

Presentation to the Orange County Board of Commissioners
Tuesday November 14, 2017
Opposition to Amendment 2017-2-S-2-6

Good afternoon Mayor Jacobs and Commissioners:

My name is Harry Hopkins II and I reside at 6638 Pine Island Place. I have a total of 15 acres situated on the north side of Long Lake and I have lived there for more than 60 years, likely longer than any other resident on the Lake.

I am here today to speak in opposition of the rezoning request to the property described in amendment 2017-2-S-2-6 which is before you. This property abuts the NE corner of the intersection of Hiawassee and Clarcona-Ocoee roads. That intersection and the fact that it has traffic control signals is the sole reason that it meets the County Master Plan and therefore is being recommended for rezoning approval by the Planning Department. I, however, think that there are several things much more important that exist which require your careful consideration before you vote on this request.

Number 1: This property is directly on Long Lake which is a fragile ecosystem. I am not here to discuss the atrocities that have befallen it over many decades. Suffice it to say, they have occurred and have all but caused the Lake to permanently die. It is currently home to at least two protected species, the American Bald Eagle and the gopher turtle, as well as, a vast array of wildlife to include osprey, ducks, migratory birds, Florida Sandhill Cranes, fish, swamp rabbits, fox, coyote, non-poisonous and poisonous snakes and yes, even home to 8 to 10 free ranging peacocks at the west end of the Lake, specifically the property in question and its adjacent properties. Commercial development of this property to any degree will harm the natural balance that currently exists. It simply cannot take another hit!

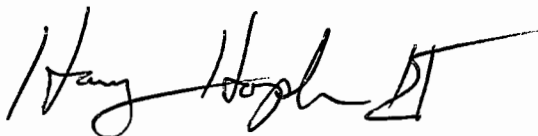
Number 2: The properties adjacent to Long Lake is residential with the exception of 2 churches located on the south side of the lake. No other commercial businesses are present that abut the lake shore. Obviously, from past development, the intended purpose of this land was residential, not commercial. Development of this property will require extensive modification to the current topography (a 30-60 foot drop) to bring the bottom of the property to the level

of the adjacent intersection making this undesirable and likely cost prohibitive from a developer's point of view. An enormously high retention wall system would also be required to retain the fill. Adding this volume of fill will permanently modify the lake bed and alter its ability to hold runoff water, a principle purpose as a watershed identified to me by the County. Keep it as it is and retain it for its intended purpose.

Number 3: The area surrounding Long Lake is in commercial crisis. There is no current or foreseeable need for additional commercially developed property in this area. Properties for possible commercial development have been for sale for 20 or more years with no takers and these properties are much more desirable for development. Sales at the current commercial establishments such as Winn-Dixie, Family Dollar and Walgreens stores are in decline. There have been numerous business changes in the strip store area next to the Winn Dixie and there exists a large homeless population settlement along the back wall of Winn Dixie. Commercial development of this corner will bring with it additional crime, noise and ground contamination from direct runoff into the lake, as well as, additional vehicular accidents to an intersection that is already dangerous and fraught with accidents. The residents of Long Lake **DO NOT** need nor want this unnecessary change to our community.

Subsequently, I have obtained the signatures of 24 unique property owners adjacent and contiguous to the property being discussed today stating that they too stand in opposition to this rezoning request based on the aforementioned reasons. I provide for your review, this petition. We implore you, as our elected representatives, to review and consider these points before making your decision today. It isn't and shouldn't always be only about increased revenue potential. Lastly, thank you for your time and attention to our concerns and for placing this statement, photographs, petition and other exhibits into the official minutes of this meeting.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Harry Hopkins II', with a stylized flourish at the end.

Harry Hopkins II

Hap.Hopkins@att.net









LONG LAKE HOME OWNERS PETITION

I (We) the undersigned protest the pending action and vote by the Board of County Commissioners (Orange County, FL) to rezone the following described property from residential (A-1) to Commercial (C-1):

LEGAL DESCRIPTION:

Parcel ID # - 36-21-28-0000-00-036/098/004

BEG 94 FT E OF NW COR OF SW1/4 OF SW1/4 RUN E 206 FT N 60 FT E 140 FT S 60 FT W 95 FT S 41 DEG W 125.8 FT S 27 DEG W 105.01 FT N 75 DEG W 121.94 FT N 160.04 FT TO POB IN SEC 36-21-28

