




Interoffice Memorandum

January 29, 2025

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Tanya Wilson, AICP, Director 
Planning, Environmental, and Development Services
Department

CONTACT PERSON: **Taylor Jones, AICP**
Chief Planner, Zoning Division
(407) 836-5944 or Taylor.Jones@ocfl.net

SUBJECT: February 25, 2025 - Appeal Public Hearing
Applicant/Appellant: Logan Opsahl for Satellite Blvd IOS
BZA Case # SE-24-08-067, December 5, 2024; District 3

Board of Zoning Adjustment (BZA) Case # SE-24-08-067 located at 10002 Satellite Boulevard, Orlando, Florida 32837, in District 3, is an appeal to the Board. The applicant is requesting a special exception in the I-4 zoning district to allow a septage management facility.

On Tuesday, July 23, 2024, a community meeting was held at Walker Middle School. The meeting was attended by the applicant team, County staff, the District 3 Commissioner's aide, and 40 attendees. Questions were asked about the specific processes and operations associated with the use including hours of operation, types of waste and septage that would be accepted. There were also specific questions about the machinery used, and types of trucks that would be coming to the site, and how the odor would be controlled. There were general concerns raised about the potential odors and compatibility with neighboring properties. The attendees spoke negatively about the proposal.

At the September 5, 2024 BZA meeting, the applicant requested a continuance in order to have a second community meeting. Public comment was heard by the BZA at the September 5th hearing, with 17 members of the public speaking in opposition to the request. The case was continued to the December 5, 2024 BZA meeting.

On Monday, November 25, 2024, a second community meeting was held at the Taft Community Center. This meeting was attended by the applicant team, the District 3 Commissioner, County staff, and at least 60 attendees. Similar questions to the first meeting were asked by attendees, focusing on the general operations and impact to neighboring properties. The general tone was negative.

January 29, 2025

Appeal Public Hearing – Logan Opsahl for Satellite Blvd IOS

Special Exception

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At the December 5, 2024, BZA hearing, staff recommended approval of the special exception request, noting that it is consistent and compatible with the surrounding uses since it is in an area that is almost exclusively heavy industrial uses, and the use will be entirely indoors, making this an appropriate location for the use. There were 22 individuals present that spoke in opposition of the request and there was no one in attendance to speak in favor of the request. It was also noted that prior to the BZA hearing, 822 comments were received in opposition and one comment was received in support of the request.

The BZA discussed the request, citing concerns related to odor and intrusion into the area, compatibility with the surrounding development, the current development pattern in the area, and other similar facilities. The BZA recommended denial of the special exception by a 4-3 vote. The applicant subsequently appealed the BZA recommendation of denial stating that competent substantial evidence had been presented to demonstrate that the application met all criteria for approval under the Land Development Code and that county staff provided oral and written testimony, along with a thorough staff report, which concluded, based on competent substantial evidence, that the applicant met all criteria for approval under the Land Development Code.

A third community meeting has been scheduled on February 10, 2025 at the request of Commissioner Uribe. Details of this community meeting will be presented at the February 25, 2025 Public Hearing before the Board.

The application for this request is subject to the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy is available upon request in the Zoning Division.

If you have any questions regarding this matter, please contact Taylor Jones at (407) 836-5944 or Taylor.Jones@ocfl.net.

ACTION REQUESTED: Deny the applicant's request; or approve the applicant's request with conditions. District 3.

TJ/ag

Attachment: Zoning Division public hearing report, Appeal with exhibits, and BZA staff report.

**PLANNING, ENVIRONMENTAL, AND DEVELOPMENT, SERVICES DEPARTMENT
ZONING DIVISION PUBLIC HEARING REPORT**

February 25, 2025

The following is a public hearing on an appeal before the Board of County Commissioners on February 25, 2025, at 2:00 p.m.

APPLICANT/APPELLANT: LOGAN OPSAHL FOR SATELLITE BLVD IOS

REQUEST: Special Exception in the I-4 zoning district to allow a septage management facility.

LOCATION: 10002 Satellite Boulevard, Orlando, Florida 32837, west side of Satellite Blvd., north of Central Florida Pkwy., south of Taft Vineland Rd., east of S. Orange Blossom Trl.

LOT SIZE: +/- 2.99 acres

ZONING: I-4

DISTRICT: #3

PROPERTIES NOTIFIED: 2,544

BOARD OF ZONING ADJUSTMENT (BZA) HEARING SYNOPSIS ON REQUEST:

Staff described the proposal, including the location of the property, the site plan, and photos of the site. Staff provided an analysis of the six (6) criteria and the reasons for a recommendation for approval. Staff noted that one (1) comment was received in support, and eight hundred eleven (822) comments were received in opposition to the request.

The applicant and team agreed with the staff presentation and elaborated on the processes and operation of the facility.

Members of County Staff from the Environmental Protection Division and Utilities Division answered questions from the BZA regarding permitting and oversight of this type of use.

No one spoke in favor of the request. Twenty-two (22) people spoke in opposition to the request.

The BZA discussed the request, citing concerns related to odor and intrusion into the area, compatibility with the surrounding development and the current development pattern in the area, and other similar facilities. The BZA recommended denial of the Special Exception by a 4-3 vote.

BZA HEARING DECISION:

A motion was made by Juan Velez, seconded by John Drago, carried to recommend DENIAL of the Special Exception request in that the Board finds it does not meet the

requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does adversely affect general public interest (4 in favor: John Drago, Juan Velez, Deborah Moskowitz, Thomas Moses; 3 opposed: Roberta Walton Johnson, Sonya Shakespeare, Chris Dowdy; 0 absent)



ORANGE COUNTY ZONING DIVISION
201 South Rosalind Avenue, 1st Floor, Orlando, Florida
32801 Phone: (407) 836-3111 Email: BZA@ocfl.net
www.orangecountyfl.net

Board of Zoning Adjustment (BZA) Appeal Application

Appellant Information

Name: Logan Opsahl

Address: 215 N. Eola Drive, Orlando, FL 32801

Email: logan.opsahl@lowndes-law.com Phone #: (407) 427-6237

BZA Case # and Applicant: SE-24-08-067; Logan Opsahl (as authorized agent)

Date of BZA Hearing: 12/05/2024

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

(PLEASE SEE ATTACHED)

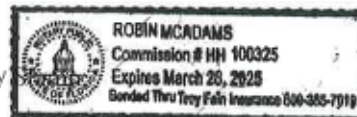
Signature of Appellant:  Date: 12/16/24

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 10th day of December, 2024 by Logan J. Opsahl who is personally known to me or who has produced _____ as identification and who did/did not take an oath.


Notary Public Signature

Notary



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.



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.



LOGAN J. OPSAHL

Logan.opsahl@lowndes-law.com
215 North Eola Drive, Orlando, Florida 32801-2028
T: (407) 418-6237 | F: 407-843-4444
MAIN NUMBER: 407-843-4600



December 10, 2024

Jennifer Moreau, AICP
Manager, Zoning Division
Planning, Environmental and Development
Services Department
201 S. Rosalind Avenue, First Floor
Orlando, FL 32801

Re: Appeal of Board of Zoning Adjustment Denial – SE-24-08-067

Dear Jennifer:

This law firm, as authorized agent on behalf of the Applicant of the above-referenced special exception application (the "Application"), requests approval of a special exception in the I-4 zoning district to allow a septage management facility at the property located at 10002 Satellite Boulevard, Orlando, Florida, 32837 (the "Property"). At the December 5, 2024, meeting of the Board of Zoning Adjustment ("BZA" or "Board"), the BZA approved a motion to deny the Application by a vote of four (4) to three (3) (the "BZA Denial").

At the hearing, and within the written materials provided to the BZA in connection with the Application, the Applicant presented competent substantial evidence to demonstrate that the Applications met all criteria for approval under the Land Development Code (the "LDC"). Additionally, County Staff provided oral and written testimony, along with a thorough staff report, which concluded, based on competent substantial evidence, that the Applicant met all criteria for approval under the LDC.

