

BCC Mtg. Date: May 9, 2017

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, March 21, 2017

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jacobs called the meeting to order at 9:08 a.m.

Present: 6 - Mayor Teresa Jacobs, Commissioner Bryan Nelson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Absent: 1 - Commissioner Jennifer Thompson

Others Present:

County Comptroller Phil Diamond as Clerk

County Administrator Ajit Lalchandani

County Attorney Jeffrey J. Newton

Deputy County Attorney Joel Prinsell

Deputy Clerk Katie Smith

Senior Minutes Coordinator Craig Stopyra

Minutes Coordinator Lakela Christian

Invocation

Pastor Lawrence Wint, Grace Bible Church of Central Florida

Pledge of Allegiance**Presentation**

Proclamation designating 2017 as Coalition for the Homeless 30th Anniversary Year

Public Comment

The following persons addressed the Board for public comment:

- R.J. Mueller
- Robert Brooks
- Andre Perez

The following material was presented to the Board during public comment: Exhibit 1, from Robert Brooks

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

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY COMPTROLLER

1. [17-354](#) 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:

-March 3, 2017, to March 9, 2017; total of \$24,898,514.13
-March 10, 2017 to March 16, 2017; total of \$34,558,801.68

(Finance/Accounting)
2. [17-355](#) Disposition of Tangible Personal Property as follows: (Property Accounting)
 - a. Trade in assets for allowance toward the purchase of new equipment.
 - b. Scrap assets.

B. COUNTY SHERIFF

1. [17-356](#) Approval and execution of 1) Florida Department of Law Enforcement Justice Assistance Grant - County-wide subgrant in the total amount of \$27,000 for the period of June 1, 2016 through March 31, 2017; 2) Certification Regarding Lobbying; Debarment, Suspension, and other Responsibility Matters; and Drug-Free Workplace Requirements; and 3) Certification Form Compliance with the Equal Employment Opportunity Plan (EEOP) requirements. No matching funds are required.

C. COUNTY ADMINISTRATOR

1. [17-357](#) Confirmation of the appointment of Alan Hirschorn as the District 3 representative on the Orange County Citizen Corps Council with a term expiring December 31, 2018. (Agenda Development Office)
2. [17-358](#) Appointment of Commissioner Mark A. Maciel to the Community Action Board in the municipal elected official category with a term expiring December 31, 2018. (Agenda Development Office)
3. [17-359](#) Approval for the Orange County Sheriff's Office to spend \$1,000 from the FY 2017 Law Enforcement Trust Fund to provide an eligible contribution to Mothers Against Drunk Driving (MADD), Central Florida Chapter. (Office of Management and Budget)

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-360](#) Approval to award Invitation for Bids Y17-196-MV, Street Sweeping Services - Roads and Drainage Division, to the low responsive and responsible bidder, USA Services of Florida, Inc. The estimated contract

- award amount for the base year is \$1,076,740. ([Public Works Department Roads and Drainage Division] Procurement Division)
2. [17-361](#) Approval to award Invitation for Bids Y17-619-PD, Traxon Technologies Lighting System, to the low responsive and responsible bidder, Rexel, Inc. The total contract award amount is \$512,881.10. ([Convention Center Facilities Operations Division] Procurement Division)
 3. [17-362](#) Approval to award Invitation for Bids Y17-722-PH, South Water Reclamation Facility Sodium Hypochlorite Storage and Repump Facility Improvements, to the low responsive and responsible bidder, Prime Construction Group, Inc. The total contract award amount is \$2,764,940. ([Utilities Department Engineering Division] Procurement Division)
 4. [17-363](#) Approval to award Invitation for Bids Y17-725-MM, Orange County Facilities Management Division Special Services Building 1944 HVAC, Electrical and Interior Upgrades, to the low responsive and responsible bidder, Onopa Services, LLC. The total contract award amount is \$571,703. ([Administrative Services Department Capital Projects Division] Procurement Division)
 5. [17-364](#) Approval to award Invitation for Bids Y17-730-MM, Orange County Convention Center North South Building Lighting Enhancements, to the sole responsive and responsible bidder, Comelco, Inc. The total contract award amount is \$975,000. ([Convention Center Fiscal Operations Division] Procurement Division)
 6. [17-365](#) Approval of Amendment No. 1, Contract Y14-1036-ZM, Refrigeration Equipment Preventative Maintenance and Repairs with TWC Services, Inc. in the amount of \$67,114.40 for a revised contract amount of \$1,243,685. ([Utilities Department Fiscal and Operational Support Division] Procurement Division)
 7. [17-366](#) Approval of Amendment No. 2, Contract Y16-1049A-DG, Shuttle Bus Service with Driver - Orange County Convention Center, with Transtar Transportation Group, Inc. in the amount of \$82,500 for a revised total contract amount of \$329,600. ([Convention Center Fiscal and Operational Support Division] Procurement Division)
 8. [17-367](#) Ratification of Purchase Order M83485, Emergency Replacement of Chiller Motor and 10 year Overhaul at the Intake Booking and Release Building at Orange County Corrections, with Trane US Inc., in the total amount of \$115,623. ([Administrative Services Department Facilities Management Division] Procurement Division)
 9. [17-368](#) Selection of Atkins North America, Inc. to provide, Design Services for Corrections Work Release Center HVAC System and Domestic Water

