

Orange County Government

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



Final Meeting Minutes - Final

Tuesday, December 13, 2022

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jerry L. Demings called the meeting to order at 9:10 a.m.

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

Others present:

County Comptroller Phil Diamond as Clerk
County Administrator Byron Brooks
Deputy County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Public Works Director Joel Kunkel
Senior Minutes Coordinator Noelia Perez
Minutes Coordinator Megan Fiocco

Invocation - District 4

Pastor Greg Marksberry, Thrive Church

Pledge of Allegiance**Presentation**

Youth Choir of Community and Family Services Department

Public Comment

The following persons addressed the Board during public comment:

- Justin Harvey
- Kevin Rose
- Kevin Stillwagon
- Nicole King
- Laura Betts
- Phillip Spicer

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

The Mayor corrected the District Number for Utilities Department Consent Item 1 from District #4 to District #3; further, a motion was made by Commissioner Bonilla, seconded by Gomez Cordero, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

A. COUNTY MAYOR

1. **22-1545** Approval and execution of Orange County, Florida and University of Central Florida Research Foundation, Inc. FY 2023 Grant Agreement and authorization to disburse \$800,243 as provided in the FY 2022-23 adopted budget. (Office of Economic, Trade and Tourism Development)
2. **22-1546** Approval and execution of Orange County, Florida and Veteran Entrepreneurship Initiative, Inc. FY 2023 Grant Agreement and authorization to disburse \$162,253 as provided in the FY 2022-23 adopted budget. (Office of Economic, Trade and Tourism Development)

B. COUNTY COMPTROLLER

1. **22-1547** Approval and execution of the minutes of the November 15, 2022 meeting of the Board of County Commissioners. (Clerk's Office)
2. **22-1548** Approval of the check register authorizing the most recently disbursed County funds, having been certified that same have not been drawn on overexpended accounts. Periods are as follows:
 - November 23, 2022, to December 1, 2022; \$65,141,788.15
 - December 2, 2022, to December 8, 2022; \$37,111,241.38

(Finance/Accounting)

C. COUNTY ADMINISTRATOR

1. **22-1549** Approval of the Membership and Mission Review Board's recommendations for advisory board appointments and reappointments. (Agenda Development Office)
 - A. Agricultural Advisory Board: Reappointment of Jeff Hogan and Michael Sterner in the at large representative category and Nicholas E. Hernandez in the lawn maintenance/landscaping representative category with terms expiring December 31, 2024.
 - B. Animal Services Advisory Board: Reappointment of Lindsey J. Dodds in the at large representative category and Paul L. Wean in the attorney representative category with terms expiring December 31, 2024.
 - C. Animal Services Classification Committee: Reappointment of Holly B.

Bobrowski in the at large representative category with a term expiring December 31, 2024.

D. Building Codes Board of Adjustments and Appeals: Reappointment of Raymond T. Kilmer in the roofing contractor representative category, Alejandra Gallagher in the consumer representative category, and Tony Hartsgrove in the residential contractor representative category with terms expiring December 31, 2024.

E. Children and Family Services Board: Reappointment of Janae Moore and Helga M. Mejia in the at large representative category with terms expiring December 31, 2024.

F. Citizens' Commission for Children: Reappointment of Madeleine Plumey-Cruz, Tadar Muhammad, Marquitta Caesar, and Shannon Hesse in the at large representative category with terms expiring December 31, 2024.

G. Citizens' Review Panel for Human Services: Reappointment of Betsheell Udofia and the appointment of Melissa Kirk to succeed Danielle Henry in the at large representative category with terms expiring December 31, 2025; the appointment of Gregory Ford to succeed Maryah Sullivan-Sanders in the youth advocate representative category with a term expiring December 31, 2023; the appointment of Ryan Grail to succeed Dr. Tyon Hall in the economically distressed representative category with a term expiring December 31, 2024; and the appointment of Jessica R. Pierre to succeed Marissa N. John, Pamela Saffran to succeed Khelia Gooden, Mayra Castro to succeed Kelley Renier, Michael Broadus to succeed Jeff Joachim, and Dr. Angela R. White-Jones to succeed Katy McGinnis, all in the at large representative category with terms expiring December 31, 2023. Note: Jacqueline Bido, currently serving in the at large member in training representative category, will succeed Marc A. Sugerman in the at large representative category.

H. Development Advisory Board: Reappointment of Ernesto Gonzalez-Chavez in the architect representative category and the appointment of Oluwaseun Falade to succeed Carlos A. Rivero in the general contractor representative category with terms expiring June 30, 2024.

I. Environmental Protection Commission: Reappointment of Richard A. Horn in the regulated business or municipality representative category and the appointment of Karin Leissing to succeed Flormari Blackburn in the professional engineer representative category with terms expiring December 31, 2024.

J. Fire and Life Safety Code Board of Adjustments and Appeals: Reappointment of Danny R. Harrod in the fire alarm contractor representative category and Bill G. Graney in the engineer representative category with terms expiring December 31, 2025.

K. Green PLACE Advisory Board: Reappointment of Luis Olguin and Donald J. Kendzior in the agricultural interest representative category and Susanne Pena in the academic or educational representative category with terms expiring December 31, 2024 and the appointment of Dr. Michael Daniels in the academic or educational representative category with a term expiring December 31, 2023.

L. Health Facilities Authority: Reappointment of Darlene A. Baptiste in the at large representative category with a term expiring December 31, 2026.

M. Industrial Development Authority: Reappointment of Mark A. Gonzalez in the at large representative category with a term expiring December 31, 2026.

N. International Drive CRA Advisory Committee: Reappointment of Daniel P. Giordano in the International Drive Resort Area Chamber of Commerce representative category with a term expiring January 1, 2024 and the appointment of Shirley M. Washington to succeed Samuel Butler, Jr. in the Tangelo Park Civic Association representative category with a term expiring January 1, 2025.

O. Neighborhood Grants Advisory Board: Appointment of Demi Jones to succeed Ramon Ojeda in the District 1 representative category, Samantha Ramcharan to succeed Brandy Hannah in the District 5 representative category, Natasha Player to succeed Assonta Lysius in the District 6 representative category, and James A. White to succeed Madeleine Plumey-Cruz in the at large representative category with terms expiring June 30, 2024.

P. Nuisance Abatement Board: Reappointment of Johnmichael J. Fernandez in the at large representative category with a term expiring January 1, 2025.

