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PARTIAL TRANSCRIPT OF PROCEEDINGS
ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT: SIC MANUAL, ADOPTION OF;
“TALKING AND NON-TALKING POULTRY”

DATE: June 6, 1995

LOCATION: Orlando, Florida

BOARD MEMBERS PRESENT:

- Linda Chapin, County Chairman
- Bob Freeman
- Tom Staley
- Mary Johnson
- Clarence Hoenstine
- Bill Donegan
- Mable Butler

ALSO PRESENT:

- Bruce McClendon
- John Smogor

1 **Commissioner Linda Chapin:** Alright. We now take up the draft
2 ordinance, land development code, etcetera, etcetera. And this is for
3 information only. And I will call upon Mr. McClendon.

4 **Bruce McClendon:** Thank you very much, Madam Chairman. Often times
5 in the past two and half years you've heard me right over there make the
6 comparison to what we were working on. And basically I would say
7 planning is planning, and regulating is regulating, and we're dealing with
8 planning today. I think dealt with me enough over the years to understand
9 that I really appreciate and get much greater satisfaction living in the
10 planning atmosphere as opposed to the regulation. Today there's no
11 dodging it. This is regulation. This is big time regulation. Two and half
12 years ago, almost three years ago, when I looked at this project I did so
13 with great fear. I have been involved in updating zoning regulations in
14 half a dozen different communities across this country, and in this
15 particular part that we are dealing with today, updating and revising the
16 list of permitted uses, in the commercial and industrial areas, and then
17 revisiting the various standards, that is incredibly controversial. I have
18 never had a positive experience from that. It's always been incredibly
19 divisive, very damaging to the ... to whatever atmosphere of trust existed
20 in communities, and was something that definitely concerned me as we

1 approached this project. We've taken a great deal of time, much longer to
2 do this than was anticipated. I would guess we thought we were going to
3 have this done probably two years ago. So, what's happened? Why has it
4 taken us ... What have we gotten for the additional year and a half or two
5 years? I think we got a good news project here for you today. I think in
6 keeping with the philosophy of the Chairman and the Board, the
7 philosophy that I heard when I was brought here that we wanted to
8 emphasize outreach, community building, partnerships, trust, building
9 trusting relations, relationships, and also we wanted to put much stronger
10 emphasis on economic development, and looking at our rules and
11 regulations not only to protect the public interests but also to encourage
12 economic growth and prosperity, so that part of the quality of life
13 component is employment and jobs. So, we've approached this differently
14 than other communities. I'd like to think those native experiences I've
15 encountered over the years had a positive, had a lesson to me, and I
16 learned a little bit over the years. So we didn't make a lot of the mistakes I
17 personally made in years past. Secondly, we have a very innovative staff,
18 a staff that is willing get out of the box, look at doing things differently.
19 They were very comfortable with what we had and how we were doing it.,
20 And to find a staff that was willing to upset the apple cart, stretch

1 themselves, and push their own levels of standing and comfort was very
2 positive for me. And lastly, the last factor that makes this work is the
3 strong outreach and the energy and enthusiasm and dedication and
4 involvement that we received from a huge, huge number of people in the
5 community. You'll in just a minute from John Smogor who some of those
6 people are. This is as big of an outreach program in terms of community
7 involvement on a subject that is very complex and very difficult to
8 understand, and we were able to pull that off again because of the
9 outreach on our part and the staff's part. Secondly, because the
10 community was willing to trust us. The neighborhoods, the citizens, the
11 development community, and all of its various components was willing to
12 give us a chance to explain some things and offer something and suggest
13 somethings. Somethings that on the surface are very difficult to
14 understand., very complex, and your initial reaction would be that hey this
15 doesn't appear to be an improvement, this appears to be much more
16 complex and difficult to understand and more onerous. The reality of it is
17 that it is a lot easier to understand. There is less there. There are fewer
18 districts. And the rational and the logic, and the basis for the rules and
19 regulations is much clearer now and clearly expressed. And let me
20 emphasize again that I haven't gone around patting ourselves on the back