System Replacements, Request for Proposals Y17-805-CC.
 ([Administrative Services Department Capital Projects Division]
 Procurement Division)

10. [17-369](#) Approval to Purchase the Renewals of All Lines of Commercial Coverage (as outlined below) for the County's Commercial Insurance Program under, Contract Y15-192, Insurance Broker and Consultant Services, for premiums not-to-exceed \$4,890,800.

<u>Commercial Insurance Program</u>	<u>Amount</u>
Commercial Property Program	\$4,000,000
Includes Stand-alone Terrorism, Boiler & Machinery and Vehicle and Mobile Equipment Policies	
Excess Public Entity Liability	\$510,000
Cyber Liability & Extortion	\$112,000
Commercial Crime & Public Officials Bonds	\$15,000
Vendor Liability Programs**	\$5,000
Neighborhood Services Grants- Liability***	\$13,000
Corporate Counsel	\$18,000
Corrections AD&D and Med Pay Policies	\$12,800
Broker's Fee	\$205,000

([Office of Accountability Risk Management and Professional Standards Division] Procurement Division)

11. [17-370](#) Approval and execution of Resolution 2017-M-07 and authorization to record instrument for Crosby Island Marsh. District 4. (Real Estate Management Division)
12. [17-371](#) Approval and execution of Resolution 2017-M-08 and County Deed from Orange County to the Town of Oakland and authorization to record instrument for Parcel 20-22-27-0000-00-038. District 1. (Real Estate Management Division)
13. [17-372](#) Approval and execution of Resolution 2017-M-09 and Subordination of County Drainage Easement Interests between the State of Florida Department of Transportation and Orange County and authorization to record instruments for FDOT - S.R. 400 (I-4) from North of Kennedy Blvd. to Seminole County Line (F.P. No. 242484 6). District 5. (Real Estate Management Division)
14. [17-373](#) Approval and execution of Utility Easement between The School Board of Orange County, Florida and Orange County and authorization to record instrument for Riverside ES OCU File No. 81348. District 2. (Real Estate Management Division)
15. [17-374](#) Approval of Purchase Agreement, Utility Easement and Temporary

Construction Easement between Brett Thomas and Orange County, Subordination of Encumbrance to Property Rights to Orange County from Quicken Loans Inc. and authorization to disburse funds to pay purchase price and recording fees and record instruments for Pump Station No. 3260 (Wekiva Meadows). District 2. (Real Estate Management Division)

16. [17-375](#) Approval of Warranty Deed and Non-Exclusive Drainage Easement from Core Real Estate Limited LLC to Orange County and authorization to perform all actions necessary and incidental to closing for Core Academy PD/UNP/LUP. District 1. (Real Estate Management Division)

