

Orange County Zoning Division

SE-22-11-118

**APPLICANT/ APPELLANT:
TEMPLE ON HEMPEL**

September 26, 2023



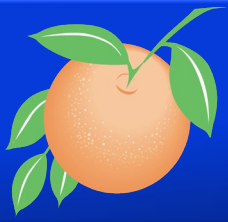
Background

APPLICANT:	TEMPLE ON HEMPEL
CASE:	SE-22-11-118
ZONING:	A-1 (Citrus Rural) district
FUTURE LAND USE:	RS 1/1; Gotha Rural Settlement
ADDRESS:	2198 Hempel Avenue, Gotha, FL 34734
LOCATION:	West side of Hempel Ave., east side of S.R. 408, north of Florida's Turnpike.
TRACT SIZE:	+/- 8.37 acres
DISTRICT:	1
REQUEST:	SE in the A-1 zoning district to allow for the construction of an 800 seat 45,000 sq. ft. religious institution.

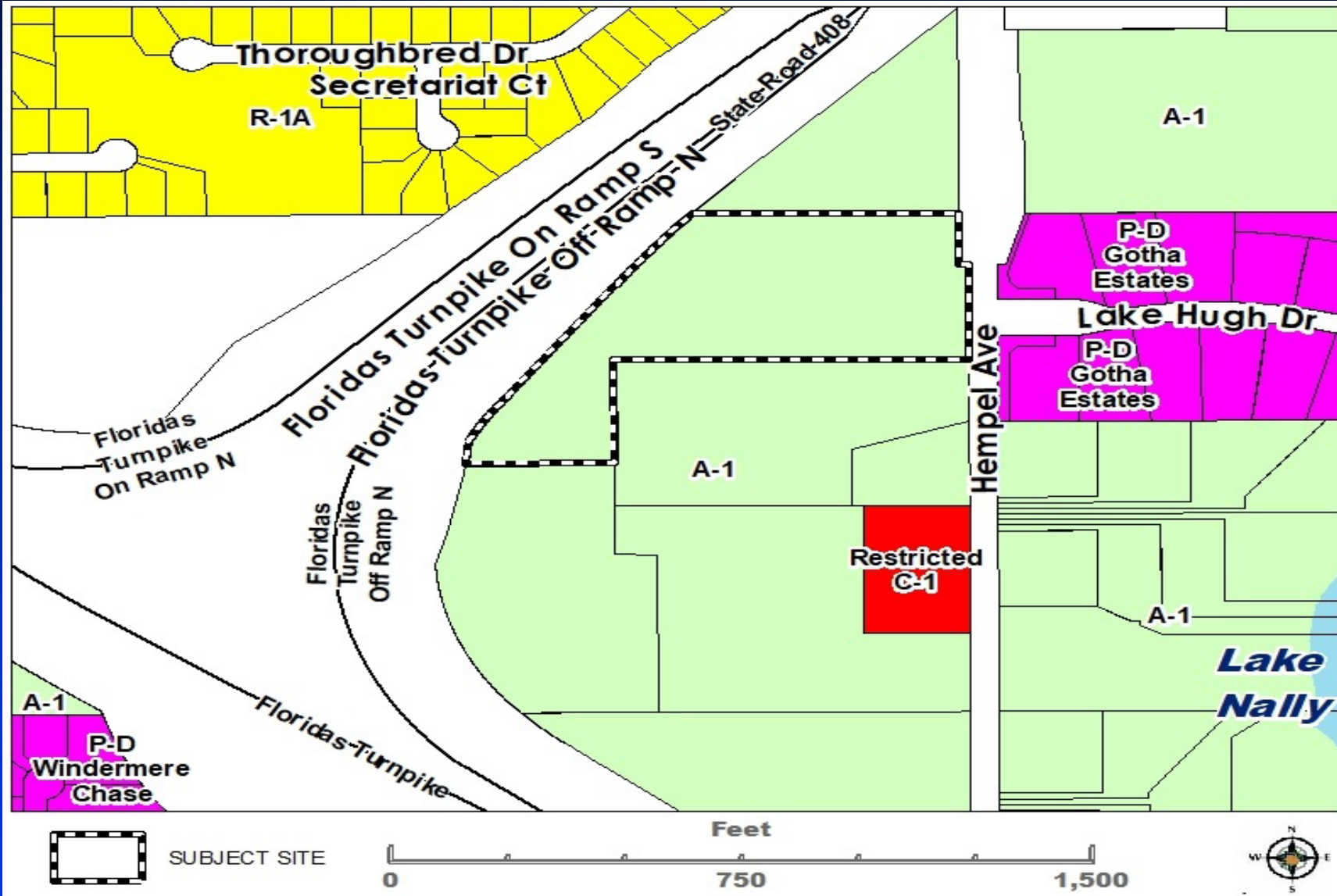


Location Map



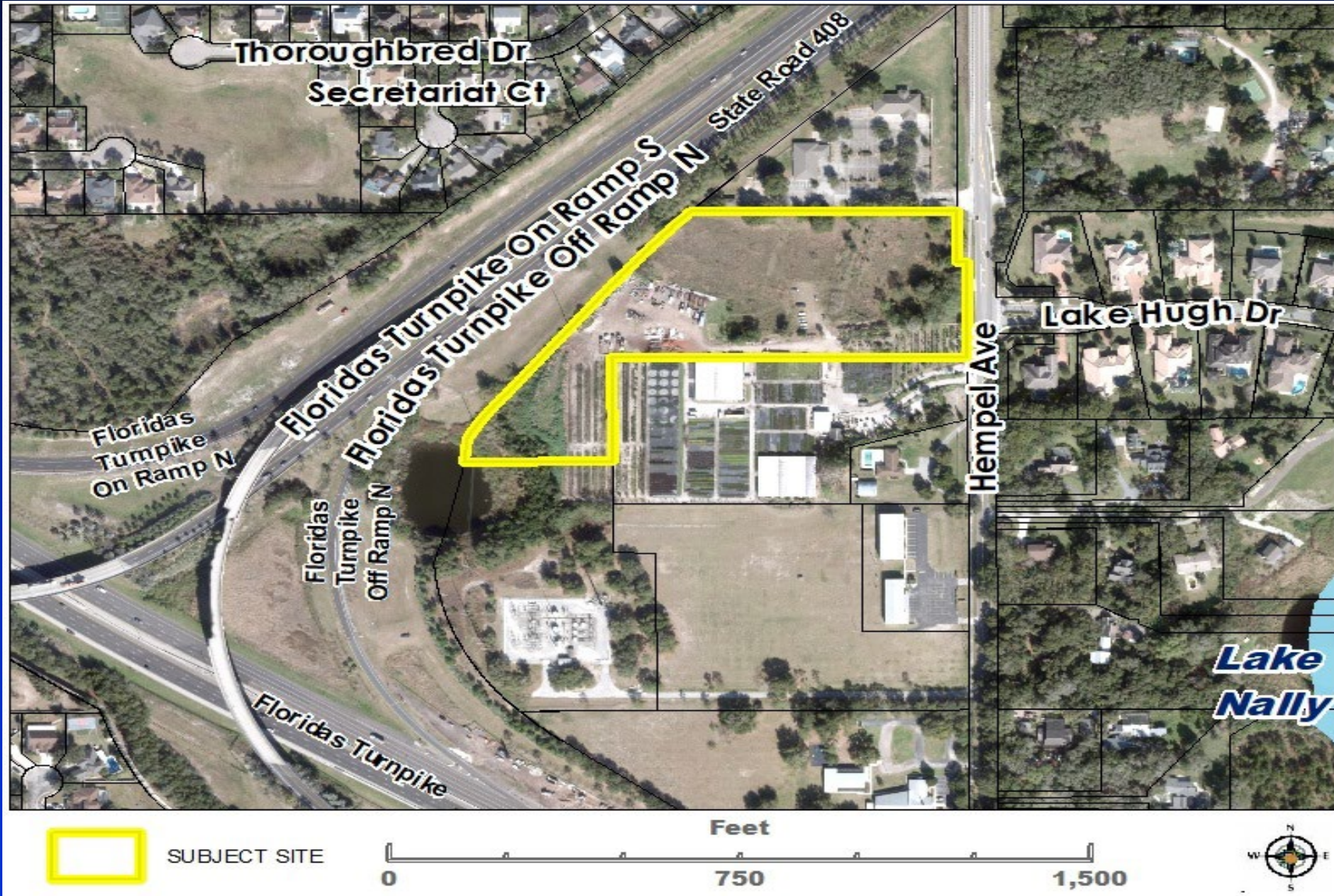


Zoning Map