Q. Parks and Recreation Advisory Board: Appointment of Patrick Panza to succeed Barbara L. Giles in the bicycle and pedestrian concern representative category with a term expiring June 30, 2023.

R. Sustainability Advisory Board: Appointment of Mukesh R. Joshi to succeed Resham Shirsat in the renewable energy or high-performance buildings representative category with a term expiring June 30, 2024.

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2. **22-1550** Confirmation of the reappointment to the Board of Zoning Adjustment of Roberta Walton as the Mayor's representative, Thomas Moses as the District 1 representative, Deborah Moskowitz as the District 4 representative, and Joel J. Morales as the District 5 representative with terms expiring December 31, 2024. (Agenda Development Office)
3. **22-1551** Reappointment to the Code Enforcement Board of Lyndell L. Mims in the general contractor category and Mike Rhodes in the business person category with terms expiring December 31, 2025. (Agenda Development Office)
4. **22-1552** Confirmation of the reappointment to the Orange County Citizen Corps Council of Ghizlaine El Fazazi as a Mayor's representative and Monica Lergier as the District 4 representative with terms expiring December 31, 2024.
-and-
Confirmation of the appointment to the Orange County Citizen Corps Council of Luana L. Folse and Ebony D. Davis-Martin as Mayor's representatives, Linda G. Sibley as the District 1 representative, and Justin N. Fortune as the District 2 representative with terms expiring December 31, 2024. (Agenda Development Office)
5. **22-1553** Confirmation of the reappointment to the Membership and Mission Review Board of James R. Auffant as the District 4 representative with a term expiring December 31, 2024.
-and-
Confirmation of the appointment to the Membership and Mission Review Board of Richard J. Maladecki as the District 1 representative and Greg H. Mellowe as the District 2 representative with terms effective January 1, 2023 and expiring December 31, 2024. (Agenda Development Office)
6. **22-1554** Confirmation of the reappointment to the Tourist Development Tax Grant Application Review Committee of Derek N. Baum and Charles Hawkins II as Mayor's representatives, Beverly B. Winesburgh as the District 2 representative, and Juan M. Vilar as the District 4 representative with terms expiring December 31, 2026. (Agenda Development Office)
7. **22-1555** Reappointment to the Tourist Development Tax Sports Incentive Committee of Tara Early in the citizen representative category and Chris S. Mueller in the International Drive Resort Area Chamber of Commerce representative category with terms expiring December 31, 2025.
-and-
Appointment to the Tourist Development Tax Sports Incentive Committee of Daniel Giordano in the Visit Orlando representative category with a term expiring December 31, 2025. (Agenda Development Office)

8. **22-1556** Reappointment of Dr. Evelyn M. Cardenas to the Visit Orlando Board of Directors with a term expiring December 31, 2024. (Agenda Development Office)
9. **22-1557** Confirmation of the reappointment to the Planning and Zoning Commission of Walter A. Pavon Jr. as the District 4 representative and J. Gordon Spears as the District 5 representative with terms expiring December 31, 2024.
-and-
Confirmation of the appointment to the Planning and Zoning Commission of David Boers as the District 1 representative with a term effective January 1, 2023 and expiring December 31, 2024. (Agenda Development Office)
10. **22-1558** Approval for the Orange County Sheriff's Office to spend \$17,500 from the FY 2023 Law Enforcement Trust Fund-State Forfeitures for an eligible contribution to the Boy Scouts of America Central Florida Council. (Office of Management and Budget)
11. **22-1559** Approval of budget amendments #23-04, #23-05, and #23-06. (Office of Management and Budget)
12. **22-1560** Approval to pay quarterly assessments to the Florida Department of Financial Services for self-insurer assessments in an amount not to exceed \$117,431.96. These payments will satisfy the County's obligations to the State of Florida pursuant to Sections 440.49(9) and 440.51, Florida Statutes. (Risk Management Division)

D. COUNTY ATTORNEY

1. **22-1561** Approval and execution of proposed new Administrative Regulation, titled "Digital/ Electronic Signatures."
2. **22-1562** Approval of the settlement (as amended) in the case of Universal Studios Water Parks Florida, LLC v. The Enclave at Orlando Condominium Association, Inc., Orange County, Florida, et al.; Case No. 2015-CA-008188-O and execution of the following agreements and documents and any necessary non-substantive amendments thereto: (1) Amended Settlement Agreement; (2) County Drainage Easement Agreement; and (3) Stipulation for Dismissal and Final Order of Dismissal of the Lawsuit.

E. ADMINISTRATIVE SERVICES DEPARTMENT

1. **22-1563** Approval to award Invitation for Bids Y22-1084-RM, Right-of-Way Mowing - Apopka, Section I, to the low responsive and responsible bidder, Aero Groundtek, LLC. The estimated contract award amount is \$408,850 for the base year. ([Public Works Department Roads and Drainage Division])

Procurement Division)

2. **22-1564** Approval to award Invitation for Bids Y22-1085-RM, Right-of-Way Mowing - Apopka, Section II, to the low responsive and responsible bidder, Aero Groundtek, LLC. The estimated contract award amount is \$448,850 for the base year. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. **22-1565** Approval to award Invitation for Bids Y22-7050-R2, Haverlake Circle Drainage Improvements, to the sole responsive and responsible bidder, Stage Door, II, Inc. The total contract award amount is \$109,200. ([Public Works Department Roads and Drainage Division] Procurement Division)
4. **22-1566** Approval to award Invitation for Bids Y23-702-CC, Mosquito Control Facility, to the low responsive and responsible bidder, CIC Construction Group USA, LLC. The total contract award amount is \$10,751,349. ([Administrative Services Department Capital Projects Division] Procurement Division)
5. **22-1567** Approval to award Invitation for Bids Y23-707-R2, Summerlake Neighborhood Park, to the low responsive and responsible bidder, CIC Construction Group USA, LLC. The total contract award amount is \$1,292,024. ([Administrative Services Department Capital Projects Division] Procurement Division)
6. **22-1568** Approval to award Invitation for Bids Y23-712-ZR, Sheriff's Sector II Chiller Replacement and Redundancy, to the low responsive and responsible bidder, Air Mechanical & Service Corp. The total contract award amount is \$854,000. ([Administrative Services Department Capital Projects Division] Procurement Division)
7. **22-1569** Approval to award Invitation for Bids Y23-722-R2, Emergency Orange County Convention Center Pedestrian Bridge Repairs, to the low responsive and responsible bidder, American Persian Engineering & Construction, LLC. The total contract award amount is \$499,910. ([Convention Center Facilities Operations Division] Procurement Division)
8. **22-1570** Approval of Amendment No. 11, Contract Y3-1021, Transfer, Processing, and Marketing of Recyclables, with Waste Management Inc. of Florida (Waste Management), in the not-to-exceed annual revenue amount of \$6,000,000 for a one-year term. ([Utilities Department Solid Waste Division] Procurement Division)
9. **22-1571** Approval of Amendment No. 4, Contract Y19-1092, Liquid Polymer for Eastern Water Reclamation Facility, with Polydyne, Inc., in the amount of \$368,695, for a revised contract amount of \$1,275,000. ([Utilities Department Water Reclamation Division] Procurement Division)