1 telling you in the past that we're doing big things. But I want to assure
2 you this is a big thing. This is precedent setting. This is state of the art.
3 There are a handful of communities in this country that are doing what we
4 are going to introduce to you today. And they're not doing it near as well
5 as we are. And we should be very proud of all the citizens that have been
6 involved to help us get to this point. We're going to walk you through
7 some of the changes we made today to give you his overview. There's an
8 awful lot of material for you to try to digest in a very short period of time.
9 You have some hand outs that we've given you as well. Unfortunately, the
10 public hearings on this are coming up very quickly. Next Tuesday evening
11 we'll have our first public hearing. Three weeks from today we'll have
12 our second public hearing. We will make an effort to ask some of the
13 people in the community to come forward at those hearings, not to take
14 too much of your time, but we do believe a testimony from the various
15 sectors and segments of the community will be positive and will
16 encourage you to take this step with us and to trust that what we've done
17 here is something very positive and beneficial, and will achieve those
18 various objectives that we've talked about. With that kind of glowing
19 introduction here I do want to introduce John Smogor and let him talk to
20 you about what we've done. Also I'd ask John to recognize the staff here.

1 I think he's going to do that anyway. The other two individuals that have
2 been so heavily involved at the technical level, and the huge amount of
3 work that was accomplished over these two years. With that I'll ask John
4 to come up.

5 **John Smogor:** Good morning. The first thing I want to explain to you is the
6 hand out that we've put in front of you this morning, the cover memo
7 from Bruce explaining that based on some of the action of the Planning
8 and Zoning Commission we had to make some revisions to the ordinances
9 and the charts and to make some corrections that the legal department
10 caught that we had to provide you with a revised ordinance and that's the
11 thick heavy one, and then a revised appendix A. The ones that you have in
12 your packages as far as your agenda packages these will replace those. So,
13 you don't have to worry about which ones to use. Another thing that you
14 have in your package is a list of names and organizations and who they
15 represent. What we did was, we formed a technical review committee
16 made up of a lot of people who are on this list and we went over over a
17 year going through the code and trying to work out all the little difficulties
18 and the changes that we were making. In addition to that, we sat down and
19 said who in the community would be most impacted or who would have
20 an interest in the changes that we were making and so we added those
21 names to this list so that we could make sure that above and beyond the
22 normal public hearing notification that we had a lot of groups represented
23 like the Florida Chamber of Commerce, the Home Builders Association,
24 the Trail Business Association, Orange Blossom Trail Development
25 Board, Gotha Chamber of Commerce, a lot of the engineering firms and

1 planning firms that do business in Orange County. We had the
2 Construction Industry Council. The Orlando Area Board of Realtors were
3 part of this. So, we felt that we included a lot of the people that were
4 involved with it. And we think we've come up with a pretty good
5 document. When Bruce first introduced this concept to staff our
6 expressions on our face probably gave away what we were thinking.
7 When he suggested that we tie our zoning code to the Standard Industrial
8 Classification Manual – that's this document which we will provide to
9 your office later this week, we have copies that we will be giving you –
10 we thought that what he was asking us was a near impossible feat. And we
11 didn't even think it would work. But I can tell you, standing in front of
12 you, you're looking at a convert who can tell you that this is truly a
13 remarkable way to go. It's going to make life for the people who have to
14 deal with zoning much easier. With that I would like to recognize the team
15 that worked on this. Besides myself the two people that had really had a
16 great deal of involvement were Mitch Gordon, the current interim zoning
17 manager, and Rocco Relvini. They had a tremendous amount of work.
18 What this document does is two major things. One, it cleans up our
19 current zoning code. And briefly, what that does is ... the major change is
20 it enhanced the professional office district for some of the uses. If you
21 look at some of the areas where you have professional office, they're not
22 being utilized very well. Pine Hills road is a good example. If you look up
23 and down Pine Hills road between 50 and Silver Star road, it's mostly
24 strip professional office. But a lot of the properties are still vacant and
25 under-utilized. And we asked ourselves could we allow additional uses
26 with the professional office district that would not have a negative impact
27 on the adjacent residential. So, we went in and enhanced the special