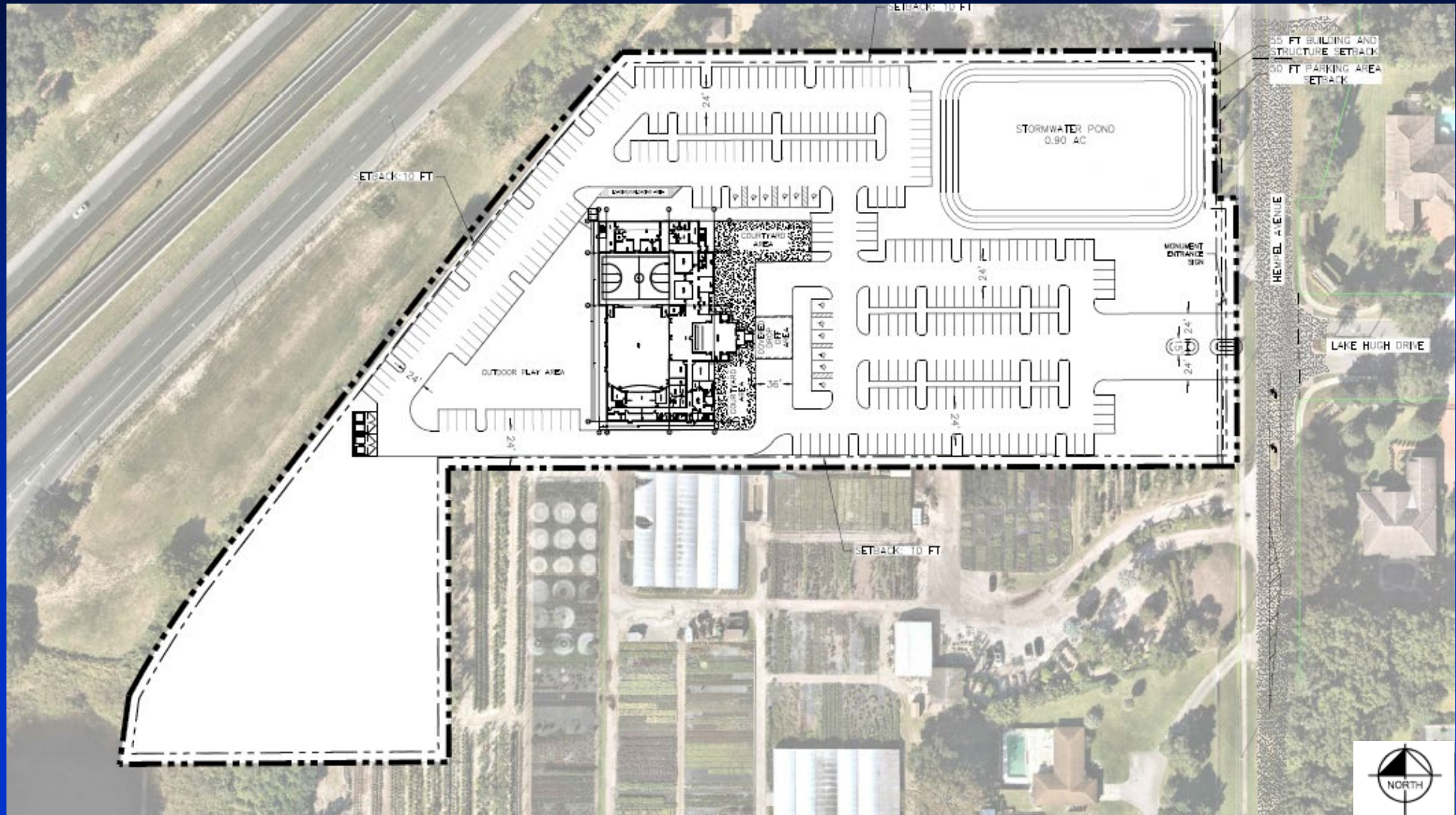


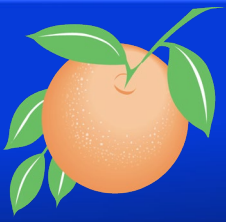
Aerial Map



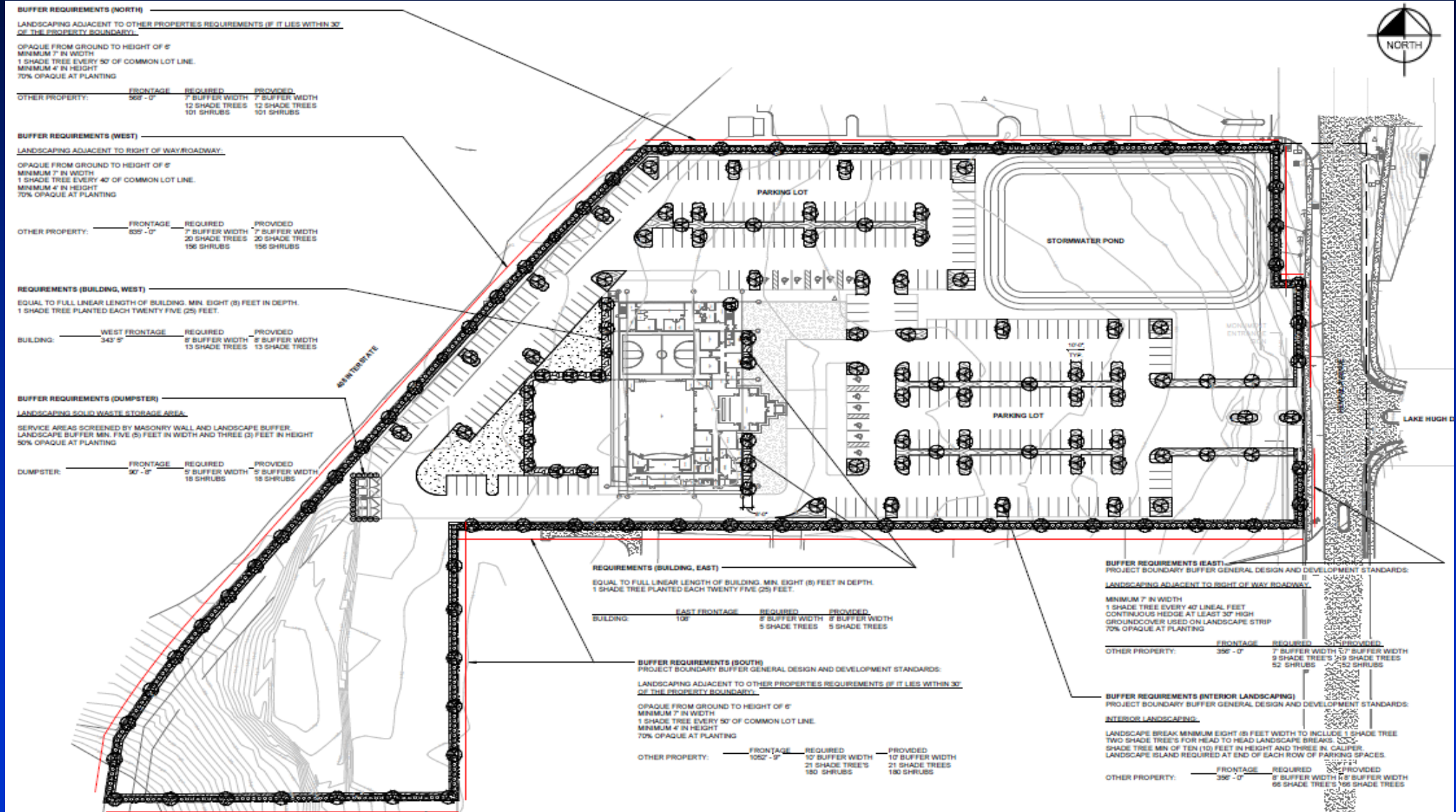


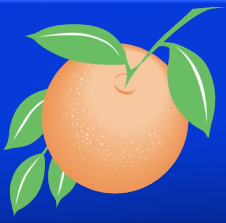
Site Plan



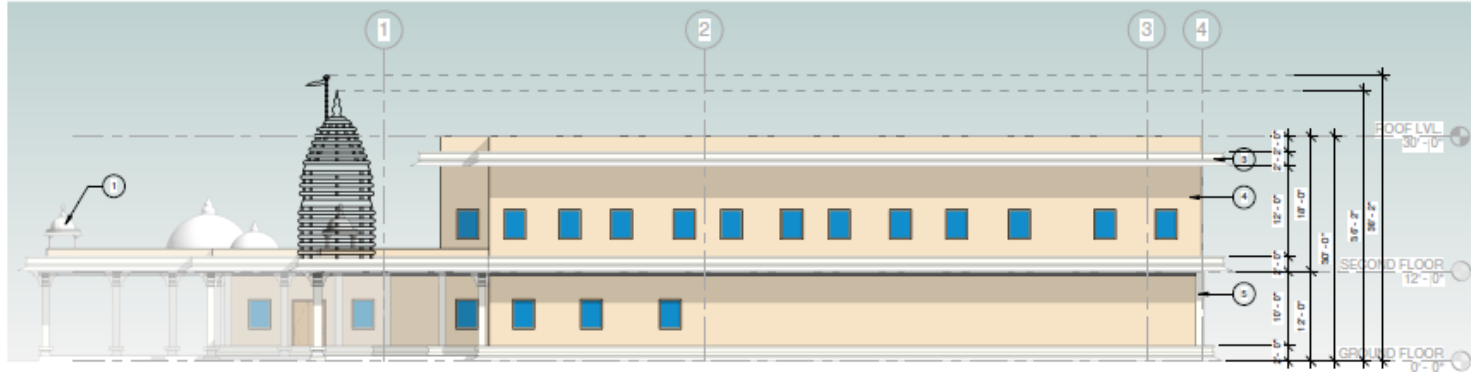


Landscape Plan



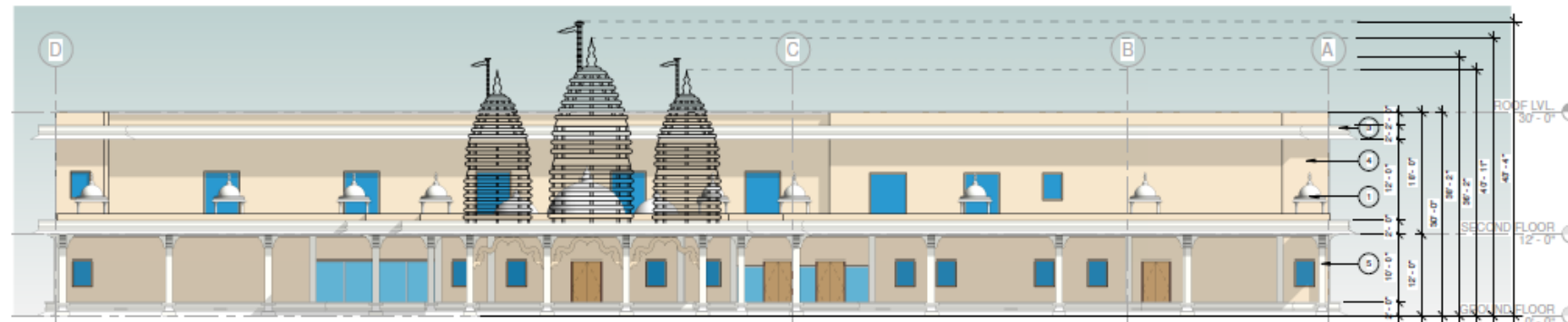


Elevations



③ NORTH ELEVATION
1" = 10'-0"

