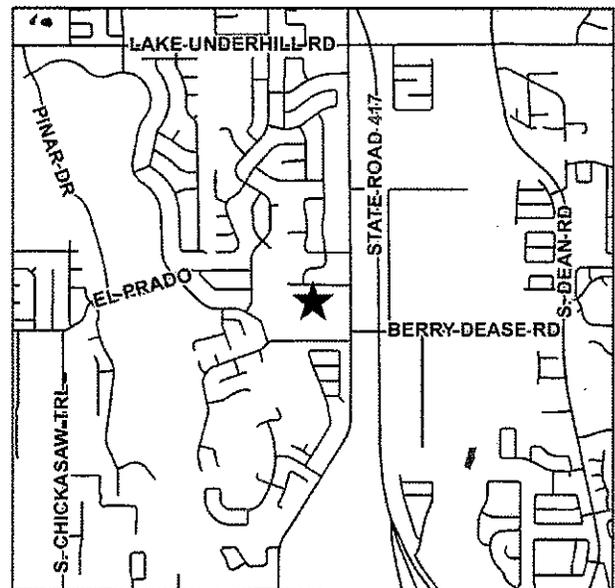
LOCATION: 1302 S. Econlockhatchee Trail; or generally located on the west side of S. Econlockhatchee Trail, approximately 650 feet north of Oriente Street

TRACT SIZE: 7.73 gross acres

DISTRICT: # 3

S/T/R: 31/22/31

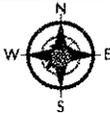
1 inch = 417 feet



RZ-16-02-007



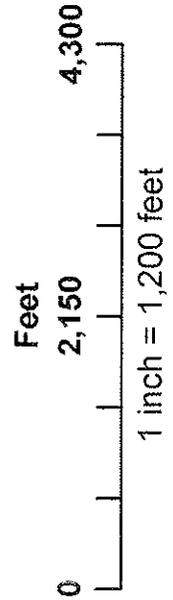
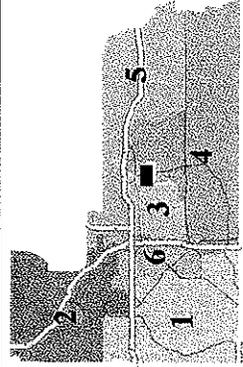
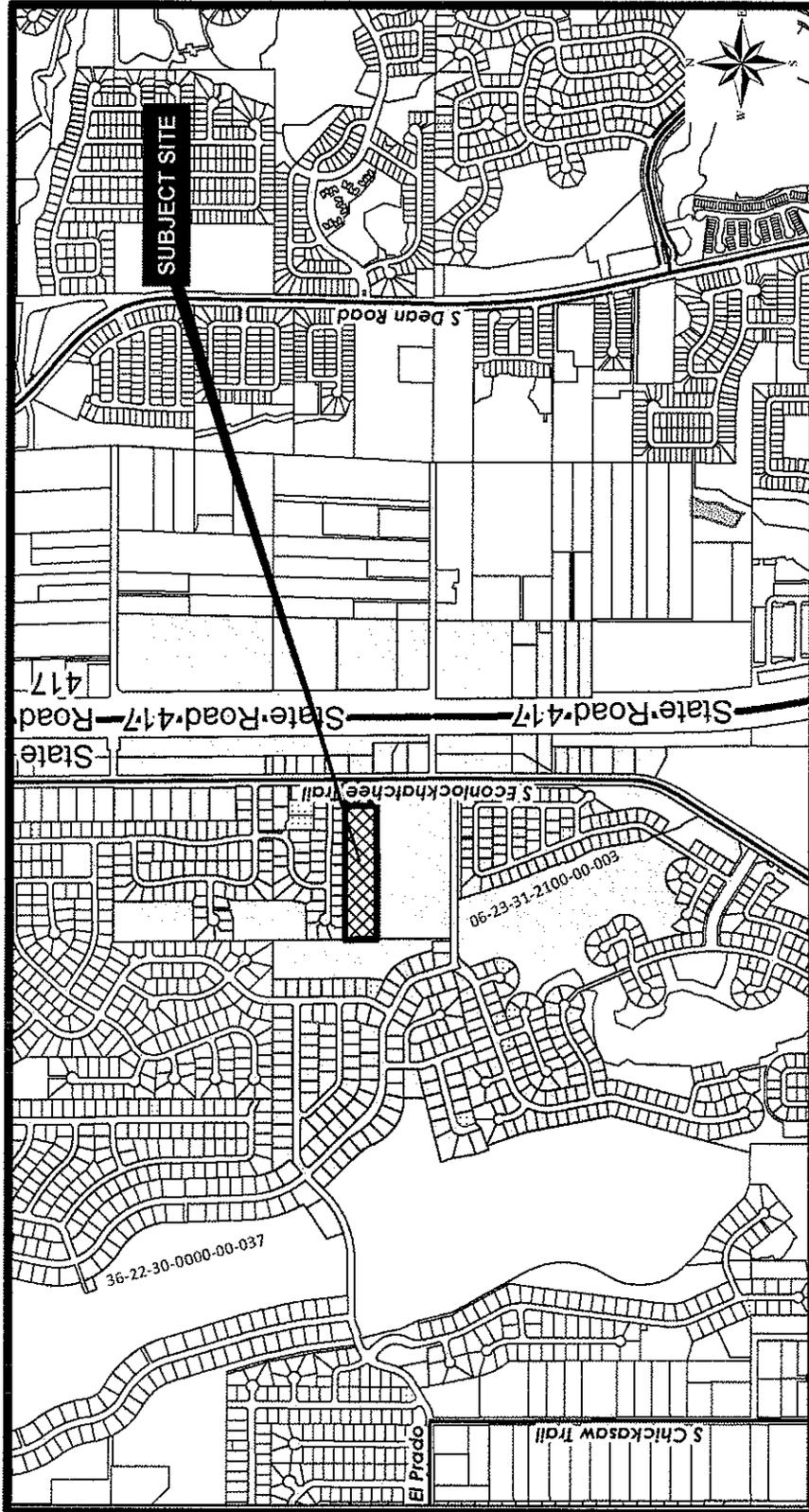
 Subject Property



1 inch = 417 feet

Notification Map

RZ-16-02-007
 504 NOTICES



Legend

-  SUBJECT
-  PARCELS
-  HYDROLOGY
-  SELECTED PARCELS
-  Titled Facility

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Interoffice Memorandum

July 21, 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 2, 2016 – Public Hearing
Applicant: Christina Baxter, Poulos & Bennett, LLC
Moss Park PD / Parcel C1 Preliminary Subdivision Plan –
Case # PSP-15-12-369

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of June 8, 2016, to approve the Moss Park PD / Parcel C1 Preliminary Subdivision Plan to subdivide 24.42 acres in order to construct 112 single-family attached residential dwelling units.

This request also includes the following waiver from Orange County Code:

1. A waiver from Orange County Code Section 34-209 is requested to allow a four (4) to six (6) foot high berm, split rail fence and landscape buffer in lieu of a six (6) foot high masonry screen wall along Moss Park Road.

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 Moss Park PD / Parcel C1 Preliminary Subdivision Plan dated "Received May 31, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 4

JVW/JS/lme
Attachments

CASE # PSP-15-12-369

Commission District # 4

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of June 8, 2016, to approve the Moss Park PD / Parcel C1 Preliminary Subdivision Plan to subdivide 24.42 acres in order to construct 112 single-family attached residential dwelling units.

This request also includes the following waiver from Orange County Code:

1. A waiver from Orange County Code Section 34-209 is requested to allow a four (4) to six (6) foot high berm, split rail fence and landscape buffer in lieu of a six (6) foot high masonry screen wall along Moss Park Road.

2. PROJECT ANALYSIS

- A. Location: North & South of John Wycliffe Boulevard / West of Moss Park Road
- B. Parcel ID: 09-24-31-0000-00-023; 15-24-31-0000-00-015
- C. Total Acres: 24.42
- D. Water Supply: Orange County Utilities
- E. Sewer System: Orange County Utilities
- F. Schools: Moss Park ES Capacity: 842 / Enrollment: 812
Lake Nona MS Capacity: 1,235 / Enrollment: 1,802
Lake Nona HS Capacity: 2,807 / Enrollment: 2,532
- G. School Population: 49
- H. Parks: Moss Park – 2.3 Miles
- I. Proposed Use: 112 Single-Family Attached Residential Dwelling Units
- J. Lot Dimension: Maximum Building Height: 35' (2-stories)
Minimum Living Area: 1,000 Square Feet
Building Setbacks:
20' Front
5' Side Street
0' Interior Side
20' Rear
20' Building Separation

- K. Fire Station: 77 – 11501 Moss Park Road
- L. Transportation: Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

3. COMPREHENSIVE PLAN

The subject property has an underlying Future Land Use Map (FLUM) designation of PD-IND/INST/O/C/LDR/LMDR/MDR/CON. Parcel C on the PD/LUP is approved for 231 single family residential dwelling units. The proposed use is consistent with the Comprehensive Plan.

4. ZONING

PD (Planned Development District) (Moss Park PD)

5. REQUESTED ACTION:

Approval subject to the following conditions:

1. Development shall conform to the Moss Park PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Parcel C1 Preliminary Subdivision Plan dated "Received May 31, 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 31, 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

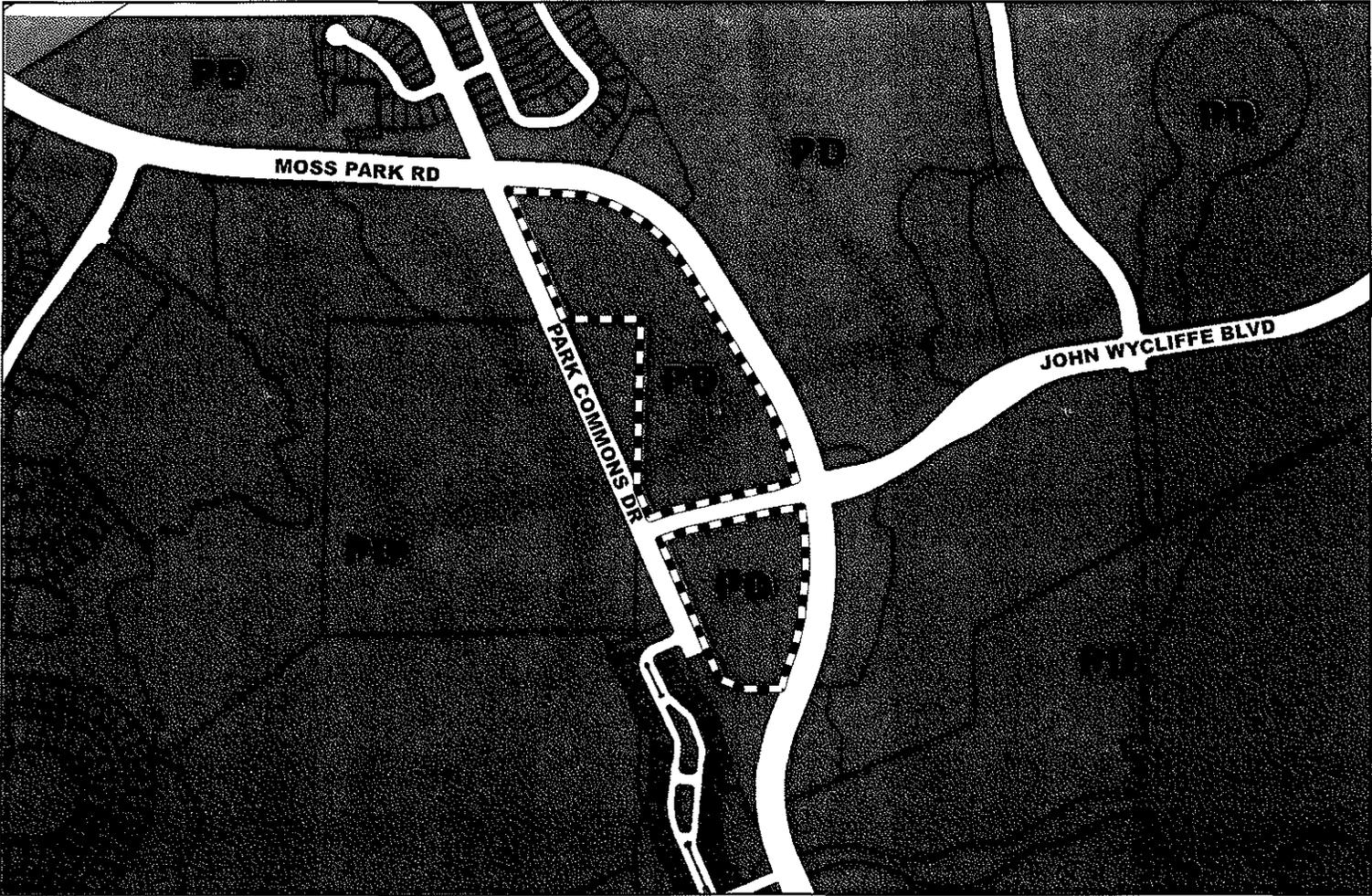
reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) 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).

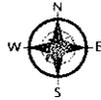
6. Length of stay shall be for 180 days or greater. Short term/transient rental shall be prohibited.
7. Signage shall comply with Chapter 31.5 of the Orange County Code.
8. Prior to commencement of any earthwork or construction, the developer shall provide a copy of the completed National Pollutant Discharge 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 by the developer.
9. The site shall be stabilized following grubbing, clearing, earth work, or mass grading to establish a dense stand of grass, or shall incorporate other approved Best Management Practices, on all disturbed areas if development does not begin within 7 days. Final stabilization shall achieve a minimum of seventy percent (70%) coverage of the disturbed land area and shall include a maintenance program to ensure minimum coverage survival and overall site stabilization until site development. Prior to clearing or grubbing, or approval of mass grading or constructions plans, a letter of credit or cash escrow acceptable to the County shall be submitted to guarantee the required site stabilization and maintenance of all disturbed areas. The County Engineer shall establish the amount of the letter of credit or cash escrow.
10. At least thirty (30) days prior to construction plan submittal, the applicant shall submit a Master Utility Plan (MUP) for the PSP, including hydraulically dependent parcels outside the PSP boundaries; such MUP shall include supporting calculations showing that the PSP-level MUP is consistent with the approved MUP for the Moss Park PD, or shall include an update to the Moss Park PD MUP to incorporate any revisions. The MUP(s) must be approved prior to construction plan approval.
11. Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. Unless the property is otherwise vested or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
12. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/ sufficiency review meeting prior to formal submittal of the plat to the County.
13. 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.

14. 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 construction plan submittal.
15. Roads and drainage system(s), including any retention pond(s), will be owned and maintained by Orange County with a Municipal Service Benefit Unit (MSBU) established for stormwater system functionality. Routine maintenance, including mowing, beyond that provided by the County, shall be the responsibility of the Homeowners' Association.
16. A Municipal Service Benefit Unit (MSBU) shall be established for the standard operation and maintenance of street lighting inventory including leasing, fuel, and energy costs for this project. Street lighting fixtures, poles, and luminaries used in this project shall be selected from the approved inventory list supplied by the Orange County Comptroller. Street lighting fixtures, poles, and luminaries used in this project shall be supplied and installed by the utility company that services the area of the project, as authorized by law or agreement, and thereafter maintains the street lighting inventory. The developer shall obtain approval of the street lighting fixtures, poles, and luminaries from the Orange County Comptroller Special Assessments Department via a "Letter of Commitment" prior to the installation of the street lighting fixtures, poles, and luminaries and prior to the plat being recorded by Orange County Comptroller Official Records section. All installation costs and street lighting operational costs prior to the effective date of the MSBU approval by the Orange County Board of County Commissioners shall be the sole responsibility of the developer.
17. Prior to construction plan approval, documentation with supporting calculations shall be submitted which certifies that the existing drainage system and pond have the capacity to accommodate this development and that this project is consistent with the approved master drainage plan (MDP) for this PD.
18. A waiver from Section 34-209 is granted to allow a 4'-6' high berm, split rail fence and landscape buffer in lieu of a 6' high masonry screen wall along Moss Park Road.
19. Prior to construction plan approval, documentation must be provided certifying that this project has legal right to tie into the master drainage system.



 Subject Property



★ Subject Property

Zoning

ZONING: PD (Planned Development District)
(Moss Park PD)

APPLICANT: Christina Baxter, Poulos & Bennett, LLC

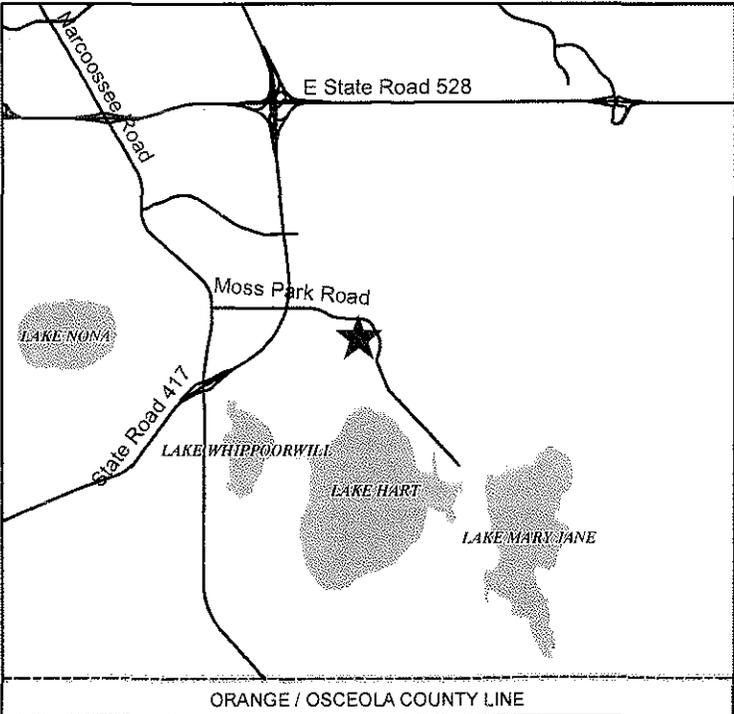
LOCATION: North and South of John Wycliffe Blvd. /
West of Moss Park Rd.

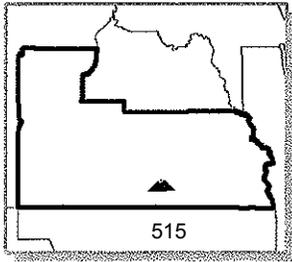
TRACT SIZE: 24.4 acres

DISTRICT: #4

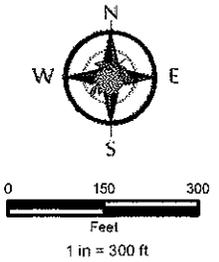
S/T/R: 09/24/31; 15/24/31

1 inch = 750 feet





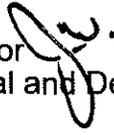
Moss Park PD Parcel C1 PSP





July 11, 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 2, 2016 – Public Hearing
Shoreline Alteration/Dredge and Fill Permit Application for
Jose Vargas (SADF-16-03-002)

The applicant, Jose Vargas, is requesting a Shoreline Alteration/Dredge and Fill Permit to replace an existing seawall located on his property at 9206 Island Lake Court on Little Fish Lake Canal. The Parcel ID for the site is 09-24-28-8935-00-250. The subject property is located in Orange County Commission District 1.

Notification of the public hearing was sent on July 13, 2016, to the property owners within 500 feet of the project site.

On March 9, 2016, the Environmental Protection Division (EPD) received a Shoreline Alteration/Dredge and Fill Permit application to replace an existing seawall, of which a portion had failed. Rip-rap or plantings are not requested due to navigational concerns in the canal.

Pursuant to Orange County Code, Chapter 33, Article IV, EPD staff has evaluated the proposed Shoreline Alteration application and required documents.

There is no current enforcement action on the subject parcel.

Staff Recommendation

Approval of the Shoreline Alteration/Dredge and Fill Permit, subject to the following conditions:

Specific Conditions:

1. This permit shall become final and effective upon expiration of the thirty (30) calendar day appeal period following the date of issuance, unless an appeal has been filed within this timeframe. Any appeal shall stay the effective date of this permit until any and all appeals are resolved.
2. Construction activities shall be completed in accordance with the Sheet 1 of 1 submitted by Structural Engineering Services, Inc., dated as received on June 22, 2016, by the Environmental Protection Division (EPD). The permitted work must be commenced within six (6) months and completed within one year from the date of issuance of the permit. In the event that project has not commenced within six (6) months or completed within a year this permit is void. The operational phase of this permit is effective upon the completion of the construction and continues in perpetuity.
3. Any permit extensions for the approved construction may be approved by way of Consent Agenda if there are no changes.
4. A copy of this permit, along with EPD stamped and approved drawings should be taken to the Orange County (OC) Zoning Division at 201 South Rosalind Avenue for approval in order to obtain a building permit. For further information, please contact the OC Zoning Division at (407) 836-5525.
5. After approved by OC Zoning, the certified site plans will need to be reviewed by the OC Building Division in order to obtain a building permit. For further information, please contact the OC Division of Building Safety at (407) 836-5550.
6. No filling is approved with this permit, except for backfilling that may be required landward of the replacement seawall.
7. Subject to the terms and conditions herein, the permittee is hereby authorized to perform or cause to be performed, the impacts shown on the application and approved drawings, plans, and other documents attached hereto or on file with EPD. The permittee binds itself and its successors to comply with the provisions and conditions of this permit. If EPD determines at any time that activities, including without limitation the performance of the required mitigation, are not in accordance with the conditions of the permit, work shall cease and the permit may be revoked immediately by the Environmental Protection Officer. Notice of the revocation shall be provided to the permit holder promptly thereafter.