I (We) oppose this rezoning request by Kevin L. Moyer based upon the following concerns:

- 1. The negative ecological impact any commercial development will have due to its contiguous proximity to Long Lake. There are no commercial properties located directly on the lake that would be responsible for any toxic or dangerous runoff. Long Lake is a sanctuary for a wide variety of wildlife including Bald Eagles, Osprey, Florida Sandhill Cranes, and a variety of ducks and birds that use the lake as habitat and as a food source. As the lake is not spring fed, the only source of water for it is from direct/indirect runoff.**
- 2. The properties surrounding Long Lake are residential making the area most compatible with this intended purpose. Currently the only commercial properties present on the lake are the Fellowship Baptist Church of Pine Hills and the Christian Church Disciples of Christ in Florida (both of these properties are located on the south shore of Long Lake near the intersection of Clarcona Ocoee Road and Powers Drive).**
- 3. The intersection area is in commercial decline as evidenced by the lack of business at the Family Dollar, Winn Dixie and Walgreens stores. The commercially developed strip mall located due west of the intersection**

of Hiawassee and Clarcona Ocoee Roads is currently not fully leased out and an additional property located on the north side of Clarcona Ocoee Road due just west of the strip mall property (approximately 6 acres zoned A-1 but suitable for commercial development) is available and has been available for many years, without sale. Therefore, there exists no current or future need to rezone the above described property to C-1.

PETITIONERS:

<u>Print Name</u>	<u>Signature</u>	<u>Address</u>
<u>HARRY HOPKINS II</u>	<u>[Signature]</u>	<u>6638 PINE ISLAND PLACE</u>
<u>Amy S. Hopkins</u>	<u>[Signature]</u>	<u>6634 PINE ISLAND PLACE</u>
<u>William Hokkiban</u>	<u>[Signature]</u>	<u>6636 Pine Island PL</u>
<u>Louis BERRY</u>	<u>[Signature]</u>	<u>5825 GROVELINE DR.</u>
<u>Blonza Young</u>	<u>[Signature]</u>	<u>5909 Groveline Dr.</u>
<u>BARBARA BESS</u>	<u>[Signature]</u>	<u>5843 GROVELINE DRIVE</u>
<u>William L. Bess</u>	<u>[Signature]</u>	<u>5843 Groveline Dr</u>
<u>Conducy Fredent</u>	<u>[Signature]</u>	<u>5801 Groveline dr</u>
<u>Sandra Douglas</u>	<u>[Signature]</u>	<u>5813 Groveline Dr</u>
<u>Darryl Evans</u>	<u>[Signature]</u>	<u>5819 groveline dr</u>
<u>Douglas/Melissa Rose</u>	<u>[Signature]</u>	<u>5837 Groveline Dr.</u>
<u>Frank & Dionne Mikell</u>	<u>[Signature]</u>	<u>5831 Groveline Dr</u>
<u>James & Helen Touchton</u>	<u>[Signature]</u>	<u>5849 Groveland Dr.</u>

Melissa Micheli

Georges R Micheli

Lynette M Brown
ERIC A. BROWN

Rhonda Bentley Brown

Keith Conrad

UDAY SHUKLA

UDAY SHUKLA

UDAY SHUKLA

→ UDAY SHUKLA

ROBERT M. HERRIN

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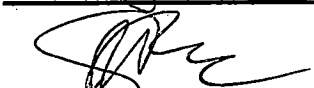


Lynette Brown
Eric Brown

Rhonda Bentley Brown

Keith Conrad









Robert M Herrin

5855 Groveline dr

5867 GROVELINE DRIVE

5807 Groveline Dr

5861 Groveline Dr

6727 Wigean PL.

6701 Wigean PL

0 Crescent Rd. (#36-21-28-000-000)

0 N Hiawassa Rd (#36-21-28-000-000)

5935 Groveline Drive (#36-21-28-000-000)

Amy,

My name is Harry Hopkins II and I live at 6638 Pine Island Place 32810 and also own the adjacent property 6634 Pine Island Place 32810. The two properties total 15 acres and I have lived on these properties for over 60 years. I recently became aware of a request to rezone approximately 2 acres on the NE corner of the intersection of Clarcona-Ocoee Road and Hiawassee Road from A-1 to C-1.

