

BCC Mtg. Date: October 31, 2017

Orange County Government

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



Final BCC Meeting Minutes

Tuesday, October 3, 2017

9:00 AM

County Commission Chambers

Board of County Commissioners

Call to Order

Vice Mayor Siplin called the meeting to order at 9:06 a.m.

Present: 6 - Commissioner Bryan Nelson, Commissioner Jennifer Thompson, Commissioner Pete Clarke, Commissioner Betsy VanderLey, Commissioner Emily Bonilla, and Commissioner Victoria P. Siplin

Absent: 1 - Mayor Teresa Jacobs

Others Present:

County Comptroller Phil Diamond as Clerk
County Administrator Ajit Lalchandani
Assistant County Administrator Chris Testerman
County Attorney Jeffrey J. Newton
Deputy County Attorney Joel Prinsell
Deputy Clerk Katie Smith
Senior Minutes Coordinator Noelia Perez
Senior Minutes Coordinator Jennifer Lara-Klimetz

Invocation

Pastor Marcos Gonzalez, Faith Assembly

Pledge of Allegiance**Presentation**

Proclamation designating October 8 through October 14, 2017 as Fire Prevention Week

Presentation

Proclamation designating October 1 through October 7, 2017 as National 4-H Week

Public Comment

The following persons addressed the Board for public comment:

- Former Orange County Commissioner Mildred Fernandez
- Michael Dugre
- Richard Grace
- Charlie Skelton
- Dennis Freytes
- Joe Capozza
- Burt Fairchild
- Jimmy Torres
- Maribel Gomez Cordero
- Reinaldo Rodriguez
- Arnie Amoros

- Diana Robbins
- Trini Quiroz
- Edwin Marrero
- Miriam Ramirez
- Eddy Dominguez
- Peter Vivaldi

The following material was presented to the Board during public comment: Exhibit 1, from Dennis Freytes.

I. CONSENT AGENDA

Approval of the Consent Agenda

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

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

Absent: 1 - Mayor Jacobs

A. COUNTY COMPTROLLER

1. [17-1296](#) Approval of the minutes of the August 29, 2017 meeting of the Board of County Commissioners. (Clerk's Office)
2. [17-1297](#) 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:

-September 15, 2017, to September 21, 2017; total of \$28,291,079.05
-September 22, 2017, to September 28, 2017; total of \$35,318,935.94.

(Finance/Accounting)

B. COUNTY TAX COLLECTOR

1. [17-1298](#) Approval of the extension of the tax roll prior to the completion of the 2017 Value Adjustment Board hearings.

C. COUNTY ADMINISTRATOR

1. [17-1299](#) Approval and execution of Amendment to the Maintenance Agreement between the Orange Blossom Trail Development Board, Inc. and Orange County, Florida. (Office of Management and Budget)
2. [17-1300](#) Approval of budget amendments #17-66 and #18-01. (Office of