MATERIAL LEGEND	
KEY VALUE	DESCRIPTION
1	INDIAN DECORATIVE ELEMENT-SHRE. PREFAB GRAY ALUMINUM
3	INDIAN DECORATIVE ELEMENT-SHRE.ETRY WALL BANDS LPTS
4	FACADE ALUMINUM CLADDING- KYNAR SANDSTONE
5	ALUMINUM STOREFRONT SYSTEM- KYNAR-BRUSHED ALUMINUM



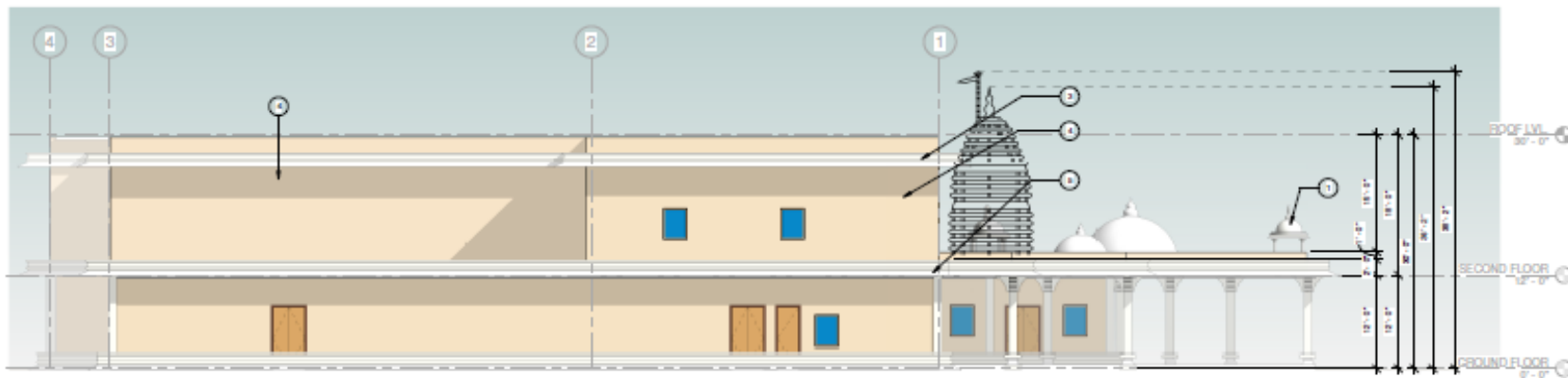
① EAST ELEVATION
1" = 10'-0"



Elevations



① WEST ELEVATION
1/8" = 1'-0"



② SOUTH ELEVATION
1/8" = 1'-0"



Site Photograph

Property from Hempel Ave. facing west





Site Photograph

East side of property facing south towards adjacent nursery





Site Photograph

North property line facing north towards adjacent religious institution





Site Photograph

Facing east across Hempel Ave. from the subject property





Staff Findings and Analysis

- Currently vacant, south portion partially utilized for adjacent nursery
- Religious institutions allowed within Rural Settlements in agricultural zoning districts, with Special Exception
- Adjacent to Single-Family residences across Hempel Ave. to the east, S.R. 408 to the west, church to the north, nursery to the south
- Ingress/ egress to Hempel Ave. to the east
- Proposed religious institution
 - 800 seats
 - 33,419 sq. ft. building, as revised; 45,000 sq. ft., as advertised
 - 312 parking spaces
 - Hours of operation between 4:00 p.m. and 8:00 p.m., daily, with no school activities or planned outdoor events



Staff Findings and Analysis

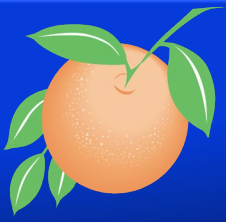
▪ Gotha Rural Settlement

- Designation created in the Comprehensive Plan in 1991
- To recognize and protect the character of existing communities and subdivisions located in the Rural Service Area
- To reflect and maintain an existing rural lifestyle and recognize the County's heritage of "historic" rural communities
- Not intended to be merely areas waiting to be urbanized, but to have character maintained long term
- Rural settlements generally limit commercial and office uses to those that support existing residential uses and serve the residents of the community



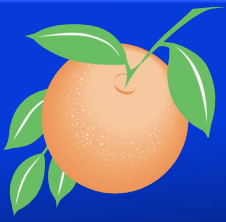
Staff Findings and Analysis

- Meets setback requirements
- Building and parking area could be reduced in size to potentially be more compatible with surrounding area and Rural Settlement
 - Required parking: 282 spaces
 - Proposed parking: 312 spaces proposed

