

Objection by Neighbor Serenity **Villa Assisted Living Facility**

- **Requested GMP amendment for Lot 2 from LMDR to Commercial (and any subsequent commercial rezoning of Lot 2). NOT CONSISTENT WITH COMPREHENSIVE PLAN. (Tab 1)**
 - **FLU 1.1 (requires changes to be compatible) – “Staff finds that the encroachment of commercial into the residential area could disrupt the established residential development” (p. 163 of Staff Report).**

- **FLU Objective 2.1 and Policy FLU 1.4.21 (encourage infill) – “Future land use map amendment not necessary for residences...map amendment to commercial could cause additional auto related uses in the area that would encroach into the established residential area.”**
- **FLU 1.4.1 – Prohibits the disruption of residential areas by poorly located and designed commercial activities; - “proposed map amendment would cause further encroachment of commercial uses into an existing single family neighborhood” (p. 164 of Staff Report).**

- **Neighborhood Element Objective N.1 – “Orange County shall ensure that Future Land Use changes are compatible with or do not adversely impact existing or proposed neighborhoods. ... The encroachment of commercial uses into the established residential area could adversely impact the neighborhood.” (p. 164 of Staff Report).**
- **FLU 8.2 and 8.2.1 – “Land use changes required to be consistent with existing development and development trends in the area” – not compatible. (p. 164 of Staff Report).**

- **FLU 8.2.10 – ensures land use compatibility with nearby residential zoned areas and protection of the residential character of those areas – “Staff finds that the residential development and character could be affected by commercial uses within an established residential area.” (p. 164 of Staff Report).**

- **Site (Lot 2) is very small for a commercial use – will likely begin to spill out into adjacent parcels owned by applicant**

- **On septic, have to accommodate parking, etc.**

- **Inviting Code Enforcement problem?**

- **They already have cars there! (Tab 2)**
- **Can't prevent him from coming back at a later date for C-2**
- **Commercial "creep" lends itself to subsequent request for C-2 (if this denied and C-1 granted)**
- **Inviting future assemblage of this parcel to adjacent commercial sites on Semoran**
- **Comp Plan and county policy promotes assemblage for infill housing**
- **Request for commercial lowers the bar for surrounding areas to take on undesirable commercial uses**

- **Proposed commercial intrusion on Lot 2 sets a precedent for further commercial intrusion on Hewett**
- **Hewett loops around and back up to 436**
- **Hewett and Norma Drive is gateway to a long established church and school**
- **Neighborhood and community doesn't want it per attached petition (Tab 3)**
- **Takes a residential lot out of commission which could otherwise accommodate much needed affordable housing infill**

- **Not compatible with area per your own staff – especially considering sensitivities of ALF residents, outdoor patio, likelihood of parking spillover, etc. (Tab 4)**
- **At a minimum, deny the requested GMP amendment from LMDR to Commercial**
- **Follow your comprehensive plan**
- **Raise the bar for this neighborhood as the Serenity Villa ALF has done – don't lower it!**

7

zoned C-1 (Retail Commercial District) or C-2 (General Commercial District). Of the sixteen (16) commercial properties:

- One is developed with a duplex,
- Six have auto related uses include sales and repair
- Three are restaurants
- One is retail
- One is personal service
- One is a vacant gas station
- Three are undeveloped

These uses are located on parcels that are part of the Hewitt Heights subdivision and were zoned commercial between 1957 and 1973¹.

Uses to the east of the site include are residential. These parcels are part of the Hewitt Heights subdivision and have a future land use of Low-Medium Density Residential (LMDR) and are zoned R-1A (Single-Family Dwelling District).

Properties to the south of the petitioned site are commercial uses, including bakery, adult entertainment, and the Azalea Park Post Office. The property to the immediate west is a vacant gas station and convenience store. It has a future land use designation of Commercial (C) and is zoned C-1 (retail Commercial District).

A community meeting was held on September 26, 2019, at Colonial High School. No members of the community attended.

2. Future Land Use Map Amendment Analysis

Consistency

The requested Future Land Use Map (FLUM) amendment and concurrent rezoning request appear to be inconsistent with the applicable Goals, Objectives, and Policies of the Orange County Comprehensive Plan.