As a long-time resident, I am opposed to this request because I have seen many detrimental county actions taken on Long Lake and its surrounding area over the years dating back to the early 60's. For example, the installation of pumps for the removal of water from the lake because houses were allowed to be constructed below the 100 year flood plain on the east end. I built my home at 6638 in 1986 and was required to build above it as should they. The result has been decades of lower than normal lake levels...sometimes resulting in reducing it to a marsh. The property involved in the rezoning request is partially in the lake bed and should not be allowed to be developed.

The extension of Hiawassee Road to the north split the lake bed and led to the installation of a deep well just north of this property. Shortly after installation, the lake level dropped sharply again negatively impacting the ecosystem.

The property in question drops more than 60 feet from the road level to its base level which would require extensive fill and modification to the property in order to make it usable and accessible from Clarcona-Ocoee and Hiawassee roads. This requirement will further damage the lake by restricting its ability to hold water. It, I was told by County officials, is a huge watershed for the area which is why, they claim, the lake needs to be kept lower than normal although this is unnecessary.

There already exists more than enough retail commercial properties at or adjacent to this property intersection. Currently, there are nine occupied commercial businesses, one available commercial space, and several available properties due west of the Winn Dixie property which are more suitable for commercial development in terms of their layout and elevation.

I travel through this intersection several times daily and see absolutely no need for additional commercial businesses especially a convenience type store or gas station. I would ask that you travel again to the property and re-evaluate this case.

Other additional impacts have occurred throughout the years including the drainage fiasco from poor engineering relating to the paving of Pine Hills Road north of Clarcona-Ocoee Road to Beggs Road. Other things such as Bray's dump near the east end of the lake (Pine Hills Road) no doubt polluted it as everything from school buses to paint to acid batteries were dumped there for many years. The property is now and has been available for development. I can't imagine why this is okay...

In closing, I would ask that you submit this letter of opposition to the rezoning request (case number 2017-2-S-2-6) and that it be officially included in the minutes of tomorrow's meeting (10-19-2017 9am) to discuss said request as I am unable to attend.

I look forward to hearing from you soon.

Sincerely,

Harry Hopkins II

6638 Pine Island Place

Orlando, FL 32810

Phone: 407-493-2231

Email: Hap.Hopkins@att.net

Sent via the Samsung Galaxy S7 edge, an AT&T 4G LTE smartphone

Amy,

Thank you for calling and discussing this case with me. I appreciate your time and information. One thing you said sparked something which had to do with the individual who owns the property not being able to sell it for residential use. In the many times I have passed by this property, I have never seen a for sale sign posted. Do you have any proof that he has even tried to sell it? If not, I am not sure why he is claiming that as a reason...just food for thought.

Blessings,

Harry Hopkins II

Sent via the Samsung Galaxy S7 edge, an AT&T 4G LTE smartphone

Subject: Not in favor of "Amending Future Land use" for parcel ID(s)
36-21-28-00000-00-036/098/004
From: USC <usc@udaycorp.com>
Date: 10/15/2017 11:52 AM
To: amy.bradbury@ocfl.net, danalee.petyk@ocfl.net, Vaibhav Shukla <vaidshukla@gmail.com>
BCC: Vaibhav Shukla <cooljoe30@yahoo.com>

Date: October 15, 2017

Dear Case Planners,

I am **not in favor of "Amending Future Land use"** for parcel ID(s)
36-21-28-00000-00-036/098/004 of 2.07 gross acres located at 6945, 6901, 6867 as
described in the attached.

Pardon me for not being able to attend the hearing in person due to circumstances beyond
my control. Please reach me by email or my mailing address for any questions or concerns.

Best Regards,

Uday Shukla
usc@UdayCorp.com
POB 681822 Orlando FL 32868

To. amy.bradbury@ocfl.net, danalee.petyk@ocfl.net
cc. Vaibhav Shukla <vaidshukla@gmail.com>

Attached: Future Land use Amend request for 36-21-28-00000-00-036-098-004

—Attachments:—

Future Land use Amend request for 36-21-28-00000-00-036-098-004.PDF

499 KB

Greetings. I hope all is well with you and yours! Mary, I have some permitting questions and figured you'd be able to point me in the right direction.

Back in the day (probably between 1980 and no later than late 1986) my husband Bill, working for SJRWMD, handled the field work for a proposed development situated in the NE quadrant of the intersection of Clarcona-Ocoee and Hiawassee Roads in NW Orange County. He recalled that the agent was Harling, Locklin & Associates. The original proposal included a road/homesites situated below the 100-year flood elevation and definitely within what was the historical extent of Long Lake. He recommended the project for approval but only after that road and its attendant development was removed from the proposal. In addition, the undeveloped section was to have been placed into a conservation/drainage easement. I'm not aware of the specific verbiage.