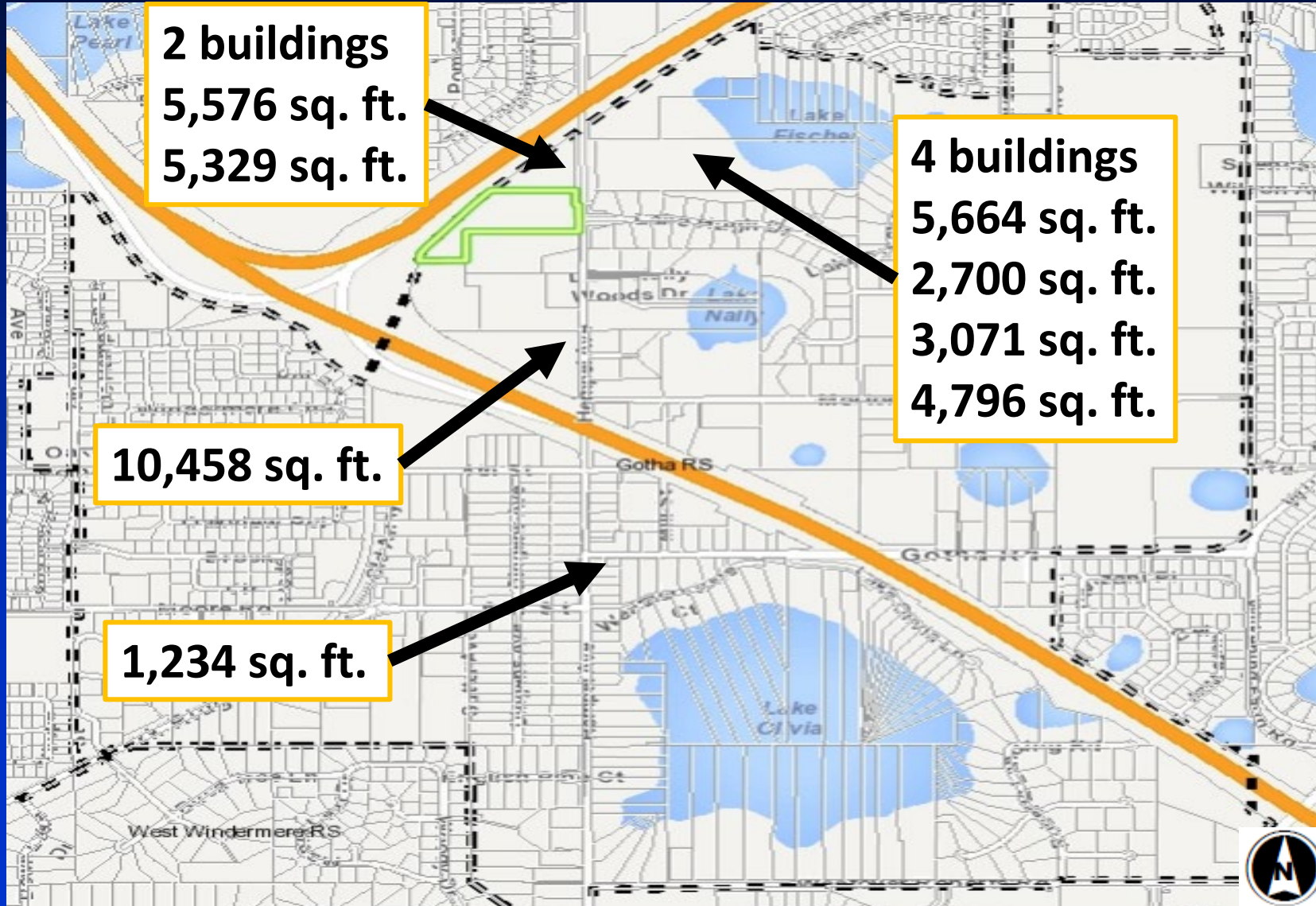


Staff Findings and Analysis

- **County Transportation Planning Division - trip generation analysis conducted**
 - Few visitors during the weekday
 - Saturdays - most visitors arriving in the evening
- **Intersection operational analysis**
 - intersection of Hempel Avenue & Lake Hugh Drive/Project Driveway
 - sufficient capacity in all scenarios evaluated
- **Microsimulation analysis performed for buildout scenarios**
 - No deficiencies were identified as a result of the project traffic impact



Religious facilities in the Gotha Rural Settlement





Public Feedback

- **Community Meeting was held on June 12, 2023**
- **55 attendees, including the applicant, County staff and public**
- **The majority of the attendees spoke against**
- **Comments:**
 - Inconsistency with Rural Settlement
 - Traffic
 - Concern about size and scale
 - Concerns about drainage, flooding, run off, environmental issues



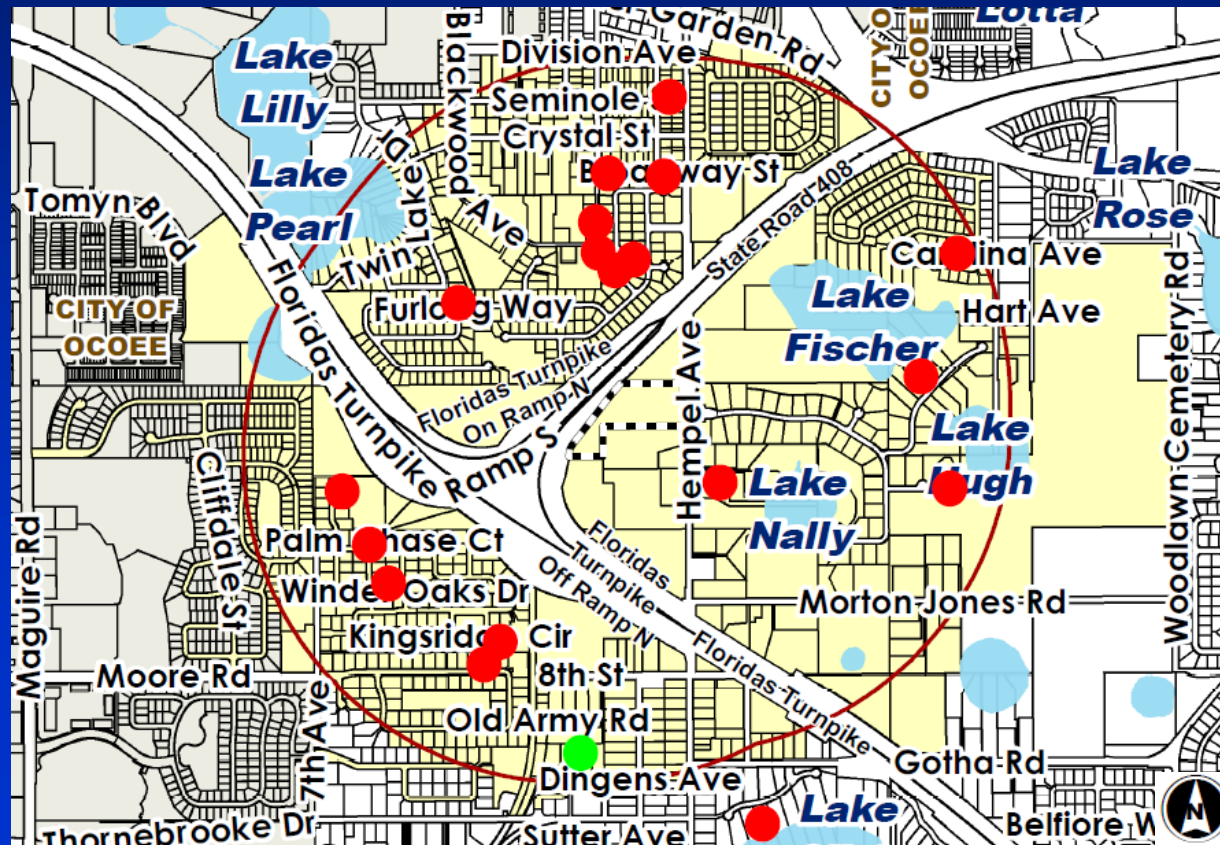
Staff Recommendation

- Staff recommended denial of the special exception as the use is not compatible with the Rural Settlement nor the surrounding area and the size, scale and intensity of the proposed improvements, compared with the size, scale and intensity of other buildings in the area, would be a detrimental intrusion.



