

BCC Mtg. Date: August 22, 2017

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, July 18, 2017

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

County Mayor Jacobs called the meeting to order at 9:07 a.m.

Present: 7 - Mayor Teresa Jacobs, Commissioner Bryan Nelson, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Others Present:

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
Deputy County Administrator Eric Gassman
Assistant County Administrator Randy Singh
Office of Management and Budget Manager Kurt Petersen
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Craig Stopyra
Senior Minutes Coordinator Noelia Perez

Invocation

Pastor Meka Beacham, New Church of Faith

Pledge of Allegiance**Public Comment**

No one addressed the Board for public comment.

Budget Worksession**Constitutional Officers**

[17-964](#) Constitutional Officers

Clerk of Courts Tiffany Moore Russell addressed the Board.

Ninth Judicial Circuit Court of Florida

Ninth Judicial Circuit Court Judge Lisa Munyon addressed the Board.

The Board took no action.

**Adjourn as the Orange County Board of County Commissioners and convene as the
Orange County International Drive Community Redevelopment Agency Governing
Board**

I-DRIVE CRA

[17-965](#) Carla Bell Johnson, Strategic Planning and Development Manager, Orange County Convention Center, presented an update and budget report.

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to adopt Resolution 2017-M-20; and further, approve and adopt the FY (Fiscal Year) 2017-18 budget for the International Drive CRA (Community Redevelopment Agency). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Adjourn as the Orange County International Drive Community Redevelopment Agency Governing Board and convene as the Orange County Community Redevelopment Agency

Orange County CRA

[17-966](#) Vanessa Pinkney, Executive Director, Orange Blossom Trail Development Board, presented an update and budget report.

A motion was made by Commissioner Siplin, seconded by Commissioner Clarke, to adopt Resolution 2017-M-21; and further, approve and adopt the proposed FY (Fiscal Year) 2017-18 budget for the Orange County CRA (Community Redevelopment Agency). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Adjourn as the Orange County Community Redevelopment Agency and convene as the Orange County Board of County Commissioners

LYNX

[17-967](#) Edward Johnson, Chief Executive Officer, LYNX (Central Florida Regional Transportation Authority), presented an update and budget report. Blanche Sherman contributed to the report. Board discussion ensued. County Administrator Lalchandani contributed to the discussion.

The following person addressed the Board: David Bottomley.

The Board took no action.

COUNTY ADMINISTRATOR

[17-968](#) Eric Gassman, Deputy County Administrator, presented an update on the operating budget tax supported for the Fiscal 2017-18 Budget. Board discussion ensued.

A motion was made by Commissioner Thompson, seconded by Commissioner Clarke, to approve the Budget Consent Agenda items as follows:

1. Approval of the 2018 medical plan design and premium structure.
2. Approval of fee resolution 2017-M-22 to include updated fire fees to take effect on October 1, 2017.
3. Approval of Resolution 2017-M-23 setting a revised preliminary water system charge schedule; providing for an automatic annual increase; setting a revised preliminary water meter charge schedule; setting a preliminary cross connection control program fee effective January 1, 2018; providing for periodic review; providing for annual notice to customers; providing for severability; and providing for an effective date.
4. Approval of \$50,000 towards Project Sparky for the memorial of the Orlando Naval training center. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Tentative Millages and County Wide Budget for Fiscal Year 2017/2018

A motion was made by Commissioner Clarke, seconded by Commissioner VanderLey, to approve the Tentative Millages for Fiscal Year 2017/2018 and the Tentative Countywide Budget for Fiscal Year 2017/2018 with Board approved changes. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

ANNOUNCEMENT

County Mayor Jacobs announced the first public hearing to approve the tentative budget is scheduled for Thursday, September 7, 2017 and the final public hearing to approve the budget is scheduled for Thursday, September 21, 2017. The public hearings will begin at 5:01 p.m., in the BCC Chambers.

I. CONSENT AGENDA

Approval of the Consent Agenda

The Mayor deleted County Attorney Item 1; further, deferred action on Community, Environmental and Development Services Item 2; and further, a motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, to approve the balance of the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

A. COUNTY COMPTROLLER

1. [17-939](#) 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 is as follows: July 7, 2017, to July 13, 2017; \$39,519,784.24.