17. [17-376](#) Approval of Warranty Deed from Lake Sawyer South Community Association, Inc. to Orange County and authorization to disburse funds to pay all recording fees and record instrument for North of Albert's PD/Westside Village Home District PSP/DP. District 1. (Real Estate Management Division)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-377](#) Approval and execution of Orange County, Florida, Resolutions Establishing Special Assessment Liens for Lot Cleaning Services and approval to record Special Assessment Liens on property cleaned by Orange County, pursuant to Orange County Code, Chapter 28, Nuisances, Article II, Lot Cleaning. All Districts. (Code Enforcement Division)

LC 17-0321	LC 17-0317	LC 17-0142	LC 17-0359	LC 17-0108
LC 16-1073	LC 17-0322	LC 17-0288	LC 17-0370	LC 17-0109
LC 17-0072	LC 17-0323	LC 17-0292	LC 17-0371	LC 17-0158
LC 17-0191	LC 17-0331	LC 17-0328	LC 16-1106	LC 17-0161
LC 17-0243	LC 17-0342	LC 17-0002	LC 16-1133	LC 17-0164
LC 17-0268	LC 16-1016	LC 17-0249	LC 17-0033	LC 17-0165
LC 17-0298	LC 16-1228	LC 17-0332	LC 17-0062	LC 17-0187
LC 17-0300	LC 17-0136	LC 17-0336	LC 17-0100	LC 17-0212

2. [17-378](#) Acceptance of Recommendation of the Environmental Protection Commission to approve the request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with a condition that the applicant pay \$754 to the Conservation Trust Fund for the Barbosa Dock Construction Permit BD-16-11-112. District 1. (Environmental Protection Division)

3. [17-379](#) Approval and execution of Project Administration Agreement between Orange County, Florida and Heart of Florida United Way, Inc. Regarding the Emergency Solutions Grant Program FY 2015-2016 to allow for utilization of \$34,500 of unspent funding from FY 2015-2016. All Districts. (Housing and Community Development Division)

4. [17-380](#) Approval and execution of Agreement between Orange County, Florida and Harbor House of Central Florida, Inc. Regarding the Community Development Block Grant Program FY 2016-2017 in the amount of \$80,000. All Districts. (Housing and Community Development Division)
5. [17-381](#) Approval and execution of First Amendment to Right-of-Way (R.O.W.) Conveyance and Adequate Public Facilities Agreement Core Academy PD/UNP/LUP R.O.W. Dedication for CR 545 (Avalon Road) Widening by and between Avalon Real Estate Limited LLC and Orange County to extend the timeframe for the conveyance of right-of-way. District 1. (Roadway Agreement Committee)
6. [17-382](#) Approval and execution of Proportionate Share Agreement for CR 535 Lakeside Village Properties, LLC Reams Road: From Center Drive to Taborfield Avenue by and between CR 535 Lakeside Village Properties, LLC and Orange County for a proportionate share payment in the amount of \$95,427. District 1. (Roadway Agreement Committee)

F. FAMILY SERVICES DEPARTMENT

1. [17-383](#) Acceptance of University of Florida's appointment of Ms. JanaFaye Griffin as Orange County Extension Agent I, Family and Consumer Sciences. All Districts. (Cooperative Extension Division Employment Agreement)
2. [17-384](#) Receipt and filing of Head Start Policy Council Program Information and Updates January 2017 and February 2017; and Head Start Policy Council Meeting Minutes December 15, 2016 and January 19, 2017, respectively, for the official county record. (Head Start Division)
3. [17-385](#) Approval of a one-time \$7,000 landscaping grant to the Corporal Larry E. Smedley National Vietnam War Museum. District 5. (Neighborhood Preservation and Revitalization Division)

G. HEALTH SERVICES DEPARTMENT

1. [17-386](#) Approval and execution of the Paratransit Services License for ProTransportation Inc. to provide wheelchair/stretchers service. The term of this license is from April 1, 2017 through April 1, 2019. There is no cost to the County. (EMS Office of the Medical Director)
2. [17-387](#) Approval and execution of the renewal Certificate of Public Convenience and Necessity for City of Apopka Fire Department to provide Advanced Life Support Transport Service. The term of this certificate is from April 30, 2017 through April 30, 2019. There is no cost to the County. (EMS Office of the Medical Director)

