



Interoffice Memorandum

DATE:

June 26, 2020

JUN26'20 PM 4:33

TO:

Katie Smith, Deputy Clerk
Board of County Commissioners

RCUD

THROUGH:

Agenda Development BCC

FROM:

Jennifer Moreau, AICP
Manager, Zoning Division

CONTACT PERSON:

Brandy Driggers
Assistant Manager, Zoning Division
(407) 836-5329 or Brandy.Driggers@ocfl.net

SUBJECT:

Request for a Public Hearing on August 11, 2020, at 2:00 p.m. to consider an Appeal of the January 2, 2020 Board of Zoning Adjustment Recommendation for Special Exception Application (SE-19-07-068) Angelo's Recycling, located at 500 W. Landstreet Rd., Orlando, FL 32824, Parcel ID #'s 02-24-29-8220-00-290, 02-24-29-7268-00-071, and 02-24-29-8220-00-070 District 4

NOTE:

Schedule this public hearing concurrently with the hearing for Solid Waste Management Facility Permit Application (SW-19-06-001) Angelo's Recycling

APPLICANT:

Angelo's Recycling

APPELLANT:

Parker's Landing, LLC

CASE INFORMATION:

Case # SE-19-07-068 – January 2, 2020

TYPE OF HEARING:

Board of Zoning Adjustment Appeal

HEARING REQUIRED BY FL STATUTE OR CODE:

Chapter 30 & Chapter 32, Orange County Code

ADVERTISING REQUIREMENTS:

Publish once in a newspaper of general circulation in Orange County at least (15) fifteen days prior to public hearing.

LEGISLATIVE FILE #

20-934

*August 11, 2020
@ 2pm*

ADVERTISING TIMEFRAMES:	At least fifteen (15) days prior to the BCC public hearing date, publish an advertisement in the legal notices section of The Orlando Sentinel describing the particular request, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held;
ADVERTISING LANGUAGE	Special Exception in the IND-2/IND-3 zoning district to allow a construction and debris recycling facility.
NOTIFICATION REQUIREMENTS:	At least 10 days before the BCC hearing date, send notices of the public hearing by U.S. mail to owners of property within one (1) mile of the property.
ESTIMATED TIME REQUIRED:	Two (2) minutes
MUNICIPALITY OR OTHER PUBLIC AGENCY TO BE NOTIFIED:	N/A
HEARING CONTROVERSIAL:	Yes
DISTRICT #:	4

The following materials will be submitted as backup for this public hearing request:

1. Names and known addresses of property owners within one (1) mile of the property (via email from Fiscal and Operational Support Division); and
2. Location map (to be mailed to property owners).