Future Land Use Objective FLU1.1 directs growth and development into the Urban Service Area (USA). The petitioned site is within the County's USA. **Future Land Use Element Policy FLU1.4.2** requires that land use changes are compatible with and serve existing neighborhoods. The site is located within a residential neighborhood. Parcels with frontage along North Semoran Boulevard have commercial future and use and zoning dating back to 1957-1973. Those parcels internal to the subdivision have residential future and use and zoning. The subject site is located between commercial and residential future land uses. Staff finds that the encroachment of commercial into the residential area could disrupt the established residential development.

Future Land Use Objective FLU2.1 and Policy FLU1.4.21 encourage infill for relatively small, vacant, underutilized parcels within the County's core areas and Urban Service Area (USA). The properties subject to the request are presently undeveloped. The property could be developed with residences under the existing zoning. A future land use map amendment is not necessary to use the site for

¹ RZ-18-01-004 approved a zoning change on Parcel 27-22-30-3504-01-010 (647 N Semoran Blvd.) from C-1 to C-2

residential uses. The requested future and use map amendment to Commercial (C) could cause additional auto related uses in the area and it would encroach into the established residential area.

Future Land Use Element Object 1.4 contains location and development criteria to use to guide the distribution, extent, and location of urban land uses, while encouraging compatibility with existing neighborhoods. **Future Land Use Element Policy FLU1.4.3** directs the location of commercial development to major intersections. The subject site is located within an existing neighborhood with access from Hewett Drive, which is accessed from North Semoran Boulevard. The adjacent commercial development is not located at major intersections but is ribbon development that runs along much of North Semoran Boulevard. However, these parcels front on North Semoran Boulevard while the subject site does not.

Future Land Use Element Policy FLU1.4.4 prohibits the disruption of residential areas by poorly located and designed commercial activities. The commercial uses along North Semoran Boulevard are existing to the subdivision. The proposed amendment from Low-Medium Density Residential (LMDR) to Commercial (C) would cause the further encroachment of commercial uses into an existing residential neighborhood. The commercial uses currently do not extend from Hewett into the neighborhood. While the zoning ordinance anticipates commercial and residential uses abutting each other, the proposed use as automotive sales would further increase the auto uses in the immediate area. The petitioned site could be used for residential development consistent with the overall development in the area.

Neighborhood Element Objective N1.1 states that Orange County shall ensure that Future Land Use changes are compatible with or do not adversely impact existing or proposed neighborhoods. As previously stated, the commercial properties along North Semoran Boulevard have commercial zoning dating between 1953 and 1973. The future land use of these properties is Commercial (C). The future land use does not anticipate commercial development in the existing neighborhood but maintains the existing residential development. The encroachment of commercial uses into the established residential area could adversely impact the neighborhood.

Compatibility

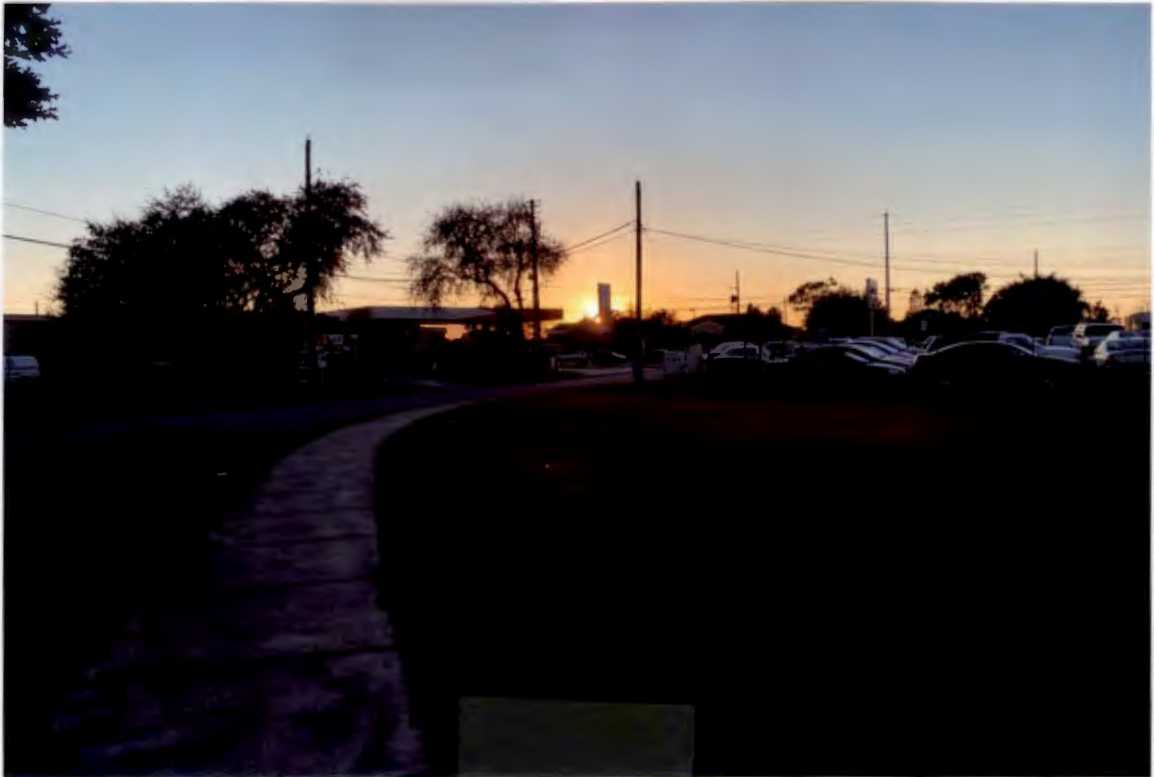
Future Land Use Element Objective FLU8.2 and **Future Land Use Element Policy 8.2.1** states land use changes shall be required to be compatible with the existing development and development trends in the area. The proposed Commercial (C) future land use designation is not compatible with the existing development in the area. As noted above, there are examples of existing residential, office, and commercial uses in the area. However, many of these uses pre-date the Comprehensive Plan. Staff finds that the proposed commercial development would not be compatible with the existing development but would further the commercial development in an established residential area.