He remembers this because we ultimately purchased a lot at the edge of the development, overlooking what would've been another row of homes but in fact is undeveloped and (still) below the 100-year flood elevation. Our home is situated well above that elevation, both horizontally and vertically) on the north side of Long Lake. Subsequent development and expansion of Hiawassee effectively severed the westernmost historical extension of Long Lake. I suspect groundwater withdrawals have led to the shrinking of the lake over many years (until Irma arrived and we found ourselves with a lakefront lot again.

When Hiawassee was expanded (15-20 years ago), Orange County built a stormwater pond immediately adjacent to, and east of Hiawassee. I'm assuming, based on its location, that said pond was installed below the 100-year flood elevation.

Sometime in the 80's, then-DER issued a dredge and fill permit to Stephen O'Dowd for some work in what I believe is the same development for which Bill handled the field review for St. Johns River WMD. That D/F permit was issued a few years before we purchased our lot in 1988 and built a home, because many homes already were in place when we first visited the neighborhood, known as Willow Creek. Don't ask me how I remember O'Dowd's name out of hundreds I saw over the years! I don't have numbers of either the SJRWMD or DER permits, nor do I have a lat/long or GPS information. Is there any chance that the WMD permit can be tracked down with no other information than a span of years in which the permit probably was issued, the name of the agent and the (probable) name of the applicant? To whom should I address my plea for help in this regard?

There's more. Two parcels (approx 2 acres) with one (new) owner are situated in the NE corner of the Clarcona/Hiawassee intersection. Currently identified as "Low Density Residential" (and containing two small, old, unoccupied homes) on the Future Land Use Map, the owner has applied to the county for a FLUM change to Commercial, and rezoning from A-1 (Citrus Rural District) to C-1 (Retail Commercial District). The applicant indicated at a community meeting that he thinks a convenience store would be "good for the neighborhood." Yeah, right. Some of

the Willow Creek residents (including me) are concerned that a convenience store will bring even more traffic to an already-dangerous intersection. (I can hear collisions from inside my home).

I am well aware that the WMD has no involvement in zoning decisions! However, I would appreciate some insight as to any concerns the District would address when reviewing a permit application for site development. Because C-1 zoning includes a variety of options, my neighbors and I have no idea how the site MIGHT be developed, assuming the Board of County Commission approves the rezoning (which already was recommended by the Planning and Zoning folks on October 19). This property is steeply sloped down from both Clarcona-Ocoee and Hiawassee. The elevation difference was increased when both roads were widened and improved years ago. I would estimate that the difference in the elevation between the roads and the lowest point of the property in question is 15 feet. I also suspect that at least a portion of the property is at an elevation below the 100-year flood line. It's conceivable that a portion of the site contains jurisdictional wetlands based on soils and/or vegetation. In general, how does the District view the placement of fill in an area which lies within a floodplain and which, in fact, has flooded on a few occasions in the past 25 years? I'm aware of only one outlet from Long Lake which flows under Beggs Road (west of Pine Hills Road) and eventually to the Little Wekiva at an unknown location.

Developing this particular parcel for any type of commercial development would require an inordinate amount of fill to bring the site up to the grade of the roads, creation of a stormwater system and impervious surfaces representing parking and a structure or structures. I do not expect you or anyone at the WMD to offer specific observations for what remains a hypothetical situation in terms of future development. But (having answered many "hypothetical questions" with "hypothetical answers" myself) I don't think it is an unreasonable request to obtain some insight as to the concerns the District has when reviewing ANY applications involving the placement of fill material within the 100-year floodplain of a lake.

If these two subjects (obtaining a copy of an ancient permit, and receiving feedback regarding filling in floodplains) is outside your purview, I'd be most grateful if you'd direct my communication to the appropriate staff. Many thanks!