General Conditions:

8. Prior to construction, the permittee shall clearly designate the limits of construction on-site. The permittee shall advise the contractor that any work outside the limits of construction, including clearing, may be a violation of this permit.
9. The permittee shall require the contractor to maintain a copy of this permit, complete with all approved drawings, plans, conditions, attachments, exhibits, and modifications in good condition at the construction site. The permittee shall require the contractor to review the permit prior to commencement of the activity authorized by this permit. The complete permit shall be available upon request by Orange County staff.
10. Issuance of this permit does not warrant in any way that the permittee has riparian or property rights to construct any structure permitted herein and any such construction is done at the sole risk of the permittee. In the event that any part of the structure(s) permitted herein is determined by a final adjudication issued by a court of competent jurisdiction to encroach on or interfere with adjacent property owner's riparian or other property rights, permittee agrees to either obtain written consent or to remove the offending structure or encroachment within sixty days from the date of the adjudication. Failure to comply shall constitute a material breach of this permit and shall be grounds for its immediate revocation.
11. This permit does not release the permittee from complying with all other federal, state, and local laws, ordinances, rules and regulations. Specifically, this permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities upon property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 15, Article VI of the Orange County Code. If these permit conditions conflict with those of any other regulatory agency the permittee shall comply with the most stringent conditions. Permittee shall immediately notify EPD of any conflict between the conditions of this Permit and any other permit or approval.
12. The permittee is hereby advised that Section 253.77, Florida Statutes, states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

13. Should any other regulatory agency require changes to the property, permitted activities, or approved mitigation, the permittee shall provide written notification to EPD of the change prior to implementation so that a determination can be made whether a permit modification is required.
14. EPD shall have final construction plan approval to ensure that no modification has been made during the construction plan process.
15. The permittee shall immediately notify EPD in writing of any previously submitted information that is later discovered to be inaccurate. EPD may revoke the permit upon discovery of information that was provided in the permit application that is later discovered to be inaccurate, or if the project may cause pollution to water bodies, cause an adverse impact to navigation, cause an adverse impact on the riparian rights of other waterfront property owners, or impede the use and enjoyment of the waterbody by the public.
16. EPD staff, with proper identification, shall have permission to enter the site at any reasonable time to either, at a minimum: inspect, sample, or test to ensure conformity with the plans and specifications approved by the permit.
17. The permittee shall hold and save the County harmless from any and all damages, claims or liabilities, which may arise by reason of the activities authorized by the permit.
18. All costs, including attorney's fees, incurred by the County in enforcing the terms and conditions of this permit shall be required to be paid by the permittee.
19. Permittee agrees that any dispute arising from matters relating to this permit shall be governed by the laws of Florida, and initiated only in Orange County.
20. Turbidity and sediments shall be controlled to prevent violations of water quality pursuant to Rule 62-302.500, 62-302.530(70) and 62-4.242 Florida Administrative Code (FAC). Best Management Practices, as specified in the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual, shall be installed and maintained at all locations where the possibility of transferring suspended solids into wetlands and/or surface waters due to the permitted activity. If site-specific conditions require additional measures, then the permittee shall implement them as necessary to prevent adverse impacts to wetlands and/or surface waters.
21. 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.

Page Five

August 2, 2016 – Public Hearing

Shoreline Alteration/Dredge and Fill Permit Application for Jose Vargas (SADF-16-03-002)

22. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

ACTION REQUESTED: Approval of Shoreline Alteration/Dredge and Fill Permit for Jose Vargas (SADF-16-03-002), subject to the conditions listed in the staff report. District 1

JWW/LC: mg

Attachment

Shoreline Alteration/Dredge and Fill Permit Request



Shoreline Alteration/Dredge and Fill Permit Request

District #1

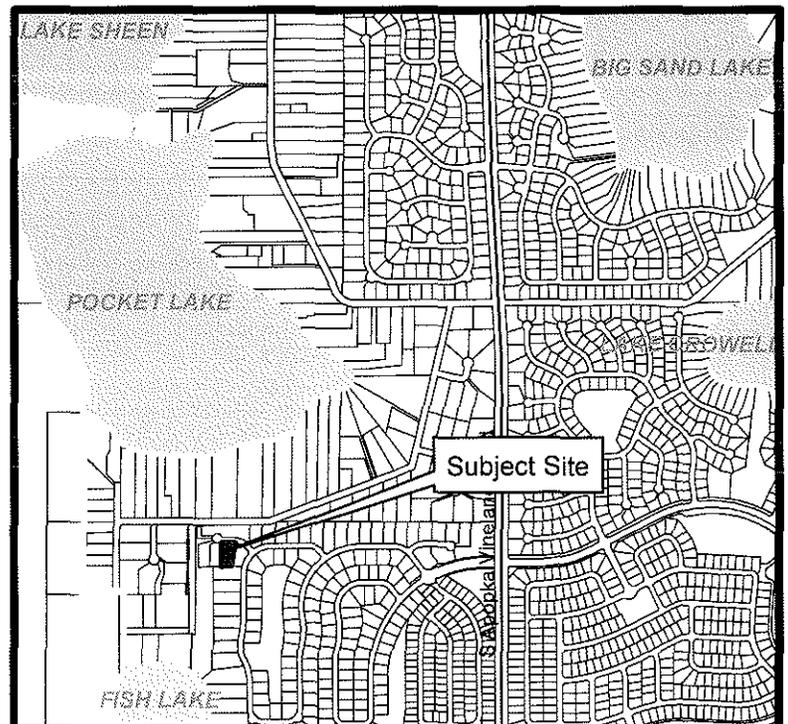
Applicant: Jose Vargas

Parcel IDs: 09-24-28-8935-00-250

Project Site

Property Location ●

521



SPECIFIC PURPOSE SURVEY

DESCRIPTION

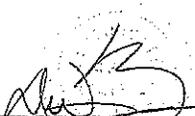
LOT 25, WATER'S EDGE AND BOCA POINTE AT TURTLE CREEK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 36, PAGES 49 THROUGH 52, OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

SURVEYORS NOTES:

1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD, BY THIS FIRM.
3. REVISIONS DO NOT CONSTITUTE A RECERTIFICATION OF THE EXISTING FIELD CONDITIONS OF THIS SURVEY.
4. BEARINGS SHOWN HEREON ARE BASED ON THE FOLLOWING: THE WEST LINE OF LOT 26 AS S00°18'26"E (ASSUMED).
5. THE DESCRIPTION SHOWN HEREON WAS SUPPLIED BY THE CLIENT.
6. UNDERGROUND IMPROVEMENTS AND INSTALLATIONS HAVE NOT BEEN LOCATED.
7. THIS IS NOT A BOUNDARY SURVEY.
8. THE ELEVATIONS SHOWN HEREON ARE BASED ON ORANGE COUNTY DATUM PER BENCH MARK NUMBER S1148014, ELEVATION = 109.57 (NAVD 1988)
9. SITE BENCH MARK AS SHOWN HEREON.
10. NORMAL HIGH WATER ELEVATION = 98.6 AND THE 100 YEAR FLOOD ELEVATION = 100.7.
11. THE ELECTRONIC FILE FOR THIS PROJECT IS THE PROPERTY OF BISHMAN SURVEYING AND MAPPING, INC. AND IS NOT THE PROPERTY OF THE CLIENT.

JOB NUMBER: 16030.000

SURVEY DATE:	03/30/16
FIELD BY:	T.CONARD
FIELD BOOK:	1603
PAGES:	14
FIELD FILE:	16030.M\F
DRAWING FILE:	16030.DWG


DONALD W. BISHMAN, P.S.M., FLORIDA REGISTRATION NO. 4218



CERTIFICATE OF AUTHORIZATION LB 7274

32 W. PLANT STREET Phone No. 407.905.8877
WINTER GARDEN, FL 34787 Fax No. 407.905.8875

SPECIFIC PURPOSE SURVEY

ISLAND LAKE COURT

$\Delta=5'43''12''$
 $R=150.00'$
 $L=14.97'$
 $CB=N88'14''16''W$
 $CH=14.97'$

25.0'

S88°54'08"W 108.41'

24



S00°18'26"E 211.86'

15' DRAINAGE EASEMENT

EXISTING HOUSE
(NOT LOCATED)

26

S07°32'40"W 211.21'

25

LEGEND:

- LB LICENSED BUSINESS
- PSM PROFESSIONAL SURVEYOR & MAPPER
- (D) DRAINAGE MANHOLE
- (E) MITERED END SECTION
- (O) 6"x6" WOOD POLE

FISH LAKE CANAL

PLATTED NORMAL HIGH WATER LINE
 SOUTH FLORIDA WATER MANAGEMENT DISTRICT LINE
 15' WETLAND BUFFER

JOB NUMBER: 16030.000
 DRAWING FILE: 16030.DWG

SHEET 2 OF 2 SHEETS



CERTIFICATE OF AUTHORIZATION LB 7274
 32 W. PLANT STREET Phone No. 407.905.8877
 WINTER GARDEN, FL 34787 Fax No. 407.905.8875



Interoffice Memorandum

July 21, 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 2, 2016 - Public Hearing
Kathy Hattaway, HCI Planning & Land Development Consultants
Village F Master Planned Development (PD)
Substantial Change – Case # CDR-15-12-381 / District 1

The Village F Master PD is generally located within the Village F Specific Area Plan (SAP) boundary of Horizon West in southwest Orange County. The existing PD development program consists of 3,245 residential dwelling units, 240,000 square feet of non-residential activity, two elementary schools, one high school and other Adequate Public Facilities (APF).

Through this PD substantial change, the applicant is requesting to revise the Village Center District Conceptual Block Plan inset on the PD/LUP to reflect an internal orientation of the buildings centered along an internal "main street"; and to expand the types of permitted uses within the Village Center District to include the following:

- 1) Sale of alcohol for on-premises consumption, including drinking establishments, cocktail lounges, pubs & bars (*in addition to full-service restaurants with ancillary alcohol sales*);
- 2) Adult / child day care centers; and
- 3) Drive-throughs in conjunction with a permitted use.

In addition, the applicant is seeking seven (7) waivers from Orange County Code, applicable to PD Parcels S-6 and N-35 (Village Center District) only, to address building placement and orientation, parking lot placement, and buffers. However, no change to existing PD development entitlements is being sought.

A community meeting was not required, and as summarized in the attached staff report, the request received a recommendation of approval by the Development Review Committee (DRC) on May 25, 2016.

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 and the PD/LUP may be found in the Planning Division for further reference.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Village F Master Planned Development / Land Use Plan (PD/LUP) dated "Received May 13, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1

Attachment

CASE # CDR-15-12-381

Commission District: # 1

GENERAL INFORMATION

APPLICANT	Kathy Hattaway, HCI Planning & Land Development Consultants
OWNER	Compass Rose Corp. <i>(affected parcels only)</i>
PROJECT NAME	Village F Master Planned Development / Land Use Plan (PD/LUP)
PARCEL ID NUMBERS	04-24-27-0000-00-031 and 04-24-27-0000-00-033 <i>(affected parcels only)</i>
TRACT SIZE	1,708.95 gross acres <i>(overall PD)</i> 34.03 gross acres <i>(affected parcels only)</i>
LOCATION	West of Seidel Road, approximately one-half (1/2) mile east of the Western Beltway.
REQUEST	<p>A substantial change to the Village F Master PD by revising the Village Center Conceptual Block inset on the PD/LUP, expanding permitted Village Center District uses; and requesting the following seven (7) waivers from Orange County Code, applicable to PD Parcels S-6 and N-35 only (Village Center District):</p> <ol style="list-style-type: none">1. <i>A waiver from Section 38-1389(b) to allow a grocery store and up to three (3) additional buildings south of the internal main street to face Seidel Road and/or Seton Creek Boulevard; in lieu of the requirement that primary building entries and façades face the internal streets of the Village Center.</i>2. <i>A waiver from Section 38-1389(d)(3)(g) to allow for interior blocks, not including Seidel Road or Seton Creek Boulevard, to have a minimum of forty percent (40%) of the build-to-line of any block or parcel to be occupied by buildings and/or street-walls, and up to one-hundred percent (100%) of that requirement to be landscaped street-walls; in lieu of the requirement that a minimum of seventy percent (70%) of the build-to-line of any block or parcel be occupied by buildings and/or street-walls, and that landscaped street-walls not make up more than fifty percent (50%) of the required frontage.</i>3. <i>A waiver from Section 38-1389(d)(4)(d) to allow parking adjacent to Seidel Road and Seton Creek Boulevard to</i>

span the length of the roadway frontage; in lieu of the maximum frontage for parking lots of sixty-five (65) feet along a Village Center circulator or a Village Center major local street.

4. *A waiver from Section 38-1389(d)(4)(g) to allow parking lots to abut street intersections or civic use areas; in lieu of the requirement that parking lots and parking garages not abut street intersections or civic use areas.*
5. *A waiver from Section 38-1389(d)(4)(h) to allow parking in the front of the grocery store and buildings south of the internal main street; in lieu of the requirement that off-street parking be located to the rear or side of buildings.*
6. *A waiver from Section 38-1389(d)(4)(i)(i) to allow parking in the front of the grocery store; in lieu of the requirement that parking be located at the rear or side of the grocery store front façade.*
7. *A waiver from Section 24-5(a)(3) to allow a buffer to be less than six (6) feet in height and less than fifteen (15) feet wide; in lieu of the requirement that a buffer be completely opaque from the ground up to a height of at least six (6) feet and a minimum of fifteen (15) feet wide.*

PUBLIC NOTIFICATION

A notification area extending beyond five hundred (500) feet was used for this application [*Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet*]. One hundred twenty-four (124) notices were mailed to those property owners in the notification buffer area.

IMPACT ANALYSIS

Special Information

The Village F Master PD is located within the Village F Specific Area Plan (SAP) boundary of Horizon West in southwest Orange County. The existing PD development program consists of 3,245 residential dwelling units, 240,000 square feet of non-residential activity, two elementary schools, one high school and other Adequate Public Facilities (APF).

Through this PD substantial change, the applicant is requesting to revise the Village Center District Conceptual Block Plan inset on the PD/LUP to reflect an internal orientation of the buildings centered along an internal "main street"; and to expand the types of permitted uses within the Village Center District to include the following:

- 1) Sale of alcohol for on-premises consumption, including drinking establishments, cocktail lounges, pubs & bars (*in addition to full-service restaurants with ancillary alcohol sales*);

- 2) Adult / child day care centers; and
- 3) Drive-throughs in conjunction with a permitted use.

Finally, the applicant is seeking seven (7) waivers from Orange County Code, applicable to PD Parcels S-6 and N-35 (Village Center District) only, to address building placement and orientation, parking lot placement, and buffers. No change to existing PD development entitlements is being sought.

Land Use Compatibility

The proposed PD Substantial Change request would not adversely impact surrounding properties.

Comprehensive Plan (CP) Consistency

The underlying Future Land Use Map (FLUM) designation of the Village F Master PD is "Village", indicating that the property falls within the Horizon West Sector Planning Area (SAP). More specifically, and excluding Adequate Public Facility (APF) lands, upland greenbelts, wetlands, and power easements; the subject PD parcels are designated Village Center District by the Village F SAP map. The request is consistent with the underlying SAP land use designations and all applicable provisions of the Comprehensive Plan.

Overlay District Ordinance

The subject property is not located within an Overlay District.

Rural Settlement

The subject property is not located within a Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Environmental

Environmental Protection Division (EPD) staff reviewed the PD Substantial Change request and did not identify any issues or concerns.

Transportation / Concurrency

This PD substantial change does not increase existing development entitlements; therefore, no additional impacts to the surrounding roadway network are anticipated.

The Board of County Commissioners (BCC) approved the Village F Horizon West Road Network Agreement on 6/18/2013, which provides for the dedication of right-of-way, design, engineering, permitting, mitigation and construction of Seidel Road to four lanes in three phases according to specific trip allocations and performance thresholds. Concurrency Vesting shall be provided pursuant to Table 1 based on achieved thresholds of the road improvements. Conveyance shall be by general warranty deed at no cost to the County prior to each phase of roadway construction. The Signatory Owners will receive Road Impact Fee Credits in Road Impact Fee Zone 4 for the lesser of (a) 95% of the actual, reasonable unreimbursed sums incurred by Signatory Owners for permitting, design, mitigation, inspection and construction expense exclusive of enhanced

landscaping and street lighting or (b) 60% of the countywide average total cost of road construction per lane mile.

As proof of satisfaction of the project's transportation concurrency obligations, the project must comply with that certain Village F Road Network Agreement recorded at O.R. Book 10591, Page 5123, Public Records of Orange County, Florida. The developer must provide a valid Assignment of Vested Trips document together with the applicable Confirmation Letter issued by Orange County, concurrently with or prior to plat approval. In addition, any Development Plan must show a legend with trip allocations by parcel identification number and phase of the development. Finally, owners must comply with all terms of the Village F Road Network Agreement approved by the BCC on June 18, 2013.

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 staff reviewed the Substantial Change request but did not identify any issues or concerns.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Development Review Committee (DRC) Recommendation – (May 25, 2016)

Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Village F Master Planned Development / Land Use Plan (PD/LUP) dated "Received May 13, 2016", subject to the following conditions:

1. Development shall conform to the Village F Master Planned Development / Land Use Plan (PD/LUP) dated "Received May 13, 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 of this land use plan

and the land use 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 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 wasn't 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. 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. Owners must comply with all terms of the Village F Road Network Agreement approved by the BCC on June 18, 2013, and recorded at Book 10951, Page 5123, Public Records of Orange County, Florida.
7. The following waivers from Orange County Code are granted and applicable to the non-residential portion of PD Parcels S-6 and N-35 (Village Center District) only:
 - a. A waiver from Section 38-1389(b) to allow a grocery store and up to three (3) additional buildings south of the internal main street to face Seidel Road and/or Seton Creek Boulevard; in lieu of the requirement that primary building entries and façades face the internal streets of the Village Center.
 - b. A waiver from Section 38-1389(d)(3)(g) to allow for interior blocks, not including Seidel Road or Seton Creek Boulevard, to have a minimum of forty percent (40%) of the build-to-line of any block or parcel to be occupied by buildings and/or street-walls, and up to one-hundred percent (100%) of that requirement to be landscaped street-walls; in lieu of the requirement that a minimum of seventy percent (70%) of the build-to-line of any block or parcel be occupied by buildings and/or street-walls, and that landscaped street-walls not make up more than fifty percent (50%) of the required frontage.
 - c. A waiver from Section 38-1389(d)(4)(d) to allow parking adjacent to Seidel Road and Seton Creek Boulevard to span the length of the roadway frontage; in lieu of the maximum frontage for parking lots of sixty-five (65) feet along a Village Center circulator or a Village Center major local street.
 - d. A waiver from Section 38-1389(d)(4)(g) to allow parking lots to abut street intersections or civic use areas; in lieu of the requirement that parking lots and parking garages not abut street intersections or civic use areas.
 - e. A waiver from Section 38-1389(d)(4)(h) to allow parking in the front of the grocery store and buildings south of the internal main street; in lieu of the requirement that off-street parking be located to the rear or side of buildings.
 - f. A waiver from Section 38-1389(d)(4)(i)(i) to allow parking in the front of the grocery store; in lieu of the requirement that parking be located at the rear or side of the grocery store front façade.
 - g. A waiver from Section 24-5(a)(3) to allow a buffer to be less than six (6) feet in height and less than fifteen (15) feet wide; in lieu of the requirement that a buffer be completely opaque from the ground up to a height of at least six (6) feet and a minimum of fifteen (15) feet wide.

8. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 26, 2016 shall apply:
- a. The following waivers from Orange County Code are granted for 116 lots within the Village F Master PD (*to be reflected on the Horizon West Village F Parcels N32, N33, N34, N36, N37, N38, S3, S4 and S5 Preliminary Subdivision Plan if and when approved*):
 - 1) A waiver from Section 38-1384(g)(3)(f) to allow lots 60 feet and greater to have garages placed in front of the primary structure if oriented toward either side yard with windows facing the street and meeting the setbacks for the primary structure, in lieu of the requirement that lots greater than 65 feet can have garages placed in front of the primary structure if oriented toward either side yard with windows facing the street and meeting the setbacks for the primary structure;
 - 2) A waiver from Section 38-1384(g)(2) to permit the "J load" home product and the "half and half" home product to have front-loaded garage doors that are flush with the nearest adjacent plane of the primary structure, in lieu of the requirement that front-loaded garage doors be recessed a minimum of ten (10) feet behind the nearest adjacent plane of the primary structure. [NOTE: See Sheet No. 14 of 14 of the Village F PD for "J load" home product and "half and half" home product elevations.];
 - 3) A waiver from Section 38-1384(f)(2)(c) to allow first floor elevations with one (1) step above the finished grade of the sidewalk on "J load" homes, in lieu of the requirement to have first floor elevations with a minimum of three (3) steps above the finished grade of the sidewalk; and
 - 4) A waiver from Section 38-1384(d) to permit porches less than ten feet wide to be constructed without railings, in lieu of the requirement that porches less than 10 feet wide include railings.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated December 15, 2015 shall apply:
- a. The following waivers from Orange County Code are granted and applicable to the residential portion of PD Parcels S-6 and N-35 (Village Center District) only:
 - 1) A waiver from Orange County Code Section 38-1258(a) to allow a maximum height of three (3) stories and forty-five (45) feet for multi-family residential buildings located within one hundred (100) feet, but greater than fifteen (15) feet, from single family zoned property; in lieu of a maximum height of one single story for multi-family residential buildings located within one-hundred (100) feet of single family zoned property;
 - 2) A waiver from Orange County Code Section 38-1258(b) to allow a maximum height of three (3) stories and forty-five (45) feet for 100% of the multi-family residential buildings located between one-hundred plus (100+) feet and one-hundred fifty (150) feet from single family zoned property; in lieu of varying

building heights with a maximum of 50% of the buildings being a maximum of three (3) stories and forty (40) feet and the remaining buildings being one (1) or two (2) stories;

- 3) A waiver from Orange County Code Section 38-1389(b) to allow structures to be placed at a twenty (20) foot build-to-line from Seton Creek Boulevard, Wood Crane Drive, and defined internal / circulator corridors, and at a thirty (30) foot build-to-line from Seidel Road; in lieu of structures being brought forward to a ten (10) foot build-to-line; and
 - 4) A waiver from Orange County Code Section 38-1389(d)(3)(g) to allow all primary buildings, structures, walks, and fences to be placed along a thirty (30) foot build-to-line from Seidel Road; in lieu of the requirement that all primary buildings, structures, walks and fences be placed along a ten (10) foot build-to-line from all public street frontages.
 - 5) A waiver from Orange County Code Section 38-1389(c)(1) to allow a maximum residential land area within the Village Center District of 46%, in lieu of a maximum residential land area of 40%.
10. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated August 4, 2015 shall apply:
- a. All terms of the Village F Road Network Agreement, recorded at O.R. Book 10591, Page 5123, Public Records of Orange County, Florida, must be met for this project.
 - b. To demonstrate concurrency entitlements have been met for this project, the developer must provide a valid Assignment of Vested Trips document signed by Orange County prior to plat approval. In addition, the Development Plan must show a legend with trip allocations by parcel identification number and phase of the development.
 - c. The following waivers from Orange County Code are granted for a designated area within PD Parcel S-27 (Estate District) only, as depicted on the PD/LUP:
 - 1) A waiver from Section 38-1385(b)(4) to allow for a minimum lot width of fifty (50) feet, in lieu of the required minimum lot width of eighty-five (85) feet;
 - 2) A waiver from Section 38-1385(b)(2) to allow for a minimum average lot size of 6,000 square feet, in lieu of the required minimum average lot size of 10,000 square feet; and
 - 3) A waiver from Section 38-1385(b)(9) to allow for a minimum front porch setback of 15 feet, in lieu of the required minimum front porch setback of 20 feet.
11. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated June 30, 2015, shall apply:
- a. Waivers from Orange County Code Section 31.5-67(b) and Section 31.5-73(c) are granted to allow ground signage with architectural features (such as an entry tower,

corner turret, archway, etc.) at two (2) primary project entrances along Seidel Road with a maximum height of twenty-five (25) feet, in addition to ground signs with architectural features at two (2) primary project entrances along Seidel Road with a maximum height of eight (8) feet. These heights shall be exclusive of lightning protection, with an additional two feet allowed for lightning protection. These features may include signage; however, the features shall be consistent with the locations shown on the entry features site plan (PD/LUP), with no signage exceeding forty-eight (48) square feet per sign. Such signage shall not interfere with sight triangles at Seidel Road and side street intersections.

- b. A waiver from Orange County Code Section 38-79(114)(h) is granted to allow accessory structures in the form of entry features (such as an entry column, corner turret, archway, etc.) at two (2) primary project entrances along Seidel Road with a maximum height of twenty-five (25) feet. These features shall be exclusive of lightning protection, with an additional two (2) feet allowed for lightning protection. The features may include signage; however, the features shall be consistent with the locations shown on the entry feature site plan (PD/LUP), with no signage exceeding forty-eight (48) square feet per sign. Such signage shall not interfere with sight triangles at Seidel Road and side street intersections.
 - c. A Level One (1) Environmental Site Assessment (ESA) shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and / or Development Plan (DP) submittal.
12. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated February 25, 2014, shall apply:
- a. A waiver from Orange County Code Section 38-1253(c) is granted to allow on street parking within PD Parcels S-22, S-24, S-26 and S-27 only.
 - b. A waiver from Orange County Code Section 38-1384(i)(2) is granted to allow lots fronting on a village or neighborhood square to have front loaded access when less than 30% of the affected block face fronts the village or neighborhood square; or where the lots face an open space tract that is not needed to satisfy the 7.5% requirement of Code Section 38-1382(i); or where the size and configuration of an open space tract precludes it from functioning as an active gathering space. The waiver is applicable within PD Parcels S-22, S-24, S-26 and S-27 only.
 - c. The following waivers from Orange County Code Section 38-1385 (Village Home District) are granted and applicable to PD Parcel S-26 only:
 - 1) A waiver from Section 38-1386(b)(2) to allow a minimum average lot size of 2,880 square feet, in lieu of a minimum average lot size of 4,200 square feet;
 - 2) A waiver from Section 38-1386(b)(4) to allow a minimum lot width of thirty-two (32) feet for single family detached lots, in lieu of a minimum lot width of thirty-five (35) feet;

- 3) A waiver from Section 38-1386(b)(6) to allow a minimum lot depth of ninety (90) feet for single family detached lots with alleys, in lieu of a minimum lot depth of one-hundred twenty (120) feet;
 - 4) A waiver from Section 38-1386(b)(10)(a) to allow a minimum front porch setback of seven (7) feet; in lieu of a minimum front porch setback of ten (10) feet; and
 - 5) A waiver from Section 38-1386(b)(10)(b) to allow a minimum side building setback of four (4) feet, in lieu of a minimum side building setback of five (5) feet.
- d. A waiver from Orange County Code Section 38-1387.1(a)(7) is granted to allow for a minimum 10% "common open space" within PD Parcel S-24 only (Townhome District), in lieu of a minimum 30% common open space. At a minimum, an additional 7.5% "public open space" shall also be provided, for a cumulative total of 17.5% open space within the subject parcel.
 - e. No PD development permits will be issued until TDR credits are presented to and accepted by the County.

13. The following BCC Conditions of Approval dated December 17, 2013 shall apply:

- a. A waiver from Orange County Code Section 34-152(c) is granted to remove the requirement that each lot within the Village Home and Townhome Districts that front a community mew, park, or open space tract to have a minimum access width of 20 feet to a dedicated public paved street. This waiver shall apply to PD Parcels N-23A, N-23B, N-25A, N-26A, N-26B and S-2 only.
- b. A waiver from Orange County Code Section 38-1384(b)(4) is granted to allow for an average block length range of 200 feet to 400 feet where the average lot width for single-family attached or detached developments is less than 60 feet in width; and to allow for an average block length range of 600 feet to 800 feet where the average lot width for single-family attached or detached developments is between 60 feet and 85 feet in width. This waiver shall apply to PD Parcels N-21, N-22, N-25A, N-25B, N26A, N-26B, S-1 and S-2 only.
- c. A waiver from Orange County Code Section 38-1384(f)(3) is granted to eliminate the pedestrian path/walkway from the primary entrance to the sidewalk for lots equal to or less than 60 feet in width. This waiver shall apply to PD Parcels N-21, N-22, N-25B, N-26B, S-1 and S-2 only.
- d. A waiver from Orange County Code Section 38-1384(f)(3)(c) is granted to eliminate the requirement for three (3) steps used to elevate the finished floor of residential buildings above the sidewalk grade that are adjacent to wetlands, lakes or ponds within the limits of the Estate and Garden Home Districts. This waiver shall apply to PD Parcels N-21, N-22 and N-25B only.
- e. A waiver from Orange County Code Section 38-1384(i)(2) is granted to allow lots fronting a village or neighborhood square to have front loaded access when less than 30% of the affected block face fronts the village or neighborhood square; or

where the lots face an open space tract that is not needed to satisfy the 7.5% requirement of Code Section 38-1382(i); or where the size and configuration of an open space tract precludes it from functioning as an active gathering space; or where a visual barrier and landscaped buffer median has been provided within the right-of-way. This waiver shall apply to PD Parcels N-25B, N-26B, S-1 and S-2 only.

- f. A waiver from Orange County Code Sections 38-1384(b)(4) and 38-187.1(a)(12) is granted to allow for an average block length of 400 feet for townhome lots where proposed lot widths are less than 60 feet, and to not require the minimum and maximum block width requirements of 290 feet and 310 feet, respectively. This waiver shall apply to PD Parcels N-23A, N-23-B, N-24, N-25A, N-26A, N-26B and S-2 only.
- g. A waiver from Section 38-1384(f)(1) requiring that each block face contain at least two (2) district lot sizes (excluding end units); is granted to allow each block face to contain one (1) distinct lot size. This waiver applies to PD Parcels N-21, N-22, N-23B, N-25A, N-25B, N-26A, N-26B, S-1 and S-2 only.
- h. The following waivers are granted from Orange County Code Section 38-1385.7 (Garden Home District) for PD Parcels N-25A, N-25B and S-1 only:
 - 1) A waiver from Section 38-1385.7(b)(2) to allow a minimum average lot size of 2,880 square feet, in lieu of a minimum average lot size of 6,000 square feet;
 - 2) A waiver from Section 38-1385.7(b)(4) to allow a minimum lot width of thirty-two (32) feet for single family detached lots, in lieu of a minimum lot width of forty (40) feet;
 - 3) A waiver from Section 38-1385.7(b)(5) to allow a minimum lot depth of ninety (90) feet for single family detached lots with alleys, in lieu of a minimum lot depth of one-hundred twenty (120) feet;
 - 4) A waiver from Section 38-1385.7(b)(9)(a) to allow a minimum front porch setback of seven (7) feet; in lieu of a minimum front porch setback of ten (10) feet; and
 - 5) A waiver from Section 38-1385.7(b)(9)(b) to allow a minimum side building setback of four (4) feet, in lieu of a minimum side building setback of five (5) feet.
- i. The following waivers are granted from Orange County Code Section 38-1386 (Village Home District) for PD Parcels N-26A, N-26B and S-2 only and Townhome District PD Parcel N-23B only:
 - 1) A waiver from Section 38-1386(b)(2) to allow a minimum average lot size of 2,880 square feet, in lieu of a minimum average lot size of 4,200 square feet;
 - 2) A waiver from Section 38-1386(b)(4) to allow a minimum lot width of thirty-two (32) feet for single family detached lots, in lieu of a minimum lot width of thirty-five (35) feet;

- 3) A waiver from Section 38-1386(b)(6) to allow a minimum lot depth of ninety (90) feet for single family detached lots with alleys, in lieu of a minimum lot depth of one-hundred twenty (120) feet;
 - 4) A waiver from Section 38-1386(b)(10)(a) to allow a minimum front porch setback of seven (7) feet; in lieu of a minimum front porch setback of ten (10) feet; and
 - 5) A waiver from Section 38-1386(b)(10)(b) to allow a minimum side building setback of four (4) feet, in lieu of a minimum side building setback of five (5) feet.
14. All previous applicable BCC Conditions of Approval, dated August 27, 2013, shall apply:
- a. The following waivers are granted from Orange County Code Section 38-1385.7 (Garden Home District) for PD Parcels N-8 and N-11 only:
 - 1) A waiver from Section 38-1385.7(b)(2) to allow a minimum average lot size of 2,880 square feet, in lieu of a minimum average lot size of 6,000 square feet;
 - 2) A waiver from Section 38-1385.7(b)(4) to allow a minimum lot width of thirty-two (32) feet for single family detached lots, in lieu of a minimum lot width of forty (40) feet;
 - 3) A waiver from Section 38-1385.7(b)(5) to allow a minimum lot depth of ninety (90) feet for single family detached lots with alleys, in lieu of a minimum lot depth of one-hundred twenty (120) feet;
 - 4) A waiver from Section 38-1385.7(b)(9)(a) to allow a minimum front porch setback of seven (7) feet; in lieu of a minimum front porch setback of ten (10) feet; and
 - 5) A waiver from Section 38-1385.7(b)(9)(b) to allow a minimum side building setback of four (4) feet, in lieu of a minimum side building setback of five (5) feet.
 - b. The following waivers are granted from Orange County Code Section 38-1386 (Village Home District) for PD Parcels N-15 and N-16 only:
 - 1) A waiver from Section 38-1386(b)(2) to allow a minimum average lot size of 2,880 square feet, in lieu of a minimum average lot size of 4,200 square feet;
 - 2) A waiver from Section 38-1386(b)(4) to allow a minimum lot width of thirty-two (32) feet for single family detached lots, in lieu of a minimum lot width of thirty-five (35) feet;
 - 3) A waiver from Section 38-1386(b)(6) to allow a minimum lot depth of ninety (90) feet for single family detached lots with alleys, in lieu of a minimum lot depth of one-hundred twenty (120) feet;

- 4) A waiver from Section 38-1386(b)(10)(a) to allow a minimum front porch setback of seven (7) feet; in lieu of a minimum front porch setback of ten (10) feet; and
 - 5) A waiver from Section 38-1386(b)(10)(b) to allow a minimum side building setback of four (4) feet, in lieu of a minimum side building setback of five (5) feet.
- c. A waiver from Orange County Code Section 38-1384(i)(2) is granted to allow lots fronting on a village or neighborhood square to have front loaded access when less than 30% of the affected block face fronts the village or neighborhood square; or where the lots face an open space tract that is not needed to satisfy the 7.5% requirement of Code Section 38-1382(i), or where the size and configuration of an open space tract precludes it from functioning as an active gathering space.
15. All previous applicable BCC Conditions of Approval dated April 9, 2013, shall apply:
- a. The following waivers from Orange County Code are applicable only to PD Parcels N-32, N-33, N-34, N-35, N-36, N-37, N-38, S-3, S-4, S-5, S-6, S-7, S-10, S-15, S-16, S-18, S-19 & S-20; and are intended to provide alternative sign/architectural features and/or a greater mix of single-family detached residential lot types and larger front porches, while ensuring the desired balanced and blended residential development pattern required by the Village F Specific Area Plan (SAP) and Village Planned Development Code:
 - 1) Waivers from Section 31.5-67(b) and Section 31.5-73(c) are granted to allow a ground sign with architectural features (such as an entry tower, corner turret, archway, etc.) at two (2) primary project entrances along Seidel Road with a maximum height of forty-two (42) feet, in lieu of a ground sign with architectural features at one (1) primary project entrance along Seidel Road with a maximum height of eight (8) feet. These features shall be exclusive of lightning protection and may include signage; however, the features shall be consistent with the locations shown on the master sign plan (PD/LUP) with no signage exceeding the allowable square footage for a primary entry sign;
 - 2) Waivers from Section 31.5-67(b) and Section 31.5-73(c) are granted to allow a ground sign with architectural features (such as an entry tower, corner turret, archway, etc.) at two (2) secondary project entrances along Seidel Road with a maximum height of ten (10) feet, in lieu of a ground sign with architectural features at one (1) secondary project entrance along Seidel Road with a maximum height of eight (8) feet. These features shall be exclusive of lightning protection and may include signage; however, the features shall be consistent with the locations shown on the master sign plan (PD/LUP) with no signage exceeding the allowable square footage for a secondary entry sign; and
 - 3) A waiver from Section 38-1253(c) is granted to allow for on-street parking for recreation areas, in lieu of on-site parking.
 - b. The following waivers are granted from Orange County Code Section 38-1385.7 and shall apply to a maximum of 50% of the units required in the combined and applicable Garden Home Single-Family District PD Parcels only:

- 1) A waiver from Section 38-1385.7 (b)(2) to allow a minimum average lot size of 2,880 square feet, in lieu of a minimum average lot size of 6,000 square feet;
 - 2) A waiver from Section 38-1385.7(b)(4) to allow a minimum lot width of thirty-two (32) feet for single family detached lots, in lieu of a minimum lot width of forty (40) feet;
 - 3) A waiver from Section 38-1385.7(b)(5) to allow a minimum lot depth of ninety (90) feet for single family detached lots with alleys, in lieu of a minimum lot depth of one-hundred twenty (120) feet;
 - 4) A waiver from Section 38-1385.7(b)(9)(a) to allow a minimum front porch setback of seven (7) feet; in lieu of a minimum front porch setback of ten (10) feet; and
 - 5) A waiver from Section 38-1385.7(b)(9)(b) to allow a minimum side building setback of four (4) feet, in lieu of a minimum side building setback of five (5) feet.
- c. The following waivers are granted from Orange County Code Section 38-1386 and shall apply to a maximum of 50% of the units required in the combined and applicable Village Home District PD Parcels only, and in any applicable Townhome Districts where single family detached lots are proposed:
- 1) A waiver from Section 38-1386(b)(2) to allow a minimum average lot size of 2,880 square feet, in lieu of a minimum average lot size of 4,200 square feet;
 - 2) A waiver from Section 38-1386(b)(4) to allow a minimum lot width of thirty-two (32) feet for single family detached lots, in lieu of a minimum lot width of thirty-five (35) feet;
 - 3) A waiver from Section 38-1386(b)(6) to allow a minimum lot depth of ninety (90) feet for single family detached lots with alleys, in lieu of a minimum lot depth of one-hundred twenty (120) feet;
 - 4) A waiver from Section 38-1386(b)(10)(a) to allow a minimum front porch setback of seven (7) feet; in lieu of a minimum front porch setback of ten (10) feet; and
 - 5) A waiver from Section 38-1386(b)(10)(b) to allow a minimum side building setback of four (4) feet, in lieu of a minimum side building setback of five (5) feet.
- d. Excluding the primary segments of a required six foot (6') high perimeter/roadway screen wall, waivers from Section 38-1408(b) and (f) and Section 34-209 are granted to increase the wall height to fourteen (14) feet for architectural accents only (such as archways, pilasters, etc.), at not less than one-hundred (100) foot intervals along the perimeter of parcels adjacent to APF roadways.
- e. At the time of approval of a plat for a single-family residential unit project, the developer shall have prepared and submitted for review a document containing

covenants, conditions and restrictions (CC&Rs) for the property being platted. The CC&Rs, which shall be recorded simultaneous with the recording of the plat, shall include a provision incorporating, verbatim, the following requirements:

- 1) The same front facade for single family residential units may not be repeated more than five (5) times within one (1) block length for both sides of any street, and shall be separated by at least two (2) units with different facades.
 - 2) House front facades shall be varied and articulated to provide visual interest to pedestrians along the street frontage. The front facade of the main body of the house shall not exceed (40) feet in length, except for wings or "L's", which are setback from the facade. In no case shall more than fifty (50) percent of the front facade of the house consist of an unobstructed block wall or garage door.
 - 3) At least fifty (50) percent of all single-family residential units shall have a front porch. A front porch shall be a minimum of seven (7) feet in depth and cover minimum ten (10) feet in width or one third (1/3) of the front facade, whichever is greater.
 - 4) Flat roofs shall be prohibited.
 - 5) Unless otherwise prohibited by the CC&Rs, fencing in the front yard shall be no higher than three (3) feet, six (6) inches and limited to decorative wrought iron or wood picket style.
 - 6) The provisions of the CC&R's incorporating the above referenced requirements shall not be amended, removed or superseded without the prior approval of the Board of County Commissioners, which approval may be withheld in the Board's sole discretion and the CC&R's shall contain a statement to that effect. Furthermore, the CC&R's shall provide that the homeowner's association and any person owning the property in the development have the right to enforce these requirements in the event they are violated.
 - 7) Finally, the CC&Rs shall also state that Orange County shall have the right, but not the duty, to enforce these requirements in the same manner as it enforces other Orange County ordinances and regulations.
16. All previous applicable BCC Conditions of Approval, dated November 13, 2012 shall apply:
- a. Prior to any PSP or DP approval for PD Parcels N-23 through N-26, an agreement shall be executed to address required right-of-way dedication for Phil Ritson Way if necessary as determined by the Development Review Committee (DRC).
 - b. Prior to any PSP or DP approval, a road agreement shall be executed to address required right-of-way dedication for Seidel Road.
 - c. Access locations and roads that impact wetlands and rare wetlands are only approximations and are not approved with this plan. The exact location will have to consider minimization and avoidance of wetland impact and rare habitat and will be

determined during the Orange County conservation area determination and impact permit process.