1 exception portion of the PO district to allow additional uses such as
2 veterinarian hospital, or veterinarian clinic with no outdoor runs,
3 restaurants with no drive-thru facilities – to give them a more economic
4 use. The second major change is, we looked at our industrial and
5 commercial zoning districts and we said we will have commercial zoning
6 districts and we will industrial zoning districts – we won't have an in
7 between district like our C-3 is. So, we took the industrial districts out of
8 our C-3 zoning and put'em in our industrial zoning districts and made our
9 commercial districts truly commercial. The second part of that was, we
10 looked at our industrial districts, and we have seven industrial districts on
11 our books currently. And some of those ... the only difference in the
12 industrial districts actually is the title of the district, and some of them are
13 just identical. So, we consolidated our industrial districts from seven down
14 to four industrial districts to make it easier to understand. Then the major
15 hurdle that we had to overcome was what happens to those people out
16 there that are impacted by the change in the uses within the district. For
17 example, if you have an existing piece of C-3 property and have one of
18 those industrial uses on the property that that is no longer a permitted use,
19 what happens to those people, how do those people stay in business. And
20 we came up with a unique resolution to that problem. Instead of making
21 those non-conforming uses, we created vested uses. A vested use says that
22 if you were a permitted use under the old code and now become a
23 prohibited use under the new code, you can continue to operate as if you
24 were a permitted use, you can expand, if you want to expand, as long as
25 you meet the current set-back and performance standard, and if you want
26 to add on to other prohibited uses. So, you can operate as if nothing had
27 happened to you and we are not going to negatively impact your business

1 and how you operate it. We went one step further, we said if you had a
2 vacant piece of property, or a vacant building, that is zoned C-3, for
3 example, we're going to give you a window of opportunity. Six months,
4 or a hundred and eighty days from the effective date of this ordinance, we
5 will allow you to establish one of those uses either by way of an
6 occupational license or by a valid building permit. That too will vest you.
7 So we felt like we've taken care of any situation that could cause
8 economic hardship due to the changes in this ordinance. The big change,
9 and the one that's going to be hard for some people to accept is, we now
10 adopt as part of this code the SIC Manual and we will eliminate the
11 listings of permitted uses, special exceptions, and prohibited uses within
12 the specific zoning districts. If this ordinance is adopted, when you look
13 under a certain zoning district and you look for the permitted use table,
14 what it will say instead of giving you a long list of permitted uses, it will
15 direct you to this table, to this chart. And if you look at the chart that you
16 have, on the one side they have the list of the uses, across the top they
17 have the list of all the zoning districts. And each one of the cells will have
18 one of three things: a P for permitted use; S for special exception; or blank
19 meaning it is not permitted as either a permitted use or special exception.
20 And if you want to know where one use can go in any of our zoning
21 districts, you have it on one line, you don't have to go searching through
22 your zoning book to find out is this permitted in a C-1, permitted in a C-2,
23 or C-3. You look at one line and say yes I can do it in C-1 and C-2, special
24 exception in PO. And you'll notice that if you look in some of the little
25 cells there's numbers over the P or S within that cell. Those are conditions
26 that will apply to it. And at the end of this chart you have a listing of
27 conditions. And that number simply directs you to the matching number in

1 the back part of you chart. And that will tell you if there's any special
2 conditions in bufferings, height restrictions, whether outdoor storage is
3 permitted or not. So, in one quick easy move you can find out where
4 something can go and whether or not there are any special conditions that
5 have to apply to that. And that basically is the nutshell of what this
6 ordinance is hoping to accomplish.

7 **Commissioner Linda Chapin:** John, on the codes in this it says the large P
8 is permitted by current code, the small P is permitted by the proposed
9 code. Both will remain in effect if this is adopted?

