

Orange County Zoning Division

**Board-Called Public Hearing
Dream Big Academy and Daycare
SE-17-12-126**

January 23, 2018

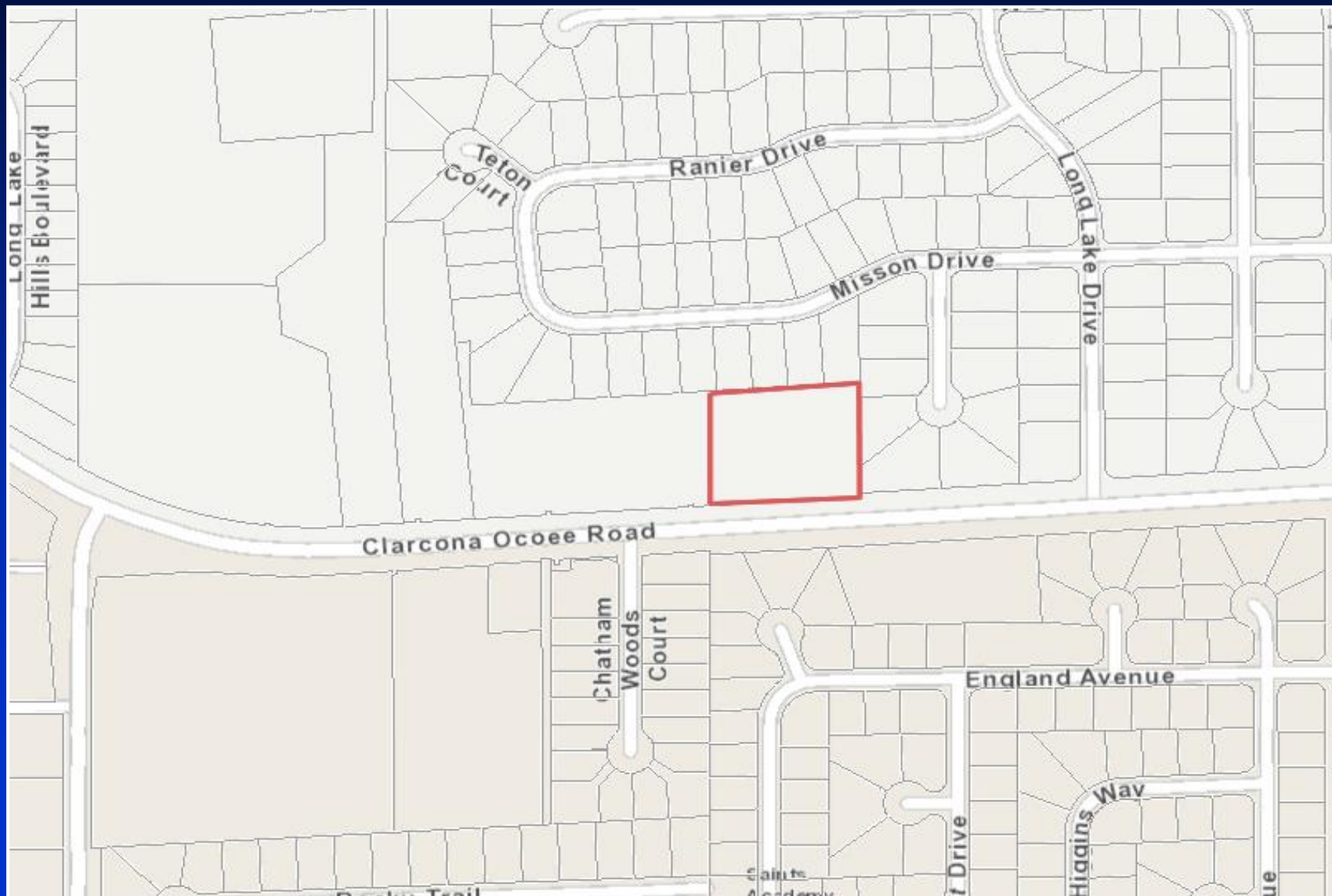


Background

CASE #:	SE-17-12-126
APPLICANT:	Dream Big Academy and Daycare
REQUEST:	Special Exception in the A-1 zoning district to construct and allow a private school/daycare for up to 172 students grades Pre-K to 5th. (The BZA amended the request to allow up to 150 students total)
ZONING:	A-1
TRACT SIZE:	318 ft. x 261 ft.
LOCATION:	North side of Clarcona Ocoee Rd., west of Long Lake Dr.
ADDRESS:	6055 Clarcona Ocoee Rd., Orlando, Florida, 32810
DISTRICT:	#2

