

BCC Mtg. Date: October 18, 2016

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS' MEETING

Date: Tuesday, August 16, 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, Victoria P. Siplin;
Commissioner Ted Edwards joined the meeting where indicated
Others Present: County Comptroller Martha Haynie as Clerk, County Administrator
Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy Clerk
Katie Smith, Minutes Coordinator Lakela Christian

- CALL TO ORDER, 9:09 a.m.
- MEMBER JOINED: Commissioner Edwards
- INVOCATION – Pastor Gregory B. Clayton, Open Door Ministries Inc.
- PLEDGE OF ALLEGIANCE
- PUBLIC COMMENT

The following persons addressed the Board for public comment:

- Maria Bolton-Joubert
- Clint Cuyler
- Trini Quiroz

- COUNTY CONSENT AGENDA

Motion/Second: Commissioners Boyd/Thompson

AYE (voice vote): All members

Action: The Mayor Corrected County Attorney Item 6; and further, the Board approved the balance of the County Consent Agenda items as follows:

County Comptroller

1. 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:
 - July 29, 2016, to August 4, 2016; total of \$59,351,264.53
 - August 5, 2016, to August 11, 2016; total of \$29,163,197.14.

(Finance/Accounting)

County Administrator

1. Approval and execution of the Agreement between Orange County, Florida and AFSCME Florida Public Employees' Council 79 American Federation of State, County and Municipal Employees, AFL-CIO Fiscal Year 2016-17. (Human Resources Division)
2. Approval and execution of Resolution 2016-M-32 of the Orange County Board of County Commissioners regarding Centene Management Company, LLC Qualified Target Industry Tax Refund. (Office of Economic, Trade and Tourism Development)
3. Approval of budget amendment #16-52. (Office of Management and Budget)
4. Approval of budget transfer #16-000001291. (Office of Management and Budget)
5. Approval of Ratification of payment of Intergovernmental claims of July 14, 2016, totaling \$ 259,600.53. (Risk Management Division)

County Attorney

1. Approval of proposed revisions to Administrative Regulation 2.06, titled "Public Records.
2. Approval of proposed new Administrative Regulation, titled "Creation, Administration, and Abolishment of Lake Maintenance Municipal Service Benefit Units (MSBUs).
3. Approval of proposed new Administrative Regulation, titled "Creation, Administration, and Abolishment of Lake Maintenance Municipal Service Taxing Units (MSTUs).
4. Approval and execution of Settlement Agreement between Petitioner, Avalon Park School Initiative II, LLC and Respondents, Orange County, Florida, and The School Board of Orange County, Florida, regarding the Development Plan for a 68,156 square foot charter school for Grades K through 8, with 1,145 students on the Property ("South Village School").
5. Approval and execution of Resolution 2016-M-33 of the Orange County Board of County Commissioners regarding Request to Sublease State Owned Uplands.
6. Approval and execution of Resolution 2016-M-34 of the Orange County Board of County Commissioners regarding establishing a Public Records Fee Schedule.

(This item was corrected.)

7. Approval and execution of the proposed Settlement Agreement and Release in the case of Orange County, Florida v. Ferno-Washington, Inc., Case No.: 6:15-cf-1553-Orl-41-GJK.
8. Approval and execution of the proposed Transit Bench Settlement Agreement Between Orange County, Florida and Metropolitan Systems, Inc. in the case of Metropolitan Systems, Inc. v. Orange County, Florida, Case No.: 2014-CA-004019.