10 **John Smogor:** Yes. That was a graphic way to show the change that will
11 occur within each zoning district.

12 **Commissioner Linda Chapin:** But the large P's stay.

13 **John Smogor:** Yes. The large P's stay the same with the large S's. If this
14 document is adopted, when we get the codified version, there won't be a
15 small or large P, there will just be an uppercase P.

16 **Commissioner Linda Chapin:** OK. You ready for questions? Mr. Freeman.

17 **Commissioner Bob Freeman:** I'd just like to say I see a lot of real positive
18 things here. One being of course it just came up later this afternoon being
19 the University Blvd. It was said many times during that meeting that you
20 know that there was a veterinary clinic for example that wanted to go on
21 that piece of property. And my understanding is that you have to have
22 either agricultural or commercial C-2 to be able to get a special exception
23 or whatever for the veterinary clinic or whatever. Under this guideline it
24 would possibly allow through special exception for an office. Does that
25 sound right? Is that what I'm hearing from you.

26 **John Smogor:** That's correct.

1 **Commissioner Bill Donegan:** However, Mr. Smogor, we could have done a
2 planned development veterinarian clinic, couldn't we?

3 **John Smogor:** Yes, sir.

4 **Commissioner Bill Donegan:** Thank you.

5 **Commissioner Bob Freeman:** With professional office zone you can do
6 that.

7 **Commissioner Bill Donegan:** Yes.

8 **John Smogor:** You can do a PD identified as the PO uses and the veterinary
9 clinic would then be permitted.

10 **Commissioner Bob Freeman:** I didn't realize you could do that.

11 **Commissioner Bill Donegan:** That's been a constant theme all the way
12 through this. We could do that if they went to a PD. I have some questions
13 Madam Chairman.

14 **Commissioner Linda Chapin:** Yes, Mr. Donegan. I am just fascinated by
15 all these categories. Here's one for authors, composers, geologists,
16 actuaries, and planners!

17 **John Smogor:** Let me point out one thing. If you look at our current code, if
18 you look at all the permitted uses, special exceptions, and prohibited uses,
19 you come up with a total of about a hundred and fifty uses. By tying us to
20 the SIC code we go from a hundred and fifty use to twenty thousand uses,
21 to where you have a technician trying to determine where a use is listed
22 because if you look under the current code if the use isn't listed in the
23 specific zoning district then you have the technician trying to determine
24 where that ... which district it goes into. Well, if they're not willing ...
25 and your know, and they're not paid to make a lot of those you know to
26 make a lot of those cutting edge decisions, so it goes to the back office to
27 the higher ups, and if they can't make a determination, it's brought to the

1 planning and zoning commission. So, you have a simple question of what
2 district can I go into now is solved by this one document.

3 **Commissioner Linda Chapin:** This is very impressive. Ah ... Yes, Bill?

4 **Commissioner Bill Donegan:** This goes throughout the residential zoning,
5 page 45, line 2167. We used to say schools, public and private with a
6 common conventional curriculum. Uhm. Not to add more bureaucracy to
7 this thing, but if we just say schools, public or private, who's going to
8 determine what the definition of school is going to be? Can it be an
9 eighteen wheeler driver school? Can it be an animal training school? Or
10 does it really matter? Will we determine the definition?

11 **John Smogor:** Which page were you on again, Commissioner?

12 **Commissioner Bill Donegan:** Page 45, line 2167. But it follows this ...

13 **John Smogor:** Commissioner, Commissioner, that's why we tie it to this
14 document here, because this document, if you look under the schools it
15 breaks out the distinction between a technical trade school as opposed to
16 an elementary school.

17 **Commissioner Bill Donegan:** OK, then. Maybe I ... my other question ...
18 It has stadiums in conjunction with school facilities, provided the setting
19 capacity does not exceed the student enrollment plus ten percent.

20 University High enrollment over there is three thousand. Their stadium is
21 forty-eight hundred. Dr. Phillips High School is six thousand.