Management and Budget)**D. ADMINISTRATIVE SERVICES DEPARTMENT**

1. [17-1301](#) Approval to award Invitation for Bids Y17-783-RM, Orange County Porter Transfer Station Steel Plate Replacement, to the low responsive and responsible bidder, Cornerstone Construction Services, Inc. The estimated contract award amount is \$248,500. ([Utilities Department Solid Waste Division] Procurement Division)
2. [17-1302](#) Approval of Amendment No. 7, Contract Y13-118, Security Guards Services for the Orange County Courthouse and Miscellaneous Sites with G4S Secure Solutions USA, Inc. in the amount of \$120,000, for a revised total annual contract amount of \$14,383,432.31. ([Administrative Services Department Facilities Management Division] Procurement Division)
3. [17-1303](#) Approval of Contract Y18-128-OW, Corrections Academy Training, with Valencia College, in the contract award amount of \$109,500 for a 1-year term. ([Corrections Department Administration Division] Procurement Division)
4. [17-1304](#) Approval and execution of Encroachment Agreement between Orange County and Town of Oakland and authorization to disburse funds to pay recording fees and to record instrument for Town of Oakland Encroachment Agreement. District 1. (Real Estate Management Division)
5. [17-1305](#) Approval and execution of Easement for Access (Driveway Construction and Ingress/Egress) with Joinder and Consent to Easement for Access from SP Commercial Investors, LLC and Easements for Access (Sidewalk Construction and Ingress/Egress) with Joinder and Consent to Easements for Access from SP Commercial Investors, LLC between Orange County and Central Parc at Bridgewater Crossings, LLC and authorization to record instruments for Bridgewater Crossing Ingress/Egress Easement. District 1. (Real Estate Management Division)
6. [17-1306](#) Approval of Drainage Easement from Lennar Homes, LLC to Orange County and authorization to record instrument for Storey Grove Phase 1B-1 (Spring Hill PD)- Horizon West - Case # PSP-13-08-203. District 1. (Real Estate Management Division)
7. [17-1307](#) Approval of Conservation and Access Easement from Lennar Homes, LLC to Orange County and authorization to record instrument for Moss Park Conservation Area Impact Permit # CAI-13-09-022 (Oaks at Moss Park). District 4. (Real Estate Management Division)
8. [17-1308](#) Approval of Conservation and Access Easement from Lennar Homes, LLC to Orange County and authorization to record instrument for Springhill

PD/Springhill Phase 1B (CAI-16-12-049). District 1. (Real Estate Management Division)

E. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-1309](#) 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 17-0678	LC 17-0721	LC 17-0713	LC 17-0714	LC 17-0625
LC 17-0881	LC 17-0723	LC 17-0717	LC 17-0733	LC 17-0634
LC 17-0680	LC 17-0724	LC 17-0731	LC 17-0715	LC 17-0657
LC 17-0684	LC 17-0726	LC 17-0734	LC 17-0602	LC 17-0663
LC 17-0696	LC 17-0727	LC 17-0778	LC 17-0603	LC 17-0664
LC 17-0697	LC 17-0832	LC 17-0779	LC 17-0618	LC 17-0677
LC 17-0705	LC 17-0708	LC 17-0781	LC 17-0620	LC 17-0753
LC 17-0706	LC 17-0712	LC 17-0531	LC 17-0623	LC 17-0754

2. [17-1310](#) 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) and to approve the request for variance to Chapter 15, Article IX, Section 15-343(a) (side setback) with the condition that the applicant pay \$681 to the Orange County Conservation Trust Fund for the Cole Dock Construction Permit #BD-17-06-065. District 1. (Environmental Protection Division)
3. [17-1311](#) Acceptance of the recommendation of the Environmental Protection Commission to approve the request for Variance to Orange County Code, Chapter 15, Article IX, Section 15-341(a), for the Emerson Pointe Community Association Inc. semi-private Dock Construction Permit BD-17-03-025. District 1. (Environmental Protection Division)
4. [17-1312](#) 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 the condition that the applicant pay \$1,044 to the Conservation Trust Fund for the Anh and Long Nguyen Boat Dock Permit No. BD-17-04-041. District 5. (Environmental Protection Division)
5. [17-1313](#) Acceptance of recommendation of the Environmental Protection Commission to approve the after-the-fact request for waiver to Orange County Code, Chapter 15, Article IX, Section 15-342(b) (terminal platform size) with the condition that the applicant pay \$1,392 to the Orange County Conservation Trust Fund for the Benjamin Snively after-the-fact Dock Construction Permit BD-17-03-027. District 5. (Environmental Protection Division)

Division)