17. All previous applicable BCC Conditions of Approval, dated August 28, 2012 shall apply:
- a. All acreages regarding 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.
 - b. No activity will be permitted within the boundaries of the site that may disturb, influence or interfere with areas of soil or groundwater contamination, remediation activities, or within the hydrological zone of influence of the contaminated area, unless prior approval has been obtained through the Florida Department of Environmental Protection. Such approval may include, but is not limited to: an FDEP No Further Action letter, Site Rehabilitation Completion Order (SRCO), or documentation of specific permission from FDEP. Such documentation shall be provided to the Environmental Protection Division of Orange County.
 - c. Neither potable wells nor irrigation using local groundwater will be allowed on sites where identified soil or groundwater contamination has been documented.
 - d. On properties where contamination has been documented, the covenants, conditions, and restrictions (CC&Rs) and lease agreements shall include notification that the property has been identified with soil and groundwater contamination and shall state the status of the resulting remediation.
 - e. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.
 - f. A Master Utility Plan (MUP) for Village F PD shall be submitted to Orange County Utilities prior to the approval of the first Preliminary Subdivision Plan or Development Plan. The MUP must be approved prior construction plan approval.
 - g. The developer shall be responsible for building master utilities transmission and collection infrastructure adequate to serve the PD and to accommodate the ultimate flows for the entire Village (SAP). Utilities infrastructure shall be built connecting to the build-out points of connection approved in the Village F Master Utilities Plan (MUP).
 - h. Prior to construction plan approval, all property owners within Village F, excluding public entities, shall be required to sign an agreement between the parties addressing their proportionate share of funds for the costs of the offsite and onsite master utilities sized to Village requirements. Property owners may elect to use alternate financing in lieu of the private proportionate cost share agreement provided master utilities size for Village requirements are constructed.
 - i. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.

- j. Billboards and pole signs shall be prohibited. Ground and fascia signs shall comply with Ch. 31.5 and Section 38-1389(d)(5).
18. All previous applicable BCC Conditions of Approval, dated September 15, 2009 (as modified) shall apply:
- a. Final configuration of the Parcel N-17 Elementary School / Park site shall be approved by both the Orange County Parks and Recreation Division and Orange County Public Schools.
 - b. There shall be a 20-foot fee simple access provided between the Parcels S-17 Park site and the Parcel S-25 Elementary School site.
 - c. A waiver from Section 38-1386(a)(2) is granted to allow Parcel N-33 to have structures and uses to serve civic (excluding education / daycare / telecommunication towers & fields) and non-commercial recreational needs without having to obtain Special Exception Approval from the Board of Zoning Adjustment.
 - d. The Garden Home and Village Home Districts may contain a mix of single family detached and single-family attached residences (within the Village F Master PD). The exact configuration of this mix shall be determined at the time of Preliminary Subdivision Plan review.
 - e. Unless the property is vested and/or exempt, the applicant shall be subject to school concurrency and required to go through the review process prior to platting.
 - f. A waiver from Section 38-1384(f)(1) is granted to allow each block face to contain one (1) distinct lot size in lieu of each block containing at least two (2) distinct lot sizes (excluding end units). This waiver shall apply only to block faces with five (5) or fewer lots.
 - g. The following Education Conditions of Approval shall apply:
 - 1) The Developer shall comply with all provision of Capacity Enhancement Agreements (CEAs) numbered 06-011-01, 06-011-02, 06-011-03, 06-011-05, 06-011-06-T2, 06-011-07, 06-011-08, 06-011-10, 06-011-12, 06-011-14, 06-011-15, and 06-011-16 entered into with the Orange County School Board (and Orange County) in November 2006 and recorded in the official records of the Orange County Comptroller, and all provisions of CEA OC-13-022 entered into with the Orange County School Board on November 12, 2013.
 - 2) Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the residential units allowed under the zoning existing prior to the approval of the PO zoning, as indicated in each of the CEAs listed above. The County shall again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The

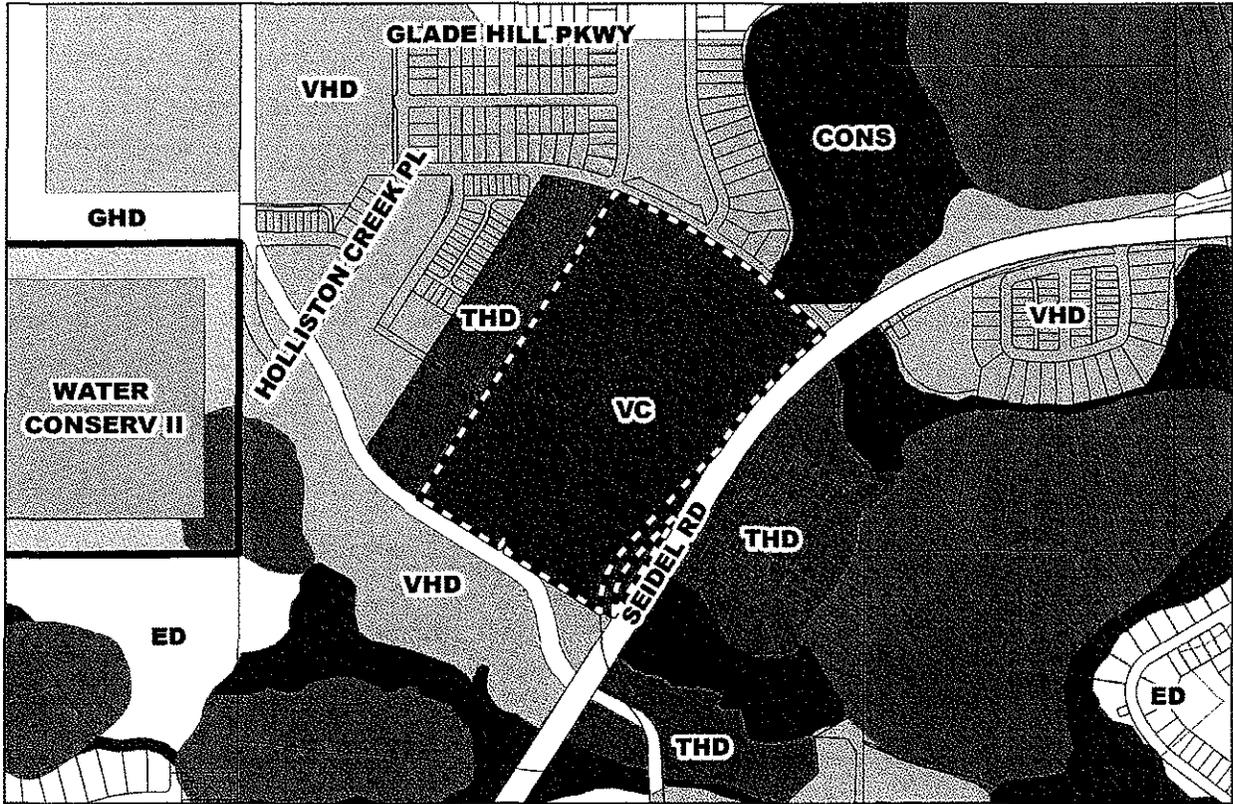
developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

- 3) The Developer, or its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of the developer's rights.
 - 4) Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the Developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.
 - 5) At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.
- h. The cross-section for Seidel Road is not approved with this plan. The final cross-section shall be designed to be pedestrian-oriented, with a maximum speed limit of thirty (30) miles per hour. The final design speed shall be reviewed and approved by the County Engineer.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (April 26, 2016)

Upon a motion by Commissioner Boyd, seconded by Commissioner Clarke, and carried with all present members voting AYE by voice vote with Mayor Jacobs absent, the Board made a finding of consistency with the Comprehensive Plan; further, approved the substantial change request by Daniel T. O'Keefe, Shutts & Bowen, LLP, Village F Master PD / LUP – Case # CDR-15-12-401, for four (4) waivers to Orange County Code, applicable only to one-hundred sixteen (116) lots located within Watermark Phases 1A through 2C and controlled by Meritage Homes, subject to conditions.

CDR-15-12-381



Subject Property
 PD Boundary



Subject Property

Future Land Use Map

FLUM: Village (V), Village F Specific Area Plan (SAP), Village Center District (VC)

APPLICANT: Kathy Hattaway, HCI Planning & Land Development Consultants

LOCATION: West of Seidel Road, approximately one-half (1/2) mile east of the Western Beltway

TRACT SIZE: 1,708.95 gross acres (overall PD)
 34.03 gross acres (affected parcels only)

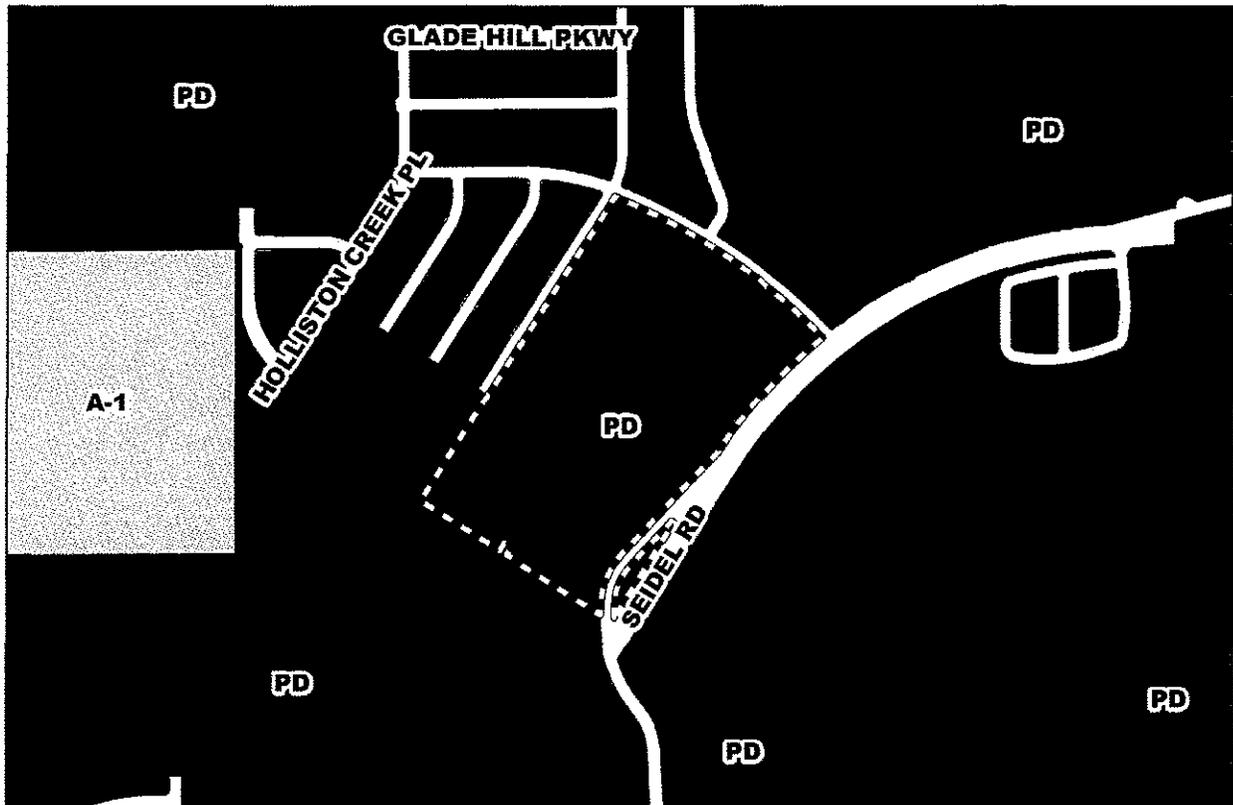
DISTRICT: # 1

S/T/R: 04/24/27

1 inch = 667 feet



CDR-15-12-381



 Subject Property
 PD Boundary



★ Subject Property

Zoning Map

ZONING: Planned Development District (PD)

APPLICANT: Kathy Hattaway, HCI Planning & Land Development Consultants

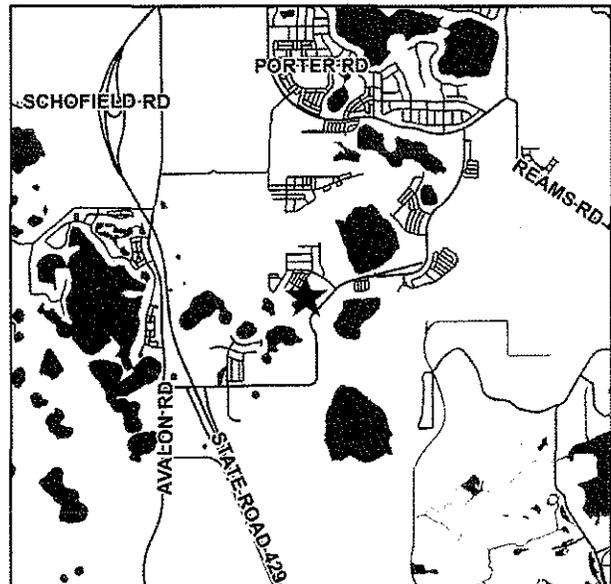
LOCATION: West of Seidel Road, approximately one-half (1/2) mile east of the Western Beltway

TRACT SIZE: 1,708.95 gross acres (overall PD)
 34.03 gross acres (affected parcels only)

DISTRICT: # 1

S/T/R: 04/24/27

1 inch = 667 feet



VILLAGE F MASTER PLANNED DEVELOPMENT LAND USE PLAN

FOR
VILLAGE F PROPERTY OWNERS' GROUP
IN
HORIZON WEST ORANGE COUNTY, FLORIDA
SUBMITTAL: DECEMBER 15, 2015

PARCEL ID. NO.: 33-23-27-0000-00-003; 33-23-27-0000-00-006; 33-23-27-0000-00-007; 34-23-27-0000-00-002;
34-23-27-0000-00-004; 34-23-27-0000-00-011; 03-24-27-0000-00-003; 04-24-27-0000-00-001; 04-24-27-0000-00-002; 04-24-27-0000-00-005;
4-24-27-0000-00-006; 04-24-27-0000-00-007; 04-24-27-0000-00-015; 04-24-27-0000-00-016; 04-24-27-0000-00-017; 04-24-27-0000-00-019;
~~04-24-27-0000-00-047; 04-24-27-0000-00-048; 05-24-27-0000-00-001; 05-24-27-0000-00-005; 08-24-27-0000-00-008;~~
08-24-27-0000-00-011; 08-24-27-0000-00-015; 08-24-27-0000-00-026; 33-23-27-0000-00-017; 33-23-27-0000-00-018

CDR-15-12-381

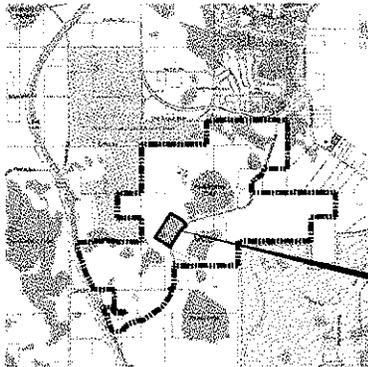
10. SURVEY INFORMATION
11. SPECIAL STUDIES FOR REVIEW
12. SPECIAL STUDIES FOR REVIEW
13. SPECIAL STUDIES FOR REVIEW
14. SPECIAL STUDIES FOR REVIEW
15. SPECIAL STUDIES FOR REVIEW
16. SPECIAL STUDIES FOR REVIEW
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29. SPECIAL STUDIES FOR REVIEW
30. SPECIAL STUDIES FOR REVIEW

AFFECTED PARCELS:
04-24-27-0000-00-031



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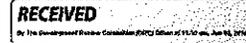


LOCATION MAP

SCALE: 1" = 500'

NORTH

Project No.	PD Amendment	Submitted By	Approved Date
100-15-12-381	PD Amendment	John Brown, VHB	December 15, 2015 - EDC
100-15-11-330	Signage/Access Change	Eric Warren, Jolley & Bennett	December 16, 2015 - EDC (Withdrawn)
100-15-12-400	Minor Request	Eric Warren, Jolley & Bennett	Pending
100-15-12-381	Original Plan Review & Minor Request	Randy Matlock, H2 Planning	Pending



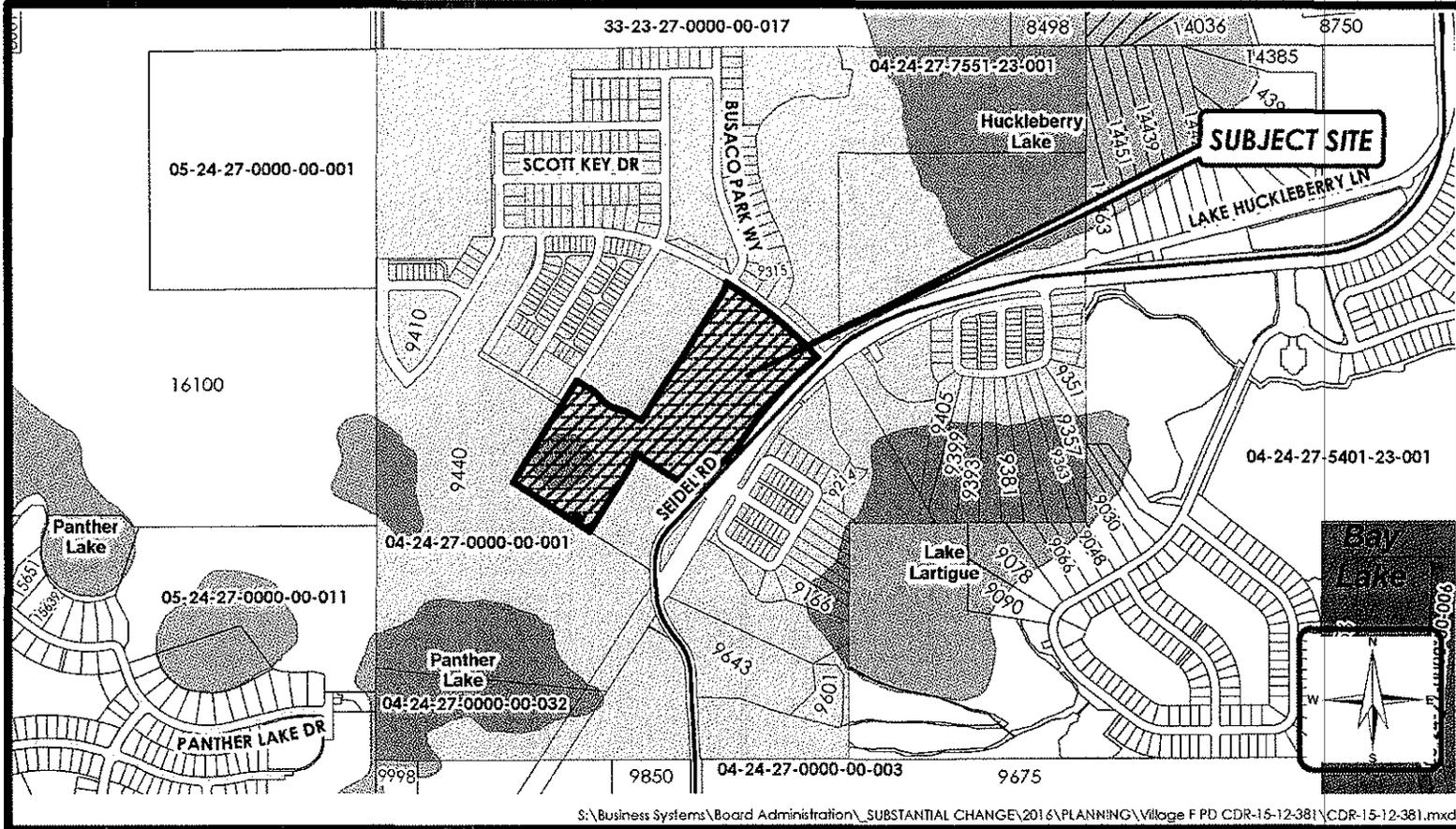
Village F Master PD / LUP (Cover Sheet)

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 2, 2016



Public Notification Map

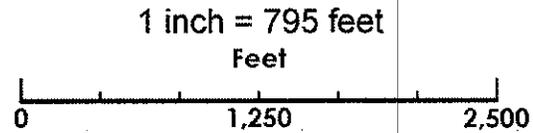
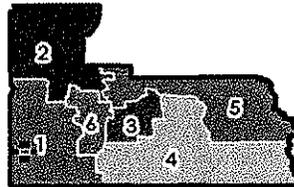
Village F PD - CDR-15-12-381
CUSTOM BUFFER, 124 NOTICES



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MAP LEGEND

	SUBJECT		PARCELS
	HYDROLOGY		
	NOTIFIED PARCELS		



Notification Map

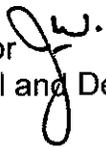
DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 2, 2016



Interoffice Memorandum

July 21, 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 2, 2016 - Public Hearing
Christopher P. Roper, Akerman, LLP
Isles of Lake Hancock Planned Development (PD)
Substantial Change – Case # CDR-16-04-157 / District 1

The Isles of Lake Hancock PD contains 142.18 gross, was originally approved on February 14, 1995, and has an existing development program consisting of ninety-eight (98) residential dwelling units.