Administrative Services Department

1. Approval to award Invitation for Bids Y16-144-MG, Statement Printing and Mailing Services, to the low responsive and responsible bidder, Pinnacle Data Systems L.L.C., in the estimated contract award amount of \$119,270 for a 1-year term. Further, authorized the Procurement Division to renew the contract for four additional 1-year terms. ([Utilities Department Customer Service Division] Procurement Division)
2. Approval to award Invitation for Bids Y16-762-PH, Anderson Road Water Main and Forcemain Replacement Project, to the low responsive and responsible bidder, Schuller Contractors Incorporated, in the estimated contract award amount of \$548,268. ([Utilities Department Engineering Division] Procurement Division)
3. Approval to award Invitation for Bids Y16-770-MM, Orange County Convention Center Pre-Engineered Metal Building, to the low responsive and responsible bidder, E.O. Koch Construction Company, in the total contract award amount of \$395,377. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
4. Approval to award Invitation for Bids Y16-781-MM, Orange County Convention Center West Concourse Flooring Replacement, to the low responsive and responsible bidder, International Flooring, Inc., in the total contract award amount of \$1,724,406.27. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
5. Approval to award Invitation for Bids Y16-782-MM, Orange County Convention Center North/South Building Repair of Decorative Roofing Features, to the low responsive and responsible bidder, CORE Construction Services of Florida, LLC., in the total contract award amount of \$3,442,000. ([Convention Center Capital Planning and Building Systems Division] Procurement Division)
6. Approval of Amendment No. 1, Contract Y16-1051-TA, Sodding, Seeding, Mulching, Hydro-Seeding, and Hydro-Seeding with Bonded Fiber Matrix Services with Travis Resmondo Sod, Inc., in the amount \$159,682, for a revised total contract amount of \$786,902. ([Community, Environmental and Development Services Department Parks and Recreation Division] Procurement Division)

7. Ratification of Contract Y16-788-CH, Buck Road Bridge Repair, to the low responsive and responsible bidder, Atlantic Civil Constructors Corporation, in the estimated contract award amount of \$265,623.11. ([Public Works Department Engineering Division] Procurement Division)
8. Approval of Amendment No. 1, Contract Y16-149A, Health and Support Services for Persons with HIV Spectrum Disease – Ryan White Part A, with Aspire Health Partners, Inc., in the amount of \$175,000, for a revised total contract amount of \$599,820. ([Health Services Department] Procurement Division)
9. Approval and execution of Agreement to Exercise Renewal Option between Orange County and Outfront Media LLC, as successor in interest to Whiteco Metrocom, a subsidiary of Whiteco Industries, Inc. for Turnpike Billboard – Conroy-Windermere Rd Lease File #7003. District 6. (Real Estate Management Division)
10. Approval and execution of Right of Entry Agreement from Orange County to City of Orlando with Consent of Contractor, Garney Companies, Inc. for Marks Street City Utility Installation. District 5. (Real Estate Management Division)
11. Approval and execution of Drainage Easements and Temporary Drainage and Utility Easement between Taylor Morrison of Florida, Inc. and Orange County and authorization to record instruments for Overlook 2 at Hamlin Phase 2 and 5 (PR-15-11-073). District 1. (Real Estate Management Division)
12. Approval and execution of Donation Covenant for Park Site between Lennar Homes, LLC and Orange County and approval of Special Warranty Deed from Lennar Homes, LLC to Orange County and authorization to perform all actions necessary and incidental to closing for Moss Park PD Parcel J Park Expansion. District 4. (Real Estate Management Division)
13. Approval of Conservation and Access Easement between Alafaya SF Properties, LLC and Orange County and authorization to record instrument for Alafaya SF Properties Tracts 1, 2, 3, & 5 Impact Permit #09-033. District 4. (Real Estate Management Division)
14. Approval of Corrective and Restated Conservation and Access Easement between Alafaya TH Tract 9, LLC and Orange County and authorization to record instrument for Alafaya MF Tract 8 Impact Permit #07-056. District 4. (Real Estate Management Division)

Community, Environmental and Development Services Department

1. Approval and execution of Resolution of the Orange County Board of County Commissioners regarding Claim of Special Assessment Lien Pursuant to Section 9-278 of the Orange County Code, Property Maintenance, and approval to file

Claim of Special Assessment Liens by Resolution for unsafe structures demolished
by Orange County, Districts 2 and 6. (Code Enforcement Division)