6. [17-1314](#) Approval of the renewal of Solid Waste Management Facility Permit No. SW-232027-LFCD-85/1212 for a Class III Landfill as requested by Hubbard Construction Company dba Mid-Florida Materials for the Mid-Florida Materials facility, subject to the conditions of approval. District 2. (Environmental Protection Division)
7. [17-1315](#) Approval and execution of Palm Parkway to Apopka-Vineland Connector Road Fifth Supplemental Agreement by and among Daryl M. Carter, Kerina, Inc., Kerina Village, LLC, Kerina Wildwood, LLC, Pulte Home Company, LLC, The School Board of Orange County, Florida, and Orange County, Florida to modify the appraisal requirements. District 1. (Roadway Agreement Committee)
8. [17-1316](#) Approval and execution of Hold Harmless and Indemnification Agreement Parcel ID: 09-24-28-5844-00-398 by and between Shane M. Myers and Yessenia C. Myers and Orange County to construct a detached accessory structure, pool and pool deck addition at 10330 Pocket Lane, Orlando, Florida. District 1. (Zoning Division)

F. FAMILY SERVICES DEPARTMENT

1. [17-1317](#) Approval and execution of License Agreement between Orange County, Florida And Pine Hills Community Council, Inc. Regarding the use of Orange County's Community Centers. District 6. (Community Action Division)
2. [17-1318](#) Approval and execution of First Amendment to Facility and Land Use Agreement Between The School Board of Orange County, Florida and Orange County, Florida regarding Head Start Program 2017-2018. Head Start grant funds will be used to pay \$188,666.09 per year, which includes \$84,948 for rent, \$33,587.56 for utilities, \$51,960.53 for maintenance and janitorial services, \$18,150 for administrative support services, and \$20 for land space. There is no cost to the County. The lease will terminate on July 31, 2018. (Head Start Division)
3. [17-1319](#) Receipt and filing of Head Start Policy Council Program Information and Updates August 2017 and Head Start Policy Council Meeting Minutes (corrected) July 20, 2017 for the official county record. (Head Start Division)

G. HEALTH SERVICES DEPARTMENT

1. [17-1320](#) Approval and execution of Y17-327 Orange County, Florida and Osceola County, Florida Medical Examiner Services Agreement and authorization for the Mayor or designee to sign future renewals of the agreement for five additional one-year periods upon the mutual written agreement of the parties. Osceola County agrees to pay Orange County \$945,388 for the

period of October 1, 2017 through September 30, 2018, (Medical Examiner's Office)

H. PUBLIC WORKS DEPARTMENT

1. [17-1321](#) Approval of Traffic Control Devices and "No Parking" sign installations in Sawgrass Plantation Phase 1D-3. District 4. (Traffic Engineering Division)
2. [17-1322](#) Approval of Traffic Control Devices and "No Parking" sign installations in Summerlake PD Phase 3A. District 1. (Traffic Engineering Division)
3. [17-1323](#) Approval of Traffic Control Devices and "No Parking" sign installations in Summerlake PD Phase 4A. District 1. (Traffic Engineering Division)
4. [17-1324](#) Authorization to record the plat of East-Tract 8B. District 4. (Development Engineering Division)

I. UTILITIES DEPARTMENT

1. [17-1325](#) Approval of Florida Department of Environmental Protection v. Orange County Utilities Water Reclamation Division, OGC File No.: 17-0973 OCUD South WRF, FLA107972 Consent Order and authorization for the County Administrator to execute the Consent Order; approval of Lake Sherwood OCU RIB Restoration In-Kind Old Winter Garden Road Aquifer Recharge Site Rapid Infiltration Basin (RIB) Orlando, Florida; and authorization to pay costs and expenses in the amount of \$500. District 6. (Water Reclamation Division)

II. INFORMATIONAL ITEMS**

A. COUNTY COMPTROLLER

1. [17-1332](#) Receipt of the following items to file for the record: (Clerk's Office)
 - a. City of Winter Garden Notice of Annexation Ordinances, Attachment A (Legal Descriptions) and Attachment B (Location Maps) as follows:
 - Ordinance 17-26, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.24 ± acres located at 612 S. Park Avenue on the west side of S. Park Avenue, South of W. Story Road and east of Burch Avenue into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.
 - Ordinance 17-29, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.23 ± acres located at 618 S. Park Avenue on the west side of Park Avenue, south of W. Story Road and east of Burch Avenue into

the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.