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10. **22-1572** Approval of Amendment No. 4, Contract Y20-2056, Provision of Community Services and Facility Use, with Career Source of Central Florida, in the amount of \$1,320,000, for a revised contract total amount of \$1,569,995. ([Community and Family Services Department Citizens' Commission for Children Division] Procurement Division)
11. **22-1573** Ratification of Amendment No. 1, Contract Y22-2405, Operational Costs for Mobile Showering Unit and Staff to Connect Homeless Individuals to Medical Needs, Housing, and Other Resources, Federal Subrecipient Agreement between Orange County, Florida and Clean the World Foundation, Inc., in the amount of \$99,000, for a revised total contract amount of \$199,000. ([Community and Family Services Department Mental Health and Homelessness Issues Division] Procurement Division)
12. **22-1574** Approval of Purchase Order M109336, Purchase and Installation of Energy Management and Direct Digital Control System, with MC2, Inc., in the amount of \$149,800. ([Administrative Services Department Facilities Management Division] Procurement Division)
13. **22-1575** Approval of Purchase Order M109418, Purchase of Cultivating Disks, to the low responsive and responsible quoter, Fields Equipment Co., Inc., in the total amount of \$131,890. ([Utilities Department Water Reclamation Division] Procurement Division)
14. **22-1576** Approval of Purchase Order M109473, Insurance Benefit Manager Services, with Broward Regional Health Planning Council, Inc., in the total amount of \$2,200,000. Further request authorization to process an advance payment in the amount of \$700,000 to ensure insurance payments are made before the January 1, 2023 effective date. ([Health Services Department Fiscal and Operational Support Division] Procurement Division)
15. **22-1577** Ratification of Purchase Order M109175, Emergency Engineering Services for Pump Station F3146 (Rouse Road North), with CPH, Inc., in the not-to-exceed amount of \$343,655.96. ([Utilities Department Engineering Division] Procurement Division)
16. **22-1578** Ratification of Purchase Order M109447, Emergency Big Sand Lake Drawdown Project, with Superior Construction Company SE, LLC, in the amount of \$599,637. ([Planning, Environmental, and Development Services Department Environmental Protection Division] Procurement Division)
17. **22-1579** Ratification of Change Order No. 1, Emergency Purchase Order M108979, Hurricane Ian Debris Cleanup, with Vista Landfill, LLC, in the amount of \$510,000, for a revised total amount of \$904,875. ([Public Works Department Fiscal and Operational Support Division] Procurement Division)
18. **22-1580** Authorization to Negotiate with Charter Communications Holdings, LLC to

provide Orange County Fiber Optic Broadband Network8 Services, Request for Proposals, Y22-609-AV. ([County Mayor's Office] Procurement Division)

19. **22-1581** Approval and execution of License Agreement for Right of Entry by and between VeReit Real Estate, L.P. and Orange County for Fire Station #20 - Groundwater Remediation. District 2. (Real Estate Management Division)
20. **22-1582** Approval and execution of Contract for Purchase and Sale by and between RM Properties, Inc. and Orange County, approval of Warranty Deed from RM Properties, Inc. to Orange County and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale and disburse funds to pay purchase price in the amount of \$227,438.50 and perform all actions necessary and incidental to closing for Green PLACE Parcel 162. District 5. (Real Estate Management Division)
21. **22-1583** Approval and execution of Contract for Purchase and Sale by and between Terry L. Sible and Pamela K. Sible, Trustees under that unrecorded Revocable Trust agreement entitled Sible Family Revocable Trust dated May 7, 2007, as to an undivided 50% interest, and Michele Tardugno and Theresa Tardugno, as to an undivided 50% interest, and Orange County, approval of Warranty Deed from Terry L. Sible and Pamela K. Sible, Trustees under that unrecorded Revocable Trust agreement entitled Sible Family Revocable Trust dated May 7, 2007, as to an undivided 50% interest, and Michele Tardugno and Theresa Tardugno, as to an undivided 50% interest, to Orange County, and authorization for the Manager of the Real Estate Management Division to exercise all delegations of authority expressly provided for by the Contract for Purchase and Sale, and to disburse funds to pay purchase price in the amount of \$277,713.50, and perform all actions necessary and incidental to closing for Green PLACE Parcel 163. District 5. (Real Estate Management Division)
22. **22-1584** Approval of Drainage Easement from DNM Property Holdings, LLC and Orange County and authorization to disburse funds to pay recording fees and record instrument for Datura Drainage Outfall. District 3. (Real Estate Management Division)

F. COMMUNITY AND FAMILY SERVICES DEPARTMENT

1. **22-1585** Approval of Low-Income Household Water Assistance Program Vendor Agreement template to be utilized with water utility vendors and authorization for the Mayor or designee to execute the agreements. All Districts. (Community Action Division)
2. **22-1586** Approval and execution of Agreement between Orange County, Florida and Aspire Health Partners, Inc. regarding The Provision of Therapeutic and Clinical Services and authorization for the Mayor or designee to approve any

increases, decreases, or amendments to this agreement. There is no cost to the County. (Youth and Family Services Division)

G. CORRECTIONS DEPARTMENT

1. **22-1587** Approval of U.S. Department of Justice, Bureau of Justice Assistance grant award under the State Criminal Alien Assistance Program for FY 2021 in the amount of \$126,366 for reimbursement of costs incurred for the incarceration of undocumented criminal aliens. No local match is required. (Fiscal and Operational Support Division)