Through this Substantial Change request, the applicant is requesting two (2) waivers from the "Original" Horizon West Village PD Code to eliminate the requirement to provide front porches on a minimum of 50% of all single family residential lots; and to eliminate the requirement to provide first floor elevations of at least eighteen (18) inches above the finished grade of the sidewalk; applicable to lots 21–22, 24–34, 44–60, and 62–71; and lots 21–22, 24–34, 45–60, and 62–63 as respectively shown on the Isles of Lake Hancock Phase III Preliminary Subdivision Plan (PSP). No changes to the existing PD development program are proposed.

As summarized in the attached staff report, the request received a recommendation of approval by the Development Review Committee (DRC) on June 22, 2016. Due to the nature of the request, a community meeting was not required.

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 Isles of Lake Hancock Planned Development / Land Use Plan (PD/LUP) dated "Received July 11, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1

Attachment

CASE # CDR-16-04-157

Commission District: # 1

GENERAL INFORMATION

APPLICANT Christopher P. Roper, Akerman, LLP

OWNER Calatlantic Group, Inc.

PROJECT NAME Isles of Lake Hancock Planned Development / Land Use Plan (PD/LUP)

PARCEL ID NUMBERS 27-23-27-2741-00-210 through 220;
27-23-27-2741-00-240 through 340;
27-23-27-2741-00-440 through 600; and
27-23-27-2741-00-620 through 710 (*affected parcels only*)

TRACT SIZE 142.18 gross acres (*overall PD*)
14.54 gross acres (*affected parcels only*)

LOCATION Generally located north of Porter Road and west of Fiquette Road.

REQUEST A Substantial Change request for two (2) waivers from the "Original" Horizon West Village PD Code:

1. A waiver from Section 38-1384(g)(3)(b) of the "Original" Horizon West Village PD Code to eliminate the requirement to provide front porches on at least fifty (50) percent of all single family residential units, applicable to lots 21-22, 24-34, 44-60, and 62-71 only, as shown on the Isles of Lake Hancock Phase III PSP.
2. A waiver from Section 38-1384(g)(3)(d) of the "Original" Horizon West Village PD Code to eliminate the requirement that first floor elevations be at least eighteen (18) inches above the finished grade of the sidewalk, applicable to lots 21-22, 24-34, 45-60, and 62-63 only, as shown on the Isles of Lake Hancock Phase III PSP.

PUBLIC NOTIFICATION A notification area extending beyond five hundred (500) feet was used for this application [*Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet*]. Three-hundred twenty nine (329) notices were mailed to those property owners in the notification buffer area.

IMPACT ANALYSIS

Special Information

The 142.18-acre Isles of Lake Hancock PD was originally approved on February 14, 1995, and has an existing development program consisting of ninety-eight (98) residential dwelling units.

Through this Substantial Change request, the applicant is requesting two (2) waivers from the "Original" Horizon West Village PD Code to eliminate the requirement to provide front porches on a minimum of 50% of all single family residential lots; and to eliminate the requirement to provide first floor elevations of at least eighteen (18) inches above the finished grade of the sidewalk; applicable to lots 21-22, 24-34, 44-60, and 62-71; and lots 21-22, 24-34, 45-60, and 62-63 as respectively shown on the Isles of Lake Hancock Phase III Preliminary Subdivision Plan (PSP). No changes to the existing PD development program are proposed.

Land Use Compatibility

The proposed Substantial Change request would not adversely impact any adjacent properties or result in an incompatible land use pattern.

Comprehensive Plan (CP) Consistency

The underlying Future Land Use Map (FLUM) designation of the subject property is Village (V), and designated as Estate District in the Village of Bridgewater Specific Area Plan (SAP). Although the development program is consistent with the adopted SAP, the requested waivers are inconsistent with the Horizon West design principles addressed by Objective FLU4.6 and Policy FLU4.6.2, which require all development to comply with the Village PD Code (Chapter 38).

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

All previously approved EPD findings and conditions of approval for this PD apply.

Transportation / Concurrency

All previously approved Transportation / Concurrency findings and conditions of approval for this PD apply.

Schools

This request would not result in any Orange County Public School impacts.

Parks and Recreation

This request would not result in any Orange County Park impacts.

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 – (June 22, 2016)

Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Isles of Lake Hancock Planned Development / Land Use Plan (PD/LUP) dated “Received July 11, 2016”, subject to the following conditions:

1. Development shall conform to the Isles of Lake Hancock Planned Development / Land Use Plan (PD/LUP) dated "Received July 11, 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 LUP, 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 July 11, 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/LUP shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance.

As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. A waiver from Section 38-1384(g)(3)(b) of the "Original" Horizon West Village PD Code is granted to eliminate the requirement to provide front porches on at least fifty (50) percent of all single family residential units, applicable to lots 21-22, 24-34, 44-60, and 62-71 only, as shown on the Isles of Lake Hancock Phase III PSP.

7. A waiver from Section 38-1384(g)(3)(d) of the "Original" Horizon West Village PD Code is granted to eliminate the requirement that first floor elevations be at least eighteen (18) inches above the finished grade of the sidewalk, applicable to lots 21-22, 24-34, 45-60, and 62-63 only, as shown on the Isles of Lake Hancock Phase III PSP.
8. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated April 22, 2008.
 - a. A waiver from Orange County Code Section 38-1385(b)(4) is granted to allow a 70-foot minimum lot width in lieu of the 85-foot requirement in the Estate District for lots within Tract 02.
 - b. All previous applicable Conditions of Approval dated August 1, 2006, shall apply.
 - 1) Prior to construction plan approval, certification with supporting calculations shall be submitted, which states that this project is consistent with approval of the Master Utility Plan for this Planned Development.
 - 2) A boat ramp is not part of this infrastructure and is not approved with this plan. A boat ramp shall require additional permitting under Chapter 15, Article XV, Boat Ramps, and action by the BCC.
 - 3) Prior to platting, a Municipal Service Taxing Unit shall be established for the operation and maintenance of secondary and connector trails.
 - 4) Developer shall comply with the provisions of the Capacity Enhancement Agreement entered into with the Orange County School Board.
 - Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 25 residential units allowed under the zoning existing prior to the approval of the PD zoning.

The County shall again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor or assign under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.
 - Developer, or its successor or assign under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the

- County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's property rights.
- Orange County shall be held harmless by the developer and its assigns under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.
 - At the time of platting, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement. (AS MODIFIED NOVEMBER 13, 2007)
- 5) Lake Maintenance and Ownership: Prior to platting, the Isles of Lake Hancock Lake Maintenance Escrow Agreement (on the form as submitted to Assistant County Attorney Vivien Monaco on April 6, 2006) shall be recorded.
- 6) Prior to issuance of certificates of occupancy, developer shall install a wrought-iron fence (or fence of a similar look) at least 5 feet tall on the developer-retained property along the rear of each lot located on the peninsula between the two man-made ski lakes. Such fence shall be maintained by the developer at its expense.
- 7) All contracts for the sale of lots or homes located between the 2 two man-made ski lakes shall include a 1-page disclaimer to be initialed by each buyer at the time they enter into a contract, which disclaimer shall read, "Buyer acknowledges that this property does not have any right to use either of the man-made ski lakes located in the Isles of Lake Hancock subdivision without membership to the Lake Hancock Ski Club. Access to Lake Hancock will be available through the boat ramp and park to be owned by the Homeowners' Association.
- 8) This project shall be a gated community and shall comply with the minimum requirements of the Gated Community Ordinance, Orange County Code Sections 34-280, 34-290, and 34-291, as they may be amended from time to time.

In addition to complying with those minimum requirements, the declaration of covenants, conditions and restrictions required to be recorded simultaneous with the recording of the plat shall include terms requiring the establishment and maintenance of a fifth HOA account for the cost of storm debris removal from the subdivision infrastructure, consistent with the terms relating to the other four HOA accounts set forth in Section 34-290(8)a-d; and with respect to such fifth HOA account, the declaration shall provide requirements, restrictions, terms, conditions, and limitations consistent with the terms relating to the other four HOA accounts set forth in Section 34-291.

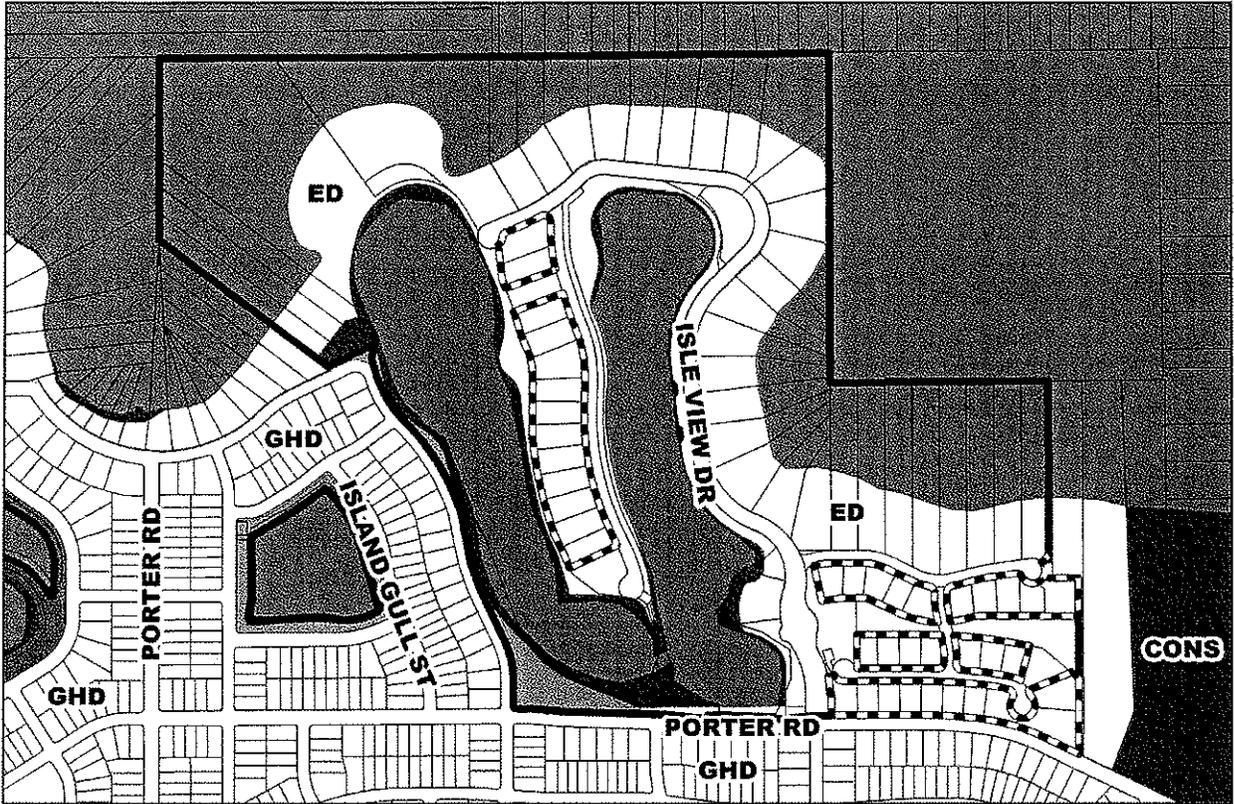
Furthermore, prior to turning over control of the infrastructure to the HOA, the developer shall pre-fund this fifth HOA account in an amount sufficient to cover the estimated cost of debris removal for a single hurricane, which amount shall be approved by the county engineer.

- 9) An Adequate Public Facilities Agreement, or documentation of compliance with adequate public facilities, shall be submitted and approved prior to the approval of any preliminary subdivision/development plans.
 - 10) The developer shall obtain water, wastewater, and reclaimed water from Orange County Utilities.
 - 11) Existing lots currently served by on-site sewage treatment and disposal systems can be permitted to continue to utilize systems and not be required to connect wastewater lines unless the on-site sewage treatment and disposal systems fail or unless quality problems occur in the area.
- c. This project is limited to and shall not exceed 61 units. Prior to Preliminary Subdivision Plan approval, the applicant shall address transfer of development rights consistent with the Orange County Transfer of Development Rights Ordinance.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated March 16, 1999.
- a. The areas designated Future Development within the planned development shall only be developed with the Horizon West future land use designation.
 - b. The right-of-way for Porter Road shall be dedicated to Orange County at a valuation of \$22,500 per acre. Prior to subdivision plan approval, a developer's agreement shall be executed addressing impact fee credits and adequate public facilities.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (April 22, 2008)

Upon a motion by Commissioner Jacobs, seconded by Commissioner Stewart, and carried with all members voting AYE by voice vote, the Board made a finding of consistency with the Comprehensive Plan; further, modified and approved the substantial change request by "Chad Moorhead of Madden, Moorhead & Glunt, Inc.," Isles of Lake Hancock (PD) Land Use Plan (LUP), subject to conditions.

CDR-16-04-157



 Subject Property
 PD Boundary



★ Subject Property

Future Land Use Map

FLUM: Village (V), Bridgewater Village Specific Area Plan (SAP), Estate District (ED)

APPLICANT: Christopher P. Roper, Akerman, LLP

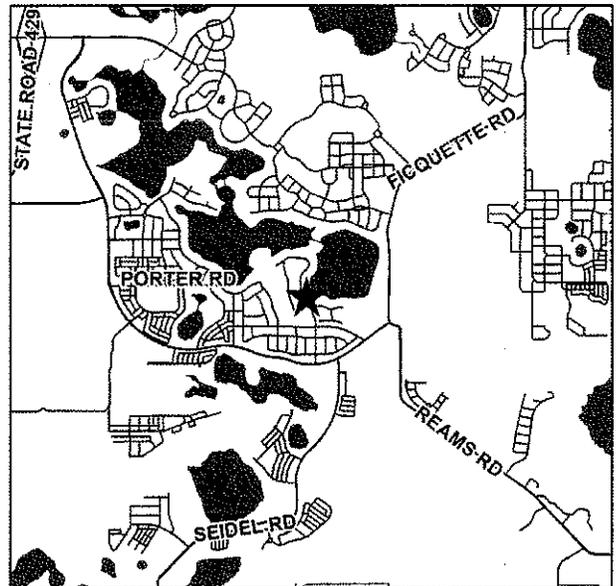
LOCATION: Generally located north of Porter Road and west of Fiquette Road

TRACT SIZE: 142.18 gross acres (overall PD)
 14.54 gross acres (affected parcel only)

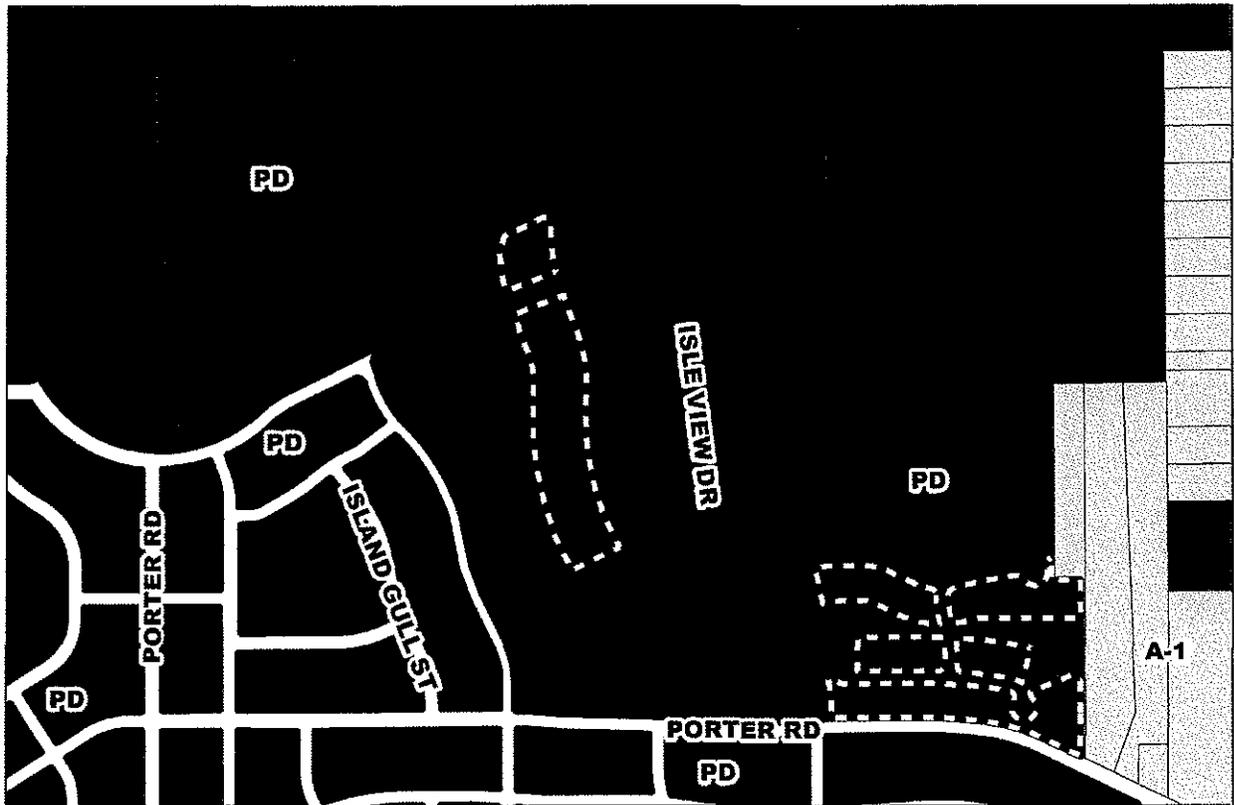
DISTRICT: # 1

S/T/R: 27/23/27

1 inch = 625 feet



CDR-16-04-157



 Subject Property
 PD Boundary



★ Subject Property

Zoning Map

ZONING: Planned Development District (PD)

APPLICANT: Christopher P. Roper, Akerman, LLP

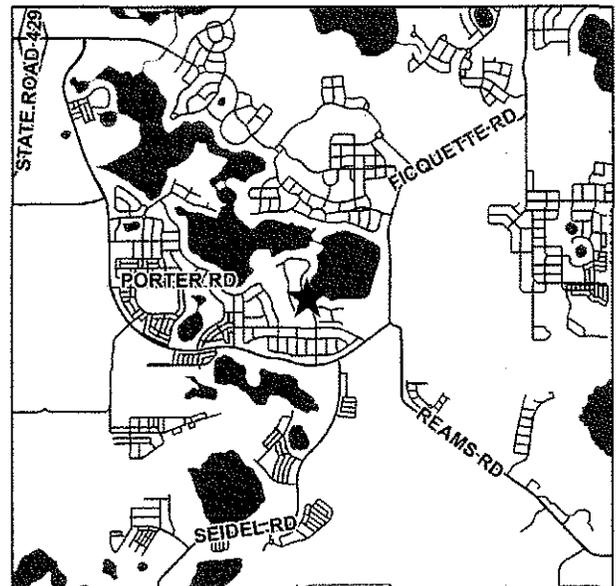
LOCATION: Generally located north of Porter Road and west of Fiquette Road

TRACT SIZE: 142.18 gross acres (overall PD)
 14.54 gross acres (affected parcel only)

DISTRICT: # 1

S/T/R: 27/23/27

1 inch = 625 feet

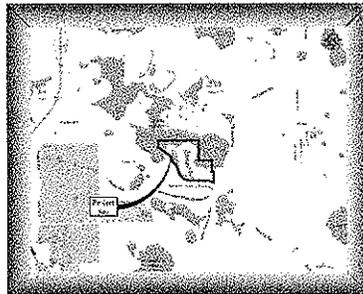


Amended Land Use Plan
 for
Isles of Lake Hancock PD
Located within the Bridgewater SAP
 Orange County, FL
 CDR 16-04-157

Parcel Id. No.:
 27-23-27-2740-00-005; 27-23-27-2740-00-006;
 27-23-27-2740-00-007; 27-23-27-2740-00-008;
 27-23-27-2740-00-220; 27-23-27-2740-07-001;
 27-23-27-2740-07-002; 27-23-27-2740-10-000

Sheet Id.	Sheet Title	Subm./Rev.					
		1	2	3	4	5	6
1	Cover Sheet	.	.	.	.	.	.
2	Topography & Flood	.	.	.	.	.	.
3	Soils Map	.	.	.	.	.	.
4	Vegetation Plan	.	.	.	.	.	.
5	Amended Land Use Plan	.	.	.	.	.	.
7	Land Use Plan & Use Data	.	.	.	.	.	.
8	Design Guidelines	.	.	.	.	.	.
9	BCC Conditional Use Approval	.	.	.	.	.	.
	<u>Date</u>						
1	4/20/2016	<u>Revised</u>					
1	5/25/2016		<u>Revised</u>				

CDR 16-04-157 Applicant:
 CalAtlantic Homes
 444 W. New England Avenue, Suite 220
 Winter Park, FL 32789
 407.645.6515



Vicinity Map
 NW1/4 1000

RECEIVED
 By The Development Review Committee (DRC) Office at 8:21 am, Jul 11, 2016

POULOS & BENNETT
 2002 E. Livingston St., Orlando, FL 32803
 Tel: 407.897.2700 www.poullosandbennett.com
 Fax: 407.897.2667
 PDR 16-04-157-01-001 PD