Barbara Bess
blfbess@cfl.rr.com
[407-748-4057](tel:407-748-4057) (c)

The Parcel ID: 36-21-28-0000-00-036/-98/004
Location: 6945, 6901, 6867 Clarcona Ocoee Road

RECEIVED
OCT 20 2017
Planning Manager

5943 GROVELINE DRIVE
ORLANDO, FL 32810-5028
OCTOBER 16, 2017

AMY BRADBURY
PLANNER II

ORANGE COUNTY PLANNING DIV
PO BOX 1393
ORLANDO, FL 32802-2687

RE: MIAMASSEE RD / CLARCONA-OCLOEE ROAD
CASE # 2017-2-S-2-6 / R2-17-10-029

DEAR MS. BRADBURY:

I APOLOGIZE FOR THE HANDWRITTEN COMMENTS REGARDING THE PROPOSED REZONING. AT PRESENT I'M IN ALLEGANY COUNTY, VIRGINIA IN A LOCATION WITH NO COMPUTER, PRINTER, OR INTERNET ACCESS. HAD HURRICANE IRMA NOT LEFT OUR HOME IN ORLANDO WITHOUT POWER FOR NEARLY SIX DAYS (DISRUPTING OUR LIVES AS I'M SURE YOU CAN IMAGINE FOR DAYS BEYOND THE INITIAL SIX) MY RESPONSE WOULD HAVE COME SOONER. SEVERAL CONCERNS SHOULD BE ADDRESSED IN DECIDING WHETHER TO APPROVE THE PROPOSED REZONING.

- 1) HOW WILL STORMWATER TREATMENT BE PROVIDED? THIS IS A RATHER SMALL PARCEL (2.07 ACRES) AND WILL REQUIRE PAVED PARKING - I ASSUME - TO BE USED COMMERCIALY. STORMWATER PONDS REQUIRE SPACE, A PRECIOUS COMMODITY FOR DEVELOPERS. THAT PARCEL ALREADY HAS A STEEP SLOPE WITH VERY LITTLE FLAT LAND. WILL THE SITE DEVELOPER ASK TO CONNECT TO THE COUNTY'S EXISTING STORMWATER POND WHICH IS ADJACENT TO THE SUBJECT SITE? I SUSPECT THE COUNTY POND IS SITUATED BELOW THE 100-YEAR

FLOOD ELEVATION. I HAVE SEEN IT FULL. INCREASING ITS SIZE TO RECOMMEND AN ADDITIONAL COMMERCIAL SITE SIZES TO SET A BAD PRECEDENT IN TERMS OF CIRCULATIVE IMPACT TO THE FLOODPLAIN OF LONG LAKE.

2) EVEN IF SUBSTANTIAL TREATMENT IS PROVIDED ON SITE, LARGE AMOUNTS OF FILL MATERIAL WILL BE REQUIRED TO MAKE THE SITE VIABLE

FOR COMMERCIAL USE. MY HOME HAS THOSE OF MY NEIGHBORS ON GROVINE DRIVE ARE LOCATED NORTH TO NORTHEAST OF THE SUBJECT PROPERTY. LONG LAKE REAPPEARED OVER MUCH OF ITS ORIGINAL AREA IS A RESULT OF IRMA. ALTHOUGH OUR HOMES SIT ABOVE (VERTICALLY AND HORIZONTALLY) THE 100-YEAR FLOOD ELEVATION, WATER HAS BEEN LAPPING AT OUR FENCES FOR THE FIRST TIME SINCE THE EARLY MID 1990'S. MY ADDITIONAL FILL

COULD IMPACT OUR PROPERTIES NEGATIVELY.

3) WHAT ABOUT OUR PROPERTY VALUES? MY HUSBAND AND I HAVE LIVED IN OUR GROVINE DRIVE HOME SINCE NOVEMBER 1988. I DOUBT VERY MUCH THAT THE ARRIVAL OF WIND DIXIE, FAMILY DOLLAR (BOTH

WITHIN EYE-AND-EARSHOT) AND THE GAS STATION/CONVENIENCE STORE (ACROSS C-O ROAD IN THE SOUTHWEST CORNER OF THE INTERSECTION) HAVE ENHANCED OUR PROPERTY VALUES. THAT MATTERS! A HOME IS THE LARGEST SINGLE INVESTMENT WE WILL EVER MAKE. WOULD YOU WANT A CONVENIENCE STORE THAT CLOSE?