22 **Commissioner Linda Chapin:** How does Bill know all this stuff ... How
23 do you know all these figures, Bill?

24 **Commissioner Bill Donegan:** Well, I do a little homework ahead of time,
25 Madam Chairman, you know, that's what you do.

26 **Commissioner Linda Chapin:** It always surprises me how you come up
27 with all these figures.

1 **Commissioner Bill Donegan:** If University High School's enrollment is
2 three thousand, you're going to allow them to build a stadium that has
3 three thousand three hundred. That means if every parent decided to
4 come, and the parent of the other team, you wouldn't have a stadium. I
5 mean they couldn't fit in the stadium. Now how are you going to rectify
6 it? These stadiums are built for twice the capacity of the school
7 enrollment.

8 **John Smogor:** That's the existing code. We weren't making any change.
9 But we can go back and look at that and revise that prior to the public
10 hearing.

11 **Commissioner Bill Donegan:** OK.

12 **Commissioner Linda Chapin:** Commissioner Staley. Oh. Excuse me.

13 **Commissioner Bill Donegan:** I wasn't finished.

14 **Commissioner Linda Chapin:** I'm sorry.

15 **Commissioner Bill Donegan:** We talked about page 61, line 2983 – poultry
16 when limited to no more than twelve birds. We're back into this what is
17 birds and what is poultry. I keep asking for a definition of ducks, geese,
18 chickens, or turkeys, or go with the word fowl, because I don't want
19 twelve parrots being – which I've had before, in somebody's back yard, or
20 Emus, or ostriches. So, I've asked John ... Did you define that?

21 **John Smogor:** Yes. That is in the process. That will be brought to you in the
22 public hearing.

23 **Commissioner Bill Donegan:** You all laugh at this. But we're out there
24 with the parrots.

25 **Commissioner Linda Chapin:** I remember the parrots. I was here for the
26 parrots.

1 **Commissioner Bill Donegan:** And the guy said that they were nothing but
2 poultry and, you know, what was I going to tell him. Otherwise, this is a
3 great book. This is really neat. I really like this. That's all.

4 **Commissioner Linda Chapin:** Who was next.

5 **Commissioner Mable Butler:** I been down here since the gentleman
6 stopped talking.

7 **Commissioner Linda Chapin:** Alright.

8 **Commissioner Mable Butler:** I wish you'd start activating these buzzer or
9 whatever that we have. I am real glad we did that small area study in Pine
10 Hills, you know, between Silver Star and Colonial. You now see the
11 problem ... (inaudible) ... What I really need is for you and John to come
12 to my office and really sit down and ... (inaudible) ... what all of this
13 means. OK. In the corridor, of the Orange Blossom Development Board's
14 corridor, ah ... let's just take the Orange Blossom Trail. If you leave let's
15 say ... I am trying to identify a street where one portion is resident, the
16 other portion is commercial. All along here in that small area is a lot of
17 that. Does this help? Does this change some of that?

18 **John Smogor:** No. What ... The Comprehensive Plan would still be the
19 guiding factor on this in determining what zoning can be approved on
20 what parcel. This would come after the zoning is approved for the parcel.

21 **Commissioner Mable Butler:** Have you ever looked at the map over in that
22 area? You may see a resident in a small portion ... surrounded by
23 commercial.

24 **John Smogor:** And we've been trying to correct those irregularities as we
25 have gone by. I can think of one ...

26 **Commissioner Mable Butler:** I'm trying to find out – will this help this?

1 **John Smogor:** This will not help that single family residential if it is
2 designated residential by the future land use map of the comprehensive
3 plan.

4 **Commissioner Mable Butler:** But it's the only thing in the block.

5 **John Smogor:** What we need to correct then is the comprehensive plan.
6 This won't correct that.

7 **Commissioner Mable Butler:** That's why I need you to come to my office.