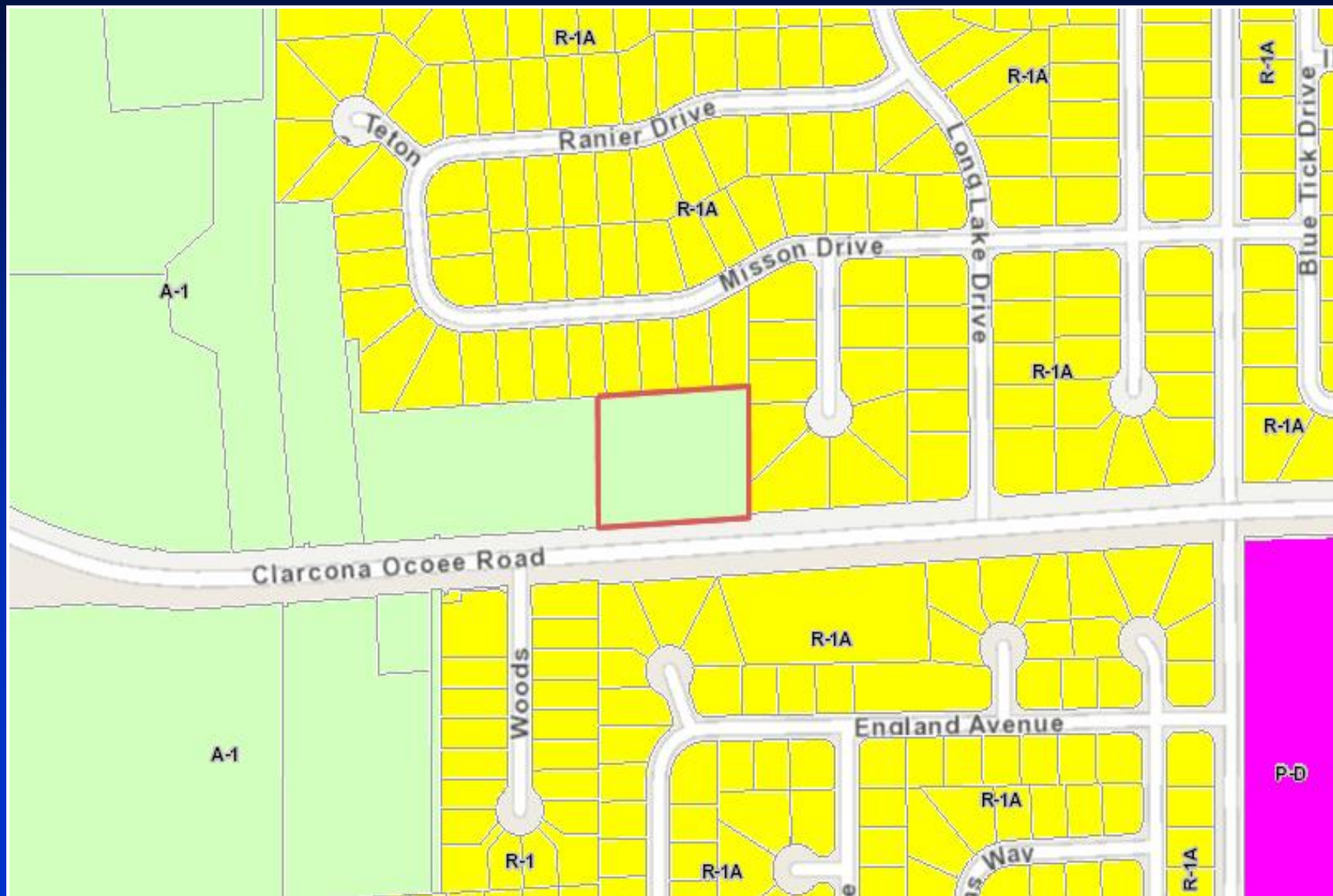


Location Map





Zoning Map



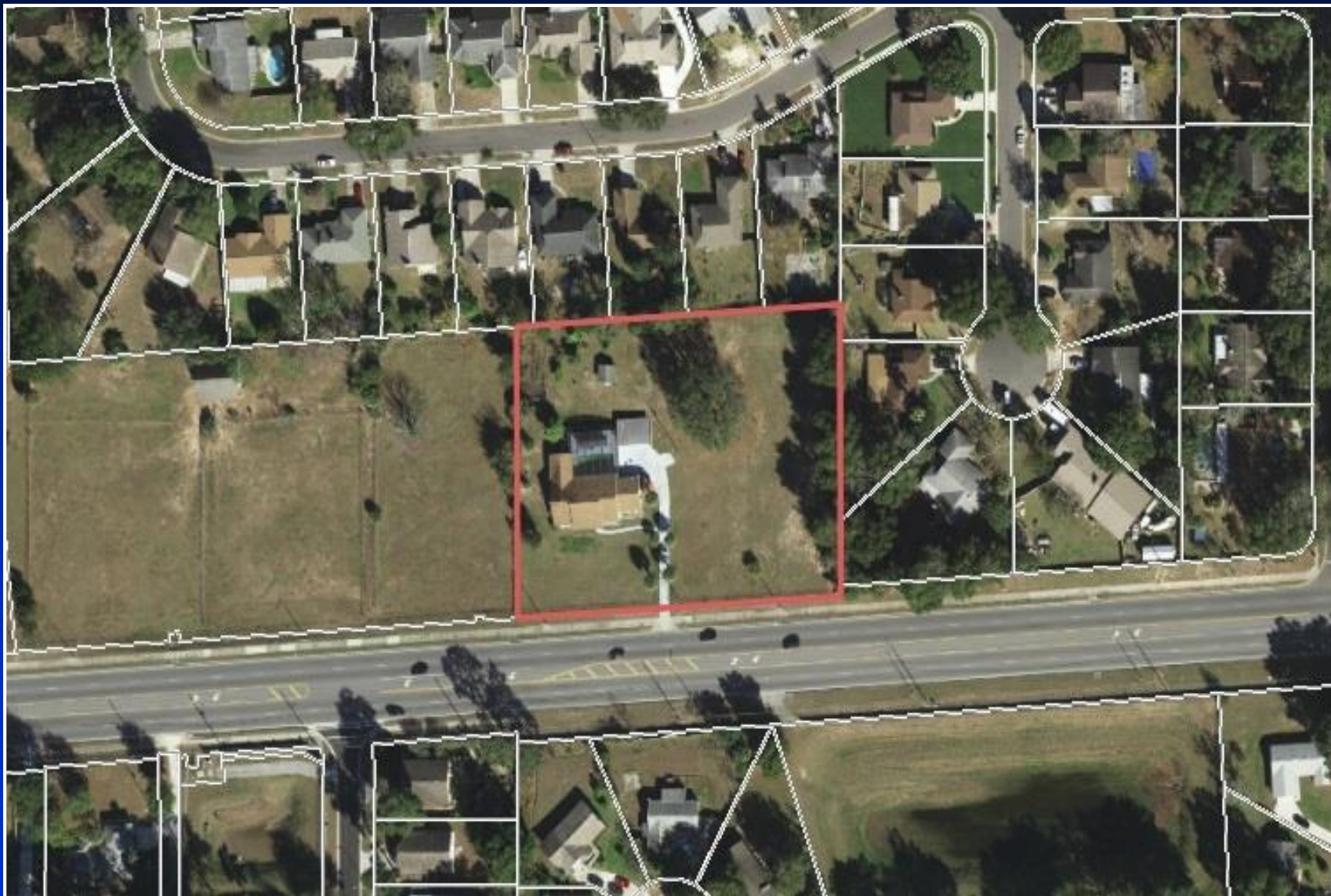


Aerial Map



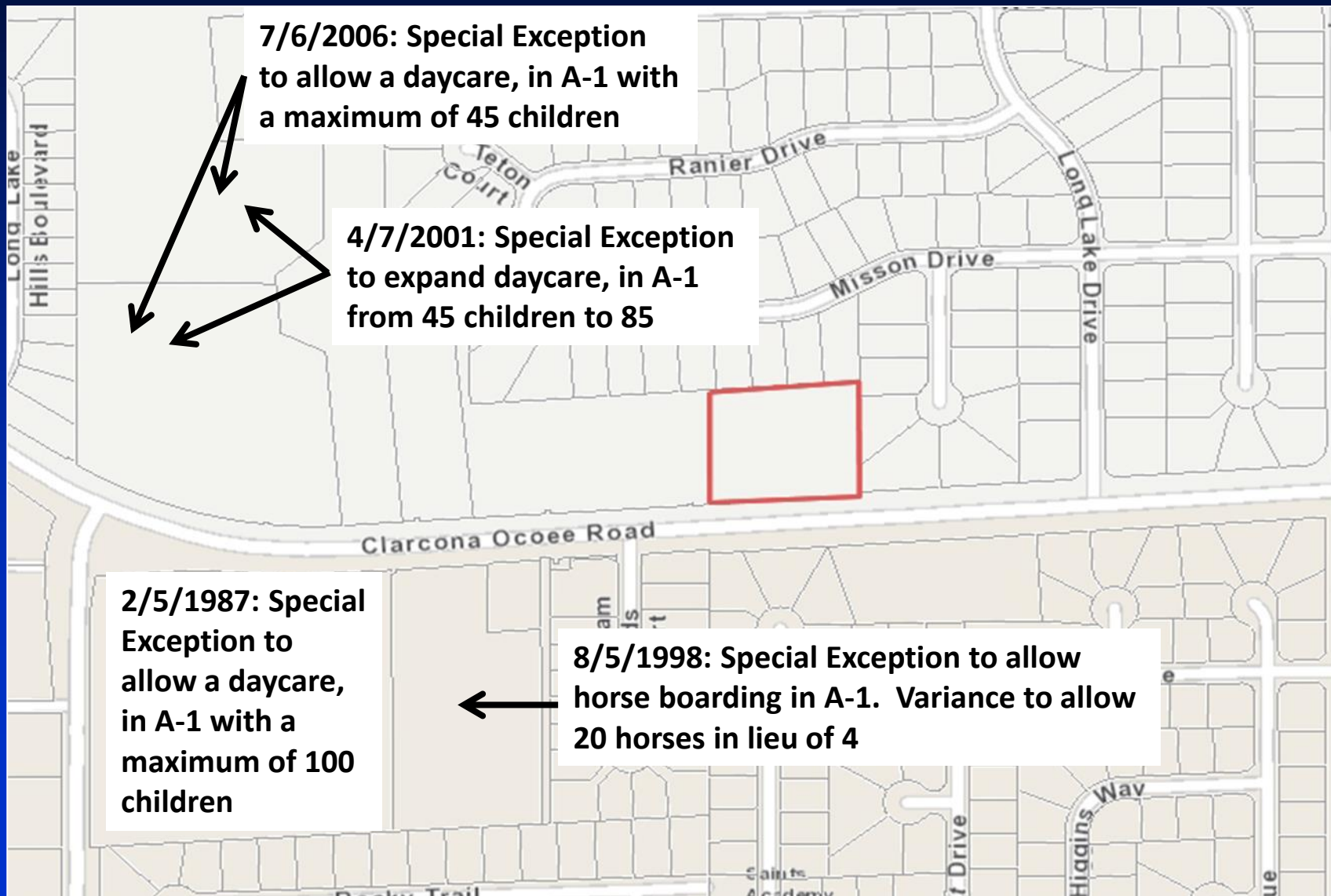


Aerial Map