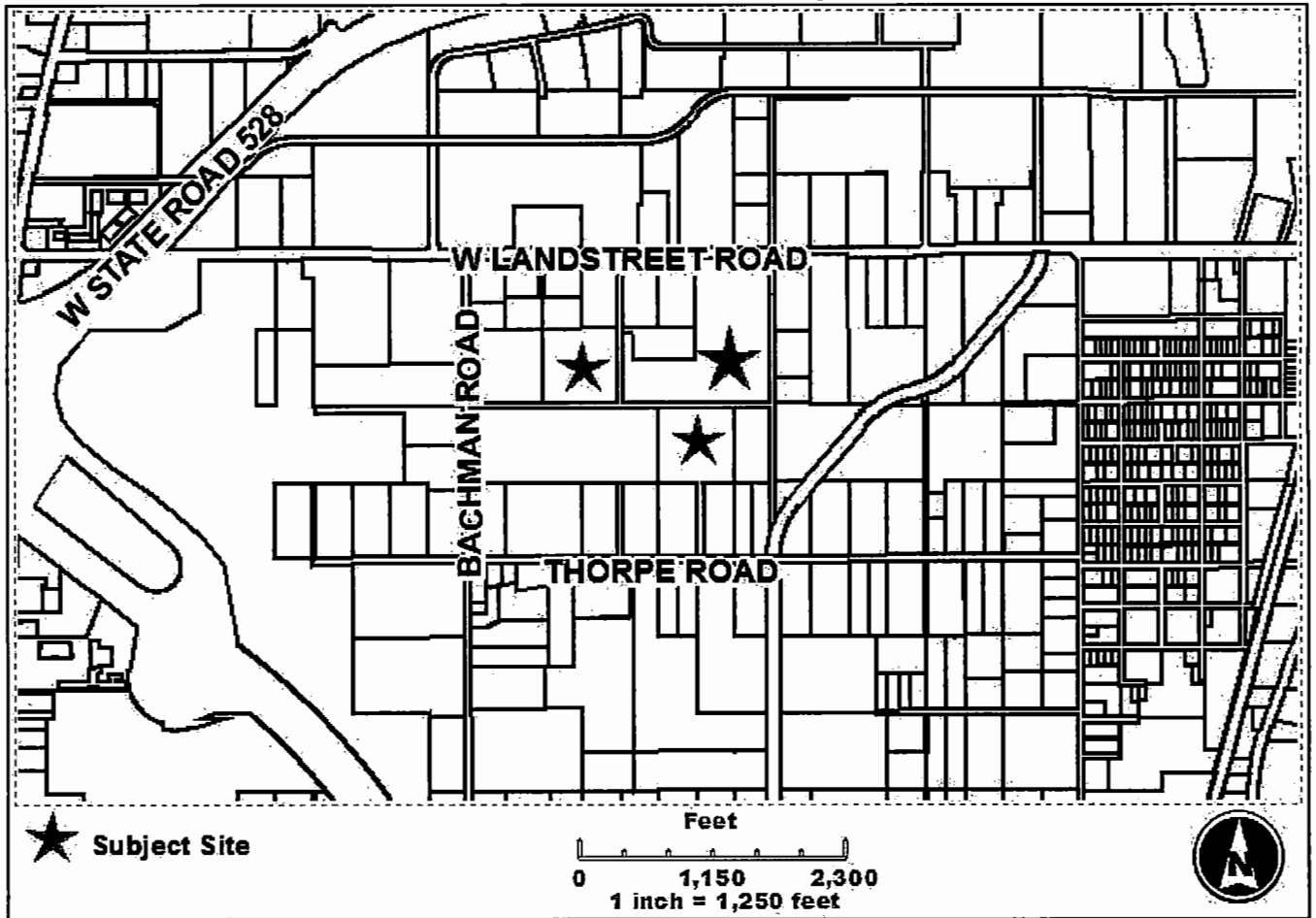
SPECIAL INSTRUCTIONS TO CLERK:

1. Notify abutters of the public hearing at least two (2) weeks prior to the hearing and copy staff.
2. Please schedule this hearing for August 11, 2020, at 2:00 p.m.

Attachment (Location map)

c: Chris Testerman, AICP, Deputy County Administrator
Jon Weiss, P.E., Director, Planning, Environmental, and Development Services Department
David Bromfield, Engineer III, Environmental Protection Division

Location Map



If you have any questions
regarding this map, please call
Brandy Driggers
at 407.836.5329



KELSEY A. WEISS
E-MAIL ADDRESS
kweiss@mateerharbert.com

DIRECT LINE
(407) 377-6162

May 13, 2020

Via Email: BZA@OCFL.net and Standard Mail Delivery

Brandy Driggers, Assistant Zoning Manager
Orange County Board of Zoning Adjustment
Orange County Administration Center
201 S Rosalind Ave # 1,
Orlando, FL 32801

Re: Appeal of BZA Recommendation for SE-19-07-068 Angelo's Recycling

Dear Ms. Driggers:

The purpose of this letter is to inform the Orange County Board of Zoning Adjustment that the Appellant, Parkers Landing, LLC, has retained the firm Mateer & Harbert, P.A. as counsel to represent its interests in the matter SE-19-07-068 (Angelo's Recycling).