8 **Bruce McClendon:** This does expand though on the list of permitted uses,
9 and allows ... and builds on the concept of special exceptions. So, that it
10 is possible now to without actually changing zoning on a site specific
11 individual basis subject to the review by the board of adjustment, zoning
12 board of adjustment, and the county commissioners, you have more
13 flexibility to accommodate special situations than you had before. It may
14 well be that we need to use the same kind of approach in the Comp Plan,
15 in the Land Use Plan element itself to try to inject a little more flexibility
16 into the map interpretation so that you don't have to go through an entire
17 map amendment when you're only dealing with a small tract, or small
18 parcel, that is ...

19 **Commissioner Mable Butler:** The only parcel.

20 **Bruce McClendon:** The only parcel that's different. Yes. I think this helps
21 us. I really do. And I will find out if we can't apply the same approach to
22 the land use plan.

23 **Commissioner Mable Butler:** Can we meet?

24 **Bruce McClendon:** Yes, we will meet with you.

25 **Commissioner Linda Chapin:** Mr. Staley.

26 **Commissioner Tom Staley:** The part I want to ask questions on is on page
27 4. It deals with A1 citrus rural district. I'm confused by that name. We

1 don't have a carrot rural district, do we? Or, or, rudabager district. But ah
2 ... on the permitted uses ... if you go over to the next page, page five ...
3 and we're talking what uses that is prohibited ... in the rural area we have
4 a lot of urban development in rural areas that are still R1 urban uses in
5 urban like atmosphere ... and with those we have to be careful what we
6 put next to'em. And especially with item 191 which is single family
7 dwellings, homes, and mobile homes. Without special exception, this is
8 just automatically allowed, is the way I understand it. What does this do
9 with our previous rule on lot size of mobile homes?

10 **John Smogor:** It does not change that for the agricultural districts. You still
11 would need two acres in an agricultural district for a mobile home.

12 **Commissioner Tom Staley:** And that is built in. It doesn't have to say that.

13 **John Smogor:** It's in the ... performance ... In the agricultural districts it
14 doesn't address mobile homes. There's a section later on specifically
15 identified for mobile homes which addressed mobile homes in the
16 agricultural district.

17 **Commissioner Tom Staley:** I just wanted to make sure we wasn't making
18 that change.

19 **John Smogor:** No. We were not ... that is not a change.

20 **Commissioner Tom Staley:** That's what I was concerned about. But I do
21 want to call your attention to the fact that a lot of A-1 districts are urban-
22 like and we're permitting a lot of uses in there that can be permitted
23 without special exception. I want to deal with one with churches. We dealt
24 with that here on this Board few years ago ... but ah ... down on 229 ... Is
25 poultry raising limited to one hundred birds or less? In other words, a
26 person can have ninety-nine chickens right next to a urban-like
27 development in A-1 zoning.

1 **Bruce McClendon:** Yes, sir.

2 **Commissioner Tom Staley:** Without special exception. And I question
3 whether that's good. I don't know where to draw the line but like I'm
4 saying some of these it's just like municipalities as far as development is
5 concerned and to have anybody come in and put ninety-nine chickens
6 right next to a development without going through an approval process
7 could cause some problems.

8 **Commissioner Bill Donegan:** Commissioner Staley, can I ask you a
9 question?

10 **Commissioner Tom Staley:** Sure.

11 **Commissioner Bill Donegan:** I went back and read your definition again in
12 forty and fifty. You are still defining poultry and birds but not defining
13 poultry. He could have ninety-nine parrots under a couple of judges that
14 I've talked to who ... you need to say ducks, geese, chickens, or turkeys.
15 And if you have a problem with that we have to know about it. You said it
16 was in here. It's not in here.

17 **Bruce McClendon:** No. I didn't say it was in here. I said it has ... We are
18 going to make that change as part of ... when we come to the public
19 hearing.

20 **Commissioner Bill Donegan:** Oh. OK.

21 **Bruce McClendon:** We're also going to address the seating issue for you.
22 As far as the agriculture districts Commissioner, as far as the permitted
23 uses and prohibited uses, with the exception of trying to make the
24 language consistent from district to district, we didn't make any changes
25 to the uses of whether they were permitted or not permitted. We just tried
26 to clean it up without making any substantial change to what we do now.