<u>Case No.</u>	<u>Dist. #</u>	<u>Property Owner</u>	<u>Amount*</u>
A 13-0378	2	COX OTIS E ESTATE	\$ 11,398.26
A 15-0326	6	CUMMINGS CLAYTON C	\$ 10,099.69
A 15-0327	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,099.71
A 15-0328	6	CUMMINGS CLAYTON C	\$ 10,099.69
A 15-0329	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,099.69
A 15-0330	6	JONES ERNEST LEE	\$ 10,099.69
A 15-0332	6	GRANTEE BSLNC	\$ 9,282.30
A 15-0333	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 9,282.30
A 15-0346	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,894.05
A 15-0347	6	HUGHES BRUCE	\$ 10,894.06
A 15-0348	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,562.24
A 15-0349	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SECTION TWO INC	\$ 10,562.24
A 15-0351	6	TYMBER SKAN ON THE LAKE HOMEOWNERS ASSN INC	\$ 10,562.25
A 15-0358	6	RADICE ROBERT	\$ 11,999.24
A 15-0360	6	CUMMINGS CLAYTON C	\$ 11,999.24
A 15-0361	6	LAMPKIN BRAD	\$ 11,999.24
A 15-0362	6	TRUST NO 41271	\$ 12,099.24
A 15-0363	6	SIRIPALA KUMBALATARA A	\$ 11,999.25
A 15-0369	6	HURLEY JAMES F	\$ 12,464.53
A 15-0370	6	HURLEY JAMES F	\$ 12,464.54
A 15-0372	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 12,039.51
A 15-0383	6	CROSS WILLIAM J; NGUYEN XUAN T	\$ 10,981.24
A 15-0384	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,981.26
A 15-0385	6	ROBINSON JOHNNY ANDRE	\$ 10,981.27
A 15-0387	6	GALLAGHER MORTGAGE CO INC	\$ 10,760.05
A 15-0388	6	GALLAGHER MORTGAGE CO INC	\$ 10,760.05
A 15-0389	6	GALLAGHER MORTGAGE CO INC	\$ 10,989.17
A 15-0390	6	4139 TYMBERWOOD LANE LAND TRUST	\$ 11,320.98
A 15-0391	6	M M U INVESTMENTS LLC	\$ 11,320.98
A 15-0392	6	GALLAGHER MORTGAGE CO INC	\$ 10,989.15
A 15-0393	6	TYMBER SKAN ON THE LAKE MASTER HOMEOWNERS ASSN INC	\$ 10,989.16
A 15-0396	6	CAMPBELL CRAIG	\$ 10,989.16
A 15-0604	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 11,008.25

A 15-0605	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 12,110.25
A 16-0016	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC TWO INC	\$ 8,530.37
A 16-0066	6	TYMBER SKAN ON THE LAKE OWNERS ASSN SEC THREE INC	\$ 10,564.16

2. Approval of renewal of Solid Waste Management Facility Permit No. SW-142429-MRF/TS-07/0711 through August 15, 2021 for the Rocket Boulevard Materials Recovery Facility for Republic Services of Florida, LP, with waiver and conditions. District 4. (Environmental Protection Division)
3. Approval and execution of Proportionate Share Agreement for The Reserve at Alafaya Alafaya Com Tract 7, LLC, Alafaya TH Tract 4, LLC, and Alafaya SF Properties, LLC Woodbury Road: From Golfway Boulevard to Lake Underhill Road) by and between Alafaya Com Tract 7, LLC; Alafaya TH Tract 4, LLC; Alafaya SF Properties, LLC; and Orange County for a proportionate share payment in the amount of \$249,560. District 4. (Roadway Agreement Committee)
4. Approval and execution of Right-of-Way Transfer and Continuing Maintenance Agreement between Central Florida Expressway Authority and Orange County, Florida for right-of-way conveyances and maintenance provisions for bridges, access roadways and pond along SR 429. District 1. (Roadway Agreement Committee)
5. Approval of Street Name Petition to rename Grande Palisades Boulevard to Grove Blossom Way and authorization for County staff to update associated records. District 1. (Zoning Division)

