

ORLANDO TORAH CENTER, INC.
CASE # SE-24-09-086

Applicant:
Derek Bruce, Esq.
Gunster Law Firm
July 1, 2025

Conclusion

- ❑ Orlando Torah Center is and wants to continue to be a Good Neighbor yet needs approval of this Special Exception and Variance designed to meet the needs of a growing faith-based community in Sand Lake Hills.
- ❑ OTC remains willing to accept reasonable conditions that don't impinge on the free exercise of its parishioner's religious and their freedoms under Federal and State law.

Thank You!

Variance Criteria

- ▣ Deprivation of Rights – Refusing this request will substantially and negatively impact OTC parishioners' ability to exercise their First Amendment Rights and the rights afforded to them under RLUIPA and FRFRA.
- ▣ Minimum Possible Variance – OTC is prepared to consider reasonable restrictions in order to meet Orange County's requirements.
- ▣ Purpose and Intent – The purpose and intent of Orange County's parking requirements to ensure facilities have sufficient for the contemplated use. OTC parishioners do not drive to services on the Sabbath and OTC is prepared to accept reasonable restrictions or conditions on its use of the parking on-site on days other than the Sabbath.

Variance Criteria

- ▣ Special Conditions and Circumstances – OTC is an Orthodox Jewish Synagogue servicing parishioners with restrictions related to the practice of their faith. The special conditions are the religious practices and needs of OTC and its parishioners, the type of activity RLUIPA was enacted to protect.
- ▣ Not Self-Created – Jewish Law imposes driving – and as a result, parking limitations on OTC's parishioners. OTC has sought alternatives means of access to and from its property via Apopka-Vineland Road but was turned down without the courtesy of a meeting. Nonetheless, OTC is prepared to accept reasonable restrictions on use of its parking facilities on days and times other than the Sabbath.
- ▣ No Special Privilege Conferred – This request is based and rooted in the requirements of Jewish law. We respectfully submit the other properties referenced in the Staff Report are not the same and do not enjoy the heightened protection RLUIPA provides OTC.

OTC has Sought Alternatives

From: Cummins, Mindy T
To: Albino, Alexis N
Cc: Wilson, Nicole H (Commissioner); Bruce, Derek; O'Hara, Laekin B; Chen, Tiffany; Driggers, Brandy; Monseau, Jennifer C
Subject: RE: Orlando Torah Center - February 7 BZA Meeting
Date: Thursday, January 30, 2025 12:57:50 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

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Good afternoon, Alexis thank you for the email. If you are referring to the potential of a cross-access easement across Orange County's property outlined in blue to be able to access the property outlined in aqua (see map below), that property was specifically purchased by the County under threat of condemnation for the purpose of storm water retention. I am not sure a meeting is necessary as Real Estate Management would not be in favor of impacting that retention area with any kind of access easement. Nor do I think public works would, especially since the landowner has access to their property via Banyan Blvd.



OTC's Parking Study

- Conducted in September – October 2024 by Traffic & Mobility Consultants



MEMORANDUM December 9, 2024

Re: **Orlando Torah Center Redevelopment**
Parking Evaluation
Orange County, Florida
Project No. 19137.1

This Parking Review was conducted for the proposed Orlando Torah Center, a synagogue located at on Banyan Boulevard at Apopka-Vineland Road, in Orange County, Florida, as shown in Figure 1.

The Parking Study found that there is not a need for a Special Exception for Parking

- Section 38-1476 of the Orange County Land Development Code - Requires off-street parking is one (1) parking space for every three (3) seats plus one (1) additional space for each employee.
 - No Fixed Seating at OTC
 - Existing Parking Spaces – 35 Spaces
 - Observed Need – 20 Parking Spaces

Special Exception Criteria

- ▣ Consistent with the Comprehensive Plan - Met
- ▣ Similar and Compatible with the Surrounding Area - See tri-level residences in Subdivision and Early Learning Center at SW End of Banyan Blvd. Also see the religious institutions along or adjacent to Apopka-Vineland Road.
- ▣ Shall Not Act as a Detrimental Intrusion into a Surrounding Area - OTC promotes a sense of community. The Staff Analysis focuses on size and limits its vantage point to the Sand Lake Hills subdivision, but nothing in Orange County's Land Use Code limits the definition of a "surrounding area" that way. If we look at similar uses within a two-mile radius, OTC will be both similar yet smaller following its proposed expansion than most similar institutions in the area.
- ▣ Meet the Performance Standards of the District - "[I]f the Variance is granted to allow the expansion and the reduction of parking, the proposed expansion of the religious institution as proposed will meet the performance standards of the district."
- ▣ Similar in Noise, Vibration, Dust, Odor, Glare, Heat Producing - Met
- ▣ Landscape Buffer Yards Shall be in Accordance with Section 24-5 of the Orange County Code - Met