H. FIRE RESCUE DEPARTMENT

1. **22-1588** Approval and execution of 1) Federally Funded Subaward and Grant Agreement Number: R0592 between the State of Florida, Division of Emergency Management and Orange County Fire Rescue in the amount of \$187,450; 2) Certification Regarding Telecommunications and Video Restrictions; and 3) Certification Regarding Lobbying. There is no local match required. (Operations Division)
2. **22-1589** Approval and execution of 1) Federally Funded Subaward and Grant Agreement Number: R0593 between the State of Florida, Division of Emergency Management and Orange County Fire Rescue in the amount of \$125,000; 2) Certification Regarding Telecommunications and Video Restrictions; and 3) Certification Regarding Lobbying. There is no local match required. There is no local match required. (Operations Division)
3. **22-1590** Approval and execution of 1) Federally Funded Subaward and Grant Agreement Number: R0594 between the State of Florida, Division of Emergency Management and Orange County Fire Rescue in the amount of \$68,000; 2) Certification Regarding Telecommunications and Video Restrictions; and 3) Certification Regarding Lobbying. There is no local match required. (Operations Division)

I. HEALTH SERVICES DEPARTMENT

1. **22-1591** Approval and execution of 1) Florida Department of Health Emergency Medical Services Program EMS County Grant Award Application in the amount of \$220,885 and 2) Resolution 2022-M-60 of the Orange County Board of County Commissioners regarding Certification of use of Florida Emergency Medical Services Grant Act funds; and authorization for the County Mayor or designee to sign for the award payment. There is no county match required for this grant. (EMS Office of the Medical Director)
2. **22-1592** Approval and execution of the renewal Certificate of Public Convenience and Necessity for AdventHealth Flight 1 to provide Advanced Life Support Transport Service. The term of this certificate is from January 1, 2023

through January 1, 2025. There is no cost to the County. (EMS Office of the Medical Director)

3. **22-1593** Approval and execution of the renewal Certificate of Public Convenience and Necessity for Maitland Fire Rescue Department to provide Advanced Life Support Transport Service. The term of this certificate is from February 1, 2023 through February 1, 2025. There is no cost to the County. (EMS Office of the Medical Director)

J. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1594** Approval of four new positions to support the proposed Office of Tenant Services. Funding for these positions is available in the approved FY 22-23 budget. All Districts. (Fiscal and Operational Support Division)
2. **22-1595** Acceptance of the findings and recommendations of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum terminal platform size from 1,000 square feet to 2,737 square feet with a mitigation payment of \$1,975 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners, and approval of the request for variance to 15-342(a) to increase the maximum water depth from five feet to 6.5 feet for the David and Jacqueline Siegel Dock Construction Permit BD-22-05-108. District 1. (Environmental Protection Division)
3. **22-1596** Acceptance of the findings and recommendations of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum terminal platform size from 529 square feet to 714 square feet with a mitigation payment of \$409.78 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; and approval of the request for variance to Section 15-343(a) to reduce the side setback from 10 feet to one foot from the northern and southern projected property lines for the Garth Becker Dock Construction Permit BD-21-10-150. District 1. (Environmental Protection Division)
4. **22-1597** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum allowable terminal platform size from 1,000 to 1,944 square feet with a mitigation payment of \$1,300 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners, and approval of the request for variance to Section 15-342(e) to increase the roof height from 12 feet to 16.5 feet for the Justin Wetherill Dock Construction Permit BD-22-06-124. District 1. (Environmental Protection Division)

5. **22-1598** Acceptance of the findings and recommendations of the Environmental Protection Commission and approval of the request for waiver to Section 15-342(b) to increase the maximum terminal platform size from 320 square feet to 668 square feet with a mitigation payment of \$405 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners; and approval of the request for variance to 15-343(a) to reduce the side setback from the northern projected property line from 10 feet to negative (-) 85 feet and reduce the setback from the eastern projected property line from 10 feet to negative (-) 33 feet for the Sarajane and Stephen Bonck Dock Construction Permit BD-22-08-157. District 5. (Environmental Protection Division)

6. **22-1599** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Section 15-343(b) to reduce the side setback from the southern projected property line from 25 feet to 16 feet for the Roger and Marianne MacClellan Dock Construction Permit BD-22-03-051. District 1. (Environmental Protection Division)

7. **22-1600** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum allowable terminal platform size from 727 to 973 square feet with a mitigation payment of \$550 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the James and Marva Harris Dock Construction Permit BD-22-03-054. District 1. (Environmental Protection Division)

8. **22-1601** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-343(b) to allow a side setback distance of 10 feet from the northern projected property line in lieu of the required 25 feet for the Jason Roland and Anita Yeung-Roland Dock Construction Permit BD-22-07-139. District 1. (Environmental Protection Division)

9. **22-1602** Acceptance of the findings and recommendation of the Environmental Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum allowable terminal platform size from 1,000 square feet to 1,445 square feet with a mitigation payment of \$948 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners for the Kilgore Holdings Trust Dock Construction Permit BD-22-08-158. District 1. (Environmental Protection Division)

10. **22-1603** Acceptance of the findings and recommendation of the Environmental

Protection Commission and approval of the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) to increase the maximum allowable terminal platform size from 354 square feet to 551 square feet with a mitigation payment of \$315 to the Conservation Trust Fund within 60 days of the decision of the Board of County Commissioners, and approval of the request for variance to Section 15-343(a) to reduce the side setback from 10 to 5 feet from the western projected property line for the Luis and Julie Fernandez Dock Construction Permit BD-22-07-130. District 1. (Environmental Protection Division)

11. **22-1604** Approval and execution of Third Amendment to Town Center West (Silverleaf) Road Network Agreement C.R. 545/Avalon Road and New Independence Parkway by and among Jen Florida 36, LLC, Hamlin Partners at Silverleaf, LLC, and Orange County to revise the trip release schedule for the project. District 1. (Roadway Agreement Committee)