In response, no countervailing competent substantial evidence was presented to demonstrate that the special exception application did not meet the requirements for approval under the LDC. Instead, the Board based the BZA Denial on speculation, and general objections – neither of which rise to the level of competent substantial evidence. As a result, the BZA Denial was not supported by competent substantial evidence and, therefore, was improper under Florida law:

"In the case of a special exception, where the applicant has otherwise complied with those conditions set forth in the zoning code, the burden is upon the *zoning authority* to demonstrate by competent substantial evidence that the special exception *is adverse to the public interest*. A special exception is a permitted use to which the applicant is entitled *unless* the zoning authority determines



December 10, 2024

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according to the standards of the zoning ordinance that such use would adversely affect the public interest." *Rural New Town, Inc. v. Palm Beach County*, 315 So.2d 478, 480 (Fla. 4th DCA 1975).

"[o]nce the applicant met the initial burden of showing that his application met the criteria of the city zoning for granting such permit, the burden was on the zoning authority to demonstrate, by substantial, competent evidence . . . that the application did not meet the requirements and the requested permit was adverse to the public interest. Objections of local residents to the conditional use permit based on fears....do not constitute such substantial, competent evidence." *Flowers Baking Co. v. City of Melbourne*, 537 So. 2d 1040 (5th DCA 1989)

This letter constitutes the Applicant's formal appeal of the BZA Denial. The Applicant requests a *de novo* hearing before the Board of County Commissioners on its Application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Logan J. Opsahl". The signature is fluid and cursive, with the first name "Logan" being more prominent.

Logan J. Opsahl

cc: Taylor Jones
Laekin O'Hara

BZA STAFF REPORT

Planning, Environmental & Development Services/ Zoning Division

Meeting Date: **DEC 05, 2024**

Commission District: **#3**

Case #: **SE-24-08-067**

Case Planner: **Taylor Jones, AICP**

(407) 836-5944

Taylor.Jones@ocfl.net

GENERAL INFORMATION

APPLICANT(s): LOGAN OPSAHL FOR SATELLITE BLVD IOS

OWNER(s): SATELLITE BLVD IOS LLC

REQUEST: Special Exception in the I-4 zoning district to allow a septage management facility.

PROPERTY LOCATION: 10002 Satellite Boulevard, Orlando, Florida, 32837, west side of Satellite Blvd., north of Central Florida Pkwy., south of Taft Vineland Rd., east of S. Orange Blossom Trl.

PARCEL ID: 10-24-29-5133-00-052

LOT SIZE: +/- 2.99 acres

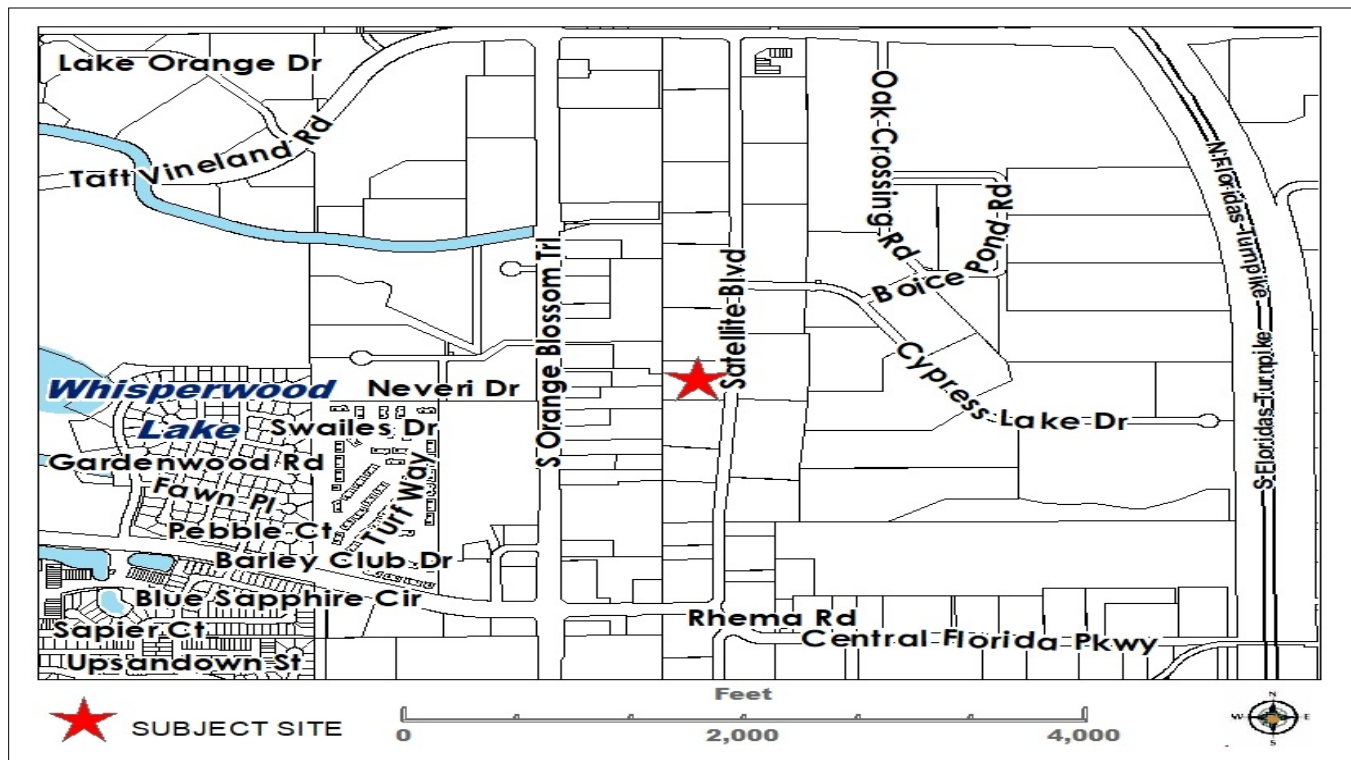
NOTICE AREA: 1 Mile

NUMBER OF NOTICES: 2,544

STAFF RECOMMENDATIONS

Approval, subject to the conditions in this report.

LOCATION MAP



SITE & SURROUNDING DATA

	Property	North	South	East	West
Current Zoning	I-4	I-4	I-4	I-4	I-2/I-3
Future Land Use	IND	IND	IND	IND	IND
Current Use	Warehouse	Warehouse (Brinks Security)	Religious Facility	Warehouses	Multi-tenant industrial and mechanical garages

BACKGROUND AND ANALYSIS

DESCRIPTION AND CONTEXT

This case was continued at the September 5, 2024, BZA meeting in order to have a second community meeting.

The subject property is located in the 1-4 Industrial zoning district, which allows the most intense industrial uses, including the processing of bulk materials, manufacturing and open storage of materials. In addition, certain uses, such as septage management facilities are permitted through the Special Exception process. The Future Land Use is Industrial (IND), which is consistent with the zoning district.

The area consists of industrial properties, with the properties along Satellite Blvd. and further to the east of Satellite Blvd. having been developed with warehouse buildings, and the properties to the west of the subject property, which have frontage on S. Orange Blossom Trail, containing a variety of industrial uses, with many being auto related uses, including mechanical garages, auto repair, and auto sales.

The subject property is a 2.99 acre parcel, platted in 1995 as a portion of Lot 5 of the LOCI Park Plat. The subject property was created in its current configuration through a lot split in 1999 (99-135), and is considered a conforming lot. The parcel was developed in 1999 with an 11,140 sq. ft. warehouse/office building used for storage (B99902532). The west rear property line of the parcel contains a 65 ft. wide private drainage easement (OR 3924 PG 0196), and within that easement is an existing drainage ditch and vegetation. A permit (B23906645) was issued to add pavement and a retention pond to the existing site, and those improvements are reflected on the submitted site plan. Additionally, a permit (B24900047) was issued to add additional overhead doors to the existing warehouse. However, the improvements associated with those issued permits have not yet been constructed.

The current request is for a Special Exception for a septage management facility. Orange County code, Sec. 38-1, defines septage, and a septage management facility as follows:

Septage shall mean a mixture of sludge, fatty materials, human feces, and wastewater removed during pumping of an onsite sewage treatment and disposal system. Excluded from this definition are the contents of portable toilets, holding tanks, and grease interceptors.