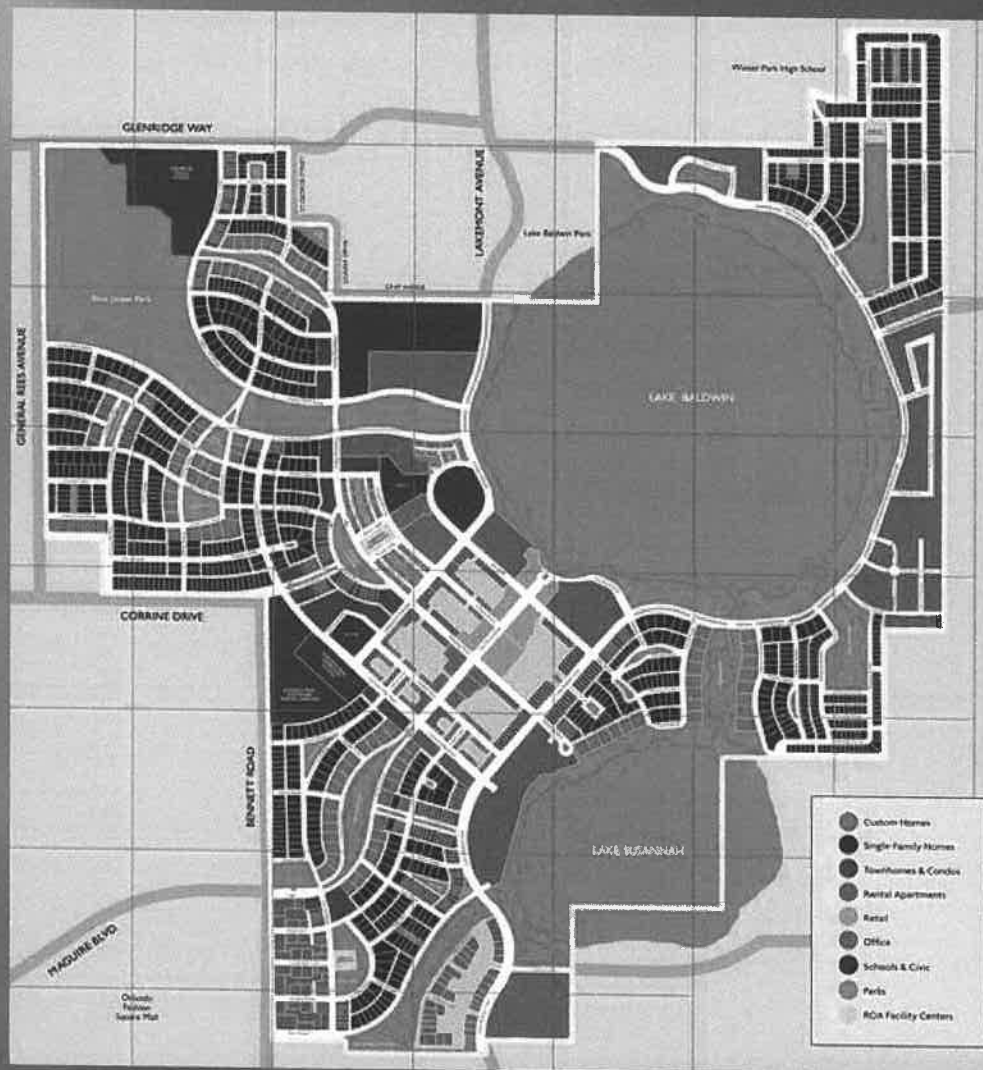
OTC's Proposed Facility is Similar to the Tri-Level Residences in Sand Lake Hills



OTC's Proposed Expansion – Responding to the Community



Baldwin Park



Communities of Today

- ▣ Communities the size of Sand Lake Hills are not designed to have singular uses but, instead, are planned to allow for a mix of uses within them - including civic and religious facilities.
- ▣ Examples:
 - Baldwin Park
 - ▣ North Park Baptist Church
 - ▣ Legacy Life Church
 - ▣ Lake Baldwin Church
 - Summerport
 - ▣ Citrus Church
 - Celebration
 - ▣ Celebration Community Church
 - ▣ Corpus Christi Catholic Church

Florida Religious Freedom Restoration Act

- ▣ The Florida Religious Freedom Restoration Act of 1998 (FRFRA) – Chapter 761, Florida Statutes – is a Florida law that broadens the scope of religious freedom protections in the state.
- ▣ FRFRA requires any Florida law to undergo strict scrutiny if it substantially burdens the free exercise of religion.