K. PUBLIC WORKS DEPARTMENT

1. **22-1605** Approval of the Grapefruit Borrow Pit Phase 4 and authorization to issue Excavation Borrow Pit Permit No. 22-E4-0046 to S&L Materials, Inc. District 4. (Development Engineering) Page 709-713
2. **22-1606** Approval and execution of Interlocal Agreement between Orange County, Florida and the City of Ocoee, Florida regarding the Thornebrooke Road Ditch. District 2. (Roads and Drainage Division)
3. **22-1607** Approval of a multi-way stop condition installation at the intersection of Orchard Drive and Palm Bluff Drive/North Lake Pleasant Road. District 2. (Traffic Engineering Division)
4. **22-1608** Approval of a multi-way stop condition installation at the intersection of North Powers Drive and Indian Hill Road. District 2. (Traffic Engineering Division)

L. UTILITIES DEPARTMENT

1. **22-1609** Approval and execution of Change Order Number 1, Contract Y21-7016-TA, Econlockhatchee Trail Parallel Water Main, with R. P. Utility & Excavation Corp. in the amount of \$263,472.12, for a revised total contract amount of \$1,737,183.83. District 4. (Field Services Division)

(This item was corrected.)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. **22-1610** 1. Receipt of the following items to file for the record: (Clerk's Office)

a. City of Orlando Council Agenda Item for the meeting of November 7, 2022. City of Orlando Ordinance 2022-65 with Exhibit A (Legal Description), Exhibits B, C, D, (Future Land Use and Zoning Maps), City of Orlando Fiscal Impact Statement and Orlando Sentinel Notice of Proposed Enactment, Ordinance 2022-65 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the city certain property generally located north of West Colonial Drive, east of North Pine Hills Road, south of Sun Ray Terrace subdivision, as recorded in Plat Book Y, Page 97 of the public records of Orange County, Florida, and west of Central Florida Fairgrounds Facilities, as recorded in Plat Book 9, Page 10, of the public records of Orange County, Florida, and comprised of 4.67 acres of land, more or less, and amending the city's boundary description; amending the city's adopted growth management plan to designate the property as urban activity center on the city's official future land use maps; designating the property as the urban activity center district with the Wekiva Overlay District (AC-2/W) on the city's official zoning maps; providing for amendment of the city's official future land use and zoning maps; providing for severability, correction of scrivener's errors, permit disclaimer, and an effective date.

b. Amendment No. 9 to the Interlocal Agreement Creating the Florida Municipal Power Agency (FMPA) as amended on November 17, 2022, by the FMPA Board of Directors.

These items were received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. **22-1611** Election of Vice-Mayor for the 2023 calendar year

A motion was made by Commissioner Bonilla, seconded by Commissioner Uribe, to appoint Commissioner Gomez Cordero as Vice Mayor for the 2023 calendar year. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

2. **22-1612** MetroPlan Orlando Board of Directors Appointments.

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to reappoint County Mayor Demings, and Commissioner Moore, and Commissioner Bonilla to the MetroPlan Orlando Board of Directors with a term expiring December 1, 2026; further, appoint Commissioner Wilson to the MetroPlan Orlando Board of Directors with a term expiring December 1, 2026; and further, appoint Commissioner Scott as the permanent alternate to the MetroPlan Orlando Board of Directors with a term expiring December 1, 2026. The motion carried by the following vote:

Aye: 7 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, Commissioner Bonilla, and Commissioner Scott

B. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1613** MetroPlan Orlando Board Meeting Briefing.

The Board took no action.

IV. WORK SESSION AGENDA

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. **22-1614** Wetland Conservation Areas Ordinance-Regulatory Framework Study.
(Environmental Protection Division)

The following person addressed the Board: Dr. Claudia Listopad.

The Board took no action.

2. **22-1615** Vision 2050 and Orange Code Update. (Planning Division)

The following persons addressed the Board:

- Eliza Harris Juliano
- Marina Curry (phonetic)

The Board took no action.

V. RECOMMENDATIONS

1. **22-1616** November 17, 2022 Planning and Zoning Commission Recommendations

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

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Scott

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

VI. PUBLIC HEARINGS

A. Municipal Service Taxing Unit

1. **22-1332** Big Sand Lake, amend general lake cleaning, maintenance, aquatic plant control and navigational improvements; District 1

Consideration: Amend by resolution the Municipal Service Taxing Unit (MSTU) for general lake

cleaning maintenance, aquatic plant control and navigational improvements using a millage assessment. The amendment would include Bayfront on Sand Lake and provide revised legal description of properties for the metes and bounds parcels, condominiums, and subdivisions within the boundaries of the Big Sand Lake MSTU.

Location: District 1, Section 11, Township 24, Range 28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to approve the request as referenced in the staff report dated November 30, 2022. The motion carried by the following vote:

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

Absent: 2 - Commissioner Bonilla, and Commissioner Gomez Cordero

C. Boat Ramp

3. 22-1402 Case # BR-21-06-000

Correct Craft Real Estate, LLC; permit; District 4

Consideration: Request a permit to construct a commercial boat ramp BR-21-06-000 on a private unnamed lake pursuant to Orange County Code, Chapter 15, Article XV

Location: District 4; on a private unnamed lake, located at 14700 Aerospace Parkway, Orlando, FL, 32832; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following persons addressed the Board:

- Kim Varnado
- Doug Bauman

A motion was made by Mayor Demings, seconded by Commissioner Uribe, to accept the findings and recommendation of the Environmental Protection Division staff; further, approve the Commercial Boat Ramp Permit (BR-21-06-000) subject to the twenty-seven (27) conditions of approval listed in the Staff Report dated November 16, 2022; further, to accept the findings and recommendation of the Environmental Protection Division staff to approve the Conservation Area Impact Permit (CAI-22-07-052) subject to the twenty-four (24) conditions of approval listed in the Staff Report dated November 16, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Scott

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

and

B. Conservation Area Impact**2. 22-1401 Case # CAI-22-07-052**

Correct Craft Real Estate, LLC; permit; District 4

Consideration: Request for a Conservation Area Impact Permit # CA-22-07-052 in order to impact surface waters for the construction of a commercial boat ramp and associated docks.

Location: District 4; on a private unnamed lake, located at 14700 Aerospace Parkway, Orlando, FL, 32832; Orange County, Florida (legal property description on file in Environmental Protection Division)

This item was approved.

D. Preliminary Subdivision Plan**4. 22-1118 Case # PSP-21-02-046**

Gregory Crawford, Florida Engineering Group, Neoteric at Dr. Phillips
Preliminary Subdivision Plan; District 1 (Continued from September 27,
2022 and October 25, 2022)

Consideration: Neoteric at Dr. Phillips Preliminary Subdivision Plan, Case # PSP-21-02-046, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 8.19 acres in order to construct 16 single-family residential dwelling units.