Septage management facility shall mean a stationary facility that treats only domestic septage or combinations of domestic septage, food establishment sludges, wastes removed from portable toilets, and wastes removed from holding tanks associated with boats, marinas, and onsite sewage treatment and disposal systems, before use or land application.

Septage management facilities are only permitted by special exception in the I-4, A-1, and A-2 districts, subject to Sec. 38-19(181) of code, and are prohibited in all other zoning districts. Sec. 38-79(181) lists the requirements for submittal of applications, as well as specific standards for outdoor storage of septage.

The proposed facility is a liquid waste treatment and disposal facility for storage and processing of non-hazardous septage. The facility will accept non-hazardous wastes from grease traps from restaurants, food processing/packaging, butcher shops and grocery stores, convenience stores, as well as sanitary wastes, septage, and sewage from holding tanks, lift station, and septic tanks. A full description of the proposed operation is included in this report in the applicant's Cover Letter, under the heading "Facilities Processing Description."

The proposed operation will take place completely inside the existing building onsite. All waste materials are stored, processed, and treated inside the existing building, with no storage or processing occurring outside the building. The operation will utilize an air scrubber inside the building to control the odors associated within the use. County code requires a distance separation of 1,300 ft. from this type of use to other off-site buildings when the septage management facility is outdoors. However, when the operation is completely within an enclosed building, and a system is in place to capture, prevent or treat objectionable odors, no distance separation is required. As the proposed use will be completely in an enclosed building with no storage or treatment outside and will utilize an air scrubber inside the building to prevent objectionable odors, no distance separation is applicable to the proposed use.

The proposal meets all performance standards within the 1-4 zoning district. For buffering, 10 ft. to 65 ft. wide landscape buffers will be maintained and provided around the perimeter of the site, exceeding the 7 ft. minimum requirements for industrial properties, required by Chapter 24, of Orange County Code. Parking requirements for the property are 1 space for each bay, plus 1 space for each 1,000 square feet for industrial uses. The 11,140 sq. ft. building with 7 bays would require 19 spaces. The site currently is providing 27 parking spaces.

The County Environmental Protection Division (EPD) has reviewed the submittal for compliance with county requirements as it pertains to odor and air quality, as well as noise, and have no objections. Based on the information submitted, no Air Permit is required from EPD, as the use is contained completely indoors and the site as proposed would be in compliance with all applicable noise and air quality standards. EPD supports the proposed condition of requiring all uses to remain completely inside, as well as the proposed conditions that at any point in time during the operation, the county can require additional odor control or noise abatement measures, should the need arise.

EPD also noted that environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny a request even if the County approves it. It is imperative that this proposed plan be addressed on a multi-agency basis. The permittee must comply with the most stringent requirements. The proposed use may require the following permits:

- a. Environmental Resource Permit (ERP) from South Florida Water Management District (SFWMD)
- b. Multi-Sector Generic Permit (MSGP) from Florida Department of Environmental Protection (FDEP)
- c. Industrial Wastewater Permit (IWW) from Florida Department of Environmental Protection (FDEP)

The Transportation Planning has reviewed the request and has provided comments that the number of trips generated by the use is minimal.

On Tuesday, July 23, 2024, a Community Meeting was held at Walker Middle School to allow for input. The meeting was attended by the applicant team, County staff, and 40 attendees. The attendees spoke negatively about the proposal. Comments mainly included concern about the potential for odor impacts, and the effect and impact it would have on abutting properties and property values. There were many questions directed to the applicant on how they would negate odor impacts, and how other sites that they have operated have impacted abutting properties. The applicant team explained the operation in detail, and answered questions about other sites, how the air scrubber worked, and how they intended to utilize the property.

On Monday, November 25, 2024, a second community meeting was held at the Taft Community Center, to allow for additional community input, and information to be provided. This meeting was attended by the applicant team, the District 3 Commissioner, County staff, and at least 60 attendees. The applicant presented, in detail, the process and proposed operation of the use on the site. There were many questions directed to the applicant on how they would negate owners, as well as questions to county staff on the enforcement of odor impacts. The applicant also answered specific questions on the operation and process. There were many in attendance who were not supportive of the proposed use at the specific location.

Staff recommends approval of the Special Exception because it is consistent and compatible with the surrounding uses since it is in an area that is almost exclusively used for heavy industrial uses, and the use will be entirely indoor, making this an appropriate location for the use.

As of the date of this report’s update, no comments have been received in favor of the request and approximately 822 correspondences have been received in opposition to the request.

District Development Standards

	Code Requirement	Proposed
Max Height:	50 ft.	21.6 ft. (existing building)
Min. Lot Width:	N/A	349.55 ft.
Min. Lot Size:	N/A	130,654 sq. ft.

Building Setbacks

	Code Requirement	Proposed
Front:	35 ft.	109.3 ft. (East)
Rear:	10 ft.	154.63 ft. (West)
Side:	25 ft.	96.81 ft. (North) 141.71 ft. (South)

SPECIAL EXCEPTION CRITERIA

Consistent with the Comprehensive Plan

The provision of a septage management facility as conditioned through the Special Exception process is consistent with the Comprehensive Plan since such a use provides a benefit and service to the surrounding residential areas.

Similar and compatible with the surrounding area

The proposed septage management facility is compatible with other existing nearby industrial uses such as warehousing, mechanical garages, truck parking, outdoor storage, and manufacturing, as well as other uses permitted in the I-4 zoning district. Furthermore, the operations and activities of the septage management facility take place completely inside the existing building, which is located approximately 1,500 ft. from the nearest residence.

Shall not act as a detrimental intrusion into a surrounding area

The proposed operation on the subject property will not negatively impact the surrounding area, as there is heavy industrial in the area. The operation proposes to use an existing building, and have all activities take place within that building only.

Meet the performance standards of the district

The use meets all setbacks, height limits, parking requirements, and other performance standards as required for septage management facilities. The proposed operation meets all performance standards for this type of facility.

Similar in noise, vibration, dust, odor, glare, heat production

There are no proposed activities on the property that would generate noise, vibration, dust, odor, glare, or heat that is not similar to the uses permitted in the zoning district, and adjacent and nearby uses. All activities will be taking place completely inside the existing facility, not outdoors, and an air scrubber will be utilized to manage odors, in compliance with code requirements.

Landscape buffer yards shall be in accordance with Section 24-5 of the Orange County Code

The existing site and building are developed with code compliant landscaping, which currently exists. As the property abuts other properties that are also zoned industrial, no additional buffer yards per Sec. 24-5 are required. In addition to the code compliant landscaping that already exists, the rear property line also contains a drainage ditch and heavy vegetation, which provides additional buffering beyond what is required by code.

CONDITIONS OF APPROVAL

1. Development shall be in accordance with the site plan dated May 16th, 2024, and elevations dated December 15, 2023, subject to the conditions of approval, and all applicable laws, ordinances, and regulations. Any proposed non-substantial deviations, changes, or modifications will be subject to the Zoning Manager's review and approval. Any proposed substantial deviations, changes, or modifications will 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.
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. All storage, processing, and treatment of septage materials associated with the operation shall be conducted entirely inside the existing building. No outdoor storage, outdoor processing, or outdoor treatment of septage material shall be permitted.
5. At any time during the operation of the facility, the County may require the implementation of additional odor control measures to address odors found to be in violation of rules, regulations, or laws of Orange County or any other applicable governmental agency.
6. At any time during the operation of the facility, the County may require the implementation of additional noise abatement measures to address sounds or other noise complaints found to be in violation of rules, regulations, or laws of Orange County or any other applicable governmental agency.
7. Building permits for the required building improvements shall be obtained within 3 years of final action on this application by Orange County or this approval becomes null and void. The zoning manager may extend the time limit if proper justification is provided for such an extension.