This is an appeal of the BZA recommendation made on January 6, 2020. Appellant filed its Appeal Application on January 6, 2020. Due to the circumstances surrounding the COVID-19 epidemic, it is our understanding that the hearing for this appeal has not yet been scheduled and will not be scheduled until the County is fully operational and ready to accommodate an in-person hearing for this matter. Further, to confirm the timeline for submitting materials to the Board, you indicated when we spoke over the phone that there is typically a forty-five (45) day window for scheduling appeal hearings and that, if the appellant wishes to submit documentation for review by the Board prior to this hearing, such documentation must be submitted to your department at least three weeks prior to the hearing and your department will ensure that such documentation is distributed to the Board Members for their review.

By way of this letter, Appellant requests that, in addition to the typical notice practices of this Department, any notices or information concerning this matter also be provided to counsel for the Appellant at Mateer & Harbert, P.A. using the contact information provided on this letter. Attorney Jay W. Small will be serving as primary counsel for the Appellant along with myself,

Attorney Kelsey A. Weiss. If you require any additional documentation or notices of appearance from us, please do not hesitate to contact me.

Thank you for your attention to this matter.

Very truly yours,

/s/ Kelsey A. Weiss, Esq.

Kelsey A. Weiss, Esq.

KAW:atw

CC: Jay W. Small
Robert S. Harrell
Eric J. Inman

4843-0011-7948, v. 2



Board of Zoning Adjustment (BZA) Appeal Application

Appellant Information

Name: Parkers Landing LLC

Address: 9101 Parkers Landing, Orlando, FL 32824

Email: bhpinc@bellsouth.net Phone #: (407) 859-2601

BZA Case # and Applicant: SE-19-07-068 - Angelo's Recycling

Date of BZA Hearing: 2020-01-06

RECEIVED
JAN 08 2020
ORANGE COUNTY ZONING DIVISION

Reason for the Appeal (provide a brief summary or attach additional pages of necessary):

We believe this use is not appropriate for the zoning; and we believe that the traffic count did not include the new proposed usage. We don't believe that this business is suitable and compatible with the surrounding area and we also believe that this use will be a detriment and intrusion to the surrounding warehouse area. In addition this usage will create an excessive amount of dust.

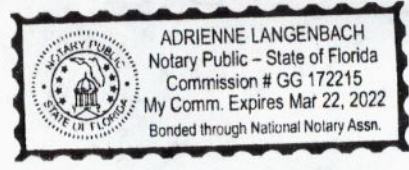
Signature of Appellant: [Handwritten Signature] Date: 2020-01-06

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 6 day of January, 2020, by Robert S Harrell who is personally known to me or who has produced as identification and who did/did not take an oath.

[Handwritten Signature]
Notary Public Signature

Notary Stamp:



NOTICE: Per Orange County Code Section 30-45, this form must be submitted within 15 days after the Board of Zoning Adjustment meeting that the application decision was made.

Fee: \$691.00 (payable to the Orange County Board of County Commissioners)

Note: Orange County will notify you of the hearing date of the appeal. If you have any questions, please contact the Zoning Division at (407) 836-3111.

See Page 2 of application for the Appeal Submittal Process.

JAN 08 2020



Board of Zoning Adjustment (BZA) Appeal Application

Appeal Submittal Process

1. Within 15 calendar days of the decision by the Board of Adjustment, the appellant shall submit the Board of Zoning Adjustment (BZA) Appeal Application to the Zoning Division in person. The application will be processed and payment of \$691.00 shall be due upon submittal. All justification for the appeal shall be submitted with the Appeal Application.
2. Zoning Division staff will request a public hearing for the subject BZA application with the Board of County Commissioners (BCC). The BCC hearing will be scheduled within forty-five (45) days after the filing of the appeal application, or as soon thereafter as the Board's calendar reasonably permits. Once the date of the appeal hearing has been set, County staff will notify the applicant and appellant.
3. The BCC Clerk's Office will provide a mailed public hearing notice of the hearing to property owners at a minimum of 500 feet from the subject property. Area Home Owner Associations (HOA) and neighborhood groups may also be notified. This notice will provide a map of the subject property, as well as a copy of the submitted appeal application.
4. Approximately one week prior to the public hearing, the memo and staff report of the request and appeal will be available for review by the applicant, appellant, and the public.
5. The decision of the BCC is final, unless further appealed to the Circuit Court. That process is detailed in Section 30-46 of the Orange County Code.