4) THE CURRENT OWNER WHO HAS REQUESTED THE ZONING CHANGE SAID AT THE SECTORY BOARD COMMUNITY MEETING THAT HE THINKS A CONVENIENCE STORE WOULD BE GOOD FOR THE AREA. REALLY? HE LIVES IN WINTER GARDEN. WE ALREADY HAVE THE AFOREMENTIONED BUSINESSES-AS WELL AS A WHISKER'S AND A SMALL STOP CONVENIENCE- WITHIN A COUPLE HUNDRED FEET OF THE INTERSECTION. THERE ARE

AMPLE OPPORTUNITIES FOR "CONVENIENCE" SHOPPING BOTH THERE AND AT NEARBY INTERSECTIONS ON CLAREMONT - OCEAN BOULEVARD.

- 5) WE HAVE Gopher TORTOISES LIVING IN BURROWS BELOW THE 100-YR FLOOD ELEVATION. ARE THERE ANY ON THE SUBJECT PROPERTY? (WE FOUND ONE IN OUR YARD FOLLOWING IRMA'S PASSING).
- 6) THE CLARCONA-OCOEFE/HIAWASSEE INTERSECTION IS BUSY AND DANGEROUS, ESPECIALLY DURING RUSH HOUR. ACCIDENTS OCCUR OFTEN. (I CAN HEAR COLLISIONS FROM MY HOME). AN ENTRANCE TO THE SUBJECT SITE LIKELY WOULD BE CONSTRUCTED ON CLARCONA, AND TRAFFIC COMING/GOING WOULD ONLY FURTHER WORSEN THE EXISTING SITUATION. I HAVE SEEN VEHICLES IN THE WESTBOUND LANES ATTEMPT TO MOVE 1-2 LANES LEFT INTO THE LONG LEFT-TURN LANE WISHING TO ACCESS WALGREEN'S, THE GAS STATION/CONVENIENCE STORE OR TO TURN LEFT (SOUTH) ONTO HIAWASSEE. A COMMERCIAL ENTERPRISE GENERATING MUCH TRAFFIC (SUCH AS A CONVENIENCE STORE) WOULD BE A NIGHTMARE.

THE EXISTING SINGLE ENTRANCE/EXIT FOR THE SUBJECT PROPERTY IS EXTREMELY STEEP AND LOCATED APPROXIMATELY 100 FEET NORTH OF THE INTERSECTION ON HIAWASSEE (DIRECTLY OPPOSITE FAMILY DOLLAR). IF THAT ENTRY IS FLATTENED (BROUGHT UP TO THE GRADE OF HIAWASSEE) AND WIDENED, ~~THAT~~ VEHICLES TRAVELING NORTHBOUND ON HIAWASSEE STILL WILL HAVE TO SLOW DOWN SIGNIFICANTLY TO MAKE THE RIGHT-HAND TURN ONTO THE SITE. THROUGH TRAFFIC ON HIAWASSEE MOVES BRISKLY AND VEHICLES OFTEN SPEED TO MAKE IT THROUGH THE INTERSECTION BEFORE THE LIGHT CHANGES. A HIAWASSEE ENTRANCE TO THE SITE (SO CLOSE TO THE INTERSECTION) IS A RECIPE FOR DISASTER. MOVING AN ENTRANCE FURTHER NORTH IS HIGHLY UNLIKELY DUE TO THE LOCATION OF THE COUNN STORMWATER POND.

FURTHERMORE, SOUTHBOUND HIAWASSEE TRAFFIC GAINING ENTRANCE WOULD BE CHALLENGING, EVEN WITH THE EXISTING LEFT TURN LANE FOR VEHICLES WISHING TO TRAVEL EAST ON CLARCONA - OCOEE -

"LEFT-TURNERS" ONTO THE SITE WOULD BE CONTENDING WITH THOSE TURNING ONTO NORTHBOUND HIWASSEE^{FROM CLARCONA} OR WOULD BE HOLDING UP THOSE IN THE LEFT TURN LANE WANTING TO TRAVEL EAST ON CLARCONA - OCOEE^{AND/OR} CONTENDING WITH THROUGH NORTHBOUND TRAFFIC (MOVING BRISKLY, TO PUT IT MILDLY).

7) AT THE SEPTEMBER 6 COMMUNITY MEETING, THE PLANNING AND ZONING COMMISSIONER FOR DISTRICT 2 ESSENTIALLY SAID THAT WE (THE LOCAL RESIDENTS) SHOULD JUST ACCEPT THAT THE PROPERTY WILL BE REZONED FOR COMMERCIAL USE. (I'M NOT SURE IF HIS NAME IS WILLIAM GUSLER OR WILLIAM DRESSER; MY NOTES REFLECT BOTH NAMES). I WAS APPALLED THAT SUCH A COMMENT WOULD BE MADE AT THIS TYPE OF MEETING. CLEARLY THIS MAN ALREADY HAD MADE HIS DECISION, SO WHY DID HE BOTHER TO ATTEND? IF HE PERCEIVES THE CHANGE TO BE A DONE DEAL, WHY GO THROUGH THE FARCE OF A PUBLIC MEETING OR MEETINGS?