H. PUBLIC WORKS DEPARTMENT

1. [17-388](#) Approval to construct speed humps on S. Central Avenue. District 2. (Traffic Engineering Division)
2. [17-389](#) Approval to construct speed humps on Fricke Avenue. District 5. (Traffic Engineering Division)
3. [17-390](#) Approval of Traffic Control Devices and "No Parking" sign installations in President's Park (aka President's Point). District 5. (Traffic Engineering Division)

II. INFORMATIONAL ITEMS****A. COUNTY COMPTROLLER**

1. [17-391](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. Minutes of the January 18, 2017, Meeting in the Sunshine. County Mayor Teresa Jacobs and Commissioners Betsy VanderLey, Pete Clarke, and Jennifer Thompson along with area business leaders and local elected officials attended the 2017 Orange County Economic Summit discussing topics that included an economic forecast, presentations regarding the local economy, and a Workforce Development Panel.
 - b. Florida Public Service Commission Order Suspending Florida Power and Light's Petition for Approval of a New Optional Pilot LED Streetlight Tariff. In re: Petition for approval of a new optional pilot LED streetlight tariff, by Florida Power and Light Company.
 - c. Orange County Convention Center, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.
 - d. Orange County Solid Waste System, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.
 - e. Orange County Water Utilities System, Orange County, Florida Annual Financial Report for the years ended September 30, 2016 and 2015.

This item was received and filed.

III. DISCUSSION AGENDA**A. COUNTY ADMINISTRATOR**

1. [17-392](#) Appointment of one Board member to the 2016 Value Adjustment Board

and appointment of two Board members and one citizen member to the 2017 Value Adjustment Board and the designation of two alternate Board members and one alternate citizen member.

A motion was made by Mayor Jacobs, seconded by Commissioner Siplin, to appoint Commissioner VanderLey as Board member to the 2016 Value Adjustment Board. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin.

A motion was made by Mayor Jacobs, seconded by Commissioner Clarke, to appoint Commissioners Nelson and Bonilla as Board members to the 2017 Value Adjustment Board. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

A motion was made by Mayor Jacobs, seconded by Commissioner Clarke, to appoint Commissioners Siplin and VanderLey as alternate Board members to the 2017 Value Adjustment Board. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin.

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to reappoint David Robinson as a citizen member to the 2017 Value Adjustment Board; and further, reappoint Robert Caldwell as an alternate citizen member to the 2017 Value Adjustment Board. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-393](#) Selection of one firm and an alternate to provide Health Insurance Premium & Cost Sharing Assistance Program for Persons with HIV Spectrum Disease - Ryan White Part A, Request for Proposals Y17-164-DG, from the following two firms, listed alphabetically:

- Benalytics Consulting Group, LLC
- Heart of Florida United Way

([Health Services Department Fiscal and Operation Support Division]
Procurement Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to appoint Heart of Florida United Way as the selected firm; and further, appoint Benalytics

Consulting Group, LLC as the alternate. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

C. CORRECTIONS DEPARTMENT

1. [17-394](#) Jail to Community Reentry Program Update.

The Board took no action.

D. HEALTH SERVICES DEPARTMENT

1. [17-395](#) House Bill 871 Update.

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to include House Bill 871 as one of Orange Countys Legislative Priorities. The motion carried by the following vote:

Aye: 5 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Absent: 1 - Commissioner Bonilla

IV. WORK SESSION AGENDA

A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-396](#) Land Development Process - Zoning and Zoning Changes. All Districts.

The Board took no action.

V. RECOMMENDATIONS

1. [17-397](#) March 2, 2017 Board of Zoning Adjustment Recommendations

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

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

VI. PUBLIC HEARINGS

1. [17-217](#) Municipal Service Benefit Unit

Lakeside Neighborhood and Thornhill, A Replat Areas, amend for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting at

Thornhill, A Replat Areas to include the Lakeside Neighborhood subdivision.

Location: District 1; Parcel ID 01-24-27-5335-01-000; Section 01, Township 24, Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the request. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

2. [17-218](#) Municipal Service Benefit Unit

Lakeview Pointe at Horizon West Area, amend for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Lakeview Pointe at Horizon West Area Phases 1, 1B, and 2A to include Lakeview Pointe at Horizon West Area Phase 2B subdivision.