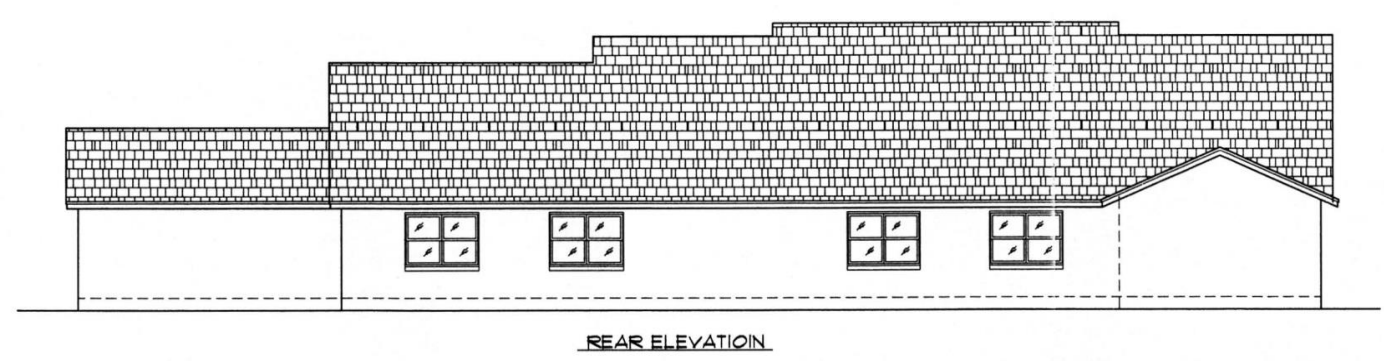


Previous BZA Approvals





Proposed Building Elevations



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DRAMA
SCALE: 1/8"=1'-0"
DATE: 9/28/11
REVISED:

SHEET OF