(Finance and Accounting)

B. COUNTY ADMINISTRATOR

1. [17-940](#) Confirmation of the appointment of Gloriann Gaston-Toussaint as a Mayor's representative on the Orange County Citizen Corps Council with a term expiring December 31, 2018. (Agenda Development Office)

C. COUNTY ATTORNEY

1. [17-941](#) Approval and execution of Orange County, Florida & Orange County Library District Hold Harmless and Indemnification Agreement Parcel ID: 11-21-28-0000-00-043 (west 270 feet only) and Parcel ID: 11-21-28-0000-00-030 (west 270 feet only). District 2.

(This item was deleted).

D. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-942](#) Approval to award Invitation for Bids Y17-1084-MV, Emergency Drinking Water Supplies, to the sole responsive and responsible bidder, Nestle' Waters North America, Inc. d/b/a Zephyrhills Natural Spring Water. The estimated contract award amount is \$127,494. ([Administrative Services Department Procurement Division] Procurement Division)
2. [17-943](#) Approval to award Invitation for Bids Y17-635-TA, Service/Dump Body Trucks, to the low responsive and responsible bidder, Jarrett Gordon Ford. The total contract award amount is \$197,967. ([Public Works Department Roads and Drainage Division] Procurement Division)
3. [17-944](#) Approval to award Invitation for Bids Y17-764-TA, Orange County Convention Center West Building Wall Panels Replacement, to the sole responsive and responsible bidder, Wharton-Smith, Inc. The total contract award amount is \$1,515,680. ([Convention Center Capital Planning Division] Procurement Division)
4. [17-945](#) Approval and execution of Estoppel Letter Form from Orange County to Pinar Associates SC Company, Ltd., Pinar Center LLC and T.D. Bank, N.A. and delegation of authority to the Real Estate Management Division to execute future tenant estoppel certificates, if needed for Clerk's Remote Service Center, Pinar Plaza Shopping Center 684 S. Goldenrod Road,

Store/Bay #684 Orlando, FL 32822. District 3. (Real Estate Management Division)

5. [17-946](#) Approval of Amendment to Memorandum of Understanding between Orange County Public Works Department and Orange County Utilities Department, approval and execution of Corrective Notice of Reservation and authorization to transfer funds from Public Works Department to Utilities Department and disburse funds to pay recording fees and record instrument for Alafaya Trail (West of Broadhaven Boulevard and East of Northampton Avenue. District 4. (Real Estate Management Division)
6. [17-947](#) Approval of Purchase Agreement and Temporary Construction Easement between 6914 Hanging Moss, LLC and Orange County and authorization to disburse funds to pay purchase price and recording fees and record instrument for East-West Road (S.R. 436 to Dean Road) n/k/a Richard Crotty Parkway. District 5. (Real Estate Management Division)
7. [17-948](#) Approval of Memorandum of Understanding between Orange County Public Works Department and Orange County Utilities Department, approval and execution of Notice of Reservation and authorization to transfer funds from Utilities Department to Public Works Department and disburse funds to pay recording fees and record instrument for Pump Station No. 3439 (Secluded Oaks Drive). District 3. (Real Estate Management Division)
8. [17-949](#) Approval of Purchase Price above Appraised Value, Contract for Sale and Purchase, Warranty Deed and Holdover Agreement between Johnathan N. Omari and Souad Omari and Orange County, Compensation and Release Agreement between The Lamar Company, LLC and Orange County, Delegation of Authority to Real Estate Management Division to extend Holdover Agreement if needed, and authorization to disburse funds to pay purchase price and closing costs and perform all actions necessary and incidental to closing for Taft-Vineland Road (Orange Blossom Trail to Orange Avenue). District 4. (Real Estate Management Division)
9. [17-950](#) Approval of Donation Agreement, Drainage Easement and Temporary Construction Easement between Ralph James Pease and Orange County, Approval of Donation Agreement, Drainage Easement and Temporary Construction Easement between Bryan S. Carter and Orange County, Approval of Subordination of Encumbrance to Property Rights to Orange County from Mortgage Electronic Registration Systems, Inc., solely as nominee for Lender, Approval of Donation Agreement and Temporary Construction Easement between Joan DeYoung, as trustee under the provisions of a certain Trust Agreement dated the 28th day of April, 1993 and Orange County and authorization to disburse funds to pay all recording fees and record instruments for Caudel Road Easement. District 5. (Real Estate Management Division)