Location: District 1; Parcel ID (multiple parcels); Sections 33 & 34, Township 23, and Range 27; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the request. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

3. [17-219](#) Municipal Service Benefit Unit

Mabel Bridge Area, amend for streetlighting and for retention pond(s) maintenance; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Mabel Bridge Area to include Mabel Bridge Phase 6 subdivision.

Location: District 1; Parcel ID (multiple parcels); Sections 06 & 31, Townships 23 & 24, and Range 28; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the request. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

4. [17-220](#) Municipal Service Benefit Unit

Orangewood / Westwood Area, amend for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting at Orangewood / Westwood Area to include Oasis at Grande Pines, Westwood Reserve at Grande Pines, and Bainbridge Grande Pines subdivisions.

Location: District 1; Multiple parcels and Sections, Townships, and Ranges; Orange County, Florida (legal property description on file)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the request. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

5. [17-221](#) Municipal Service Benefit Unit

Royal Vista, establish streetlighting and for retention pond(s) maintenance; District 5

Consideration: Establish by resolution a Municipal Service Benefit Unit for streetlighting and retention pond(s) maintenance at Royal Vista.

Location: District 5; Parcel ID (multiple parcels); Section 17, Township 22, Range 31; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Bonilla, seconded by Commissioner Siplin, to approve the request. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

6. [17-222](#) Municipal Service Benefit Unit

Tildenville Area, amend for streetlighting; District 1

Consideration: Amend by resolution a Municipal Service Benefit Unit for streetlighting at Tildenville Area to include A and Q, Anderson Manor / Black Lake Area, Siplin Heights and Tilden Estates.

Location: District 1; Parcel ID (multiple parcels); Sections 27, Township 22, and Range 27; Orange County, Florida (legal property description on file)

The following person addressed the Board: Rose Henderson.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the request. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

7. [17-210](#) Petition to Vacate

Sheila Cichra on behalf of Richard Fender, Petition to Vacate # 17-01-001, vacate a portion of a drainage easement; District 3

Consideration: Resolution granting Petition to Vacate # 17-01-001, vacating a 7 ft wide portion of a 15 ft wide drainage easement, containing approximately 264 square feet.

Location: District 3, The parcel address is 500 29th Street, Orlando, Florida 32805; S03/T23/R29; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the request. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

8. [17-215](#) Shoreline Alteration/Dredge and Fill

Evan Landis, Lake Jennie Jewel, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to install rip rap along the shoreline on Lake Jennie Jewel, pursuant to Orange County Code, Chapter 15, Article VI. Pumping and Dredging Control; Section 15-218(d)

Location: District 3; on property located adjacent to Lake Jennie Jewel, located at 436 Jennie Jewel Drive; (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-16-10-011), subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

9. [17-216](#) Shoreline Alteration/Dredge and Fill

George Douglas Ross and Sunset Lakes of Windermere Homeowner's Association, Inc., permit; District 1

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to install rip rap on the shoreline on Lake Roper, pursuant to Orange County Code, Chapter 15, Article VI. Pumping and Dredging Control; Section 15-218(d)

Location: District 1; on property located adjacent to Lake Roper, located at 13596 Sunset Lakes Circle; (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-16-12-016), subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

10. [17-214](#) Development Plan

Larry Poliner, Landsmart Consultants, LLC, Lakeside Village Center South Planned Development (PD) / Lakeside Village Center South Preliminary Subdivision Plan (PSP) / Sweetwater Car Wash Development Plan (DP) -

Case # DP-16-06-217; District 1

Consideration: Lakeside Village Center South Planned Development (PD) / Lakeside Village Center South Preliminary Subdivision Plan (PSP) / Sweetwater Car Wash Development Plan (DP) submitted in accordance with Article II of the Orange County Subdivision Regulations; This request is to construct a 6,234 square foot car wash building and accessory structures on a total of 1.789 acres. The following waiver from Orange County Code is also requested: 1. A waiver from Orange County Code Section 38-1389(c)(10) is requested to allow a sidewalk less than ten (10) feet in width, in lieu of a ten (10) foot wide sidewalk, to be placed in the right of way in lieu of a utility easement; pursuant to Orange County Code, Section 38-1381(a).