Public Feedback

- Staff mailed a total of 1,236 notices to adjacent property owners in a 3,000 ft. radius
 - Staff received 12 correspondences in favor of this request, 11 unmapped
 - Staff received 32 correspondences in opposition to this request, 15 unmapped





Special Exception Criteria

Section 38-78, Orange County Code

Subject to Section 38-78, in reviewing any request for a Special Exception, the following criteria shall be met:

- 1. The use shall be consistent with the Comprehensive Plan**
- 2. The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development**
- 3. The use shall not act as a detrimental intrusion into a surrounding area**
- 4. The use shall meet the performance standards of the district in which the use is permitted**
- 5. The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district**
- 6. Landscape buffer yards shall be in accordance with Section 24-5, Orange County Code. Buffer yard types shall track the district in which the use is permitted**



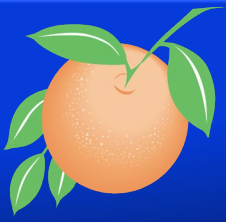
BZA Findings

- The BZA concluded that the size and scale of the use was not consistent with the Comprehensive Plan, not similar and compatible with the development pattern of the surrounding area, noted that the proposal would be the largest building in the Gotha Rural Settlement, noted concerns about traffic in the area, and that it would be a detrimental intrusion and recommended denial of the Special Exception.



Requested Action

- Deny the applicant's request; or
- Approve the applicant's request with conditions



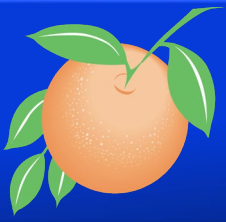
Recommended Conditions of Approval

- 1. Development shall be in accordance with the site plan and elevations received May 30, 2023, as modified by these conditions of approval, subject to the conditions of approval and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviation, change, or modification shall be subject to the Zoning Manager's review and approval. Any proposed substantial deviation, change, or modification shall be subject to a public hearing before the Board of Zoning Adjustment (BZA) where the BZA makes a recommendation to the Board of County Commissioners (BCC).**
- 2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.**



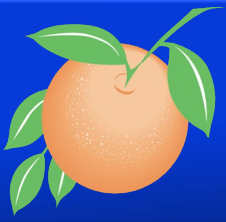
Recommended Conditions of Approval

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. A permit shall be obtained within 3 years of final action on this application by Orange County or this approval is null and void. The zoning manager may extend the time limit if proper justification is provided for such an extension.
5. Hours of operation shall be from 4:00 p.m. to 8:00 p.m., daily.
6. No more than four (4) advertised outdoor special events open to the public per calendar year, and the hours of such events shall be limited from 9:00 a.m. to 9:00 p.m. The use of outdoor amplified sound and music is prohibited. All outdoor special events shall be reviewed and approved by the Orange County Fire Marshal's Office. The applicant shall submit applications/plans to the Fire Marshal's Office a minimum of 30 days prior to the date of each event.



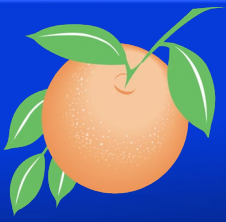
Recommended Conditions of Approval

7. An exterior lighting photometric plan compliant with the county's exterior lighting ordinance, and with fixture color temperature of 3,500 K maximum shall be submitted and approved by Orange County staff prior to the issuance of a Building Permit. In addition, glare visors shall be installed, and field-adjusted to prohibit off-site light spill.
8. The number of parking spaces shall be reduced to the minimum 282 parking spaces required by code, and the drive aisle widths reduced from 24 ft. to 22 ft., with the layout modified to preserve recommended, replacement, and specimen trees as per Section 15-283(a), greater than 3 inches diameter at breast height (DBH) within and adjacent to areas indicated as perimeter buffers, landscape areas, and the retention area.
9. The access drive aisle from Hempel Avenue shall be reduced to 24 ft. in total width with no center median.
10. The facility shall be limited to 800 seats.