Family Services Department

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

Health Services Department

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

Public Works Department

1. Approval of Traffic Control Devices and "No Parking" sign installations in Windermere Trails Phase 3B. District 1. (Traffic Engineering)
2. Approval and execution of State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN 435526-1-38-01 between Florida Department of Transportation and Orange County for Intersection Improvement on Corporate Boulevard at Alafaya Trail (SR 434). District 5. (Transportation Planning)
3. Approval and execution of Resolution 2016-M-35 of the Orange County Board of County Commissioners regarding Authorization to convey certain County Property Interests to the City of Winter Garden, Florida between Orange County and the City of Winter Garden and approval and execution of County Deed for conveyance of right-of-way to the City of Winter Garden. District 1.

Utilities Department

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

• INFORMATIONAL ITEMS

County Comptroller

1. Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Orlando adopted Ordinance with Orlando Sentinel Notice of Proposed Enactment, Exhibit A & B (Legal Descriptions), Exhibits C & D (Annexed Area Map and Zoning Map), and Fiscal Impact Statements. Ordinance No. 2016-13 entitled: An Ordinance of the City Council of the City of Orlando, Florida, annexing to the corporate limits of the City certain land generally located north of Butler Dr., east of S. Orange Ave., south of E. Pineloch Ave., and west of Center St. and Oak Pl., and comprised of 10.678 acres of land, more or less; amending the City's Official Zoning Maps to designate the newly annexed land along with land already existing within the corporate limits of the city as the AC-2 Urban Activity Center District, in part, and the AC-2 Urban Activity Center District along with the Orange/Michigan Special Plan Overlay District, in part, such land comprised of 11.391 acres of land, more or less; providing for severability, correction of scrivener's errors, and an effective date.

- b. Orange County Research and Development Authority (dba Central Florida Research Park) FY 2016-17 Budget.
- c. Minutes of the September 10, October 8, November 12 and December 10, 2015, Charter Review Commission

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

• COUNTY DISCUSSION AGENDA

Administrative Services Department

1. Selection of one firm and an alternate to provide Engineering Services for Continuing Water Resources Program, Request for Proposals Y16-904-PH, from the following firms listed alphabetically. Further recommend the Board authorize execution of the final contract by the Procurement Division to establish hourly rates for future requirements. The contract's performance period will be five years with three 1-year renewals.

- Parsons Brinckerhoff, Inc.
- Tetra Tech, Inc.

((Utilities Department Engineering Division] Procurement Division)

Motion/Second: Commissioners Siplin/Edwards

AYE (voice vote): All members

Action: The Board selected one firm, Parsons Brinckerhoff, Inc., and an alternate, Tetra Tech, Inc., to provide Engineering Services for Continuing Water Resources Program; and further, the Board authorized execution of the final contract by the Procurement Division to establish hourly rates for future requirements. The contract's performance period will be five years with three 1-year renewals, Request for Proposals Y16-904-PH.

Family Services Department

1. Professional Opportunities Program for Students (POPS) Program Accomplishments. (Citizen's Commission for Children Division)

County staff presented to the Board an update on the Professional Opportunities Program for Students. The presentation included program purpose, qualification process, Citizens Commission for Children, and student placements. Judith Mitchell, CEO of Professional Opportunities Program for Students, contributed to the update and expressed sincere gratitude to the Board.

Board discussion ensued.

Action: None

By consensus, the Board adjourned as the Orange County Board of County Commissioners and convened as the Pine Hills Neighborhood Improvement District Board of Directors.

2. Acceptance of the Pine Hills Neighborhood Improvement District Annual Report and recommendations. (Neighborhood Preservation and Revitalization Division)

Staff presented to the Board an overview of the annual activities of the Pine Hills NID. The presentation included 2015-16 activities, 2016-17 work plan, and recommendations.

Board discussion ensued.

Motion/Second: Commissioners Siplin/Nelson

AYE (voice vote): All members

Action: The Board accepted the Pine Hills Neighborhood Improvement District 2015-16 Annual Report and Recommendations.