Location: District 1, property generally located North side of Silver Park Drive / Southwest of Winter Garden Vineland Road; Orange County, Florida (legal property description on file-in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

11. [17-151](#) Preliminary Subdivision Plan

Marc Stehli, Poulos & Bennett, LLC, Hickory Nut Estates Planned Development / Hickory Nut Estates Preliminary Subdivision Plan, Case # PSP-16-06-222; District 1

Consideration: Hickory Nut Estates Planned Development / Hickory Nut Estates Preliminary Subdivision Plan, Case # PSP-16-06-222, submitted in accordance with Sections 34-69, 30-89, and 38-181 Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 99.9 acres in order to construct forty (40) single-family residential dwelling units. The request also includes the following waiver from Orange County Code: 1. A waiver from Orange County Code Section 38-1384(i)(4) is requested to not require vehicular access to garages or other off street parking surfaces on all lots greater than (50) feet in width that face neighborhood squares and parks be provided from a rear alley easement or from a front driveway where the garages are located at or beyond the rear wall of the primary structure for Lots 17-21.

Location: District 1; property generally located East of the Lake County - Orange County line / South of Old YMCA Road; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to continue the public hearing until June 20, 2017, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

12. [17-289](#) Preliminary Subdivision Plan

Tina Lee, Ashton Residential Orlando, LLC, Sweetwater Golf & Country Club Planned Development (PD) / The Reserve Preliminary Subdivision Plan / Development Plan - Case # PSP-15-11-339; District 2

Consideration: Sweetwater Golf & Country Club Planned Development (PD) / The Reserve Preliminary Subdivision Plan / Development Plan, Case # PSP-15-11-339, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This Preliminary Subdivision Plan (PSP) is a request to subdivide 7.164 acres in order to construct 72 single-family attached residential dwelling units.

Location: District 2, property generally located South of Sweetwater County Club Drive / West of the Orange County / Seminole County Line; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Nelson, seconded by Commissioner Clarke, to continue and re-advertise the public hearing to a future Board Date. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

13. [17-213](#) Rezoning

Larry Poliner, RCE Consultants, LLC, Rainbow Ridge PD, Case # LUP-15-12-388; District 2

Consideration: A request to rezone two (2) parcels containing 43.99 gross acres from A-1 (Citrus Rural District) to PD (Planned Development), in order to construct up to twenty (20) single-family detached residential dwelling units on minimum 0.70-acre lots. The request also includes the following waiver from Orange County Code: 1. A waiver from Orange County Code Section 38-1253 to eliminate the requirement to provide recreation facilities; pursuant to Orange County Code, Chapter 30.

Location: District 2, property generally located at the terminus of McGuire Road, approximately 1,200 feet south of Haas Road, and 2,150 feet east of Plymouth Sorrento Road; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Nelson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval listed under the Planning and Zoning Commission recommendation in the Staff Report. The motion carried by the following vote:

Aye: 5 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Nay: 1 - Commissioner Bonilla

14. [17-207](#) Board of Zoning Adjustment Board-Called

Our Lady of Fatima Catholic Church, Case # SE-17-01-179, January 5, 2017; District 2

Consideration: Request for Special Exceptions and Variance in the R-1 zoning district for religious use as follows: 1) Special Exception: To construct new 6,000 sq. ft. church use building; 2) Special Exception: To convert existing residence into church office use; and 3) Variance: To allow grassed parking spaces and driving aisles in lieu of paved.

Location: District 2; property generally located East side of Mott Avenue, 1/4 mile north of Eggewater Drive; Orange County, Florida (legal property description on file in Zoning Division)

The following persons addressed the Board:

- Ray Braddock
- Chris Sturm

Modification of Condition of Approval # 4:

No more than four (4) outdoor special events per calendar year and the hours of such events shall be limited from 8:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of 30 days prior to the date of each event.

New Condition of Approval #11:

Prior to the issuance of any permits for the new sanctuary, the applicant shall replace the current septic tank system with an updated system.