AI

6095 CLARK...OCCOEE ROAD, ORLANDO, FL 32809

CREAM BIG
RE AND PRESCHOOL

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PLANS FOR
6095 CLARK...OCCOEE ROAD, ORLANDO, FL 32809

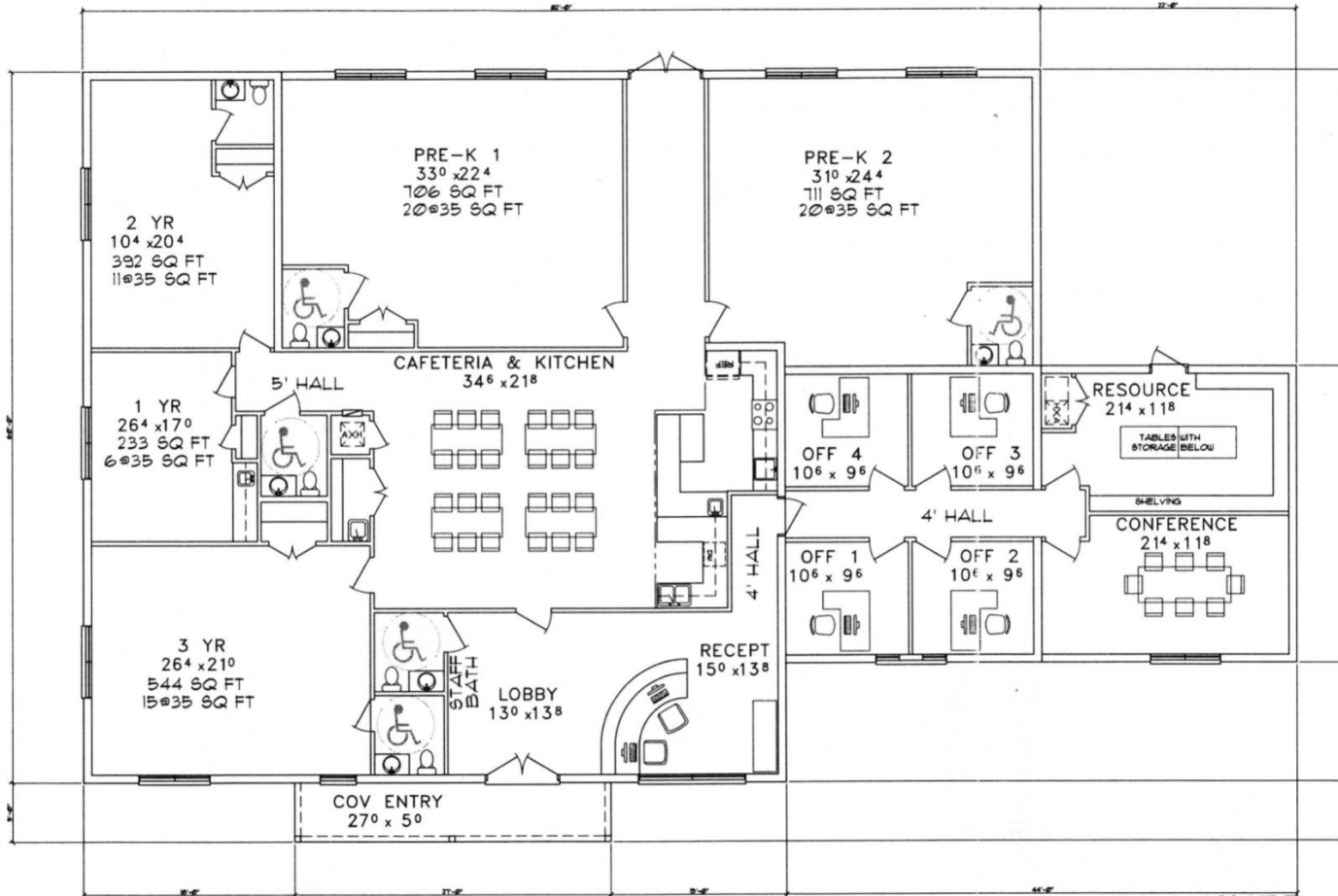
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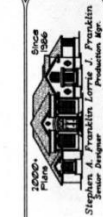
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Proposed Floor Plan