C: Logan Opsahl
215 N. Eola Drive
Orlando, Florida 32801



LOGAN J. OPSAHL

Logan.opsahl@lowndes-law.com
215 North Eola Drive, Orlando, Florida 32801-2028
T: (407) 418-6237 | F: 407-843-4444
MAIN NUMBER: 407-843-4600



May 6, 2024

Orange County Zoning Division
201 S. Rosalind Avenue
Orlando, FL 32801
zoning@ocfl.net

Re: Special Exception Criteria Statement;
10002 Satellite Blvd., Orlando, FL 32837 (the "Property")

To Whom it May Concern,

The Applicant is requesting a special exception for the Property relating to the Proposed Use of a liquid waste treatment and disposal facility for storage and processing of non-hazardous grease trap waste from restaurants and food preparation/service facilities and sewage from holding tanks, lift stations or similar systems (the "Proposed Use"). Attached to this application is a Use Statement outlining the Proposed Use in detail and specifics relating to the functionality of the Proposed Use on the Property. Please see below Applicant's analysis of the Special Exception Criteria in accordance to and compliance with Section 38-78 of the Orange County Code. A preapplication meeting was held on March 27, 2024.

1. The use shall be consistent with the Comprehensive Policy Plan

The Property has a Future Land Use designation of Industrial and an I-4 zoning designation which is consistent with the Industrial Future Land Use designation. The Proposed Use is consistent with the Comprehensive Policy Plan and is compatible with the surrounding area. OBJ FLU8.2 provides that "compatibility will continue to be the fundamental consideration in all land use and zoning decisions." The Proposed Use is consistent with the policies set forth under this objective as the entire surrounding area is within the Industrial Future Land Use designation.

FLU1.4.16 provides that the "Future Land Use Map shall reflect appropriate locations for industrial use. Potentially incompatible land use designations, such as residential or neighborhood commercial, shall not be established adjacent to industrial land use designations." Again, the Property is not adjacent to residential or neighborhood commercial use. Additionally, FLU1.4.17 provides that The Future Land Use Map shall reflect a distribution of industrial areas throughout the Urban Service Area to reduce the journey to work, ensure efficient freight movement and operations, avoid large concentrations of freight traffic, provide adequate and



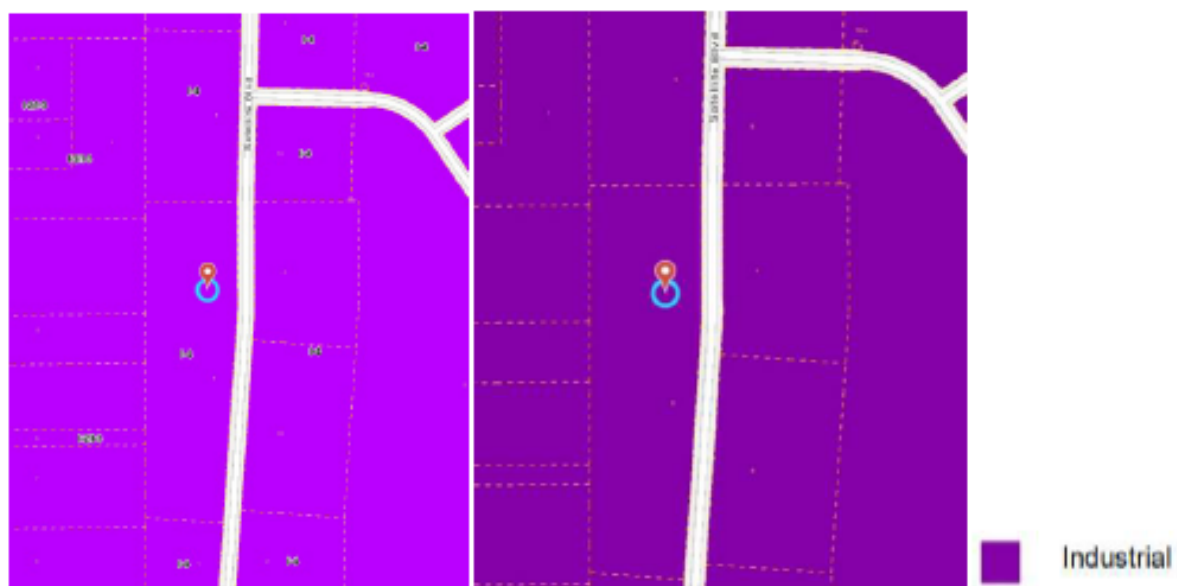
May 6, 2024

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sufficient locations for industrial uses – particularly in existing corridors and areas in proximity to Activity Centers – and provide a variety of locations with different transportation accessibility opportunities.” The Property and Proposed Use is consistent with the goals, objectives, and policies of 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.

The Proposed Use is similar and compatible with the surrounding area and the pattern of surrounding development. As noted below, the Property is surrounded by other properties that have the Industrial Future Land Use designation. Additionally, all properties to the north, east and south of the Property are zoned I-4.



Similar uses to the Proposed Use are located less than 2 miles from the Property.

3. The use shall not act as a detrimental intrusion into a surrounding area.

The surrounding area specifically contemplates intensive industrial uses. The Proposed Use shall not act as a detrimental intrusion into the surrounding similarly situated properties. All waste materials are stored within enclosed vented tanks or appropriate containers. All tanks are vented and housed within an enclosed building and do not constitute a fire, safety, or health hazard nor do they provide food or harborage for animals and vectors. All containers actively used or filled in processing or collecting sludge and solids, will be contained within the enclosed building and

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do not constitute a fire, safety, or health hazard, nor do they provide food or harborage for animals and vectors.

4. The use shall meet the performance standards of the district in which the use is permitted.

The Proposed Use shall meet or exceed all performance standards of the I-4 industrial district. The Applicant will work with Staff to ensure compliance with all applicable design and performance standards.

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.

The purpose and intent of the I-4 industrial zoning district is to provide for industrial operations of all types which may produce odor, smoke, dust and noise. It is also created to establish and maintain standards which will permit a wide range of intense industrial uses while protecting adjacent residential developments. The Property is not adjacent to any residential developments and instead surrounded by industrial uses. The Proposed Use and Property are compatible with the surrounding area and uses. The Property and Proposed Use enjoy similar characteristics associated with the vast majority of uses currently permitted in the zoning district and in the immediate vicinity. The Property is surrounded on all sides by industrial uses including properties that have the same I-4 zoning designation to the North, East and South of the Property.

6. Landscape buffer yards shall be in accordance with section 24-5 of the Orange County Code. Buffer yards types shall track the district in which the use is permitted.

The Proposed Use will be in compliance with all applicable requires of Section 24-5 of the Land Development Code. Importantly, Section 24-5 requires landscape buffering between (I-4) Industrial uses and residential uses. The Property is surrounded by other Industrial uses and the Land Development Code does not require a landscape buffering between industrial users.

Sincerely,

A handwritten signature in blue ink, appearing to read "Logan J. Opsahl", written over a horizontal line.

LOGAN J. OPSAHL

FACILITY PROCESS DESCRIPTION

The Proposed Facility is a liquid waste treatment and disposal facility for storage and process of non-hazardous grease trap waste from restaurants and food preparation/service facilities and sewage from holding tanks, lift stations or similar systems. The facility will accept non-hazardous wastes from off-site of the following types:

1. Material from animal or vegetable fats/oils from grease traps or interceptors generated by facilities engaged in food service activities, such as grease trap waste generated in food preparation (municipal and industrial) facilities, including restaurants, food processors/packaging, butcher shops, grocery stores, convenience stores, corn facilities (corn trap), school cafeterias, and food service companies;
2. Sanitary wastes and wastes of domestic origin including septage and restaurant wastes such as septic tank waste generated by various businesses and residences, including household septic tanks;

All treatment processes will occur on site and all process wastewater will be discharged to Orange County's publicly owned treatment works (POTW) as authorized by the Orange County's Industrial Waste Control / Pretreatment division. The facility will accept waste from the public 24 hours per day, seven days per week.