8) FOR THE SAKE OF ARGUMENT, LET US ASSUME THE REZONING IS APPROVED. I WOULD STRONGLY OBJECT TO THE SITE BEING USED FOR ANYTHING RESEMBLING A CONVENIENCE STORE. SUCH A BUSINESS CAN ATTRACT CROWDS, VIOLENCE,^{AND} NOISE. IT GENERATES TRASH (~~AND~~ ESPECIALLY THAT LITTER WHICH IS DROPPED BY CUSTOMERS) AND REQUIRES LIGHTS LEFT ON LATE. WE HAVE NOT SLEPT WITH OUR BED ROOM WINDOW OPEN SINCE WIMW DIXIE OPENED IN THE 1990'S, "THANKS" TO THEIR PARKING LOT LIGHTS. A CONVENIENCE STORE AND ALL THAT IT ENTAILS WOULD ~~FURTHER~~^{FURTHER} DEGRADE OUR ENJOYMENT OF OUR HOME AND YARD (AND THAT OF MY NEIGHBORS ON GROVELINE DRIVE). WE HAVE PERSONAL INVESTMENTS OF TIME AND MONEY AND EMOTION IN OUR HOMES. PLEASE BE CONSIDERATE OF OUR INVESTMENTS WHEN MAKING YOUR DECISION REGARDING THE REZONING OF THE PROPERTY IN QUESTION.

IF THE SITE IS REZONED, LET ITS USE BE LIMITED TO THOSE
GENERATING LOW ADDITIONAL TRAFFIC (OFFICE / PROFESSIONAL
SPACE, FOR EXAMPLE), NOT A USE THAT WOULD ENCOURAGE
PEOPLE TO GATHER (LOITER) AND NOT A USE THAT WOULD
INVOLVE LATE NIGHT ACTIVITIES AND HIGH PARKING LOT LIGHTING.

THANK YOU FOR YOUR CONSIDERATION.

BARBARA BESS

5843 Groveline Drive
Orlando, FL 32810-5028
November 9, 2017

Commissioner Bryan Nelson
201 S. Rosalind Ave., 5th Floor
Orlando, FL 32801

RE: Proposed Rezoning
Hiawasse Road/Clarcona-Ocoee Road
Case # 2017-2-S-2-6/RZ-17-10-029

Dear Commissioner Nelson:

On Tuesday, November 14, I urge you to vote *against* the proposed rezoning of the subject parcels listed above. I've attached a copy of a handwritten letter – dated October 16 - that I sent to Amy Bradbury in the Planning Division. (It arrived a day after the planning and zoning commission voted to approve the rezoning). You can read my comments for yourself. Allow me to restate them in an easier to read format. (I have not simply rewritten the original letter).

Stormwater treatment/Filling: How can it be provided on such a small piece of land, assuming that paved parking must be provided in addition to the impervious surface(s) of any structures? At least a portion of that site undoubtedly is situated below the 100-year flood elevation and its southernmost edge is steeply sloped down from Clarcona-Ocoee. Filling to provide adequate level ground for development *as well as* a stormwater pond surely must require placement of fill within the 100-year floodplain. Is this wise, especially considering the amount of rain dropped on the area by Irma? Long Lake has regained much of its historic extent as a result of that rain. Please be aware of this when you reach your decision and do not simply kick that can down the road, assuming the St. Johns River Water Management District will be making that review during its permitting process.

Property Values: My husband and I have lived in our home (which we own) since November, 1988. Another neighbor has lived near us for nearly 28 years. Others have resided on Groveline Drive for 10 or more years. Our homes will be the largest investments we ever make. The Winn Dixie, Mobil/7-11 convenience store, Walgreens, and Family Dollar, all of which arrived *after* we moved in, and after the neighborhood was completed, have not enhanced our enjoyment of our yards and homes and are unlikely to have enhanced our property values. Yet *another* convenience store will further degrade the value and enjoyment of our homes. This MATTERS to us, Commissioner – very much!