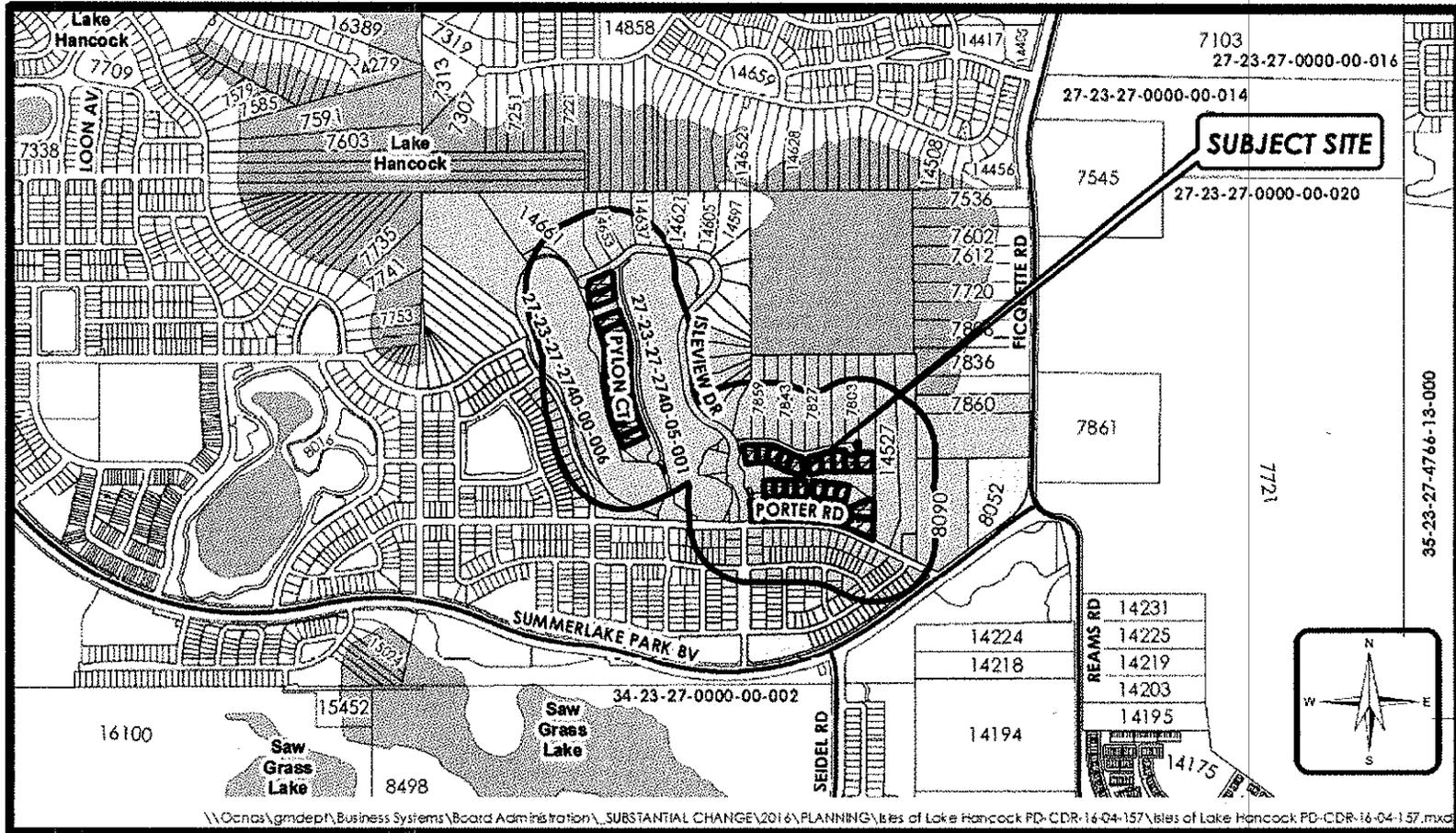
Isles of Lake Hancock PD / LUP (Cover Sheet)

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 2, 2016



Public Notification Map

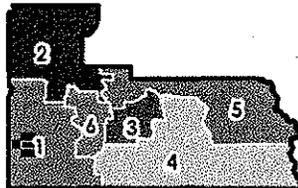
Isles of Lake Hancock PD-CDR-16-04-157
500 FT BUFFER, 329 NOTICES



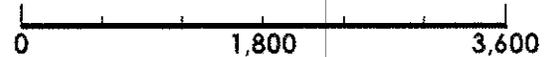
\\Ocnas\gmdpt\Business Systems\Board Administration\SUBSTANTIAL CHANGE\2016\PLANNING\Isles of Lake Hancock PD-CDR-16-04-157\Isles of Lake Hancock PD-CDR-16-04-157.mxd

MAP LEGEND

- | | | | |
|--|------------------|--|----------------------|
| | SUBJECT | | ADDITIONAL SELECTION |
| | 500 FT BUFFER | | HYDROLOGY |
| | NOTIFIED PARCELS | | PARCELS |



1 inch = 1,146 feet
Feet



Notification Map

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 2, 2016



Interoffice Memorandum

July 21, 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 2, 2016 - Public Hearing
Phillip C. Hollis, PMJS, LLC
Lake Bryan Condos Planned Development (PD)
Land Use Plan Amendment - Case # LUPA-16-02-046 / District 1

The Lake Bryan Condos PD is generally located on the east side of SR 535, north of Vistana Drive. It was originally approved on July 16, 1974, contains 9.85 acres, and has existing entitlements for 1,440 square feet of retail uses and 412 hotel rooms. With this request, the applicant is seeking to aggregate the adjacent South County PD, which has entitlements for 10,000 square feet of retail uses (developed) and 200 hotel rooms (undeveloped), into the Lake Bryan Condos PD. Furthermore, the applicant is seeking to convert and amend the combined development entitlements of both projects into 1,186 hotel rooms.

Of the 1,186 proposed hotel rooms, 918 would be accommodated through the conversion of existing development or vested trips (Capacity Reservation Certificate #11-183). Development of the remaining 268 hotel rooms would be subject to approval of a new Capacity Encumbrance Letter (CEL) and Capacity Reservation Certificate (CRC).

As summarized in the attached staff report, the Land Use Plan Amendment (LUPA) received a recommendation of approval by the Development Review Committee (DRC) on June 22, 2016. Due to the nature of the request, and the surrounding development pattern, a community meeting was not required.

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 Lake Bryan Condos Planned Development / Land Use Plan (PD/LUP) dated "Received June 22, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 1

Attachment

CASE # LUPA-16-02-046

Commission District: #1

GENERAL INFORMATION

APPLICANT	Phillip C. Hollis, PMJS, LLC
OWNERS	Daneta, LLC and Lake Bryan Development, LLC
PROJECT NAME	Lake Bryan Condos Planned Development (PD)
HEARING TYPE	Planned Development / Land Use Plan Amendment (PD / LUPA)
REQUEST	<p>PD (Planned Development District) to PD (Planned Development District)</p> <p><i>A request to aggregate the South County PD (one parcel) into the existing Lake Bryan Condos PD, in order to allow a total of 1,186 hotel rooms.</i></p> <p><i>The request also includes the following building height related waiver from Orange County Code:</i></p> <ol style="list-style-type: none"><i>1. A waiver from Section 38-1300 to allow for a maximum height of 295 feet above the building finished floor elevation for a hotel and timeshare only, in lieu of a maximum height of 200 feet for a hotel or timeshare.</i>
LOCATION	Generally located east of SR 535, north of Vistana Drive
PARCEL ID NUMBERS	27-24-28-4336-00-110 and 27-24-28-0000-00-054
TRACT SIZE	9.85 gross acres (existing PD) <u>4.32 gross acres (aggregated parcel)</u> 14.17 gross acres (resulting PD)
PUBLIC NOTIFICATION	A notification area extending beyond seven hundred (700) feet was used for this application [<i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i>]. Three-hundred sixty eight (368) notices were mailed to those property owners in the notification buffer area.

IMPACT ANALYSIS

Subject Property Analysis

The Lake Bryan Condos PD is generally located on the east side of SR 535, north of Vistana Drive. It was originally approved on July 16, 1974, contains 9.85 acres, and has existing entitlements for 1,440 square feet of retail uses and 412 hotel rooms. With this request, the applicant is seeking to aggregate the adjacent South County PD, which has entitlements for 10,000 square feet of retail uses (developed) and 200 hotel rooms (undeveloped), into the Lake Bryan Condos PD. Furthermore, the applicant is seeking to convert and amend the combined development entitlements of both projects into 1,186 hotel rooms.

Of the 1,186 proposed hotel rooms, 918 would be accommodated through the conversion of existing development or vested trips (Capacity Reservation Certificate #11-183). As reflected in the following table, development of the remaining 268 hotel rooms would be subject to approval of a new Capacity Encumbrance Letter (CEL) and Capacity Reservation Certificate (CRC).

Proposed Development Program

<i>Vested Trips</i>		
Retail (South County PD)	5,000 SF	45 trips
Gas Station (South County PD)	5,000 SF	71 trips
Lake Bryan Condos (CRC #11-189)	412 Hotel Rooms	288 trips
	1,440 SF of Retail	20 trips
	<i>TOTAL</i>	<i>424 trips</i>
Equivalency Calculation for Vested Trips		
$424 / .7 / .66 = 918$		918 rooms
<i>Unvested Trips</i>		
1.14 acres x 60 keys / acre		68 rooms
200 rooms (existing South County PD entitlements)		200 rooms
<i>TOTAL</i>		<i>1,186 rooms</i>

In addition, one (1) waiver has been requested from Orange County Code Section 38-1300 to allow a maximum height of 295 feet above a finished floor elevation for a hotel or time share located beyond 300 feet of any single family residential, in lieu of a maximum height of 200 feet.

Land Use Compatibility

The proposed Planned Development / Land Use Plan Amendment (PD/LUPA) would allow for land uses that are compatible with existing development in the area. By virtue of the proposed trip conversion matrix, no increase in generated traffic is projected on the adjoining road network. Finally, no adverse impacts to adjacent properties are anticipated.

Comprehensive Plan (CP) Consistency

The property has an underlying Future Land Use Map (FLUM) designation of Activity Center Mixed-Use (ACMU). The proposed use is consistent with this designation and applicable CP provisions, which include (but are not limited to) the following goals, objectives and policies:

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. The County may require minimum FARs and densities in its Land Development Code to achieve the County's desired urban framework. Infill is defined as development consistent with the Infill Master Plan (2008).

FLU2.2.1 states that within the Urban Service Area, Orange County shall encourage a mixture of land uses within activity and mixed-use commercial centers. Office and residential land uses shall be part of the balanced land use mixture, in addition to the commercial component.

FLU8.2.1 states that land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.2 states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types and shall be promoted.

FLU8.2.10 states that to ensure land use compatibility with nearby residential zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:

- Building height restrictions;
- Requirements for architectural design compatible with the residential units nearby;
- Floor area ratio (FAR) limitations;
- Lighting type and location requirements;
- Tree protection and landscaping requirements including those for infill development; and
- Parking design.

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 the project and its function in the broader community, as well its contribution to the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

OBJ N1.1 states that Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

GOAL ID1 states that it is Orange County's goal to promote tourism by the development of an economically viable, well planned tourist oriented activity center.

OBJ ID1.1 states that Orange County shall establish the boundaries of a tourist oriented activity center and assign future land use which permits a mixture of tourism related uses.

ID1.1.3 states that land use designations, which encourage a mixture of tourist related development, shall be included in the Activity Center Plan.

ID1.1.4 states that increased density/intensity may be approved if it can be demonstrated an increase in traffic impact on the adjoining road network does not occur.

ID1.1.7 states that in order to separate residential neighborhoods from, and to reserve the most appropriate areas for tourist related businesses, no more than 30 percent of a site designated for Activity Center Mixed Use shall be used for residential purposes.

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: A-2 (Farmland Rural District) (1957)
	E: PD (Planned Development District) (1997)
	W: PD (Planned Development District) (1972) PD (Planned Development District) (1971)
	S: PD (Planned Development District) (1978)
Adjacent Land Uses	N: Single Family Residential
	E: Hydrological Feature (Lake Bryan)
	W: Multi Family Residential
	S: Multi Family Residential

APPLICABLE PD DEVELOPMENT STANDARDS

Floor Area Ratio (FAR):	0.34
<u>Maximum Building Height:</u>	
<i>Hotel and Timeshare</i>	295 feet (<i>proposed</i>)
<i>All other buildings</i>	60 feet

Maximum Impervious: 70%

Minimum Open Space: 25%

Minimum Building Setbacks

PD Perimeter: 25 feet

SR 535 (center line): 150 feet

SR 535 (property line): 60 feet

Side: 30 feet

SPECIAL INFORMATION

Comprehensive Plan (CP) Amendment

The property has an underlying Future Land Use Map (FLUM) designation of Activity Center Mixed Use (ACMU). The proposed development program is consistent with this designation and all other applicable CP provisions.

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.

Environmental

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.

CAD – There are Class I wetlands and surface waters located on site. Orange County Conservation Area Determination application CAD-15-10-127 was submitted that includes the area of the combined PDs. The CAD must be completed with a certified survey of the conservation area boundary approved by EPD prior to submitting a PSP/DP.

Lake Structures – Approval of the plan does not grant permission for the construction or alteration of boat ramps, docks, decks, observation piers, lake shore vegetation or seawalls on the lake, as noted on the plan.

Conservation Measures – The applicant is responsible for addressing any adverse impacts to surface waters, wetlands, or conservation areas that may occur as a result of development of the site. Protective measures include but are not limited to: 25-foot average undisturbed upland buffer along the wetland boundary, signage, pollution abatement swales, split rail fence, retaining wall or native plantings adjacent to the wetlands. Show the measures employed to prevent adverse impacts in all PSP/DP and permit applications.

Conservation Area Impacts – If any impacts to wetlands or buffer areas are needed for roads, outfall pipes, or other features of the development, then a Conservation Area Impact (CAI) permit will be required by the Orange County EPD. When a PSP/DP is submitted, indicate with cross hatching any wetland areas that are intended for removal. The removal, alteration or encroachment within a Class I conservation area shall only be allowed in cases where: no other feasible or practical alternatives exist, impacts are unavoidable to allow a reasonable use of the land, or where there is an overriding public benefit, as determined before the Orange County Board of County Commissioners.

Habitat Protection – Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

Transportation / Concurrency

Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan approval and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

This project shall comply with the County's International Drive Activity Center Comprehensive Plan requirement for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement needed for future roadway improvements. The easement areas required shall be shown on the plan as a revised plan and conveyed concurrently at time of platting or dedicated to the County via separate instrument prior to Development Plan (DP) approval.

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>
Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaimed:	Orange County Utilities

Schools

This request would not result in any impacts to Orange County Public Schools (OCPS).

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 – (June 22, 2016)

Make a finding of consistency with the Comprehensive Plan (CP) and approve the Lake Bryan Condos Planned Development / Land Use Plan (LUP) dated “Received June 22, 2016”, subject to the following conditions:

1. Development shall conform to the Lake Bryan Condos Planned Development / Land Use Plan (PD/LUP) dated "Received June 22, 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 June 22, 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).

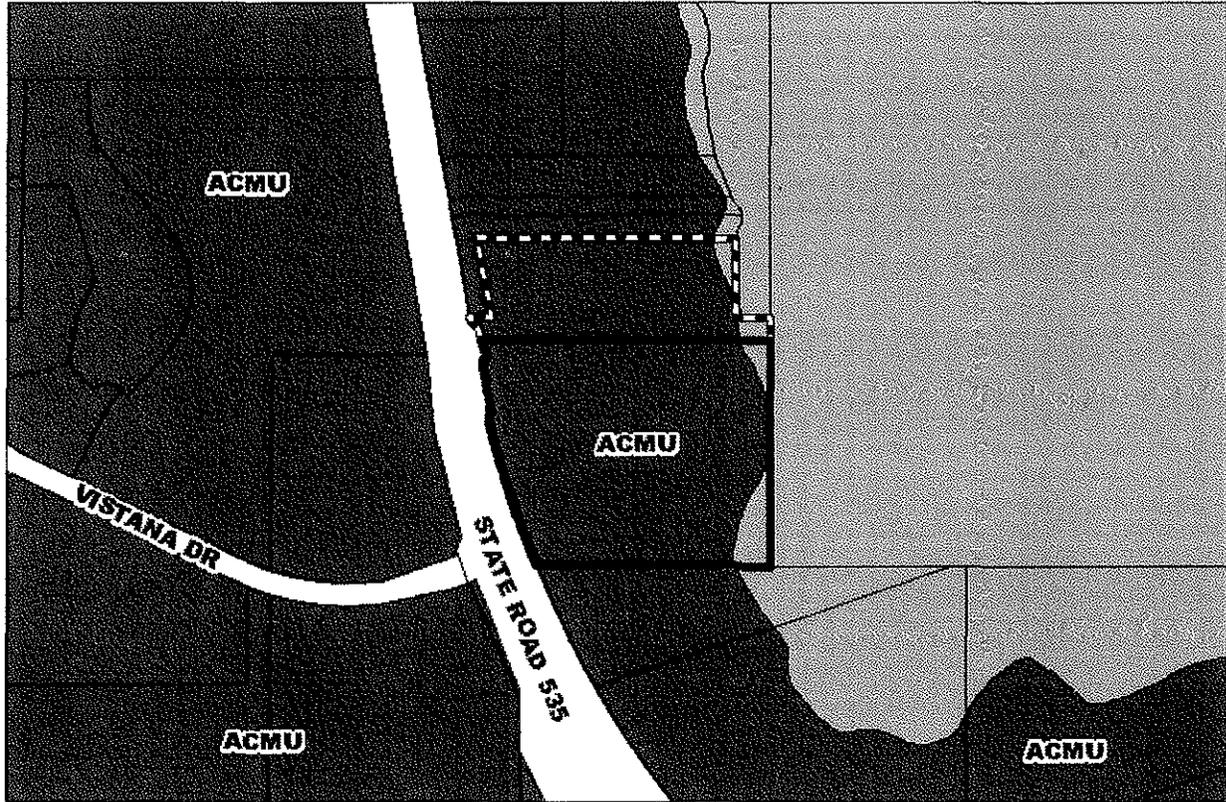
6. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
7. The developer shall obtain water, wastewater, and reclaimed water service from Orange County Utilities.
8. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed water, wastewater, and reclaimed water systems have been designed to support the PD.

9. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
10. Outside sales, storage, and display shall be prohibited.
11. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 Tourist Commercial standards of the Orange County Code.
12. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan approval and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
13. This project shall comply with the County's International Drive Activity Center Comprehensive Plan requirement for a 15-foot transit easement and a separate 20-foot landscape, pedestrian and utility easement needed for future roadway improvements. The easement areas required shall be shown all plans and conveyed concurrently at time of platting or dedicated to the County via separate instrument prior to Development Plan Approval.
14. A waiver from Orange County Code Section 38-1300 is granted to allow for a maximum height of 295 feet above the building finished floor elevation for a hotel and timeshare only, in lieu of a maximum height of 200 feet for a hotel or timeshare.
15. Except as amended, modified, and / or superseded, the following South County PD BCC Conditions of approval, dated November 28, 2000, shall apply:
 - a. A waiver is approved to reduce the westerly setback not fronting S.R. 535 to 30 feet.
16. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 10, 1995, shall apply:
 - a. With the exception of the water ski school operated by Water Sports Management, Inc. (d/b/a Buena Vista Water Sports and Paradise Cove), which, pursuant to that certain agreement entered into on June 25, 2015, by and between Lake Bryan Development, LLC and Water Sports Management, Inc., has been operating on a portion of Lake Bryan not previously subject to the prohibition on motorized water craft, motorized water craft (i.e., power boats, jet skis, etc.) shall be prohibited on Lake Bryan.
 - b. Side-yard building setbacks shall be a minimum of 30 feet per Section 38-1287(2) of the PD district.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION *(January 10, 1995)*

Upon a motion by Commissioner Freeman, seconded by Commissioner Johnson, and carried with County Chairman Chapin and all present commissioners voting aye by voice vote with Commissioner Butler absent, the Board approved a request to amend the approved Land Use Plan from 268 condominium units to 101,895 square feet of tourist commercial uses, or up to 412 hotel units, subject to conditions.

