



Orange County Zoning Division

**Appeal Public Hearing
Jamal A. Hassouneh
SE-17-12-134**

April 10, 2018

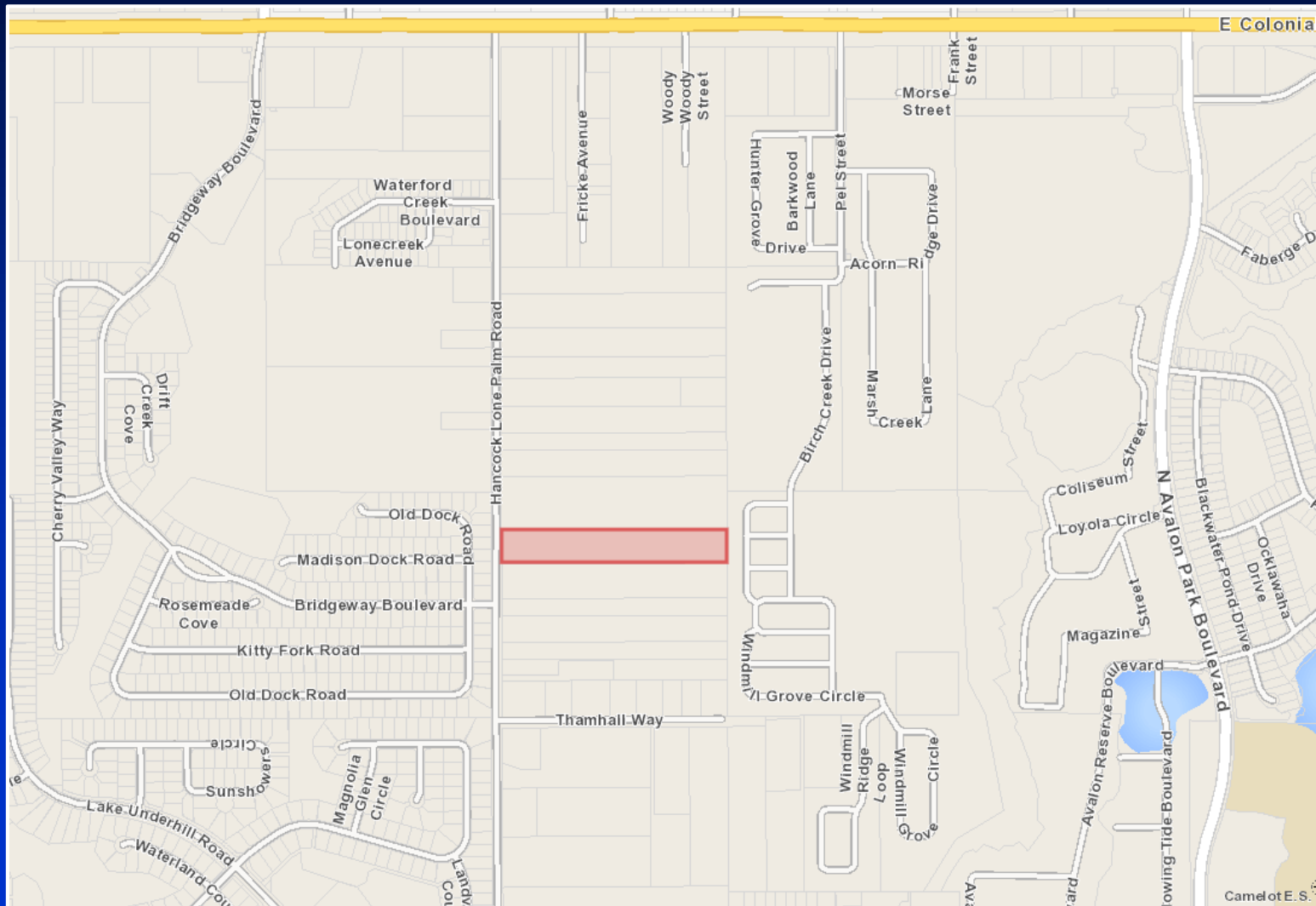


Background

CASE #:	SE-17-12-134
APPLICANT:	Jamal A. Hassouneh
REQUEST:	Special Exception in the A-2 zoning district to allow a religious use facility with ancillary uses
ZONING:	A-2; Future Land Use: Low Medium Density Residential
TRACT SIZE:	6 acres; 200 ft. x 1309 ft.
LOCATION:	East side of Hancock Lone Palm Rd, ½ mile south of East Colonial Dr.
ADDRESS:	1311 Hancock Lone Palm Rd., Orlando, Florida, 32810
DISTRICT:	#4