Good for the Area? Kevin L. Moyer is the current owner of the property in question. He purchased it approximately 5 years ago, I believe. He stated at the community meeting held September 6 at Lake Gem Elementary School, that he thinks a convenience store would be “good for the area.” Really? I live “in the area” and I and my neighbors certainly don’t think another convenience store is a good idea. According to Bizapedia, Mr. Moyer is associated with at least a half-dozen companies located in Winter Garden, some of which are realty or tax/accounting businesses. Of *course* Mr. Moyer would think a convenience store is a good idea because he doesn’t live anywhere near the intersection at which the subject property is located; he won’t be affected by the increased traffic caused by a convenience store and the enjoyment of his home undoubtedly wouldn’t be the least bit impacted by the construction or continuing operation of a convenience store. Furthermore, the proximity of the existing stores, all of which generate plenty of quick in-and-out traffic, would suggest that yet another convenience store is superfluous.

Wildlife: Are there any gopher tortoises onsite? The two existing homes represent small footprints on the property. The filling and addition of impervious surfaces associated with a convenience store and parking lot might require the relocation of this threatened species. According to the Florida Fish and Wildlife Conservation Commission website: “Gopher tortoises are a threatened wildlife species and are protected by state law, Chapter 68A-27, Florida Administrative Code. Gopher tortoises must be relocated before any land clearing or development takes place, and property owners must obtain permits from the Florida Fish and Wildlife Conservation Commission before they can

move them. For more information about permitting guidelines or the laws protecting gopher tortoises please contact the gopher tortoise biologist in your region.” (We have at least one gopher tortoise on our property).

Traffic: Commissioner, I can hear vehicles colliding even when inside my home, and brakes squealing at all hours when outside. The intersection of Clarcona-Ocoee and Hiawassee Roads already is dangerous, particularly during rush hours. There are four lanes for through traffic and a left turn lane on both those roads (covering the four directions). An entrance to the subject site probably would be installed on Clarcona-Ocoee, right in the middle of traffic that backs up during rush hours. Some of those exiting a convenience store undoubtedly would attempt to cross both westbound through lanes to reach the leftbound/southbound turn lane. That turn lane already is problematic because vehicles wishing to enter the back Walgreens entrance or the 7-11/Mobil enter that lane, stop well back from the traffic light and wait for eastbound traffic to clear before making their turns. Those wishing to actually make left turns onto Hiawassee find themselves backed up behind the vehicles turning into the businesses mentioned. I know this because I see it every time I drive home during rush hour. The only existing entrance/exit for this property is situated on the east side of Hiawassee Road, no more than 100 feet (and probably less) north of that intersection. Vehicles traveling north on Hiawassee regularly go over the speed limit to get through the intersection before the light turns red. Any vehicle exiting the property (assuming it is commercially developed) would be at risk of being hit by those northbound vehicles. Would some type of median be installed to prevent vehicles leaving the site from turning left/southbound onto Hiawassee? If not, the eastbound/left turn lane on Hiawassee would become an accident waiting to happen...

Commercial Development: Let us assume that the Board of County Commissioners approves the rezoning of this property from residential to commercial. I would strongly object to the site being used for anything resembling a convenience store. We have not slept with our bedroom windows open (except following Irma) since Winn Dixie was constructed in the 1990s as a result of the numerous large, tall parking lot lights which are not hooded and stay on all night. A convenience store would only add more lights – and noise, blowing trash, loud music, loud arguments, etc. IF the site is rezoned, please let its use be restricted to businesses that generate far less traffic than a convenience store (e.g., office/professional space) and low level lights.

Commissioner, Winn Dixie, Family Dollar and the 7-11/Mobil have not been good neighbors. Shootings have occurred in the Winn Dixie parking lot, refrigerated semis for years were allowed to park overnight in that lot, steel drummers have played for hours on end in front of the store, etc. None of the three mentioned businesses put much effort into policing their parking lots to remove trash left behind by customers (which often blows across Hiawassee and accumulates on the fence on the east side of the road) and the bass from loud sound systems in the vehicles of customers – and backed up traffic at the intersection - sometimes shakes the dishes in my kitchen cupboards.

Please don't allow this area to become what already has befallen Pine Hills -- disinterested landlords, poorly maintained properties, lower quality businesses and lots of traffic with little concern for the long-time homeowners who have a far greater interest and investment in their communities than any convenience store owner.

Yours truly,

Barbara Bess