Location: District 1; property generally located North of Conroy Windermere Road / West of South Hiawassee Road; Orange County, Florida (legal property description on file in Planning Division)

New Conditions of Approval:

25. An operational analysis/concurrency study from the intersection of Hiawassee Road and Branchtree Drive south to the intersection of Hiawassee Road and Conroy Windermere Road must be submitted to, and approved by, Orange County prior to approval of site construction plans to address the following factors, as applicable: posted speeds, trip distribution, signal warrant analysis, deceleration lane, turn lane storage, traffic volume, turning movements, sight distance, and safety.

26. An eight foot (8') masonry wall shall be constructed at developer's expense along the back of lots 9 through 16 as reflected on PSP-21-02-046 dated "received August 16, 2022"; such wall shall be placed in an easement which shall be dedicated to the HOA and depicted on the final engineering plans and plat. The HOA shall be responsible for the maintenance of the wall.

The following persons addressed the Board:

- Greg Crawford
- Angela Jaspon
- Siamak Goodarzi
- Martin Forster
- Theresa Millay
- Bob Stovash
- Nishad Khan
- Michelle Hinden

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from Martin Forster.

The materials referenced by the speakers were not received by the Clerk prior to the close of the public hearing:

- Exhibit 2, from Martin Forster
- Exhibit 3, from Martin Forster
- Exhibit 4, from Theresa Millay

The following material was presented to the Board prior to the close of the public hearing: Exhibit 5, from Bob Stovash.

A motion was made by Commissioner Wilson, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty-four (24) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated November 7, 2022; and further, approve new conditions of approval # 25 and #26. The motion carried by the following vote:

Aye: 3 - Commissioner Wilson, Commissioner Uribe, and Commissioner Scott

Nay: 2 - Mayor Demings, and Commissioner Moore

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

5. 22-1484 Case # PSP-21-03-071

Edward Durruthy, Castle & Cooke Real Estate Services, Enclave at Lake Holden Preliminary Subdivision Plan; District 3

Consideration: Enclave at Lake Holden Preliminary Subdivision Plan, Case # PSP-21-03-071, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 13.30 gross acres in order to construct 11 single-family residential dwelling units. In addition, a waiver from Orange County Code Section 34-152(c) is requested to allow Tracts E and F interior to the subdivision to have a minimum access width of zero (0) feet for Tract E and ten (10) feet for Tract F to a dedicated public paved street, in lieu of each lot and tract interior to the subdivision having a minimum access width of twenty (20) feet to a dedicated public paved street.

Location: District 3; property generally located North of West Lake Holden Point / East of South Westmoreland Drive; Orange County, Florida (legal property description on file in Planning Division)

New Conditions of Approval:

29. There shall be no lake access from "Tract E" including a prohibition on community boat ramps and docks.

30. Minimum living area shall be 2,500 square feet.

31. A decorative masonry wall six feet in height shall be provided within "Tract F", adjacent to the South Westmoreland Drive right-of-way. No less than four "cut outs" shall be provided along the masonry wall, in order to preserve existing trees or provide additional understory trees.

32. Any fencing within the common areas or HOA owned tracts shall be black aluminum or wrought iron style fencing.

The following persons addressed the Board:

- Ed Durruthy
- Tasha Golis

The following material was presented to the Board prior to the close of the public hearing: Exhibit 1, from Ed Durruthy.

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty-eight (28) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated November 21, 2022; and further, approve new conditions of approval #29, #30, #31, and #32. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Scott

Absent: 2 - Commissioner Gomez Cordero, and Commissioner Bonilla

6. 22-1485 Case # PSP-22-03-077

Rogelio Xavier, New York Group & Company, LLC, Westover Ridge
Subdivision Preliminary Subdivision Plan; District 1

Consideration: Westover Ridge Subdivision Preliminary Subdivision Plan, Case # PSP-22-03-077, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 6.66 gross acres in order to construct 6 single-family residential dwelling units.

Location: District 1; property generally located North of Westover Roberts Road / West of South

Apopka Vineland Road; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Greg Shatalay (phonetic).

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty-two (22) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated November 21, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Gomez Cordero

Absent: 2 - Commissioner Bonilla, and Commissioner Scott

7. 22-1403 Case # PSP-22-06-220

Robert Paymayesh, PE Group, LLC, Ten Acres International Orlando Planned Development / Ten Acres International Orlando Preliminary Subdivision Plan; District 1

(Continued from November 29, 2022)

Consideration: Ten Acres International Orlando Planned Development / Ten Acres International Orlando Preliminary Subdivision Plan, Case # PSP-22-06-220, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30, Article III, Section 30-89; This request is to subdivide 29.89 acres in order to create one (1) lot.

Location: District 1; property generally located Northwest of South International Drive / East of Interstate 4; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Robert Pamayesh.

A motion was made by Commissioner Wilson, seconded by Commissioner Moore, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the twenty-one (21) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated November 29, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, and Commissioner Gomez Cordero

Absent: 2 - Commissioner Bonilla, and Commissioner Scott

8. 22-1404 Case # PSP-21-09-276

Montaz Barq, Terra-Max Engineering, Inc., Sable Village Preliminary Subdivision Plan; District 2 (Continued from November 29, 2022)

Consideration: Sable Village Preliminary Subdivision Plan, Case # PSP-21-09-276, submitted in accordance with Orange County Code, Chapter 34, Article III, Section 34-69 and Chapter 30,

Article III, Section 30-89; This Preliminary Subdivision Plan (PSP) is a request to subdivide 6.83 acres in order to construct 24 single-family residential dwelling units.

Location: District 2; property generally located Northwest of Beggs Road / East of North Orange Blossom Trail; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Momtaz Barq
- Chris Sturm

New condition of approval:

31. Offsite roadway improvements, including three way stop sign, shall be completed prior to the onsite improvements.

A motion was made by Commissioner Moore, seconded by Commissioner Uribe, to make a finding of consistency with the Comprehensive Plan; further, approve the request subject to the thirty (30) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated November 29, 2022; and further, approve new condition of approval #31. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 1 - Commissioner Bonilla

E. Board of Zoning Adjustment Appeal

9. 22-1408 Case # VA-22-10-105

Nathaniel Mitchell, October 6, 2022; District 3

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for Variances in the R-1AA zoning district as follows: 1) To allow an existing 6.6 ft. high wall in the front yard in lieu of 4 ft. high; 2) To allow a 6.6 ft. high wall with 6.6 ft. high gates within the clear view triangle; 3) To allow existing columns to extend up to 6.3 ft. in lieu of 6 ft. (24 inches above the height limitation of 4 ft); 4) To allow existing columns to be 5.4 feet apart in lieu of 10 feet apart.