10. [17-951](#) Approval of Conservation and Access Easement from Mattamy Orlando LLC to Orange County and authorization to record instrument for Legado Development (aka Reams Road property) CAI # 15-10-035. District 1. (Real Estate Management Division)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-952](#) Approval and execution of Florida Department of Agriculture and Consumer Services Division of Administration Contract Amendment to the Federal Financial Assistance Subrecipient Agreement between the Florida Department of Agriculture and Consumer Services and Orange County to extend the end date for the term of the agreement from August 31, 2017 to February 28, 2018, relating to a study involving protecting and restoring urban tree canopy for stormwater management. All Districts. (Environmental Protection Division)
3. [17-954](#) Approval and execution of Proportionate Share Agreement for Chase Bank - University Blvd & Alafaya Trail Alafaya Trail: From University Boulevard to Science Drive by and between DAT Mortgage One, LLC and Orange County for a proportionate share payment in the amount of \$39,140. District 5. (Roadway Agreement Committee)
4. [17-955](#) Approval and execution of Proportionate Share Agreement for Action Gator Tire Reams Road Improvements: From Center Drive to Taborfield Avenue by and between Lakeside II Partners, LLC and Orange County for a proportionate share payment in the amount of \$10,603. District 1. (Roadway Agreement Committee)

F. FAMILY SERVICES DEPARTMENT

1. [17-956](#) Receipt and filing of Head Start Policy Council Program Information and Updates June 2017 and Head Start Policy Council Meeting Minutes May 18, 2017 for the official county record. (Head Start Division)
2. [17-957](#) Approval of the July 2017 Business Assistance for Neighborhood Corridors Program Grants for Castro Realty Group (\$5,000), Antoinette T. Lauro (\$4,939) and J & J Healthcare Institute (\$5,000). Districts 3 and 6. (Neighborhood Preservation and Revitalization Division)
3. [17-958](#) Approval of July 2017 Neighborhood Pride Nonprofit Housing Repair Grant II with conditions as recommended by the Neighborhood Grants Advisory Board for Holden Heights Front Porch Florida Revitalization Council (\$20,000). District 6. (Neighborhood Preservation and Revitalization Division)

G. HEALTH SERVICES DEPARTMENT

1. [17-959](#) Approval and execution of the renewal Paratransit Services License for Rite Way Transportation LLC to provide wheelchair/stretchers service. The term of this license is from August 1, 2017 through August 1, 2019. There is no cost to the County. (EMS Office of the Medical Director)
2. [17-960](#) Approval of Florida Department of Children and Families Criminal Justice, Mental Health, and Substance Abuse (CJMHS) Reinvestment Grant Program Final Program Status Report as required by Contract LHZ42. (Mental Health and Homeless Issues Division)

H. PUBLIC WORKS DEPARTMENT

1. [17-961](#) Approval and execution of Resolution 2017-M-24 of the Orange County Board of County Commissioners regarding interim procedures for certain approved gated communities with shared drainage facilities seeking final plat or development order approval from the County. All Districts.

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. [17-962](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Orlando Ordinance with Exhibit A (Legal Description Form), Exhibits B and C (Future Land Use and Zoning Maps), and Orlando Sentinel Notice of Proposed Enactment for Ordinance No. 2017-26 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 east of Lake Baldwin Lane, south of Rixey Street, west of Jamajo Boulevard and north of Hargrave Street; and comprised of 0.57 acres, more or less; amending the City's adopted Growth Management Plan to designate the property as residential low intensity on the City's Official Future Land Use Maps; providing for amendment of the City's Official Future Land Use Maps; providing findings, amendment of the City's boundary description, and for amendment of the City's official maps; providing for severability, correction of scrivener's errors, and an effective date.
 - b. City of Orlando Voluntary Annexation Request - 4550 Ponderosa Drive - ANX2017-00003. Notice of Proposed Enactment. Proposed Ordinance 2017-40, 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 Hoffner Avenue, west of Ponderosa Drive and south of Van Road, and Comprised of 0.402 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 mixed use

corridor medium intensity on the City's Official Future Land Use Maps; designating the property as the medium intensity mixed use corridor district with the aircraft noise overlay district 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. A public hearing on this Ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida.