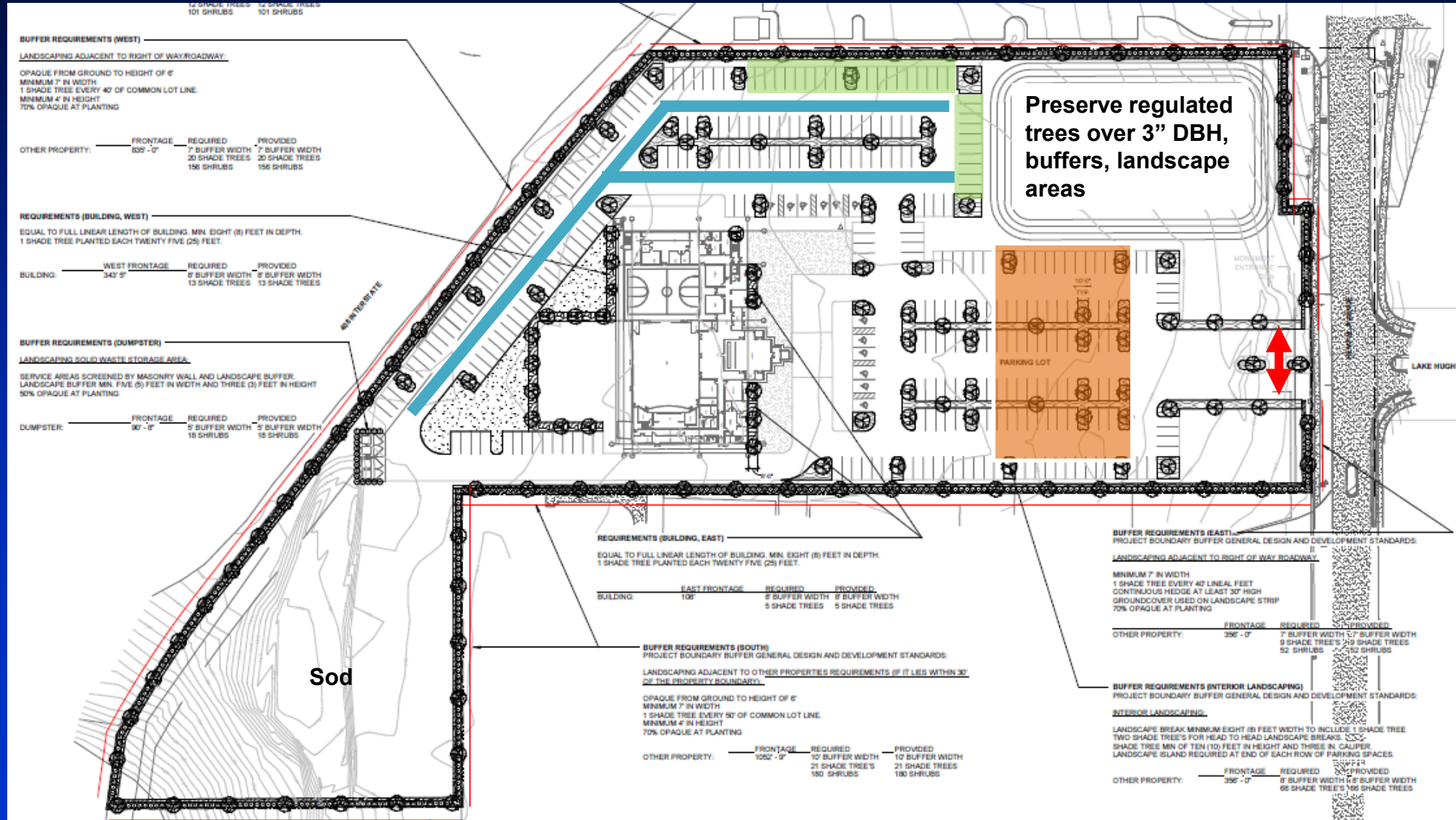


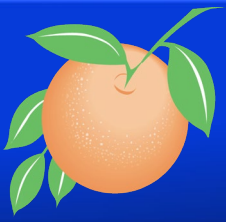
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11. Recommended, replacement, and specimen trees as per Section 15-283(a), greater than 3 inches diameter at breast height (DBH) shall be preserved within areas indicated as perimeter buffers and landscape areas, and the entire site shall be sodded, including the southwest area.
12. The site plan shall be modified to move the building east with all of the parking to be to the side of or behind the building.
13. At the time of permitting for the proposed facility, the existing curb cut on Hempel Avenue shall be removed and restored to a grass strip.
14. An exclusive northbound left-turn lane shall be designed to the satisfaction of the County traffic division for effective traffic operations at the project driveway, submitted as an E-Project to the county (along with the required surety per Chapter 21-202 and 21-208), installed by the applicant, and issued a Certificate of Completion prior to the issuance of a Certificate of Occupancy on the vertical permit.
15. The total building area shall not exceed 33,419 sq. ft.



Graphic Representation of Conditions





Modified Site Plan dated September 25, 2023



SITE DATA

JURISDICTION	ORANGE CO., FL
TOTAL AREA	±8.42 AC
BUILDING AREA	33,419 SQ. FT.
FAR	.09 FAR
MAX BUILDING HEIGHT	35 FT
PROPOSED BUILDING HEIGHT	30 FT
STORMWATER	1.24 AC @ 14.7%
IMPERVIOUS LOT COVERAGE	3.66 AC (43%)
PERVIOUS SURFACE AREA	4.76 AC (57%)

PARKING CALCULATIONS	
REQUIRED:	1 SPACE PER 3 SEATS + 1 FOR EMPLOYEE
	800 SEATS/3 = 267 SPACES REQUIRED
	EMPLOYEES* = 15
	TOTAL REQUIRED = 282

PROVIDED:	
REGULAR (9'x20')	270
HANDICAPPED (12'x20')	12
TOTAL	282

EXISTING USE: AGRICULTURAL GREENHOUSE/STORAGE

PROPOSED USE: TEMPLE (PLACE OF WORSHIP)

BUILDING SETBACKS: AS SHOWN

PROPOSED NUMBER OF SEATS: 800

NOTES:
*EMPLOYEES ARE ON A VOLUNTEER BASIS. 15 HAS BEEN PROVIDED AS AN ESTIMATE

GENERAL NOTES:
• LANDSCAPING TO MEET ORANGE COUNTY CODE REQUIREMENTS.
• THIS SITE PLAN IS CONCEPTUAL AND IS SUBJECT TO CHANGE BASED ON FINAL ENGINEERING AND JURISDICTIONAL REVIEW.