Location: District 3; property located at 5343 Lake Jessamine Drive, Orlando, FL 32839; Orange County, Florida (legal property description on file in Zoning Division)

The following person addressed the Board: Nate Mitchell.

A motion was made by Commissioner Uribe, seconded by Commissioner Scott, to approve the request subject to five (5) conditions of approval listed under the Board of Zoning Adjustment Recommendation in the Staff Report dated November 17, 2022. The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 1 - Commissioner Bonilla

F. Resolution

- 10. 22-1405** Resolution of the Orange County Board of County Commissioners regarding the Disposition of County Properties that are appropriate for affordable housing; All Districts

Consideration: Resolution of the Orange County Board of County Commissioners regarding the Disposition of County Properties that are appropriate for affordable housing; All Districts

A motion was made by Mayor Demings, seconded by Commissioner Moore, to adopt and execute Resolution 2022-M-61 of the Orange County Board of County Commissioners regarding the disposition of County properties that are appropriate for affordable housing. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 2 - Commissioner Wilson, and Commissioner Bonilla

G. Ordinance/Comprehensive Plan - Adoption of Regular Cycle Privately-Initiated Text Amendment, Ordinance, and Concurrent Change Determination Request

- 11. 22-1540** Adoption of Future Land Use Privately-Initiated Text Amendment, Ordinance, and Concurrent Change Determination Request, Jim Hall, HDSi, for City Center at O-town West, LLC

a. Amendment: 2022-2-P-FLUE-1

Consideration: Text amendment to Future Land Use Element Policy FLU8.1.4 amending the maximum density/intensity of the Hannah Smith Property PD through the modification of the development program of the portion of the PD designated as Tract 4 on the PD Land Use Plan; District 1

And

b. Ordinance for Proposed Amendment

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 an amendment pursuant to Section 163.3184(3), Florida Statutes, for the 2022 Calendar Year (Second Cycle); and providing an effective date.

And

c. Change Determination Request CDR-21-09-288

Consideration: A change determination request to the previously-approved Hannah Smith Property PD Land Use Plan to amend the Tract 4 development program to add 33,000 square feet of office uses and 55 hotel rooms by deleting 20,518 square feet of commercial uses; District 1

The following person addressed the Board: Jim Hall.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU1; Objectives FLU1.1, FLU1.2, FLU2.2, and FLU8.2; and Policies FLU1.1.1, FLU1.4.1, FLU1.4.2, FLU1.4.3, FLU1.4.4, FLU1.4.9, FLU8.1.4, FLU8.2.1, and FLU8.2.11); further, determine that the proposed amendment is in compliance; further, adopt Amendment 2022-2-P-FLUE-1; further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance, further adopt Ordinance 2022-42 approving the proposed Future Land Use Map Amendment, consistent with today's action; further, make a finding of consistency with the Comprehensive Plan; and further, approve the change determination request # CDR-21-09-288 subject to the fourteen (14) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated December 5, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 2 - Commissioner Uribe, and Commissioner Bonilla

H. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendment, Ordinance, and Concurrent Change Determination Request

12. **22-1541** Adoption of Future Land Use Map Amendment, Ordinance, and Concurrent Change Determination Request, M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., for ZES International LLC

a. Amendment: SS-22-08-073

Consideration: Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR)

Location: District 1; 14445 State Road 535; generally located east of State Road 535, north of World Center Drive, and south of Lake Bryan Beach Boulevard; Parcel ID# 34-24-28-0000-00-025; 5.93 gross ac.

And

b. Ordinance for Proposed Amendment

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 Small Scale Development Amendments

pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

c. Change Determination Request CDR-22-07-246

Consideration: A Change Determination Request to the previously-approved Paradise Hotel PD Land Use Plan to change the use from hotel to multi-family residential in order to construct 177 multi-family residential dwelling units in three (3) buildings and provide associated infrastructure. Also requested are four (4) waivers from Orange County Code: 1) A waiver from Orange County Code Section 38-1258(j) is requested to allow no increase in building separation in lieu of proportional increase due to increased structural height and allow minimum setbacks between buildings to be twenty feet (20') in lieu of increase to reflect additional structural height; 2) A waiver from Orange County Code Section 38-1272 (a)(1) is requested to allow seventy-five (75) percent impervious coverage in lieu of a maximum impervious coverage of seventy (70) percent of the net land area; 3) A waiver from Orange County Code Section 38-1300 is requested to allow seventy-five (75) feet maximum building height in lieu of sixty (60) feet, but thirty-five (35) feet within one hundred (100) feet of single-family residential; 4) and A waiver is requested from Orange County Code Section 38-1476 (A) to allow a six percent reduction for multi-family parking at a ratio of 1.41 spaces for efficiencies and one-bedroom units and 1.88 spaces for two (2) and three (3) bedroom units, in lieu of one and one-half (1.5) spaces for efficiencies and one-bedroom units and two (2) spaces for two (2) and three (3) bedroom units.

Location: District 1; 14445 State Road 535; generally located east of State Road 535, north of World Center Drive, and south of Lake Bryan Beach Boulevard: Parcel ID# 34-24-28-0000-00-025; 5.93 gross ac.

The following person addressed the Board: Rebecca Wilson.