- c. Audit Report No. 464- Audit of Orange County's Compliance with the Florida Retirement System Rules for Temporary Employees

This item was received and filed.

III. WORK SESSION AGENDA

A. HEALTH SERVICES DEPARTMENT

1. [17-963](#) Proposed Land Development Regulations for Medical Cannabis.

The Board took no action.

ANNOUNCEMENT

County Administrator Lalchandani officially announced Orange County will host the second of two public hearings to allow input from the public regarding the County's intent to designate certain parcels within the Pine Castle Urban Center as a Brownfield area. The area is located on Orange Avenue between Gem Street and Sand Lake Road in unincorporated Orange County. Florida Statutes requires the County announce the public hearing at a scheduled meeting of the local governing body before the actual public hearing. Therefore, the second public hearing for the Pine Castle Urban Center ROCC resolution will be considered before the Board of County Commissioners for a public hearing on August 1, 2017, at 2 p.m.

IV. PUBLIC HEARINGS

1. [17-665](#) Environmental Protection Commission Appeal

Hasan Baig and Sergio Divine, 8313 Via Rosa, appeal of the recommendation of the Environmental Protection Commission for a boat dock waiver to increase the size of the terminal platform for a private boat dock; District 1

Consideration: Appeal of the decision of the recommendation of the Environmental Protection

Commission regarding the approval of a waiver request for terminal platform size; pursuant to Orange County Code, Section 15-342(b), Article IX

Location: District 1; property located at 8313 Via Rosa, Orlando, on Little Sand Lake; Orange County, Florida (legal property description on file in Environmental Protection Division)

The following persons addressed the Board:

Chris Prunty
Sergio Divine

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

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to uphold the recommendation of the Environmental Protection Commission; to approve the request for waiver for the Via Rosa Revocable Trust Dock Construction Permit BD-16-07-079; further, the applicant shall pay \$406 to the Conservation Trust Fund. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

2. [17-771](#) Planning and Zoning Commission Appeal

Steven Sandvik, Absolute Pawn and Gun, Case # RZ-17-05-015, May 18, 2017; District 6

Consideration: Appeal of the recommendation on a request to consider the rezoning and appeal of the May 18, 2017 Planning and Zoning Commission (PZC) Recommendation of Denial for Rezoning Case # RZ-17-05-015, in the name of Steven Sandvik, to rezone 2.45 gross acres from C-1 (Retail Commercial District) to C-2 (General Commercial District), in order to add used automobile sales with outdoor display, as an extension to an existing pawn shop.

Location: District 6; property located at 6150 Silver Star Road; or generally on the south side of Silver Star Road, approximately 300 feet east of N. Powers Drive; Orange County, Florida (legal property description on file in Planning Division)

The following persons addressed the Board:

Steven Sandvik
Carl Summers
Michelle Owens
Bertina Busch
Noel Busch
Kenneth Dwyer
Patricia Rumph

A motion was made by Commissioner Siplin, seconded by Commissioner VanderLey, to uphold the Planning and Zoning Commission recommendation; make a finding of inconsistency with the Comprehensive Plan; and deny the requested C-2 (General Commercial District) zoning. The

motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

3. [17-819](#) Rezoning

James G. Willard, Shutts & Bowen, LLP, Lake Ingram Planned Development (PD), Case # LUP-16-05-176; District 1

Consideration: A request to rezone 27.96 acres from A-1 to PD in order to recognize the relocation of a previously planned Adequate Public Facilities (APF) Elementary School (13.5-acre tract) and to establish a 14.45-acre Corporate Campus Mixed Use tract (portion of Town Center Parcel CCM-11). In addition, this request is associated with a proposed APF Agreement; pursuant to Orange County Code, Chapter 30.

Location: District 1; property generally located west of Avalon Road, north of Lake Ingram Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jim Willard.