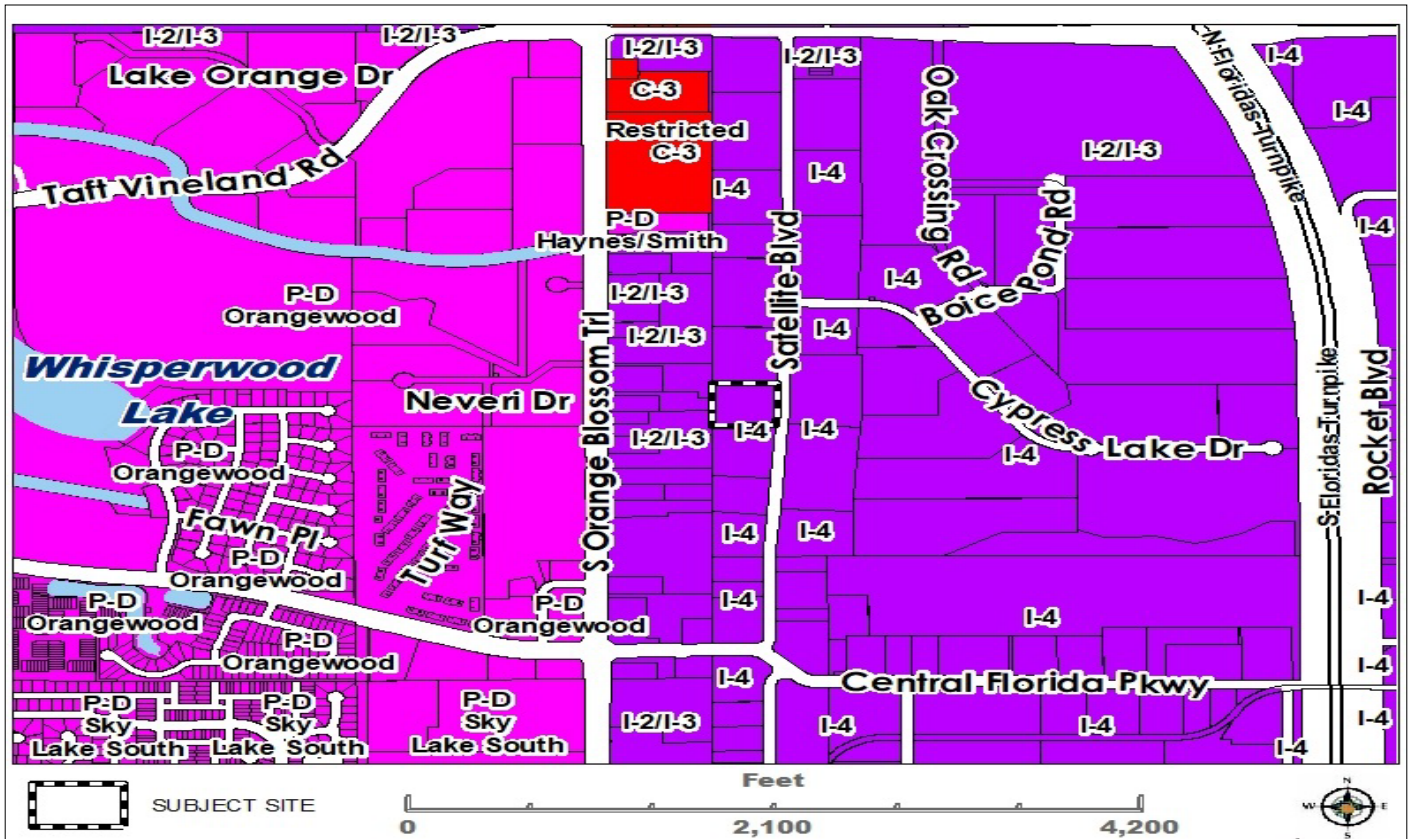
Grease trap wastes received at the facility will arrive in transport trucks. The transport trucks will unload at a drive through bay within the process building and the waste will be transferred into receiving tanks. The waste will then be pumped from the receiving tanks through a screen. The screen removes large or bulk solids from the waste prior to processing. The process uses mechanical separation process to separate solids from the grease trap waste. The solids collected from the solids screen will be transferred to a roll-off container, which is then hauled offsite to an authorized landfill, processing or compost facility. The liquids from the mechanical separation process will be pumped to process tanks. The process tanks further separate the liquid waste into water and sludge. Polymer chemicals will be added and mixed into the processing tanks. Solids, within the separated water, will

flocculate into sludge and separate from the water. After separation occurs, the wastewater will be pumped to a dissolved air flotation (DAF) clarifier for polishing. The wastewater will then be pumped to the pH adjustment tank where caustic is used to condition the pH for discharge into the Orange County sanitary sewer. Sludge from the separation tanks and skimmed solids from the clarifier will be pumped to sludge holding tanks. The solids collected will be transferred to a screw press which will help in the generation of drier solids in the form of cake. The cake will be stored in roll-off containers, which will be hauled to an authorized landfill.

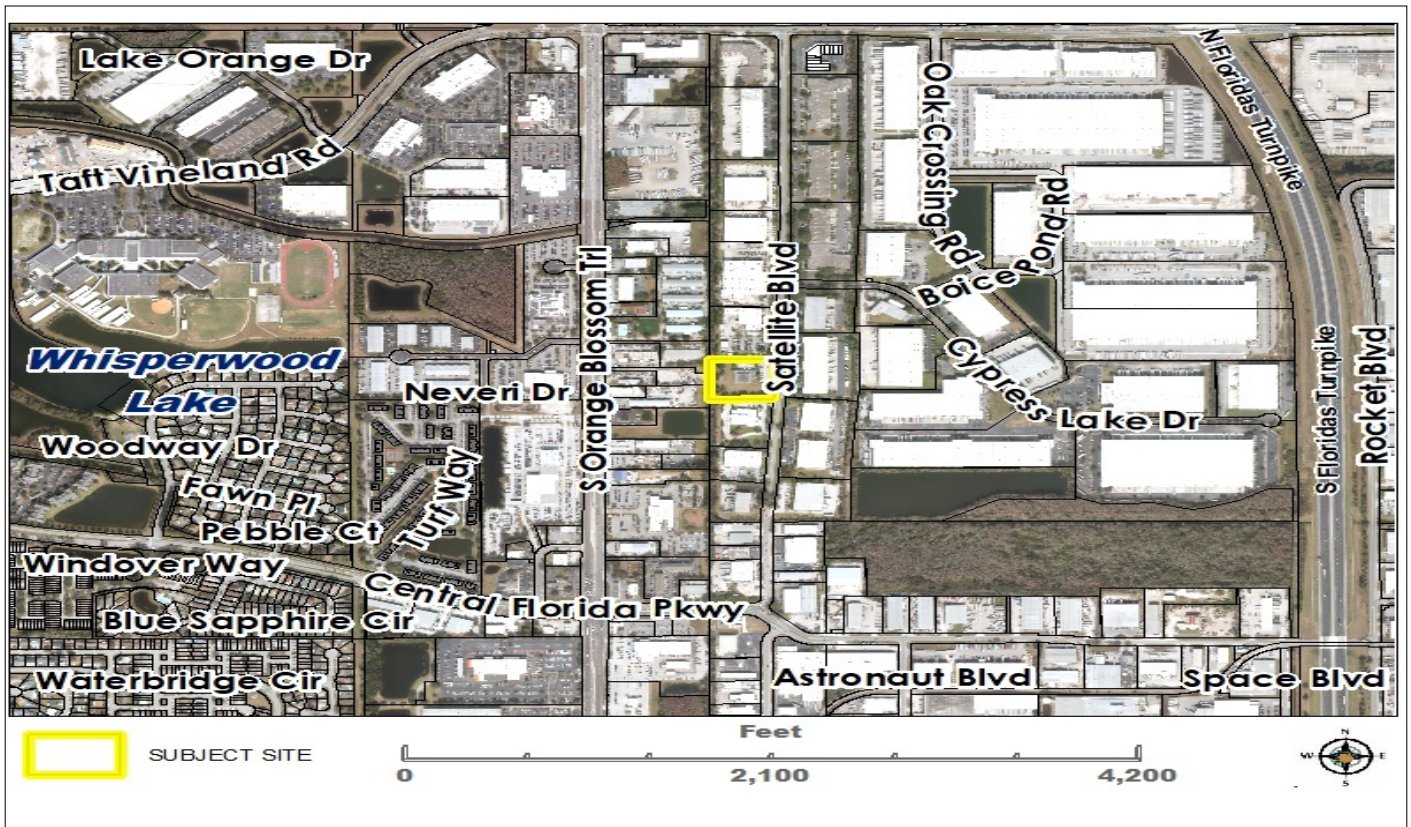
All waste materials are stored within enclosed vented tanks or appropriate containers. All tanks are vented and housed within an enclosed building and do not constitute a fire, safety, or health hazard nor do they provide food or harborage for animals and vectors. All containers actively used or filled in processing or collecting sludge and solids, will be contained within the enclosed building and do not constitute a fire, safety, or health hazard, nor do they provide food or harborage for animals and vectors. Movable containers, filled and awaiting transport to appropriate disposal facility, may be stored outside, covered, and do not constitute a fire, safety, or health hazard, nor do they provide food or harborage for animals and vectors.