A motion was made by Commissioner Wilson, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see International Drive Activity Center Element Goal ID3 and Policies ID4.1.1; Housing Element Goal H1 and Objective H1.1; and Future Land Use Element Goal FLU2, Objectives FLU2.2 and FLU8.2, and Policies FLU1.1.2.A, FLU1.1.4.D, and FLU8.2.1); further, determine that the proposed amendment is in compliance; further, adopt Small Scale Amendment SS-22-08-073, Activity Center Mixed Use (ACMU) to Activity Center Residential (ACR); further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; further, adopt Ordinance 2022-43 approving the proposed Future Land Use Map Amendment, consistent with today's action; further, make a finding of consistency with the Comprehensive Plan; and further, approve the Request # CDR-22-07-246 subject to the eighteen (18) conditions of approval listed under the Development Review Committee recommendation in the Staff Report dated December 5, 2022. The motion carried by the following vote:

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 2 - Commissioner Uribe, and Commissioner Bonilla

I. Ordinance/Comprehensive Plan - Adoption of Small-Scale Amendment, Ordinance, and Concurrent Rezoning Request

13. **22-1542** Adoption of Future Land Use Map Amendment, Ordinance, and Concurrent Rezoning Request, Clyde Tucker for Annetta Nasir

a. Amendment: SS-22-10-087

Consideration: Commercial (C) to Low-Medium Density Residential (LMDR)

Location: District 6; 4925 W. Livingston Street ; property generally located north of W.

Livingston Street, west of Pearlwood Street, south of the S.R. 408, and east of N. Pine Hills Road; Parcel ID# 30-22-29-2746-05-1200; 14 gross ac.

And

b. Ordinance for Proposed Amendment

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 Small Scale Development Amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

c. Rezoning RZ-22-10-088

Consideration: R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District);

Location: District 6; 4925 W. Livingston Street; generally located north of W. Livingston Street, west of Pearlwood Street, south of the S.R. 408, and east of N. Pine Hills Road; Parcel ID# 30-22-29-2746-05-1200; 0.14 gross ac.

The following person addressed the Board: Clyde Tucker.

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objective FLU8.2, and Policies FLU1.4.2, FLU8.1.1, FLU8.2.1, and FLU8.2.11 and Housing Element Policy H1.3.8); further, determine that the proposed amendment is in compliance; further, adopt Small Scale Amendment SS-22-10-087, Commercial (C) to Low-Medium Density Residential (LMDR); further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; further, adopt Ordinance 2022-44 approving the proposed Future Land Use Map Amendment, consistent with today's action; further, make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objective FLU8.2, and Policies FLU1.4.2, FLU8.1.1, FLU8.2.1, and FLU8.2.11 and Housing Element Policy H1.3.8); further, approve Rezoning Case # RZ-22-10-088, from R-1A (Single-Family Dwelling District) to R-1 (Single-Family Dwelling District). The motion carried by the following vote:

Aye: 6 - Mayor Demings, Commissioner Wilson, Commissioner Moore, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 1 - Commissioner Bonilla

14. 22-1543 Adoption of Future Land Use Map Amendment, Ordinance, and Concurrent Rezoning Request, Randall D. Williams III, Off Ivey LLC

a. Amendment: SS-22-10-089

Consideration: Low Density Residential (LDR) to Low-Medium Density Residential (LMDR)

Location: District 6; 3312 Lawrence Street; generally located south of Lawrence Street, west of N Goldwyn Avenue, north of W Central Boulevard, and east of Ferguson Drive; Parcel ID#: 28-22-29-5600-91-480; 0.31 gross ac.

And

b. Ordinance for Proposed Amendment

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 Small Scale Development Amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

c. Rezoning RZ-22-10-090

Consideration: C-3 (Wholesale Commercial District) to R-2 (Residential District);

Location: District 6; 3312 Lawrence Street; generally located south of Lawrence Street, west of N Goldwyn Avenue, north of W Central Boulevard, and east of Ferguson Drive; Parcel ID#: 28-22-29-5600-91-480; 0.31 gross ac.

A motion was made by Commissioner Scott, seconded by Commissioner Gomez Cordero, to make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, and FLU8.2.1 and Housing Element Goal H1 and Objective H1.1); further, determine that the proposed amendment is in compliance; further, adopt Small Scale Amendment SS-22-10-089, Low Density Residential (LDR) to Low-Medium Density Residential (LMDR); further, make a finding of consistency with the Comprehensive Plan; further, determine that the amendment is in compliance; further, adopt Ordinance 2022-45 approving the proposed Future Land Use Map Amendment, consistent with today's action; further, make a finding of consistency with the Comprehensive Plan (see Future Land Use Element Goal FLU2, Objectives FLU2.1 and FLU8.2, and Policies FLU1.1.1, FLU1.1.5, and FLU8.2.1 and Housing Element Goal H1 and Objective H1.1); and further, approve Rezoning Case # RZ-22-10-090, from C-3 (Wholesale Commercial District) to R-2 (Residential District).

Aye: 5 - Mayor Demings, Commissioner Wilson, Commissioner Uribe, Commissioner Gomez Cordero, and Commissioner Scott

Absent: 2 - Commissioner Moore, and Commissioner Bonilla

15. 22-1544 Adoption of Future Land Use Map Amendment, Ordinance, and Concurrent Rezoning Request, Alison M. Yurko for Jasbir Kaur and Dr. Inderjit Singh

a. Amendment: SS-22-04-030

Consideration: Rural Settlement 1/1 (RS 1/1) to Office (O) Rural Settlement (RS)

Location: 3312 Lawrence Street; generally located south of Lawrence Street, west of N Goldwyn Avenue, north of W Central Boulevard, and east of Ferguson Drive; Parcel ID#: 28-22-29-5600-91-480; 0.31 gross ac

And

b. Ordinance for Proposed Amendment

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 Small Scale Development Amendments pursuant to Section 163.3187, Florida Statutes; and providing effective dates.

And

c. Rezoning RZ-22-04-031

Consideration: R-CE (Country Estate District) to P-O (Professional Office District);

Location: 8236 Conroy Windermere Road, generally located on the south side of Conroy Windermere Road, and west of Cleveland Avenue; Parcel ID#s:15-23-28-9340-01-030; 15-23-28-9340-01-010; 1.54 gross ac.

This public hearing was withdrawn.

IV. WORK SESSION AGENDA (Continued)

A. PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT

1. 22-1617 Innovation Way Preliminary Design Study (PDS). (Transportation Planning Division)


The Board took no action.

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

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

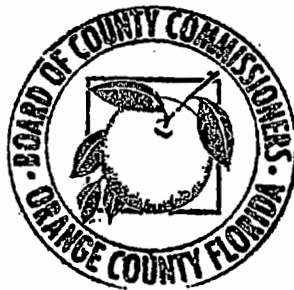
ADJOURNMENT: 5:23 p.m.

ATTEST:



County Mayor Jerry L. Demings

Date: January 24, 2023



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Katie Smith
Deputy Clerk

* * *

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

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

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

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

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