Religious Land Use and Institutionalized Persons Act

- ▣ The Religious Land Use and Institutionalized Persons Act (RLUIPA) of 2000 (42 U.S.C. § 2000cc) is a significant law designed to protect religious freedom, particularly in the context of land use and zoning regulations.
- ▣ Protection Against Substantial Burdens: RLUIPA prohibits land use regulations that impose a "substantial burden" on the religious exercise of individuals, houses of worship, or religious institutions unless the government can demonstrate that the regulation serves a compelling governmental interest and is the least restrictive means of achieving that interest.
- ▣ Equal Treatment: The law ensures that religious assemblies or institutions are treated on equal terms with non-religious assemblies or institutions.
- ▣ Non-Discrimination: RLUIPA prohibits discrimination against religious assemblies or institutions based on religion or religious denomination.

Why Here?

- ▣ Halacha – Jewish Law that Prohibits, among other activities, the driving of cars on Shabbat.
- ▣ So, in order to practice their faith in accordance with Jewish Law, the parishioners of Orlando Torah Center walk to service on Shabbat with their families and, thus, must live within walking distance of their Synagogue.
- ▣ The property Orlando Torah Center occupies is on the periphery of Sand Lake Hills, similar to Southwest Middle School and The Learning Center of Dr. Phillips and the religious facilities on “Church Row” a/k/a Apopka-Vineland Rd.

OTC Has Been Blessed with New Parishoners

The Orthodox Jewish Community in Southwest Orlando has grown and, with it, the need for Orlando Torah Center's Services

- ❑ Daily Prayer Services (Morning and Evening)
 - ❑ Minyanim, Shiurim
 - ❑ Shabbat (Sabbath) Services
- ❑ Seasonal Community Events

Thirteen Religious Institutions on or Proximate to Apopka-Vineland Road



OTC Sits at the Western Edge of Sand Lake Hills



Orlando Torah Center acquires 8613 Banyan Blvd. in 2015



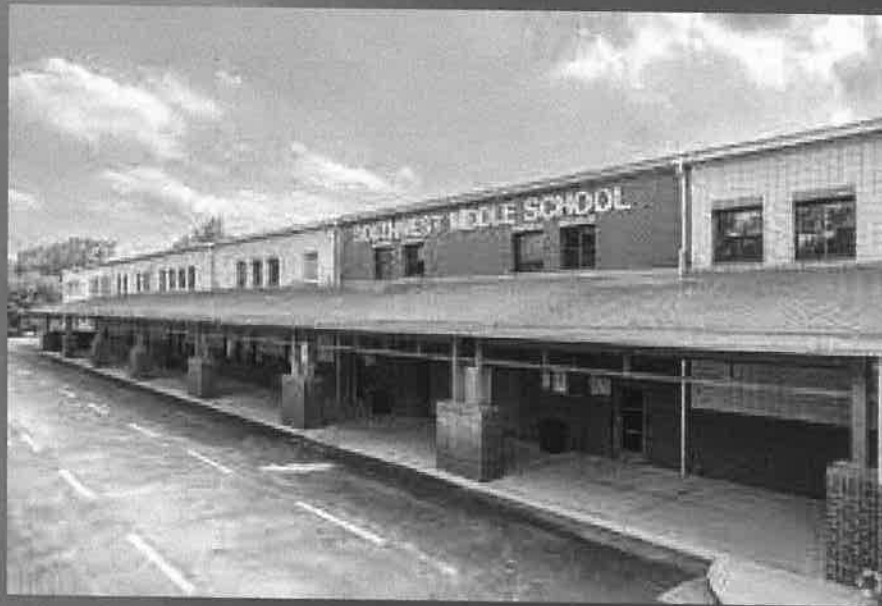
The Learning Center of Dr. Phillips



Circa 2016

Changes to Sand Lake Hills

▣ Southwest Middle School



1991

Background