-Ordinance 17-36, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 0.32 ± acres located at 30 East Palmetto Street on the south side of East Palmetto Street, east of Vineland Road and west of South Dillard Street into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.

-Ordinance 17-39, An Ordinance of the City of Winter Garden, Florida providing for the annexation of certain additional lands generally described as approximately 6.279 ± acres located at 12405 Stagg Road (Parcel ID # 12-22-27-6496-25-010) on the north side of the Florida Turnpike at the eastern terminus of Stagg Road into the City of Winter Garden Florida; redefining the city boundaries to give the city jurisdiction over said property; providing for severability; providing for an effective date.

b. Florida Public Service Commission Commission Conference Agenda Addendum. Conference Date and Time: Thursday, September 7, 2017, 9:30 a.m. Location: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148.

c. City of Orlando Voluntary Annexation Request - 4900 Hoffner Ave. - ANX2017-00001. Notice of Proposed Enactment. Proposed Ordinance 2017-52, 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 south of Hoffner Avenue, east of Conway Road and west of Kempston Drive and comprised of 0.713 acres of land, more or less, amending the City's adopted Growth Management Plan to designate the property as Office Low Intensity on the City's Official Future Land Use Maps; designating the property as the O-1 Low Intensity Office-Residential District along with the aircraft noise and Conway Road special plan overlay districts, 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.

This item was received and filed.

III. DISCUSSION AGENDA

A. COUNTY ADMINISTRATOR

1. [17-1326](#) Approval of 2018 Legislative Priorities. All Districts. (Legislative Affairs)

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the overall agenda for the 2018 Legislative Session. The motion carried by the following vote:

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

Absent: 1 - Mayor Jacobs

B. ADMINISTRATIVE SERVICES DEPARTMENT

1. [17-1327](#) Selection of one firm and one ranked alternate to provide Regional History Center Marketing Services, Request for Proposals Y17-1010-KB, from the following two firms, listed alphabetically:

-TK Orlando, LLC
-Wagner

([Family Services Department Regional History Center] Procurement Division)

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, to appoint TK Orlando, LLC, 415 points, as the selected firm; and further, appoint Wagner, 336 points, as the alternate. The motion carried by the following vote:

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

Absent: 1 - Mayor Jacobs

IV. WORK SESSION AGENDA

A. COMMUNITY, ENVIRONMENTAL AND DEVELOPMENT SERVICES DEPARTMENT

1. [17-1329](#) Impact Fee Studies for Parks, Fire Rescue and Law Enforcement Services. All Districts.

The following person addressed the Board: Nilgun Kamp.

The Board took no action.

2. [17-1330](#) Rural Residential Enclaves Small Area Study. All Districts. (Planning Division)

The Board took no action.

Presentation

Employee Service Awards to:

Crystal Dawn Abrams (20), Fiscal & Operational Support, Community, Environmental and Development Services; Yolanda Lynn Dunn (25), Security Operations, Rosa M. Walker (25), Fiscal & Operational Support, Corrections; Shantra L. Milton (20), Head Start, Family Services; Yvonne Deloris Pinnock (20), Office of Management and Budget, Office of Accountability; Patricia Jane Spear (30), Customer Service, Utilities

V. RECOMMENDATIONS

1. [17-1331](#) September 7, 2017 Board of Zoning Adjustment Recommendations

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

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

Absent: 1 - Mayor Jacobs

VI. PUBLIC HEARINGS

1. [17-1183](#) Shoreline Alteration/Dredge and Fill

Ronald James Bonner, Lake Jennie Jewel, permit; District 3

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit to reconstruct an existing seawall with rip rap, 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 4612 Oak Cove Lane; Orange County, Florida (legal property description on file in Environmental Protection Division)

A motion was made by Commissioner Clarke, seconded by Commissioner Thompson, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-17-03-003) subject to the conditions of approval listed in the Staff Report. The motion carried by the following vote:

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

Absent: 1 - Mayor Jacobs

2. [17-1184](#) Shoreline Alteration/Dredge and Fill

Harrod Robert Wayne Trustee, Little Econlockhatchee River, permit, SADF # 15-10-013; District 5