By consensus, the Board adjourned as the Pine Hills Neighborhood Improvement District Board of Directors and reconvened as the Orange County Board of County Commissioners.

Utilities Department

1. Solid Waste Collection Update. (Solid Waste Division)

County staff presented to the Board an update on the 1-1-1 Automated Residential Garbage and Recycling Collection Program for the first 180 days of service. The presentation included background, progress report, ongoing challenges, and a summary.

Board discussion ensued.

Action: None

County Mayor

1. Mosquito Control Program.

County staff presented to the Board a presentation on the County's Proactive Mosquito Control Program to help safeguard against the spread of Zika and other mosquito borne illnesses. The presentation included an overview of the Zika virus, Aedes Aegypti and Aedes Albopictus, Orange County Mosquito Control, and response plans.

Board discussion ensued.

Action: None

- MEETING RECESSED, 11:41 a.m.
- MEETING RECONVENED, 2:10 p.m.

Members Present: County Mayor Teresa Jacobs; Commissioners Scott Boyd, Bryan Nelson, Jennifer Thompson, Ted Edwards, Victoria P. Siplin; Commissioner Pete Clarke joined the meeting where indicated.

Others Present: County Administrator Ajit Lalchandani, County Attorney Jeffrey J. Newton, Deputy County Attorney Joel Prinsell, Senior Minutes Coordinator Noelia Perez, Minutes Coordinator Lakela Christian

- RECOMMENDATIONS

July 21, 2016 Planning and Zoning Commission Recommendations

- MEMBER JOINED: Commissioner Clarke

Motion/Second: Commissioners Clarke/Thompson

AYE (voice vote): All members

Action: The Board accepted the recommendations of the Orange County Planning and Zoning Commission under the date of July 21, 2016, with the exception of and authorizing a public hearing be scheduled for Case # RZ-16-07-019, Kelly Miller Levine (Pulled for public hearing by Commissioner Clarke); subject to the usual right of appeal by any aggrieved party.

- PUBLIC HEARINGS

Board of Zoning Adjustment Appeal

1. Iliana Ramos (Church representative), Iglesia El Shaddai Church, Case # SE-16-06-065, June 2, 2016; District 3

Appellant: Iliana Ramos (Church representative)

Applicant: Iglesia El Shaddai Church

Case: Board of Zoning Adjustment Case # SE-16-06-065; June 2, 2016

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant to construct a 400 seat sanctuary with Sunday school, assembly hall and 6 buildings to be used for weekend overnight retreat stays and to allow grassed parking with paved driving aisles.

Location: District 3; property generally located North side of Curry Ford Rd., approximately 950 ft. east of S. Chickasaw Trail; Orange County, Florida (legal property description on file in Zoning Division)

County staff indicated that the Board of Zoning Adjustment concluded that this request was not an appropriate location for the proposed use and denied the special exception and variance request. As the result of the community meeting, the applicant submitted a revised site plan. The sanctuary was reduced in square footage. The number of seats and the proposed number of parking spaces were also reduced.

Comparison:

Original Plan	New Plan
13,435 sq. ft.	9,755 sq. ft.
400 seats	200 seats
134 parking spaces	70 parking spaces
6 religious retreat bldgs.	No religious retreat bldgs.

The following persons addressed the Board:

- George Sharp
- Christian DeLeon
- Amy Fusco

Board discussion ensued.

Based upon input from the District Commissioner and agreed upon by the applicant, the following new condition was added:

18. Services shall not be held during the peak hours of 7 a.m. - 9 a.m. Monday through Friday, and 4 p.m. – 6 p.m. Monday through Friday.