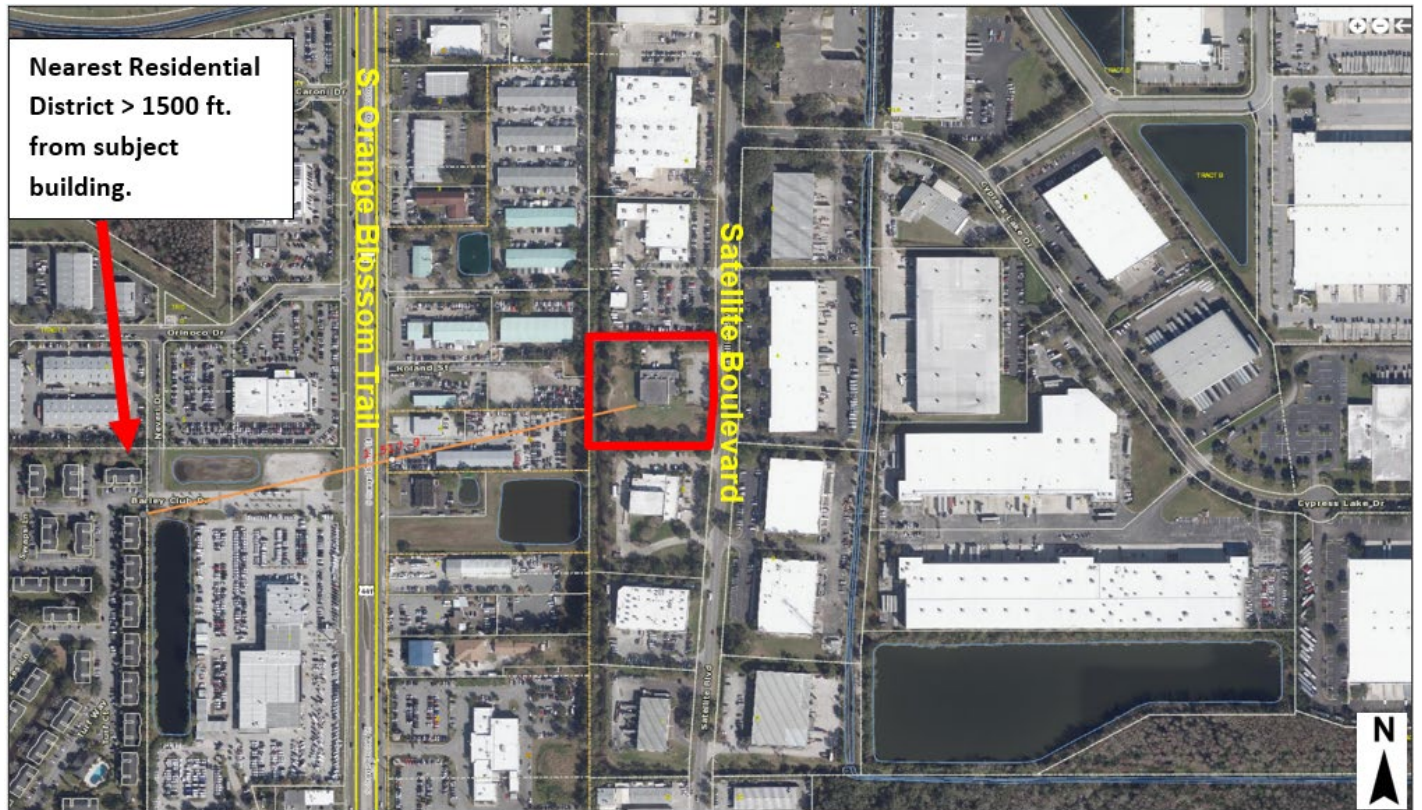
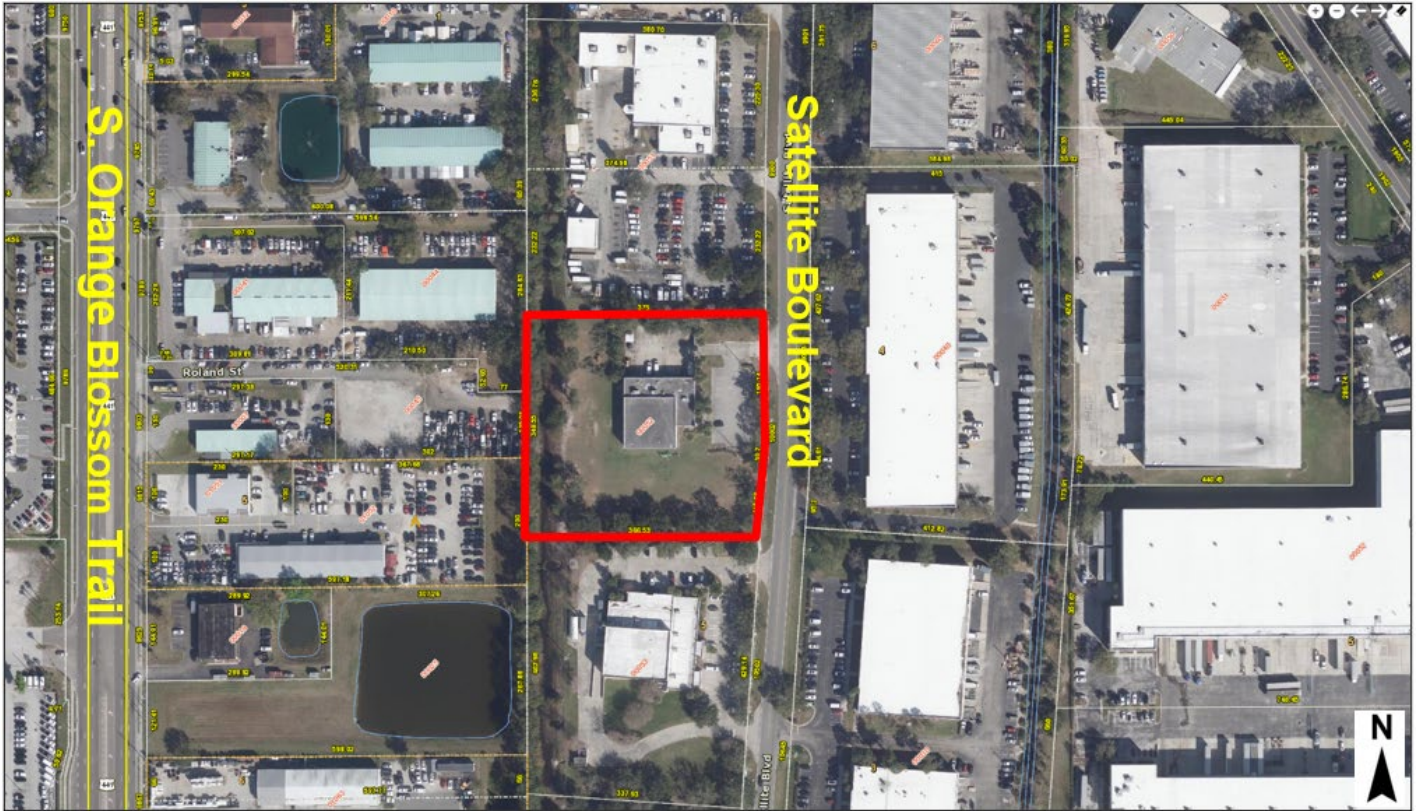
The dewatering unit process area will be within an enclosed building. Building openings such as doors, windows, louvers, and rollup or sliding walls will be controlled for ventilation and to prevent releases of nuisance odors from leaving the property boundary of the facility. Odor will also be controlled at this facility through a scrubbed exhaust air treatment system, minimizing contact between unprocessed waste and air and by following good housekeeping practices. The building design will include an air scrubber to continuously ventilate and control odors in the building during operations. The scrubber water is treated with chemicals selected to oxidize or otherwise neutralize the odor causing chemicals in the building exhaust. Wastes will be transferred in hoses and pipes and stored in enclosed tanks. Under these conditions, airflow is limited over the surfaces of liquid as the waste is transferred and processed, and odors will not be mixed with large volumes of air and widely distributed in the building or throughout the site. Primary activities generating noise onsite are unloading and processing. Unloading waste will involve vacuum truck equipment but conducted entirely within the building. Noise generated by processing involves pumps and air compressor(s).