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 Planning and Zoning Commission recommendation in the Staff Report. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

and

I. CONSENT AGENDA (Deferred)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

2. [17-953](#) Approval and execution of Adequate Public Facilities Agreement for School Site Conveyance (Lake Ingram PD/UNP) by and between Dewitt Enterprises, Inc. and Orange County as joined by The School Board of Orange County, Florida. District 1. (Planning Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Clarke, to approve and execute the Adequate Public Facilities Agreement for School Site Conveyance (Lake Ingram PD/UNP) by and between Dewitt Enterprises, Inc. and Orange County as joined by The School Board of Orange County, Florida. The motion carried by the following vote:

Aye: 6 - Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, Commissioner Siplin

Absent: 1 - County Mayor Jacobs

IV. PUBLIC HEARINGS

4. [17-843](#) Rezoning

Jim Dombrowski, B&S Engineering Consultants, LLC, U Park Toy Storage
Planned Development (PD), Case # LUP-17-01-026; District 3

Consideration: A request to rezone one (1) parcel containing 5.02 gross acres from C-1 to PD, in order to construct up to 351,142 square feet of Retail Commercial (C-1 uses) and outdoor storage of boats and recreational vehicles (C-2 uses). In addition, the following waivers are requested from Orange County Code: 1. A waiver from Section 24-5(a)(2) to allow a 10-foot wide landscape buffer to separate C-2 uses from all residential uses along the north and south property lines, in lieu of a minimum 25-foot wide landscape buffer; and 2. A waiver from Section 38-1272(a)(3) to allow a minimum 10-foot PD perimeter setback along the southern property line only, in lieu of a minimum 25-foot PD perimeter setback; pursuant to Orange County Code, Chapter 30.

Location: District 3; property located at 600 N. Goldenrod Road; or at the terminus of Valencia College Lane, approximately 150 feet west of N. Goldenrod Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Jim Dombrowski.

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, 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: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

5. [17-855](#) Solid Waste Management Facility

Waste Management Inc. of Florida, LLC, Transfer Station, permit; District 6
(Continued from July 18, 2017)

Consideration: Request for Solid Waste Management Facility Permit to construct, operate, and close a solid waste management facility - Transfer Station, pursuant to Orange County Code, Chapter 32, Article V (Solid Waste Management Ordinance), Section 32-214.

Location: District 6, located at 4978 L B Mcleod Road, City of Orlando; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Siplin, seconded by Commissioner Thompson, to continue the public hearing until August 29, 2017, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

6. [17-662](#) Substantial Change

Alexis Crespo, Waldrop Engineering, AIPO Planned Development / Land Use Plan (PD / LUP), Case # CDR-17-03-067, amend plan; District 4
(Continued from June 20, July 11, and July 18, 2017)

Consideration: A PD substantial change request to: 1) Convert 115 single-family attached residential dwelling units (townhomes) into single-family detached residential dwelling units; 2) Eliminate the maximum number of permitted 50-foot wide detached single-family residential lots (450 lots); 3) Eliminate the minimum number of required 60 and 70-foot wide detached single-family residential lots; and 4) Reduce the minimum lot widths for single-family detached residential lots from 50 feet to 40 feet, necessitating the following waiver from Orange County Code: a) A waiver from Section 38-1501 to allow 40-foot minimum lot widths for single-family detached residential lots within the designated single-family detached residential portions of the PD only; in lieu of minimum 50-foot lot widths; 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 4; property located at 3001 & 4055 East Wetherbee Road; or generally north of East Wetherbee Road, approximately one mile west of Boggy Creek Road; Orange County, Florida (legal property description on file)

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, to continue the public hearing until August 22, 2017, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

7. [17-638](#) Small Scale Development Privately-Initiated Amendment

Amendment 2017-1-S-1-4

Justin R. Sand, Epoch Properties, Inc., for 10336 Vista Oaks Court LLC, Perrihouse LLC, 10324 Vista Oaks Court LLC, Perrihouse Development LLC, La Tanya M. Wilson and Robert A. Wilson, Kenneth Edward Rhodes, and Scott Wayne Rhodes (Continued from June 6, 2017)

Consideration: Low Density Residential (LDR) and Commercial (C) to Planned Development-High Density Residential (PD-HDR)

Location: 10275 Winter Garden-Vineland Rd. and 10324, 10330, 10336, 10417, and 10450 Vista Oaks Ct.; Generally located east of Winter Garden-Vineland Rd., north of Perrihouse Acres Ln. and south of Lake Sheen Reserve Blvd.; Parcel ID#s: FLUM Amendment: 08-24-28-8912-00-001/010/020/050/070/071; FLUM Amendment 9.82 gross ac.

County staff indicated the applicant has agreed to modify the request from Low Density Residential (LDR) and Commercial (C) to Medium Density Residential (MDR) and Planned Development-High Density Residential (PD-HDR).