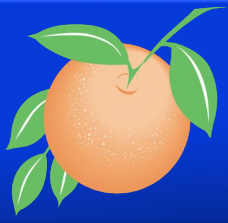




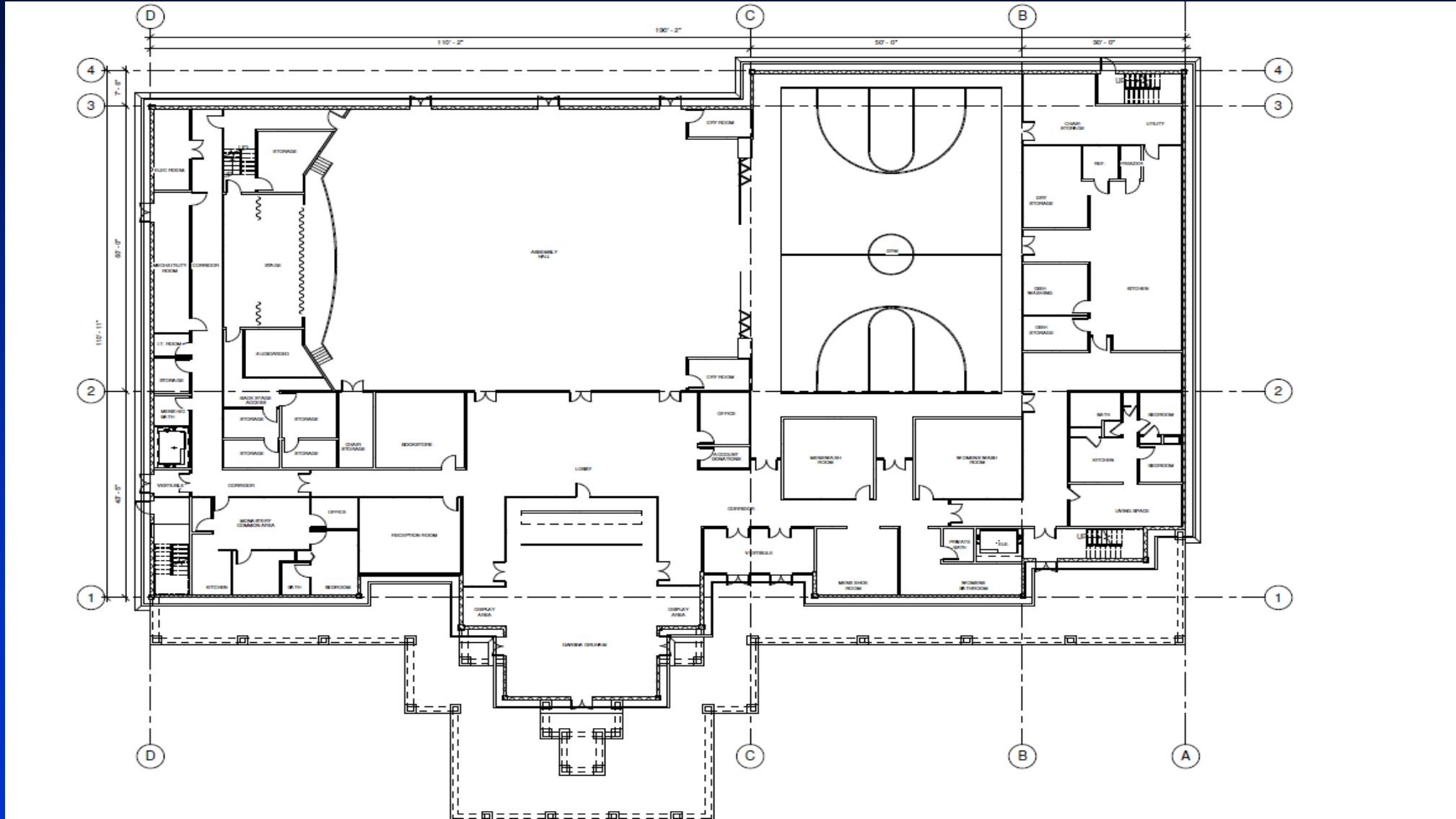
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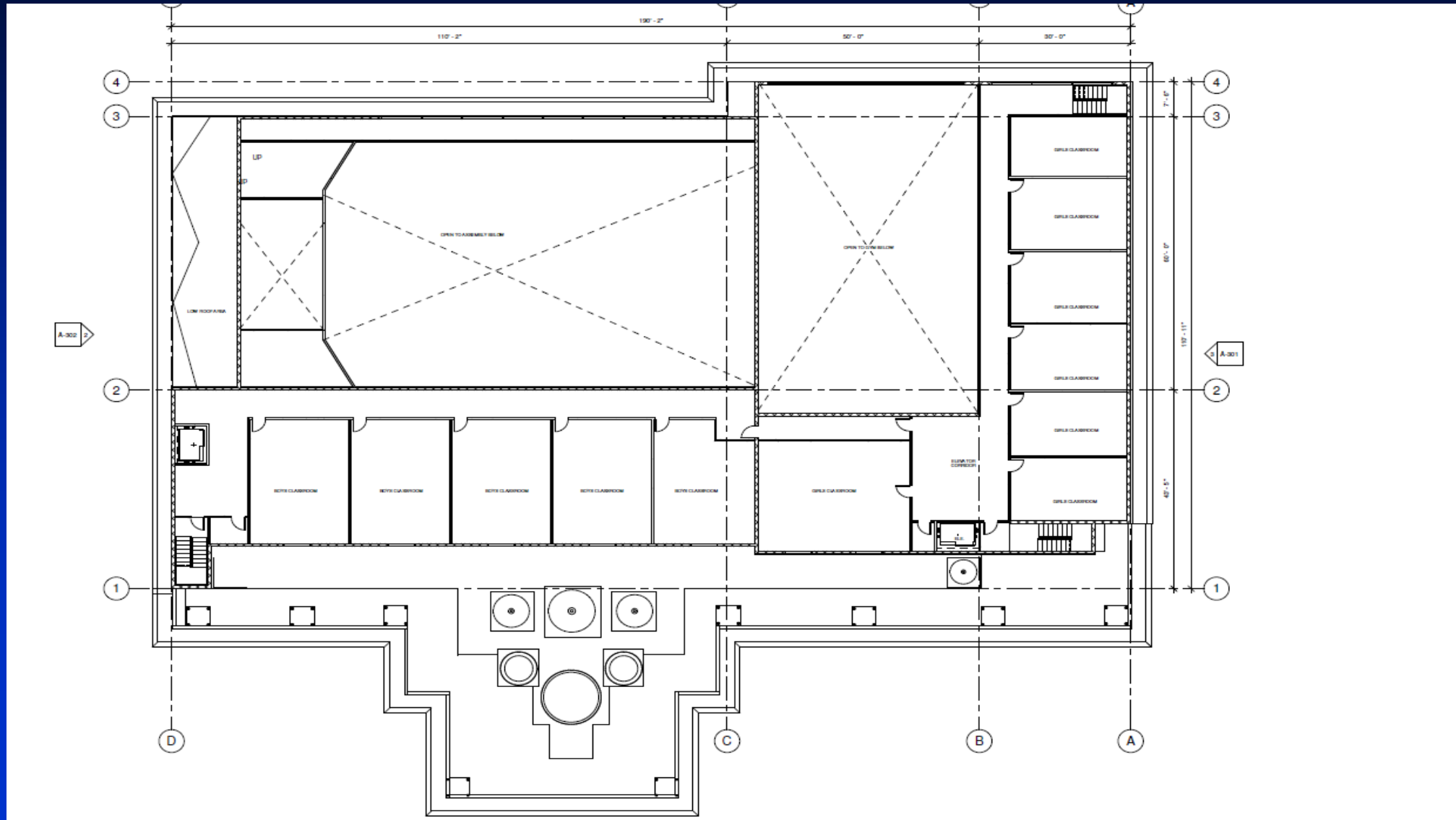


First floor Plan





Second floor Plan

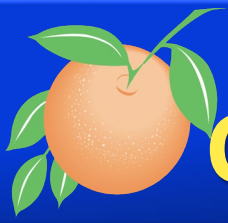




Site Photograph

Facing east near proposed entrance from Hempel Ave. towards trees recommended for preservation





Close-Up Aerial Map