LUPA-16-02-046



 Aggregated Parcel
 PD Boundary

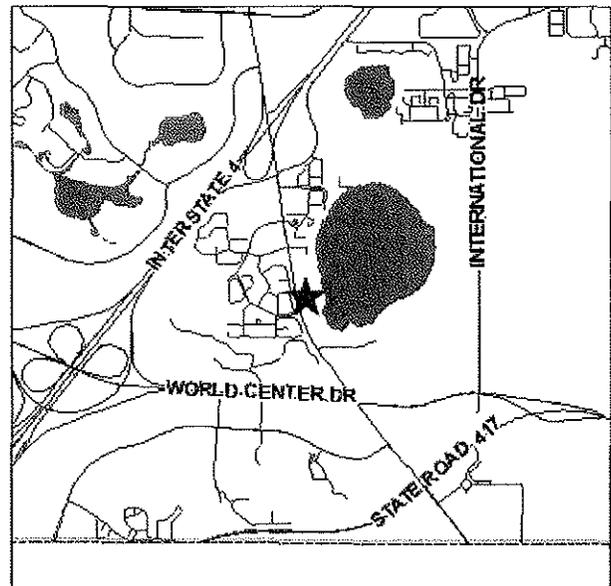


 Subject Property

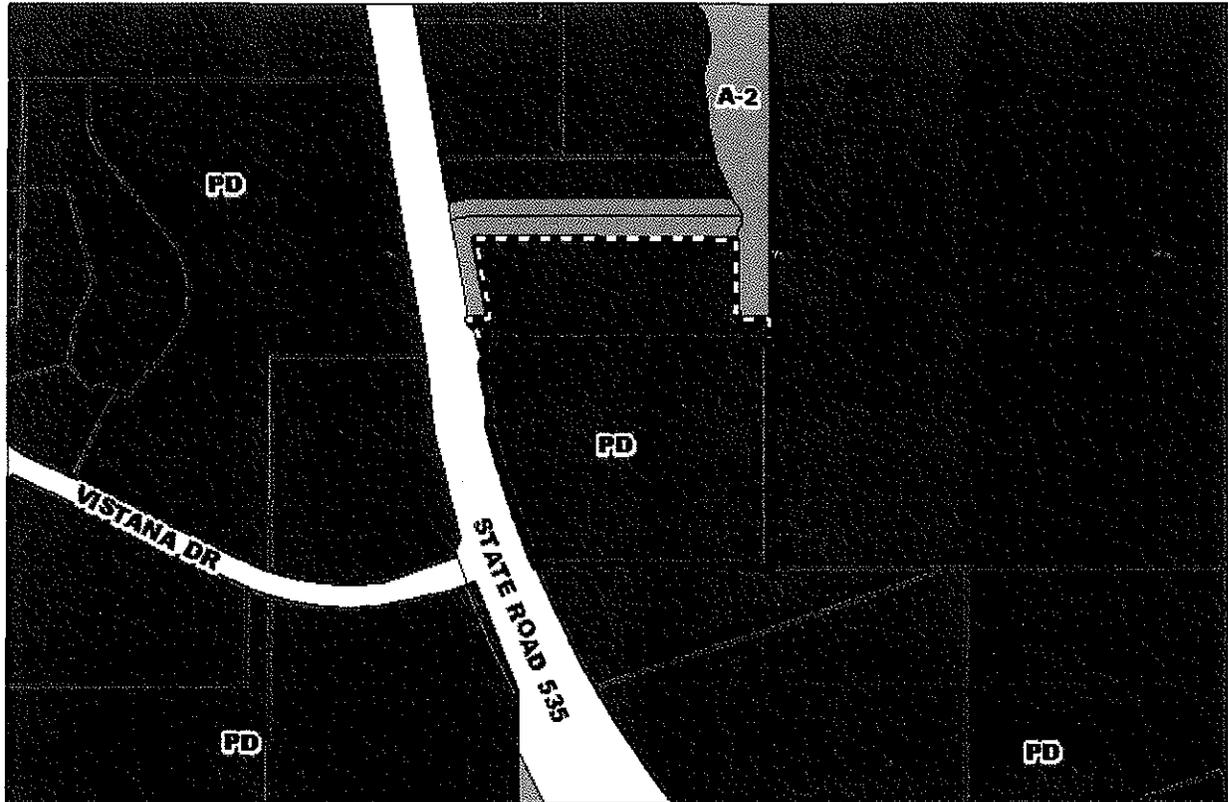
Future Land Use Map

FLUM: Activity Center Mixed Use (ACMU)
APPLICANT: Phillip C. Hollis, PMJS, LLC
LOCATION: Generally located east of SR 535, north of Vistana Drive
TRACT SIZE: 9.85 gross acres (existing PD)
 4.32 gross acres (aggregated parcel)
 14.17 gross acres (resulting PD)
DISTRICT: # 1
ST/R: 27/24/28

1 inch = 417 feet



LUPA-16-02-046



 Aggregated Parcel
 PD Boundary



 Subject Property

Zoning Map

ZONING: Planned Development District (PD) to
 Planned Development District (PD)

APPLICANT: Phillip C. Hollis, PMJS, LLC

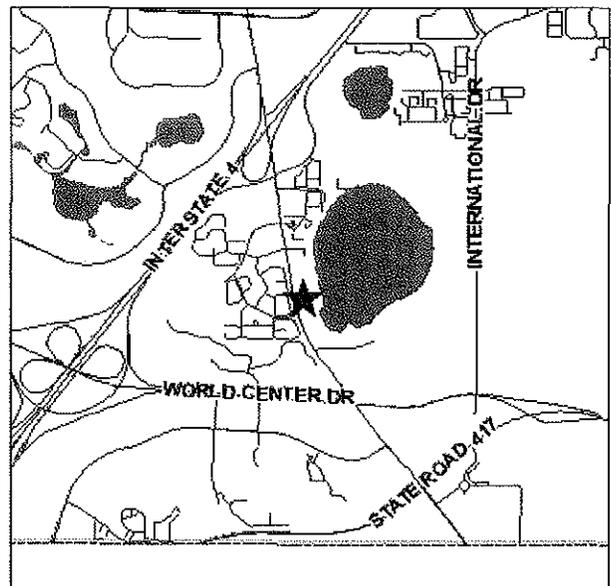
LOCATION: Generally located east of SR 535, north of
 Vistana Drive

TRACT SIZE: 9.85 gross acres (existing PD)
 4.32 gross acres (aggregated parcel)
 14.17 gross acres (resulting PD)

DISTRICT: # 1

SYJR: 27/24/28

1 inch = 417 feet



LAKE BRYAN CONDOS PD LAND USE PLAN

PARCEL ID # 27-24-28-0000-00-054,
27-24-28-4336-00-110

13757 SR 535 & 13725 S. APOPKA VINELAND ROAD
ORLANDO, FLORIDA 32821

CASE # LUP 16-02-046

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C-01	COVER SHEET
C-02	LAND USE PLAN

LOCATION MAP

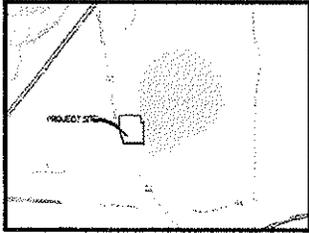


FIGURE 1-1 LOCATION MAP

LAKE BRYAN CONDOS PD CONDITIONS OF APPROVAL

1. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

2. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

3. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

LAKE BRYAN CONDOMINIUMS CONDITIONS OF APPROVAL (1974)

1. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

2. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

3. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

LAKE BRYAN CONDOMINIUMS PD CONDITIONS OF APPROVAL (1991)

1. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

2. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

3. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

SOUTH COUNTY PD CONDITIONS OF APPROVAL

CONCRETE - IN PLACE OR EXISTING CONDITIONS

- 1. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.
- 2. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.
- 3. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

- 4. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.
- 5. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.
- 6. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

- 7. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.
- 8. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.
- 9. The applicant shall provide a site plan showing the proposed building footprint, parking, and other site features. The site plan shall also show the proposed landscaping and any other site improvements.

UTILITY SERVICE PROVIDERS

WATER	PHONE	ELECTRIC
FLORIDA POWER & LIGHT CO. 13757 SR 535 ORLANDO, FL 32821 TEL: 407-241-1111	FLORIDA POWER & LIGHT CO. 13757 SR 535 ORLANDO, FL 32821 TEL: 407-241-1111	FLORIDA POWER & LIGHT CO. 13757 SR 535 ORLANDO, FL 32821 TEL: 407-241-1111
SEWER	GA5	CABLE
FLORIDA POWER & LIGHT CO. 13757 SR 535 ORLANDO, FL 32821 TEL: 407-241-1111	FLORIDA POWER & LIGHT CO. 13757 SR 535 ORLANDO, FL 32821 TEL: 407-241-1111	FLORIDA POWER & LIGHT CO. 13757 SR 535 ORLANDO, FL 32821 TEL: 407-241-1111

PROJECT TEAM

OWNER/DEVELOPER	ARCHITECT	SUBMITTER	DEVELOPMENTALIST	GEOTECHNICAL
LAKE BRYAN CONDOS PD				

RECEIVED
By The Development Review Committee (DRC) Office at 1:29 PM, July 22, 2016

LAKE BRYAN CONDOMINIUMS PD - LUP 16-02-046 - COVER SHEET

LAKE BRYAN CONDOMINIUMS PD - LUP 16-02-046 - COVER SHEET

COVER SHEET

PMJS DEVELOPMENT SOLUTIONS LLC

C-01

Lake Bryan Condos PD / LUP (Cover Sheet)

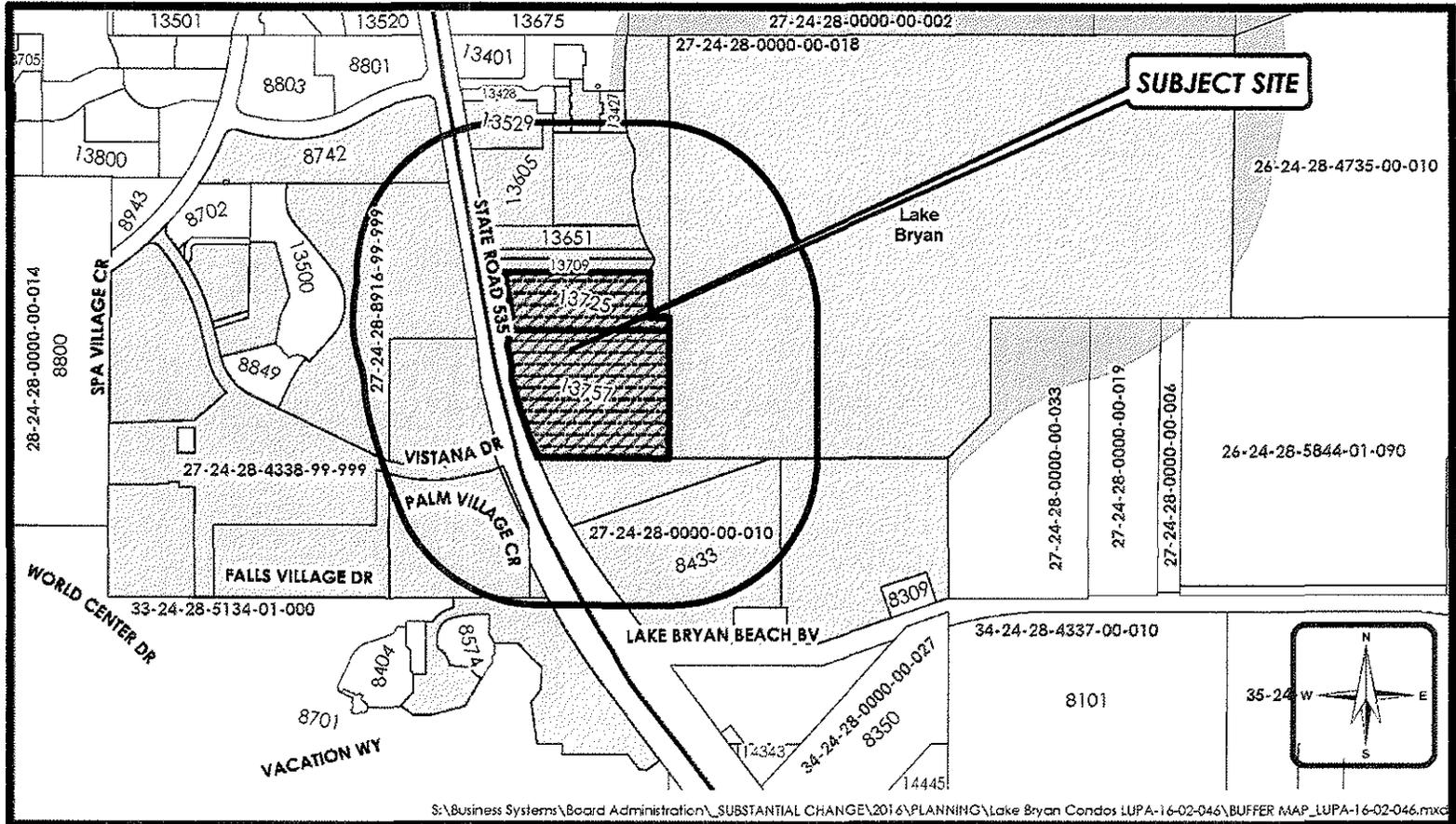
DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 2, 2016



Public Notification Map

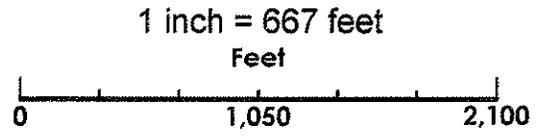
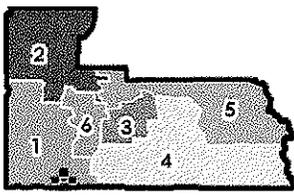
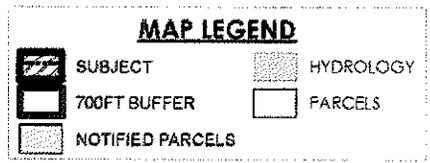
Lake Bryan Condos LUPA-16-02-046

700 FT BUFFER, 368 NOTICES



Notification Map

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 2, 2016





Interoffice Memorandum

July 21, 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 Smoger, Chairman
Development Review Committee
Planning Division
(407) 836-5616

SUBJECT: August 2, 2016 - Public Hearing
Robert Paymayesh
Terra Bona Planned Development (PD)
Substantial Change – Case # CDR-16-03-083 / District 2

The Terra Bona PD is generally located on the west side of N. Round Lake Road, approximately 3,600 feet northeast of N. Orange Blossom Trail, and contains 121.84 acres. It was originally approved on September 13, 2005, and currently provides for 75 lots with single-family detached residential dwelling units.

With this substantial change request, the applicant is seeking to increase allowable single-family detached residential units from 75 to 104 (*a net increase of 29 units*); increase the minimum lot area from 14,520 square feet to 14,750 square feet; reduce the minimum lot width from 100 feet to 90 feet; and increase open space from 10% to 50% by clustering residential lots. The increase in open space is needed to meet the requirements established by the Wekiva Parkway and Protection Act, Section 369.316 F.S., and which were enacted after the approval of the original PD.

As summarized in the attached staff report, a community meeting was held at Zellwood Elementary School on April 6, 2016. The request also received a recommendation of approval by the Development Review Committee (DRC) on May 11, 2016.

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 Terra Bona Planned Development / Land Use Plan (PD/LUP) dated "Received April 15, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 2

Attachment

CASE # CDR-16-03-083

Commission District: # 2

GENERAL INFORMATION

APPLICANT	Robert Paymayesh
OWNER	Round Lake Trust, LLC
PROJECT NAME	Terra Bona Planned Development / Land Use Plan (PD/LUP)
PARCEL ID NUMBERS	22-20-27-8635-00-001; 22-20-27-8635-00-002; 22-20-27-8635-00-010; 22-20-27-8635-00-020; 22-20-27-8635-00-030; 22-20-27-8635-00-040; and 22-20-27-8635-00-050
TRACT SIZE	121.84 gross acres
LOCATION	Generally located on the west side of N. Round Lake Road, approximately 3,600 feet northeast of N. Orange Blossom Trail.
REQUEST	A substantial change request to increase allowable single-family detached residential units from 75 to 104 (<i>a net increase of 29 units</i>); increase the minimum lot area from 14,520 square feet to 14,750 square feet; reduce the minimum lot width from 100 feet to 90 feet; and increase open space from 10% to 50% by clustering residential lots.
PUBLIC NOTIFICATION	A notification area extending beyond one thousand (1,000) feet was used for this application [<i>Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet</i>]. Two-hundred sixty nine (269) notices were mailed to those property owners in the notification buffer area.

IMPACT ANALYSIS

Special Information

The Terra Bona PD was originally approved on September 13, 2005, and currently provides for a development program consisting of 75 lots with single-family detached residential dwelling units.

With this substantial change request, the applicant is seeking to increase allowable single-family detached residential units from 75 to 104 (*a net increase of 29 units*); increase the minimum lot area from 14,520 square feet to 14,750 square feet; reduce the minimum lot width from 100 feet to 90 feet; and increase open space from 10% to 50% by clustering residential lots. The increase in open space is needed to meet the requirements established by the Wekiva Parkway and Protection Act, Section 369.316 F.S., and which were enacted after the approval of the original PD.

Land Use Compatibility

The proposed substantial change request would not adversely impact any adjacent properties or result in an incompatible land use pattern.

Comprehensive Plan (CP) Consistency

The subject property has underlying Future Land Use Map (FLUM) designation of Planned Development – Rural Settlement 1/1 – Rural Settlement – 1/2 (PD - RS 1/1 – RS 1/2). The proposed substantial change request, and its associated densities, is consistent with this FLUM designation and all other applicable CP provisions.

Overlay District Ordinance

The subject property is located within the Wekiva Study Area.

Rural Settlement

The subject property is located within the Zellwood Rural Settlement.

Joint Planning Area (JPA)

The subject property is not located within a JPA.

Environmental

Wekiva Study Area – This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations apply. These requirements may reduce the total net developable acreage. Regulations include, but are not limited to: septic tank criteria, open space requirements, stormwater treatment, upland preservation, setbacks related to karst features and the watershed, and aquifer vulnerability. In addition to the state regulations, local policies are included in Orange County Comprehensive Plan 2010-2030 Destination 2030, Future Land Use Element (but not limited to) Objective FLU6.6 Wekiva and the related policies.

Landfill Proximity – The Golden Gem and Mid-Florida Materials landfills are located approximately 2,000 feet east. The covenants, conditions, and restrictions (CC&Rs) shall contain notification of the proximity of solid waste disposal facilities. This notification is required since the County shall not support the siting of developments at urban residential densities that would be adversely impacted by existing solid waste management activities.

Potential Contamination – The subject properties had a prior land use (pasture/cattle grazing) that may have resulted in spillage of petroleum products, fertilizer, pesticide or herbicide. Prior to the earlier of platting, demolition, site clearing, grading, grubbing, review of mass grading or construction plans, the applicant shall provide documentation to assure compliance with the Florida Department of Environmental Protection (FDEP) regulation 62-777 Contaminant Cleanup Target Levels, and any other contaminant cleanup target levels found to apply during further investigations, to the Orange County Environmental Protection and Development Engineering Divisions.

Wildlife - Gopher tortoises have been located in this area. Development of the subject property shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant will be

responsible for determining the presence of listed species and obtaining any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

Conservation Areas - An Orange County Conservation Area Determination was completed for the PD with wetland classifications on April 25, 1989. The wetlands have been platted and recorded in book 24, pages 99-100. The conservation area on the lake is limited to the established Normal High Water Elevation (NHWE), and the Class I shoreline wetland shown on the plan is part of the lake's submerged land.

Transportation / Concurrency

Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

Schools

Developer shall comply with all provisions of the Capacity Enhancement Agreement approved by the Orange County School Board on June 28, 2016.

Parks and Recreation

This request would not result in any impacts to Orange County Parks.

Community Meeting Summary

A community meeting was held for this request at Zellwood Elementary School on April 4, 2016, with twenty-two (22) residents in attendance. Residents expressed concern about lake front lots, lake access, additional density, and traffic safety.

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 11, 2016)

Make a finding of consistency with the Comprehensive Plan (CP) and approve the substantial change to the Terra Bona Planned Development / Land Use Plan (PD/LUP) dated "Received April 15, 2016", subject to the following conditions:

1. Development shall conform to the Terra Bona Planned Development / Land Use Plan (PD/LUP) dated "Received April 15, 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 15, 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/LUP shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).

6. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
7. 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.
8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
9. Approval of this plan does not constitute approval of a permit for the construction of a boat dock, boardwalk, observation pier, fishing pier, community pier or other similar permanently fixed or floating structures. Any person desiring to construct any of these structures shall apply for an Orange County Dock Construction Permit. Application shall be made to the Orange County Environmental Protection Division as specified in Orange County Code Chapter 15 Environmental Control, Article IX Dock Construction prior to installation.
10. The following Education Condition of Approval shall apply:
 - a. Developer shall comply with all provisions of the Capacity Enhancement Agreement approved by the Orange County School Board on June 28, 2016.
 - b. Upon the County's receipt of written notice from Orange County Public Schools that the developer is in default or breach of the Capacity Enhancement Agreement, the County shall immediately cease issuing building permits for any residential units in excess of the 15 residential units allowed under the zoning existing prior to the approval of the PD zoning. The County may again begin issuing building permits upon Orange County Public Schools' written notice to the County that the developer is no longer in breach or default of the Capacity Enhancement Agreement. The developer and its successor(s) and/or assign(s)

under the Capacity Enhancement Agreement, shall indemnify and hold the County harmless from any third party claims, suits, or actions arising as a result of the act of ceasing the County's issuance of residential building permits.

- c. Developer, and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, agrees that it shall not claim in any future litigation that the County's enforcement of any of these conditions are illegal, improper, unconstitutional, or a violation of developer's rights.
- d. Orange County shall be held harmless by the developer and its successor(s) and/or assign(s) under the Capacity Enhancement Agreement, in any dispute between the developer and Orange County Public Schools over any interpretation or provision of the Capacity Enhancement Agreement.