Based upon input from the County staff, the following modification was made to Condition of Approval # 1:

1. Development in accordance with site plan dated July 15, 2016 ~~April 20, 2016~~ and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;

Motion/Second: Commissioners Clarke/Nelson

AYE (voice vote): All members

Action: The Board overruled the decision of the Orange County Board of Zoning Adjustment (Case # SE-16-06-065) and approved the special exception request by Iglesia El Shaddai Church to construct a 200 seat sanctuary with Sunday school, and to allow grassed parking with paved driving aisles, on the described property; subject to the following conditions:

1. Development in accordance with site plan dated July 15, 2016 and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing;
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development;
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard;
4. Construction plans shall be submitted within 3 years or this approval becomes null and void;
5. Within 60 days of the BCC Decision date, the permittee shall define the limits of development and areas to the north within the subject parcel that are to remain undeveloped. Within this area, the permittee shall have a species survey conducted by a qualified wildlife professional. If the survey results indicate that gopher tortoises are present, then the permittee shall coordinate with the Florida Freshwater Fish Conservation Commission to develop and implement a gopher tortoise management plan. A copy of the approved management plan shall be provided to Orange County Zoning Division;
6. Access, drainage, roadway improvements and concurrency management shall be determined by the Public Works Department;
7. A Type C landscape buffer and a 6 ft. high masonry wall shall be constructed along the entire eastern property line and along the western property line to a point where the development ends or the conservation area begins whichever occurs first. Said walls shall be supplemented with mature hardwood canopy trees 12 ft. in height at planting, and spaced at 30 ft. on center. All other landscaping shall comply with Chapter 24 of the Orange County Code. Existing trees may be used to meet this condition at the discretion of the Zoning Manager or their designee. Any dead or dying landscaping shall be replaced with appropriate stock in perpetuity.

8. All outdoor lighting shall be in accordance with Chapter 9, Orange County Code. The light poles shall be the shortest possible to provide safe lighting with directional fixtures.
 9. Signage shall be in accordance with 31.5, Orange County Code.
 10. The play area on the east side of the sanctuary building shall be relocated to the west side of the sanctuary building.
 11. Any detached accessory structures not identified on the site plan for retention shall be removed prior to CO for the sanctuary.
 12. All buildings located at the site shall be of same or complimentary exterior colors (muted earth tones). No caricatures or designs shall be painted on or affixed to the building exterior.
 13. No outdoor speakers or other audio amplification shall be used on the property.
 14. No more than 4 outdoor special events shall take place in any calendar year. These events shall be limited to the hours of 8 a.m. and 9 p.m..
 15. Noise and sound shall be regulated by Chapter 15, Orange County Code.
 16. There shall be no expansion of the use beyond the sanctuary, including: schools; daycare center; thrift store /retail; or food pantry, without approval of the BZA.
 17. Failure to comply with the above conditions shall be deemed a code violation, and shall result in action by the Code Enforcement Board rather than the BZA.
 18. Services shall not be held during the peak hours of 7 a.m. - 9 a.m. Monday through Friday, and 4 p.m. - 6 p.m. Monday through Friday.
2. Linton Morris, Faith Center Ministries, Inc., Case # SE-16-06-069, June 2, 2016; District 2

Appellant: Linton Morris
 Applicant: Faith Center Ministries, Inc.
 Case: Board of Zoning Adjustment Case # SE-16-06-069; June 2, 2016
 Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for a special exception to convert a single family residence into a religious use facility.
 Location: District 2; property generally located West side of Hiawassee Rd., approximately 350 ft. south of Hyland Oaks Dr.; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Lokelani Vasse
- Alma Manney
- Lassie Keene
- Hongcuc Coykendall
- Sandra Fatmi
- Dennis Hall
- Halcot Johnson
- Robert Haynes
- Kim Newton
- Charlee Battle

The following material was presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Alma Manney

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board.

- Submittal 1, from Hongcuc Coykendall

Motion/Second: Commissioners Nelson/Boyd

AYE (voice vote): All members

Action: The Board upheld the decision of the Orange County Board of Zoning Adjustment (Case # SE-16-06-069) and denied the request by Faith Center Ministries, Inc. for a special exception to convert a single family residence into a religious use facility, on the described property.

NOTE: THE FOLLOWING PUBLIC HEARINGS WERE CONSIDERED TOGETHER.

3. Lauralee G. Westine, Esq., Crown Castle USA, Case # VA-16-04-008, May 5, 2016; District 1

Appellant: Lauralee G. Westine, ESQ.