Consideration: Request for a Shoreline Alteration/Dredge and Fill Permit SADF-15-10-013 to install riprap, pursuant to Orange County Code, Chapter 15, Article VI, Section 15-218(d)

Location: District 5; on property located adjacent to Little Econlockhatchee River, located at 4202 Rouse Road, Orlando, FL 32817; Section 04, Township 22 South, Range 31 East; Orange County, Florida (legal property description on file in Environmental Protection Division)

County staff noted a formatting error with Conditions of Approval #7 and #8 and stated that those conditions would be combined into Condition of Approval #7. All remaining conditions shall be renumbered sequentially from #8 to #26.

The following persons addressed the Board:

- Steve Butler
- Christine Dalton
- Kevin Gidusko
- John Herbert
- Wayne Harrod
- Charlie Skelton
- Mike Dugre
- Ronald Fore
- Ron Goddard
- Frank Arnall
- Susan Arnall
- Tom Prince

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

- Exhibit 1, from Steve Butler
- Exhibit 2, from Christine Dalton
- Exhibit 3, from Kevin Gidusko
- Exhibit 4, from John Herbert
- Exhibit 5, from Mike Dugre
- Exhibit 6, from Frank Arnall

A motion was made by Commissioner Bonilla, seconded by Commissioner Thompson, to continue the public hearing to allow for a study on the area. The motion failed by the following vote:

Aye: 1 - Commissioner Bonilla

Nay: 5 - Commissioner VanderLey, Commissioner Nelson, Commissioner Clarke, Commissioner Thompson, and Commissioner Siplin

Absent: 1 - Mayor Jacobs

A motion was made by Commissioner Nelson, seconded by Commissioner VanderLey, to approve the Shoreline Alteration/Dredge and Fill Permit (SADF-15-10-013) subject to the 26 conditions of approval listed in the Staff Report. The motion carried by the following vote:

Aye: 5 - Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, and Commissioner Siplin

Nay: 1 - Commissioner Bonilla

Absent: 1 - Mayor Jacobs

3. [17-1181](#) Rezoning

Stephen Allen, Civil Corp Engineering, Inc., Nona Center Land Use Plan (LUP), Case # LUP-16-06-229; District 4

Consideration: A request to rezone a portion of one (1) parcel containing 1.52 gross acres from R-CE (Rural Country Estates District) to PD (Planned Development District), in order to allow up to 27,300 square feet of P-O (Professional Office) and C-1 (Retail Commercial) uses. The request also includes the following waivers from Orange County Code:

1. A waiver from Section 38-1254(1) to allow for a PD Perimeter setback on the north property line of 5 feet, in lieu of the required PD Perimeter setback of 25 feet; and
2. A waiver from Section 38-1476(a) to allow for a minimum of 82 parking spaces, in lieu of the 136 spaces required (1 space per 200 square feet); pursuant to Orange County Code, Chapter 30

Location: District 4; property generally located east of Narcoossee Road, approximately 430 feet south of Kirby Smith Road; Orange County, Florida (legal property description on file)

The following person addressed the Board: Steve Allen.

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, 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 - Commissioner Nelson, Commissioner Thompson, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 2 - Mayor Jacobs, and Commissioner Clarke

4. [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, 2017, July 11, 2017, July 18, 2017, August 22, 2017 and September 19, 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)

New Condition of Approval # 13:

13. The applicant shall provide at their expense, including dedication of appropriate right of way, adequate access for the South Creek Middle School, which may include a right turn lane on Wetherbee Road at the school's eastern school access and/or an additional north bound turn lane dedicated for school purposes along the east boundary of the school site. Final determination of the access configuration shall be determined at the County's discretion prior to the approval of the first Preliminary Subdivision Plan or Development Plan for any property within the LUP east of the middle school site.

County staff noted with new Condition of Approval #13, the remaining condition shall be renumbered sequentially from #13 to #14.