A motion was made by Commissioner Nelson, seconded by Commissioner Clarke, to make a finding of consistency with the Comprehensive Plan; and approve the request subject to the conditions of approval with the Board of Zoning Adjustment recommendation; further, modify Condition of approval #4; and further, approve New Condition of Approval #11. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

15. [17-274](#) Substantial Change

Robert Grassman, Bowman Consulting, South Park Planned Development (PD) - Sand Lake Corners Preliminary Subdivision Plan (PSP) / Development Plan (DP), Case # CDR-16-07-238, amend plan; District 6

Consideration: Substantial change request is to add a 2,200 square foot coffee shop with drive through; pursuant to Section 34-69 Orange County Code (Subdivision Regulations); and 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 6; property generally located South of Sand Lake Road / East of South John Young Parkway; Orange County, Florida (legal property description on file in Planning Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Clarke, to make a

finding of consistency with the Comprehensive Plan; and approve the substantial change request subject to the conditions of approval listed under the Development Review Committee recommendation in the Staff Report. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

16. [17-288](#) Substantial Change

Ryan Von Weller, Hawthorne Park Developer, LLC, Silver Pines Planned Development / Land Use Plan (PD / LUP) - Case # CDR-17-01-005; District 6 (Continued from March 21, 2017)

Consideration: A PD Substantial change request to allow senior multi-family residential as a permitted use on "Parcel A" and convert 33,486 square feet of commercial use to 120 senior adult multi-family units. In addition, the applicant has requested the following waiver from Orange County Code: 1. A waiver from Section 38-1258(D) to allow a maximum building height of four stories or fifty-five feet (55'), in lieu of a maximum building height of three stories or forty feet (40'); 2. A waiver from Section 38-1476(a) to allow 1 parking space for each apartment dwelling unit in lieu of the requirement of 1.5 parking spaces for 1 bedroom dwelling units and 2 spaces for 2 or 3 bedroom dwelling units; 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 6, property located at 5300 Silver Star Road, or generally west of Pine Hills Road, south of Silver Star Road; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to continue the public hearing until April 11, 2017, at 2 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

17. [16-239](#) Planning and Zoning Commission Board-Called

Kelly Miller Levine, Conventional Rezoning Case # RZ-16-07-019; District 3 (Continued from December 13, 2016 and February 7, 2017)

Consideration: Request to consider a rezoning of 1.03 gross acres located at 1050 E. Wallace Street from R-1A (Single Family Residential District) to R-1 (Single Family Residential District), along with the following restrictions: 1) The subject property shall be limited to a maximum of three (3) single-family detached residential lots / dwelling units; and 2) Issuance of subsequent development permits shall be contingent upon meeting all applicable R-1 development standards and/or variances as may be issued by the Board of Zoning Adjustment

Location: District 3; property located at 1050 E. Wallace Street; or generally on the south side of E. Wallace Street, and immediately east of the E. Fillmore Avenue terminus and the E. Pierce Avenue terminus; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

- Kelly Miller Levine

- Larkin Tribou
- Margaret Mosholder
- Lauren Rowe
- Laura Angela Tyler Morey
- Danny Rodriguez
- David Weaver
- Carol Crawford
- Jennifer Tribou
- Laurence Miles
- Jerry Miller (phonetic)

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

- Exhibit 1, from Kelly Miller Levine
- Exhibit 2, from Kelly Miller Levine
- Exhibit 3, from Margaret Mosholder
- Exhibit 4, from Carol Crawford

A motion was made by Commissioner Clarke, seconded by Commissioner Siplin, to deny the request; and further, overrule the Planning and Zoning Commission recommendation. The motion carried by the following vote:

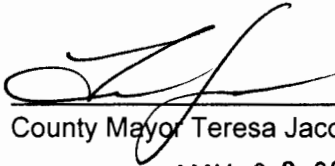
Aye: 6 - Mayor Jacobs, Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

√ **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: 3:54 p.m.

ATTEST:



County Mayor Teresa Jacobs

Date: MAY 09 2017



ATTEST SIGNATURE:

Phil Diamond
County Comptroller as Clerk



Katie Smith
Deputy Clerk