Applicant: Crown Castle USA

Case: Board of Zoning Adjustment, BZA Case # VA-16-04-008; May 5, 2016

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for a special exception to construct a 140 ft. high communications cell tower to be camouflaged as a pine tree (mono-pine tower). If approved, it will be built to accommodate several users.

Location: District 1; property generally located East side of Winter Garden Vineland Road, ¼ mile south of Overstreet Road; Orange County, Florida (legal property description on file in Zoning Division)

Court Reporter: Danette Lamb, Orange Legal

The following person addressed the Board: Lauralee Westine.

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Lauralee Westine
- Exhibit 2, from Lauralee Westine
- Exhibit 3, from Lauralee Westine
- Exhibit 4, from Lauralee Westine
- Exhibit 5, from Lauralee Westine
- Exhibit 6, from Lauralee Westine
- Exhibit 7, from Lauralee Westine
- Exhibit 8, from Lauralee Westine
- Exhibit 9, from Lauralee Westine
- Exhibit 10, from Lauralee Westine
- Exhibit 11, from Lauralee Westine

The following material was received by the Clerk prior to the close of the public hearing. The material referenced by the speaker was not presented to the Board.

- Submittal 1, from Lauralee Westine

Board discussion ensued.

and

Substantial Change

4. Lauralee G. Westine, Esq., Lake Burden Neighborhood Planned Development / Land Use Plan (PD / LUP), Case # CDR-15-10-289, amend plan; District 1

Applicant: Lauralee G. Westine, Esq., Lake Burden Neighborhood Planned Development / Land Use Plan (PD / LUP) - Case # CDR-15-10-289

Consideration: Substantial change request to add a joint-use 140-foot high monopole communications tower within PD Parcel 7; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Division 1, Section 38-1207.

Location: District 1, property generally located East of Winter Garden Vineland Road and south of Overstreet Road; Orange County, Florida (legal property description on file)

Court Reporter: Danette Lamb, Orange Legal

The following persons addressed the Board:

- Lauralee Westine

- Tory Parish
- Jane Dunkelberger

The following materials were presented to the Board prior to the close of the public hearing:

- Exhibit 1, from Tory Parish
- Exhibit 2, from Tory Parish
- Exhibit 3, from Tory Parish
- Exhibit 4, from Tory Parish
- Exhibit 5, from Tory Parish

Motion/Second: Commissioner Boyd/County Mayor Jacobs

AYE (voice vote): All members

Action: The Board upheld the decision of the Orange County Board of Zoning Adjustment (Case # VA-16-04-008), and denied the request by Crown Castle USA for a special exception to construct a 140 ft. high communications cell tower to be camouflaged as a pine tree (mono-pine tower) on the described property.

Motion/Second: Commissioners Boyd/Clarke

AYE (voice vote): All members

Action: The Board denied the substantial change request by Lauralee G. Westine, Esq., Lake Burden Neighborhood Planned Development / Land Use Plan (PD / LUP) - Case # CDR-15-10-289, to add a joint-use 140-foot high monopole communications tower within PD Parcel 7, on the described property.

5. Susan Lorentz, Interplan, LLC, Meadow Woods PD / Parcel 12.1 - Lot 2 Preliminary Subdivision Plan, Case # CDR-16-04-133, amend plan; District 4

Applicant: Susan Lorentz, Interplan, LLC, Meadow Woods PD / Parcel 12.1 – Lot 2 Preliminary Subdivision Plan – Substantial Change, Case # CDR-16-04-133

Consideration: Substantial change request is proposing to add 4,000 square feet of commercial use to the existing Meadow Woods PD / Parcel 12.1 – Lot 2 PSP on 2.82 acres; pursuant to Sections 34-69 and 30-89, Orange County Code.

Location: District 4; property generally located North of State Road 417/ West of Landstar Boulevard; Orange County, Florida (legal property description on file in Planning Division)

The County Mayor noted the applicant present, waived time to address the Board and is in concurrence with staff's recommendation.