The following person addressed the Board: Jim McNeil.

A motion was made by Commissioner Thompson, 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; and further, approve new condition of approval #13. The motion carried by the following vote:

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

Absent: 1 - Mayor Jacobs

5. [17-1185](#) Substantial Change

Eric Warren, Poulos & Bennett, LLC, Village F Master Planned Development / Land Use Plan (PD / LUP), Case # CDR-17-03-070, amend plan; District 1

Consideration: A PD substantial change request to increase the residential unit count in PD Parcel S-19 (Village Home District) from 118 to 140 and PD Parcel S-20 (Garden Home District) from 59 to 72, or an overall PD residential increase of 35 units; pursuant to Orange County Code, Chapter 30, Article III, Section 30-89 and Orange County Code, Chapter 38, Article VIII, Section 38-1207.

Location: District 1, property generally located southeast of Seidel Road and west of State Road 429 (Western Beltway); Orange County, Florida (legal property description on file)

The following person addressed the Board: Eric Warren.

A motion was made by Commissioner VanderLey, seconded by Commissioner Nelson, 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: 5 - Commissioner Nelson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 2 - Mayor Jacobs, and Commissioner Thompson

6. [17-1139](#) Substantial Change

Marc Stehli, Poulos & Bennett, LLC, New Independence Planned Development - Unified Neighborhood Plan (PD / UNP), Case # CDR-17-05-144, amend plan; District 1

Consideration: A PD substantial change to request the following four (4) waivers from Orange County Code: 1. A waiver from Section 38-1390.33(c) to allow a maximum block length along the primary block face of 715-feet for streets G, I, and J, and 800 feet for street K, in lieu of the maximum block length of 600 feet. 2. A waiver from Section 31.5-73(c) to allow a ground sign at two (2) locations along New Independence Parkway, in lieu of the requirement that the primary sign shall be located only at the main entrance. 3. A waiver from Section 34-152(c) to allow lots 57-64, 95-101, and 122-128, to front a mew, park, open space, etc, in lieu of the required 20-foot access to a dedicated public paved streets. Legal access to these lots will be through an ingress/egress easements. 4. A waiver from Section 34-209 to allow a 4-foot 6-inch high split rail wood fence along park tract P-3 where facing New Independence Parkway, in lieu of the required 6-foot masonry wall to separate residential subdivisions from all adjacent roadways; 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 North of New Independence Parkway and west of S.R. 429; Orange County, Florida (legal property description on file)

The following person addressed the Board: Marc Stehli.

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

Absent: 1 - Mayor Jacobs

7. [17-1138](#) Preliminary Subdivision Plan

Marc Stehli, Poulos & Bennett, LLC, New Independence Planned Development - Unified Neighborhood Plan (PD - UNP) / New Independence Preliminary Subdivision Plan (PSP), Case # PSP-17-02-058; District 1

Consideration: New Independence Planned Development - Unified Neighborhood Plan (PD - UNP) / New Independence Preliminary Subdivision Plan (PSP), Case # PSP-17-02-058, submitted in accordance with Sections 34-69 and 30-89, Orange County Code; This request is to

subdivide 61.45 acres in order to construct 285 single-family attached and detached residential dwelling units.

Location: District 1, property generally located North of New Independence Parkway / West of S.R. 429; Orange County, Florida (legal property description on file in Planning Division)

The following person addressed the Board: Marc Stehli.

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 - Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin

Absent: 1 - Mayor Jacobs

III. DISCUSSION AGENDA (Deferred)

C. COUNTY MAYOR

1. [17-1328](#) Open Discussion on issues of interest to the Board.

Commissioner Bonilla wished to discuss assistance for Puerto Rican citizens impacted by Hurricane Maria.


The Board took no action.

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

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

ADJOURNMENT: 4:31 p.m.

ATTEST:



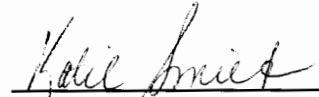
County Mayor Teresa Jacobs

Date: 10-31-17



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.