Future Land Use Element Objective FLU8.2.10 ensures that land use compatibility with nearby residential zoned areas and protection of the residential character of those areas with the application of performance standards. The subject site is part of a subdivision that was created in 1952. Staff finds that the residential development and character could be affected by a commercial use within an established residential neighborhood. Those existing commercial uses, including the one adjacent to the subject site are situated on parcels with frontage on North Semoran Boulevard.









Petition

We, the undersigned property owners, hereby petition Orange County to deny the comprehensive plan amendment and rezoning request for the Property located at 547 Hewett Drive Ave (Case No 2019-2-S-3-4 (Future Land Use Change from Low Medium Density Residential to **Commercial**/ Lot 2 and Case No. RZ-19-10-028 Rezoning from R-1A to **C-2** (allows outdoor storage and car lots) on Lot 2 and rezoning from R-1A to R-2 on lots 3 and 4):

<u>Name</u>	<u>Address</u>
1. <u>KEERRY RIZIACH</u>	<u>567 Hewett Dr Orlando 32807</u>
2. <u>Tom Frank Brown</u>	<u>567 Hewett Dr Orlando 32807</u>
3. <u>Luis Suarez</u>	<u>5532 Casa Blanca Ln</u>
4. <u>Irene D'Onofrio</u>	<u>3930 S Pointe Dr apt 208 32822</u>
5. <u>Joana Jenkins</u>	<u>4013 Lake Mira Dr, Orlando, FL 32817</u>
6. <u>Cecilia Paul</u>	<u>415 Fieldstream Blvd, Orlando, FL</u>
7. <u>BRENDA KIRKLAND</u>	<u>8628 - MARJOLINA 32825</u>
8. <u>BARBARA PFETSCH</u>	<u>5439 Brosche Rd, Orl, FL 32817</u>
9. <u>Carolyn Laddy</u>	<u>5730 Oleander Dr, Orl, FL 32807</u>
10. <u>Christina Velis</u>	<u>954 Court Yard Lane Unit 52 Orlando FL 32825</u>
11. <u>Carol O'Keefe</u>	<u>6371 Inca St Orlando 32807</u>
12. <u>Evelyn Izeppi</u>	<u>3625 Running Water Dr Orlando FL</u>
13. <u>Angie Fonseca</u>	<u>3625 Running Water Dr. Orlando, FL 32829</u>
14. <u>Jenice Rodriguez</u>	<u>1316 Overdale St Orlando FL 32825</u>
15. <u>Astrid Vellon</u>	<u>559 Hewett Dr. Ordo</u>
16. <u>Sae Moreira</u>	<u>FL 32827</u> <u>559 Hewett Dr. Orlando FL</u> <u>32827</u>
17. <u>Jean-Carlo Vozges</u>	<u>559 Hewett Dr. Ordo</u> <u>FL 32827.</u>
18. <u>Kelvin A. Cover</u>	<u>1316 Overdale St Orlando FL 32825</u>

4