The following persons addressed the Board:

Rebecca Wilson
Jessica Fisher
Alexie Fonseca

A motion was made by Commissioner Vanderley, seconded by Commissioner Nelson, to make a finding of consistency with the Comprehensive Plan (see Housing Element Goal H1, Housing Element Objective H1.1, Future Land Use Element Objectives FLU2.2 and FLU8.2, and Policies FLU1.1.1, FLU1.1.2.A, FLU1.4.4, FLU8.2.1, FLU8.2.2, and FLU8.2.10); further, determine that the proposed amendment is in compliance; and further, adopt Small Scale Development Privately-Initiated Amendment 2017-1-S-1-4 from Low Density Residential (LDR) to Medium Density Residential (MDR) and Commercial (C) to Planned Development - High Density Residential (PD-HDR). The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner Vanderley, Commissioner Bonilla, and Commissioner Siplin

and

7. [17-639](#) Concurrent Rezoning Request

Justin R. Sand, Epoch Properties, Inc., for 10336 Vista Oaks Court LLC, Perrihouse LLC, 10324 Vista Oaks Court LLC, Perrihouse Development LLC, La Tanya M. Wilson and Robert A. Wilson, Kenneth Edward Rhodes, and Scott Wayne Rhodes

Rezoning Case # LUP-17-02-060 (Continued from June 6, 2017)

Consideration: Request to rezone from Country Estate District (R-CE) and PD (Planned Development District) (PerriHouse I PD/LUP) to PD (Planned Development District) (Epoch Vista Oaks) to allow for up to 340 multi-family residential units. In addition, the following three (3) waivers from Orange County Code have also been requested:

1. A waiver from Section 38-1258(b) to allow a maximum multi-family building height of four (4) stories and sixty-five (65) feet when located between one hundred (100) feet, and one hundred fifty (150) feet of single-family zoned property; in lieu of varying multi-family building heights with a maximum of fifty (50) percent of the buildings being three (3) stories (forty feet) in height, with the remaining buildings being one (1) or two (2) stories in height;
2. A waiver from Section 38-1258(c) to allow a maximum multi-family building height of four (4) stories and sixty-five (65) feet when the multi-family buildings are located within one hundred fifty (150) feet of single-family zoned residential properties, in lieu of a maximum multi-family building height of three (3) stories and forty (40) feet; and
3. A waiver from Section 38-1258(d) to allow a maximum multi-family building height of four (4) stories and sixty-five (65) feet height, in lieu of a maximum multi-family building height of three (3) stories and forty (40) feet.

Location: 10275 Winter Garden-Vineland Rd. and 10324, 10330, 10336, 10417, and 10450 Vista Oaks Ct.; Generally located east of Winter Garden-Vineland Rd., north of Perrihouse Acres Ln. and south of Lake Sheen Reserve Blvd.; Parcel ID#s: PD Rezoning 08-24-28-8912-00-001/010/020/050/060/070/071/080; PD Rezoning: 14.01 gross ac.

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 conditions of approval listed under the Development Review Committee recommendation in the Staff Report; subject to the approval of a Petition to Vacate, a Conservation Area Impact (CAI) Permit, and a revised PD land use plan. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

MOTION TO RECONSIDER

A motion was made by Commissioner Siplin, seconded by Commissioner Clarke, to reconsider the motion to continue Public Hearing #D5; Solid Waste Management Facility Waste Management Inc. of Florida, LLC, Transfer Station, permit, to August 29, 2017, at 2 p.m. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

IV. PUBLIC HEARING

5. [17-855](#) Solid Waste Management Facility

Waste Management Inc. of Florida, LLC, Transfer Station, permit; District 6
(Continued from July 18, 2017)

A motion was made by Commissioner Siplin, seconded by Commissioner Clarke, to continue the public hearing until August 22, 2017, at 2 p.m. The motion carried by the following vote:

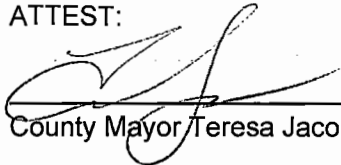
Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

✓ **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: 4:05 p.m.

ATTEST:


County Mayor Teresa Jacobs

Date: AUG 22 2017

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.