ZONING MAP

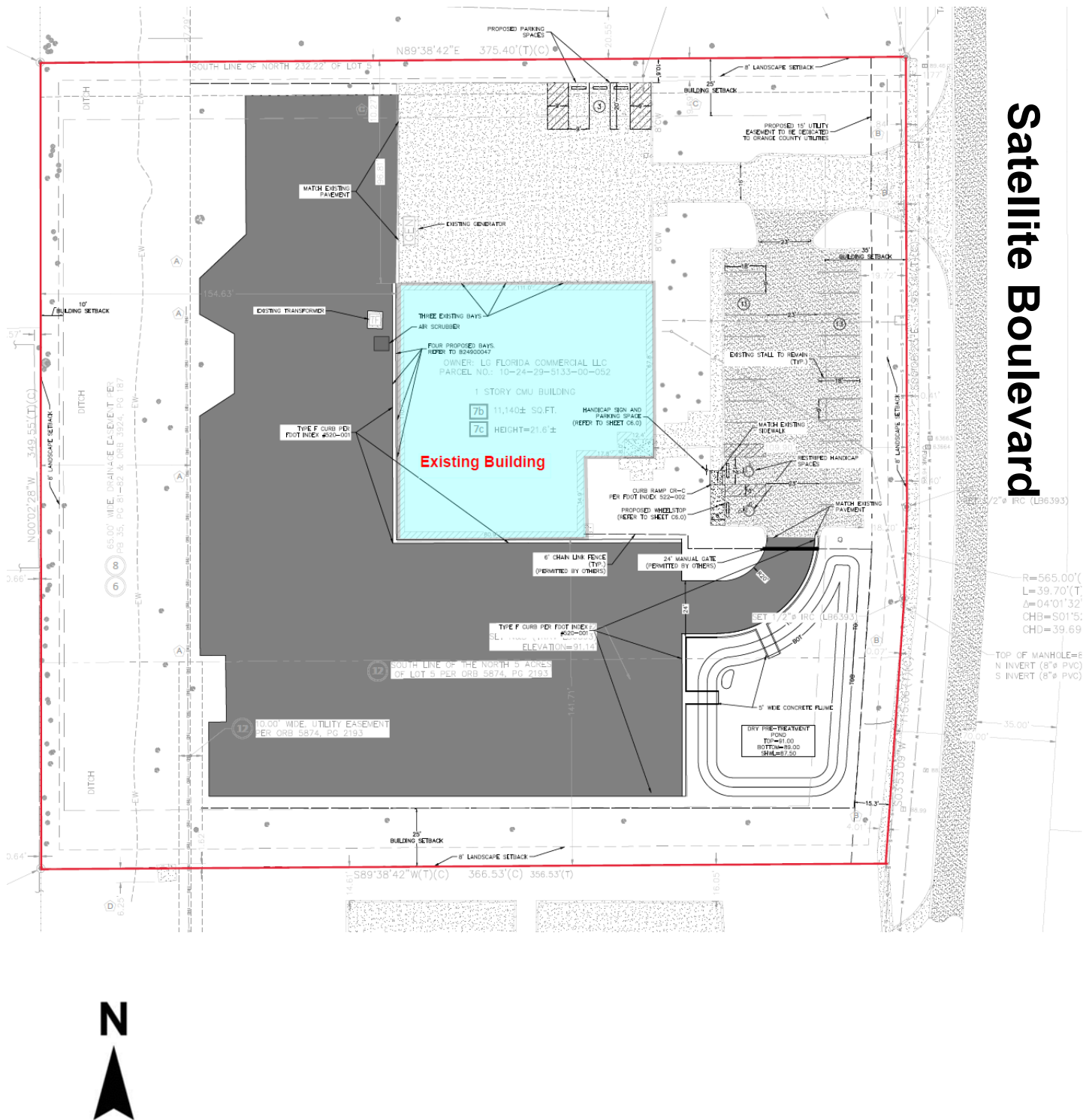


AERIAL MAP





SITE PLAN

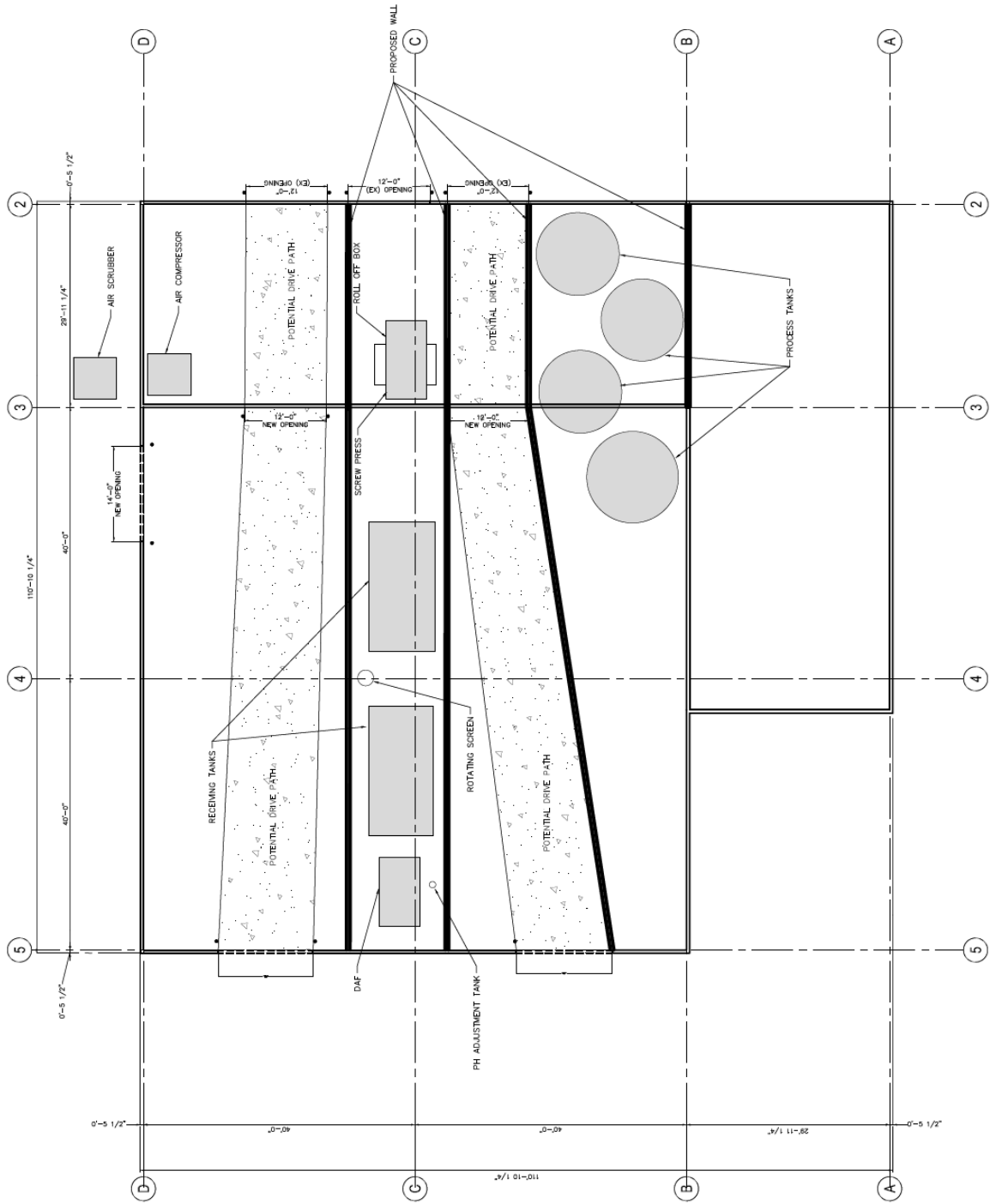


Satellite Boulevard

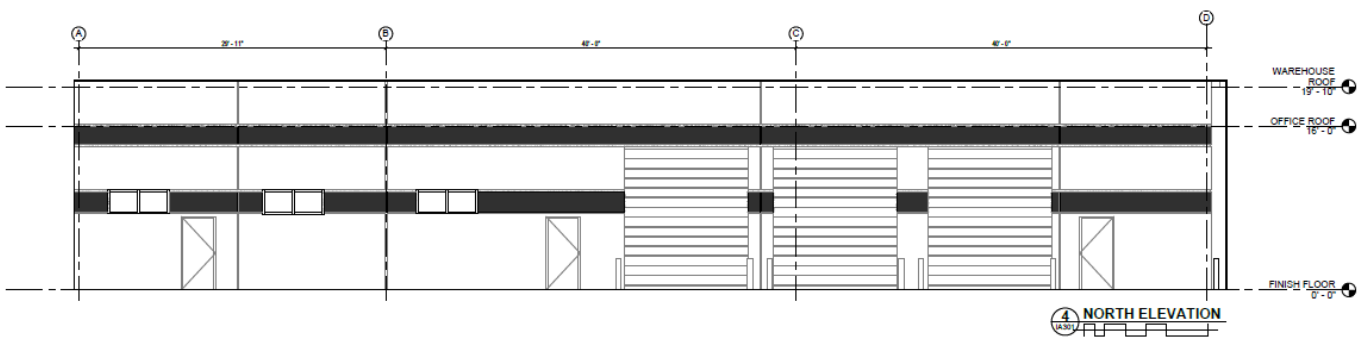
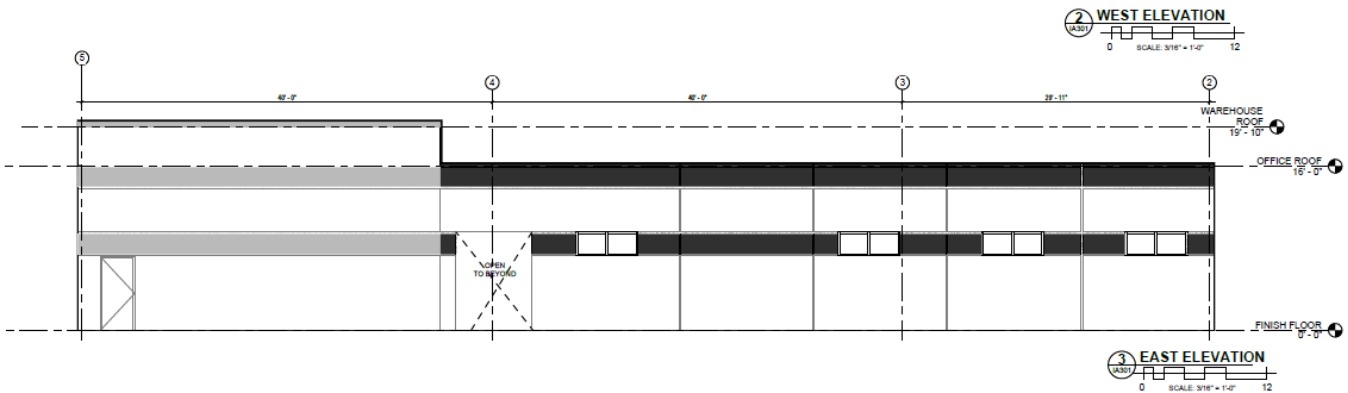
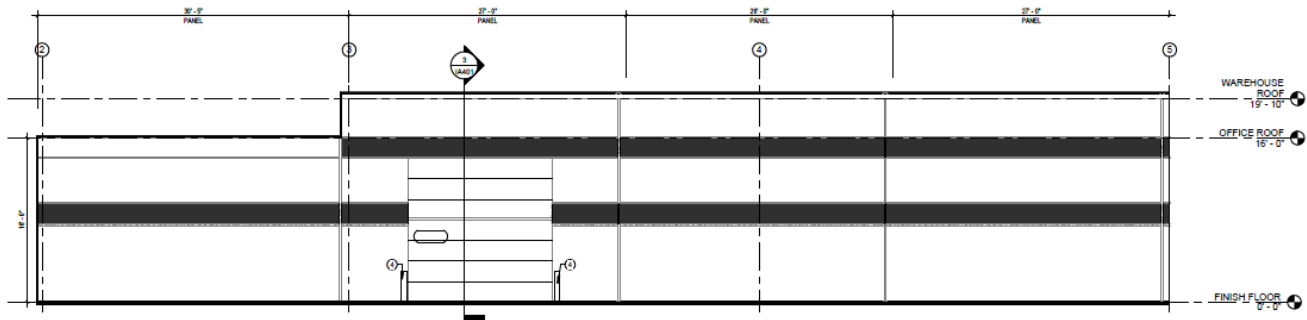
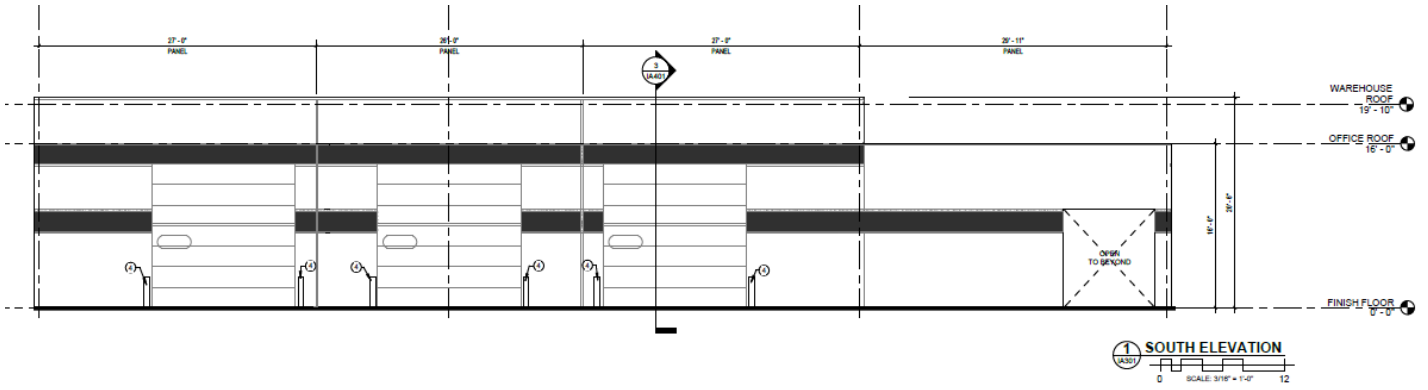
Satellite Boulevard



FLOOR PLAN



ELEVATIONS



SITE PHOTOS



Facing northwest, towards front of subject property



Facing southwest, towards front of subject property

SITE PHOTOS



View of rear yard, facing north



Existing canal at the western, rear yard boundary, facing west

SITE PHOTOS



Rear of existing building, facing east



Side of existing building, facing south

SITE PHOTOS



Sideyard, facing south (toward abutting religious facility) from subject property



From front of property, facing north, down Satellite Blvd.