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PLANS FOR
DREAM BIG
ARE AND PRESCHOOL

6095 CLARK... A-OCCEE ROAD, ORLANDO FL 32809

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SCALE: 1/8" = 1'-0"
DATE: 8/8/17
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SHEET OF
A2



Staff Findings

- The applicant is requesting a Special Exception approval to allow a private school/daycare.
- The applicant proposes to convert the existing house into a preschool, with office and kitchen, and to add six (6) portables.
- There is an existing daycare facility less than 1,000 ft. to the west.
- No variances are being requested for setbacks or parking.
- This property abuts a residential subdivision and directly abuts 7 single family homes to the north and east. Three adjacent homeowners have signed letters of no objection to this proposal.



Site Photograph





**Existing daycare facility less than
1,000 ft. to the west**





Public Feedback

- Mailed 118 notices to property owners within 500 ft. radius of the property:
 - Staff received 3 letters in support of the request.
 - Staff received 2 letters in opposition to the request.
-
- The applicant held a community meeting on November 30, 2017. No members of the public attended the meeting.



Special Exception Criteria, Sect. 38-78

SPECIAL EXCEPTION CRITERIA:

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 Policy 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 adjacent single family dwellings will be impacted by the location of the parking and portable classrooms
- The proposed use will cause increased traffic on the road
- The 15 ft. buffer between the proposed use and the single family dwellings will aid in decreasing the noise impacts
- The number of students seems excessive for the site and its surroundings



BZA Recommendation

Approved the Special Exception request in that they met the requirements of Section 38-78 in the Orange County Code with ten conditions:

- 1. Development in accordance with site plan dated October 6, 2017 and all other applicable regulations. Any deviations, changes or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes to be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or determine if the applicant's changes require another BZA public hearing.**
- 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 125.002, the applicant shall obtain all other applicable state or federal permits before commencement of development.**



Conditions of Approval

3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of Zoning Adjustment shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. Hours of operation shall be limited to Monday thru Friday, 6:00 a.m. to 7 p.m.
5. Development shall comply with Chapter 24 (Landscaping). In the event there is a conflict between Chapter 24 and the site plan, the provisions of Chapter 24 shall prevail. Existing trees and/or vegetation may be used to meet the landscaping requirements. The applicant shall install a minimum 6 foot high opaque wall or fence along the north and east property lines that abut residential lots.
6. There shall be no more than four 4 outdoor special events per calendar year associated with the daycare center between the hours of 8:00 am to 9:00 pm. 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.



Conditions of Approval

7. If the school converts to a charter school then all requirements of the new school siting ordinance (Ordinance No. 2017-06) shall be met.
8. Construction plans shall be submitted within three (3) years or this approval becomes null and void.
9. Portable/Modular unit approval is valid for up to 5 years. After that the applicant is required to submit a structural report to the Zoning Division for review and approval. If the report shows the modular unit is safe to occupy the Zoning Manager may grant an extension of the modular unit approval. Otherwise the applicant may apply to BZA for an extension beyond the initial 5 years.
10. No more than 150 children shall be enrolled at the school/daycare at any one time. Expansion of enrollment or use shall require additional approval by the BZA.



Requested Action

- Uphold the BZA's recommendation of approval of December 7, 2017. District #2