1 **Commissioner Tom Staley:** My point is if somebody's going to have a
2 ninety-nine chicken farm or parrot farm next to a residential area, even
3 though it's zoned A-1, should have to go through some process to be
4 permitted for that.

5 **Bruce McClendon:** If that is the consensus, we can add that over to the
6 special exception category within the agricultural district.

7 **Commissioner Tom Staley:** Maybe you could write in if it's within a
8 certain number feet of certain entities, or something like that. I don't
9 know. But it's something I think we need to address.

10 **Commissioner Clarence Hoenstine:** John, as far as mobile homes and
11 recreational vehicles in all the different categories, particularly the
12 commercial and industrial, how's that changed as far as being able to
13 utilize as far as night watchman quarters. I understood ... Has that been
14 changed.

15 **Bruce McClendon:** No, sir. It's changed in the Professional Office district.
16 We didn't allow it below. And now we will allow it as a special exception.

17 **Commissioner Clarence Hoenstine:** Has it always been ... I am reading
18 here in the SIC Manual on page 41 on the back, F, under the mobile home
19 section 5. Commercial and Industrial districts. A mobile home or
20 recreational vehicle may be used as quarters, nigh watchman, for a
21 maximum period of two years. Has that always been that way?

22 **John Smogor:** Yes, sir.

23 **Commissioner Linda Chapin:** Any other questions or comments for John?
24 I think you are absolutely right Bruce – this is cutting edge stuff. We're
25 impressed. I know it's taken a long time and an enormous effort on the
26 part of your staff. So, my congratulations. I think we may need to iron out
27 a few of the bird issues. I went through the parrot wars too. Birds. People

1 are sensitive about birds. Let's look at the bird problem before the first
2 public hearing. Alright?

3 **John Smogor:** We'll look at that and the stadium issue also.

4 **Bruce McClendon:** We don't believe the stadium issue is an issue. That's
5 not in the ordinance anymore. And parrots are not poultry. And the nice
6 thing about that is, the SIC Code Manual tells us parrots are not poultry.

7 **Commissioner Linda Chapin:** Is that right?

8 **Bruce McClendon:** So, that's our first victory. Secondly, we do have an
9 appeal process now that's much simpler, where where there is a question
10 whether something is or isn't, our staff has empowered the zoning
11 administrator to make some interpretation.

12 **Commissioner Linda Chapin:** Good. What are parrots?

13 **Bruce McClendon:** What are parrots. They're not poultry.

14 **Commissioner Bill Donegan:** They're fowl.

15 **Commissioner Linda Chapin:** They're fowl? They're birds?

16 **Commissioner Bill Donegan:** They're birds.

17 **Bruce McClendon:** The things that are poultry are pheasant, pigeon, quail,
18 squash, geese, ducks and chickens. Those are poultry.

19 **Commissioner Bill Donegan:** No turkeys?

20 **Bruce McClendon:** Turkeys are poultry too. Yes. But not parrots. These
21 kind of little neat things that we discover, they're idiosyncrasies ...

22 **Commissioner Linda Chapin:** That's just the fun part. That's just the fun
23 part.

24 **Bruce McClendon:** We'll make sure that those safeguards are in there.

25 **Commissioner Linda Chapin:** John, congratulations. Thank you very much
26 for ... We'll look forward to the public hearings with great interest
27 because I think this is something that is very innovative and I hope the

1 private sector really does appreciate it. Alright, ladies and gentleman, we
2 will take up the consent agenda.

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CERTIFICATE

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I, David Foley, Appellant, do hereby certify that I am authorized to and did re-write, through computer-aided transcription, from an official video recording, the foregoing proceeding, which did take place on the date and at the location herein designated. Further, I certify that the foregoing pages, numbered 2 through 20 inclusive, constitute a true, complete and accurate transcription, to the best of my ability.

David W. Foley, Jr.
Appellant
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