Motion/Second: Commissioners Thompson/Clarke

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Comprehensive Plan; and

further, approved the substantial change request by Susan Lorentz, Interplan, LLC, Meadow Woods PD / Parcel 12.1 – Lot 2 Preliminary Subdivision Plan – Substantial Change, Case # CDR-16-04-133, to add 4,000 square feet of commercial use to the existing Meadow Woods PD / Parcel 12.1 – Lot 2 PSP on 2.82 acres; which constitutes a substantial change to the development on the described property; subject to the following conditions:

1. Development shall conform to the Meadow Woods PD Land Use Plan; Orange County Board of County Commissioners (BCC) approvals; Parcel 12.1 - Lot 2 Preliminary Subdivision Plan dated "Received May 13, 2016," and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by action approved by the BCC, or by action of the BCC. In the event of a conflict or inconsistency between a condition of approval of this preliminary subdivision plan and the preliminary subdivision plan dated "Received May 13, 2016," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and/or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer/Applicant has a continuing obligation and responsibility from the date of approval of this Preliminary Subdivision Plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer/applicant acknowledges and understands that any such changes are solely the developer's/applicant's obligation and responsibility to disclose and resolve, and that the developer's/applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water and wastewater systems have been designed to support all development within the PSP, and that construction plans are consistent with an approved Master Utility Plan for the PD.
7. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
8. Outside sales, storage, and display shall be prohibited.
9. Except as amended, modified, and / or superseded, the following BCC Conditions of Approval, dated January 8, 2008, shall apply:
 - a. Prior to earthwork or construction, the developer shall provide a copy of the completed National Pollutant Discharge Elimination System (NPDES) Notice of Intent (NOi) form for stormwater discharge from construction activities to the Orange County Environmental Protection Division, NPDES Administrator.

The original NOI form shall be sent to the Florida Department of Environmental Protection.

Roadway Widening Design

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

Consideration: Orange County Public Works is completing a design for North Boggy Creek Road from Jeff Fuqua Boulevard to Wetherbee Road to the BCC for its consideration and recommendation to construct. North Boggy Creek Road is proposed as a four (4) lane divided roadway within a 120-foot right of way. The design also identifies two (2) proposed pond sites. The roadway segment included in this design comprises a major component of the critical roadway network required to support access to the Orlando International Airport, current and future surrounding industrial and commercial operations, and the surrounding community.

Motion/Second: Commissioners Thompson/Edwards

AYE (voice vote): All members

Action: The Board made a finding of consistency with the Orange County Comprehensive Plan; and further, recommended to construct North Boggy Creek Road.

Ordinance

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

Consideration: AN ORDINANCE AFFECTING THE USE OF LAND IN ORANGE COUNTY, FLORIDA; REPEALING THE CONVENTION PLAZA DISTRICT (CPD) OVERLAY ZONE, CODIFIED AT DIVISION 4.5 OF ARTICLE VII OF CHAPTER 38 OF THE ORANGE COUNTY CODE (SECTION 38-860 THROUGH SECTION 38-875); CREATING IN ITS PLACE AN I-DRIVE DISTRICT OVERLAY ZONE AT DIVISION 4.5 OF ARTICLE VII OF CHAPTER 38; AND PROVIDING FOR AN EFFECTIVE DATE.

This public hearing was cancelled.

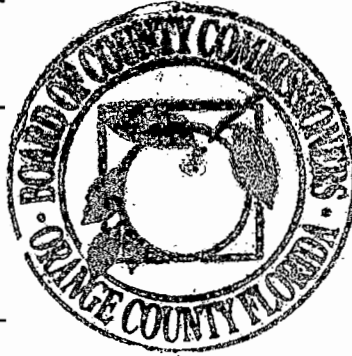
• ADJOURNMENT, 4:10 p.m.

ATTEST:




County Mayor Teresa Jacobs

Date: OCT 18 2016



ATTEST SIGNATURE:

Martha O. Haynie
County Comptroller as Clerk



Deputy Clerk