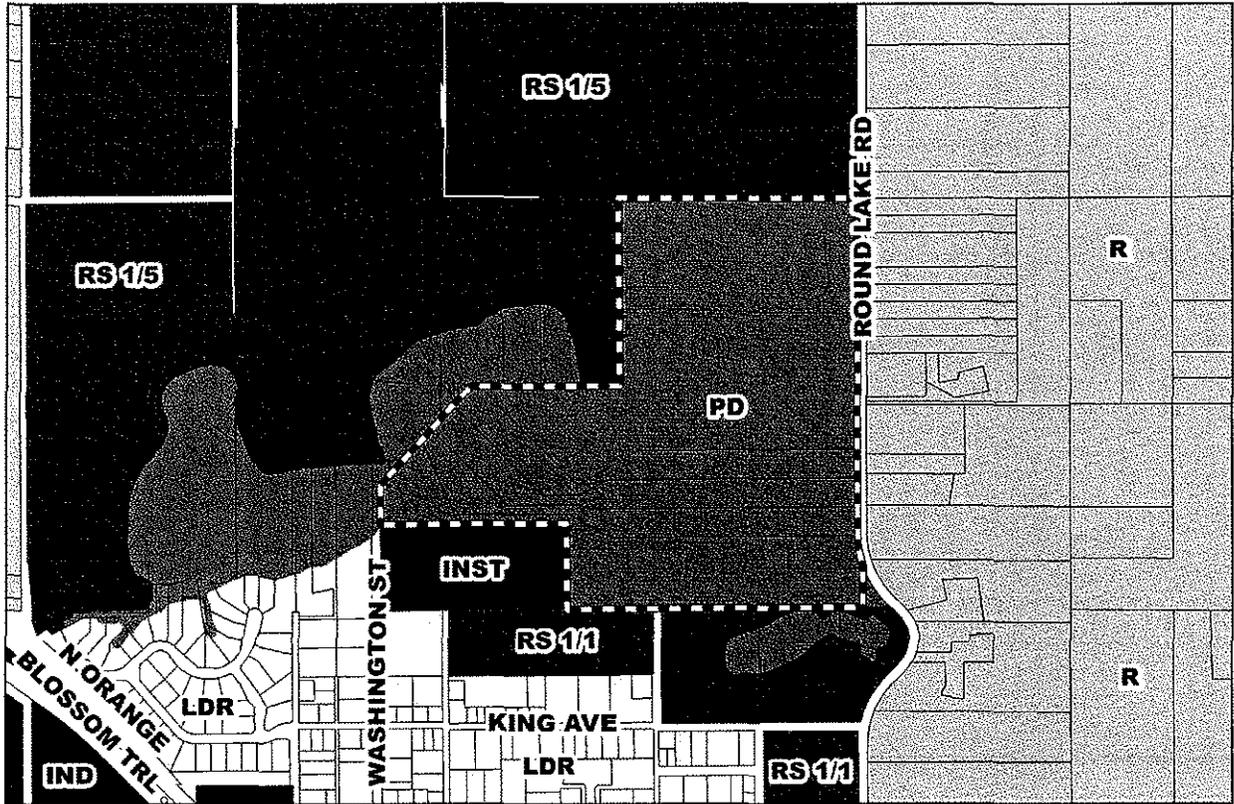
Prior to or concurrently with the County's approval of the plat, documentation shall be provided from Orange County Public Schools that this project is in compliance with the Capacity Enhancement Agreement.

- 11. A 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.
- 12. A mandatory pre-application/sufficiency review meeting for the plat shall be required prior to plat submittal, but after approval of the site construction plans. The applicant shall resolve, to the County's satisfaction, all items identified in the pre-application/sufficiency review meeting prior to formal submittal of the plat to the County.
- 13. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated September 13, 2005, shall apply:
 - a. This development shall connect to central water. The need to connect to wastewater and reclaimed water shall be determined with PSP approval.

PREVIOUS BOARD OF COUNTY COMMISSIONERS ACTION (September 13, 2005)

Upon a motion by County Mayor Crotty, seconded by Commissioner Segal, and carried with all members voting AYE by voice vote with Commissioner Sindler absent, the Board made a finding of consistency with the Comprehensive Plan; further, approved the substantial change request by Stanley Pietkiewicz, Titan Development Group, Terra Bona Planned Development / Land Use Plan (PD/LUP), subject to conditions.

CDR-16-03-083



Subject Property



Subject Property

Future Land Use Map

FLUM: Planned Development - Rural Settlement 1/1
 - Rural Settlement 1/2 (PD - RS 1/1 - RS 1/2)

APPLICANT: Robert Paymayesh

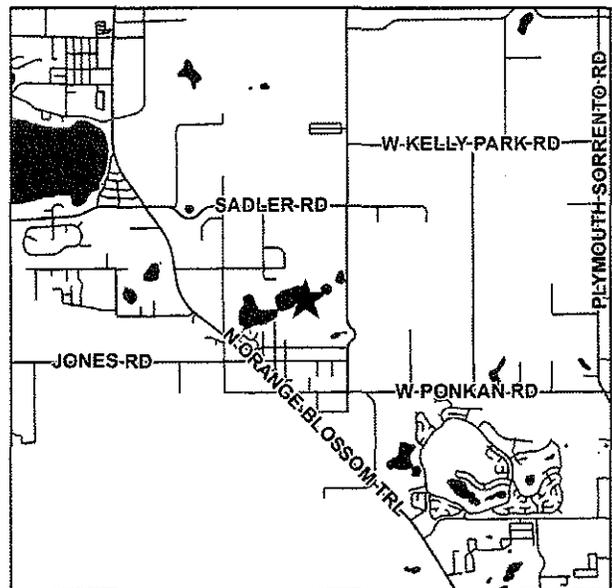
LOCATION: Generally located on the west side of North Round Lake Road, approximately 3,600 feet northeast of North Orange Blossom Trail

TRACT SIZE: 121.84 gross acres

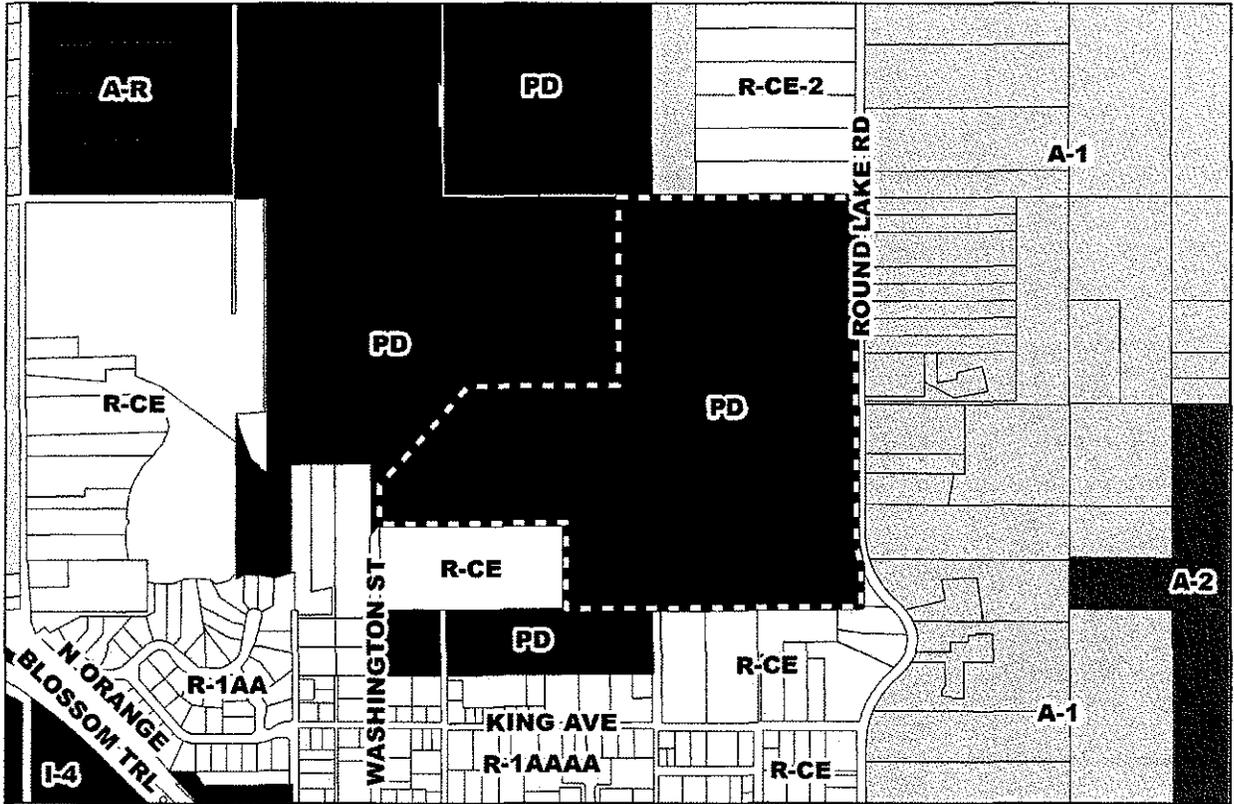
DISTRICT: # 2

S/T/R: 22/20/27

1 inch = 1,000 feet



CDR-16-03-083



Subject Property



Subject Property

Zoning Map

ZONING: Planned Development District (PD)

APPLICANT: Robert Paymayesh

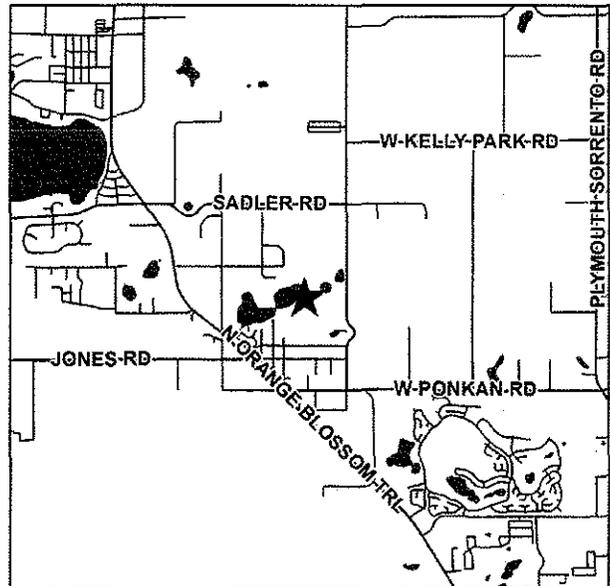
LOCATION: Generally located on the west side of North Round Lake Road, approximately 3,600 feet northeast of North Orange Blossom Trail

TRACT SIZE: 121.84 gross acres

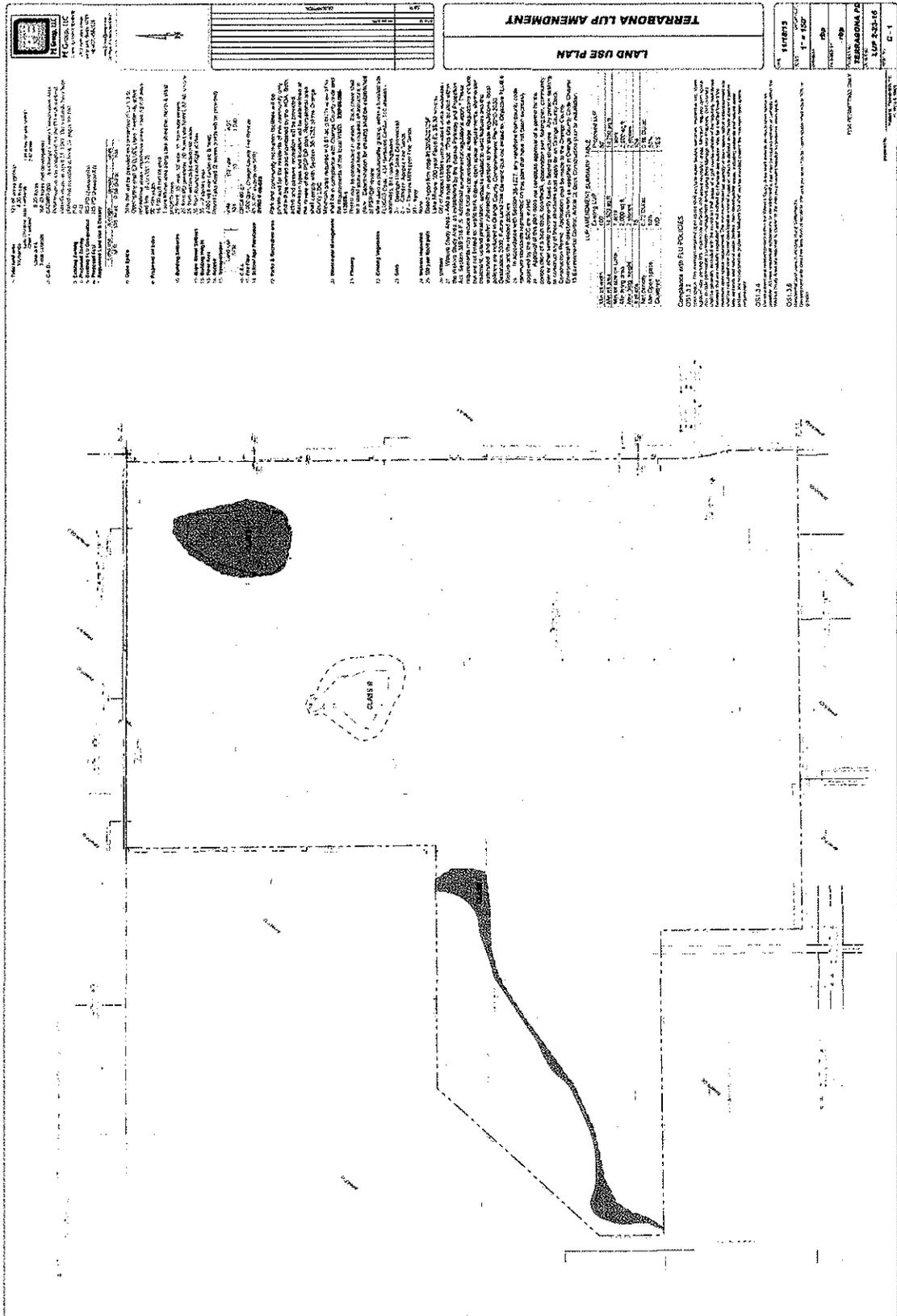
DISTRICT: # 2

S/T/R: 22/20/27

1 inch = 1,000 feet



Terra Bona PD / LUP

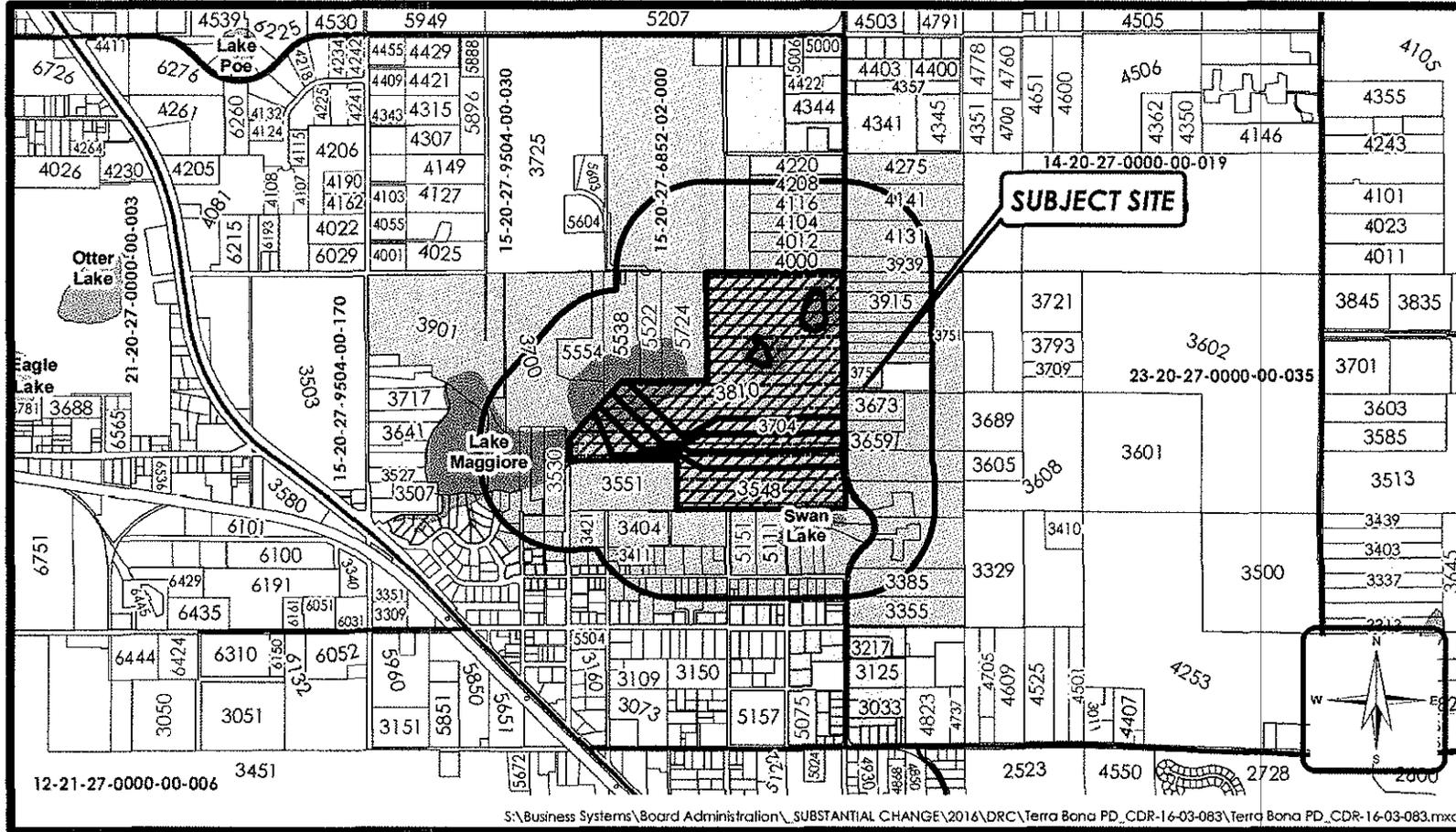




Public Notification Map

Terra Bona PD_CDR-16-03-083

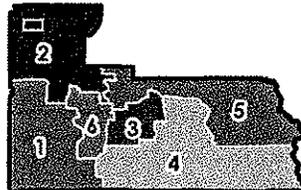
1000+ FT BUFFER, 269 NOTICES



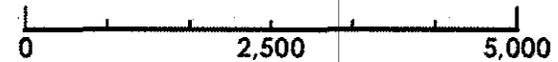
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MAP LEGEND

	SUBJECT		NOTIFIED_PARCELS
	1000_FT_BUFFER		ADDITIONAL_SELECTION
	HYDROLOGY		PARCELS



1 inch = 1,579 feet



Notification Map

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: August 2, 2016



Interoffice Memorandum

August 2, 2016

TO: Mayor Teresa Jacobs
-AND-
Board of County Commissioners (BCC)

FROM: Alberto A. Vargas, MArch., Manager, Planning Division 

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

SUBJECT: 2016-2 Regular Cycle Comprehensive Plan Amendments
Board of County Commissioners (BCC) Transmittal Public Hearing

The 2016-2 Regular Cycle Comprehensive Plan Amendments are scheduled for a BCC transmittal public hearing on August 2, 2016. These amendments were heard by the Local Planning Agency (LPA) at a transmittal public hearing held on July 21, 2016.

A binder containing the staff reports, including back-up material, has been provided under separate cover. The reports are also available under the **Amendment Cycle** section of the County's Comprehensive Planning webpage:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>

The 2016-2 Regular Cycle includes two privately-initiated map amendments (located in Districts 1 and 5), one privately-initiated text amendment, and five staff-initiated map and/or text amendments. Each of the privately-initiated map amendments involves a change to the Future Land Use Map (FLUM) for property over 10 acres. The privately-initiated text amendment entails a change to the Goals, Objectives, and Policies of the Comprehensive Plan, while the staff-initiated amendments include map changes and/or changes to the Goals, Objectives, and Policies of the Comprehensive Plan.

Following the BCC transmittal public hearing, the proposed amendments will be transmitted to the Florida Department of Economic Opportunity (DEO) and other State agencies for review and comment. Staff expects to receive comments from DEO and/or the other State agencies in September 2016. Pursuant to 163.3184, Florida Statutes, the proposed amendments must be adopted within 180 days of receipt of the comment letter or the Objections, Recommendations and Comments Report. The adoption hearings are tentatively scheduled for the LPA on October 20, 2016, and the BCC on November 15, 2016.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch., Manager, Planning Division, at (407) 836-5354 or Alberto.Vargas@ocfl.net, or Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning Section, Planning Division, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

AAV/sgw

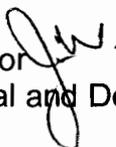
Enc: 2016-2 Regular Cycle Amendments BCC Transmittal Binder



Interoffice Memorandum

July 29, 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 2, 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 public hearing scheduled for August 2, 2016, before the Board of County Commissioners (Board) cannot take place and needs to be cancelled. The scheduled 2nd public hearing for August 16, 2016 will also need 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