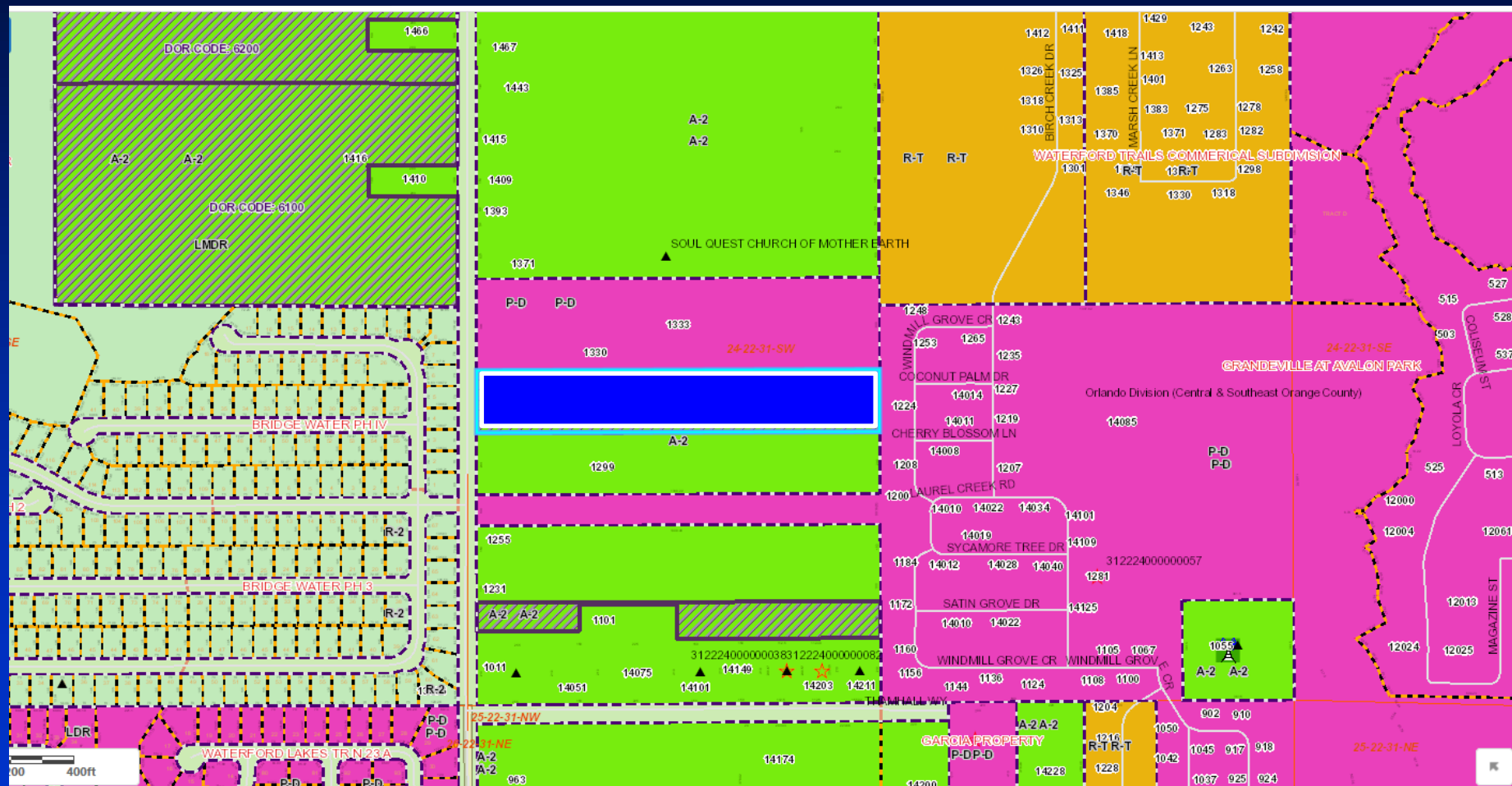


Location Map



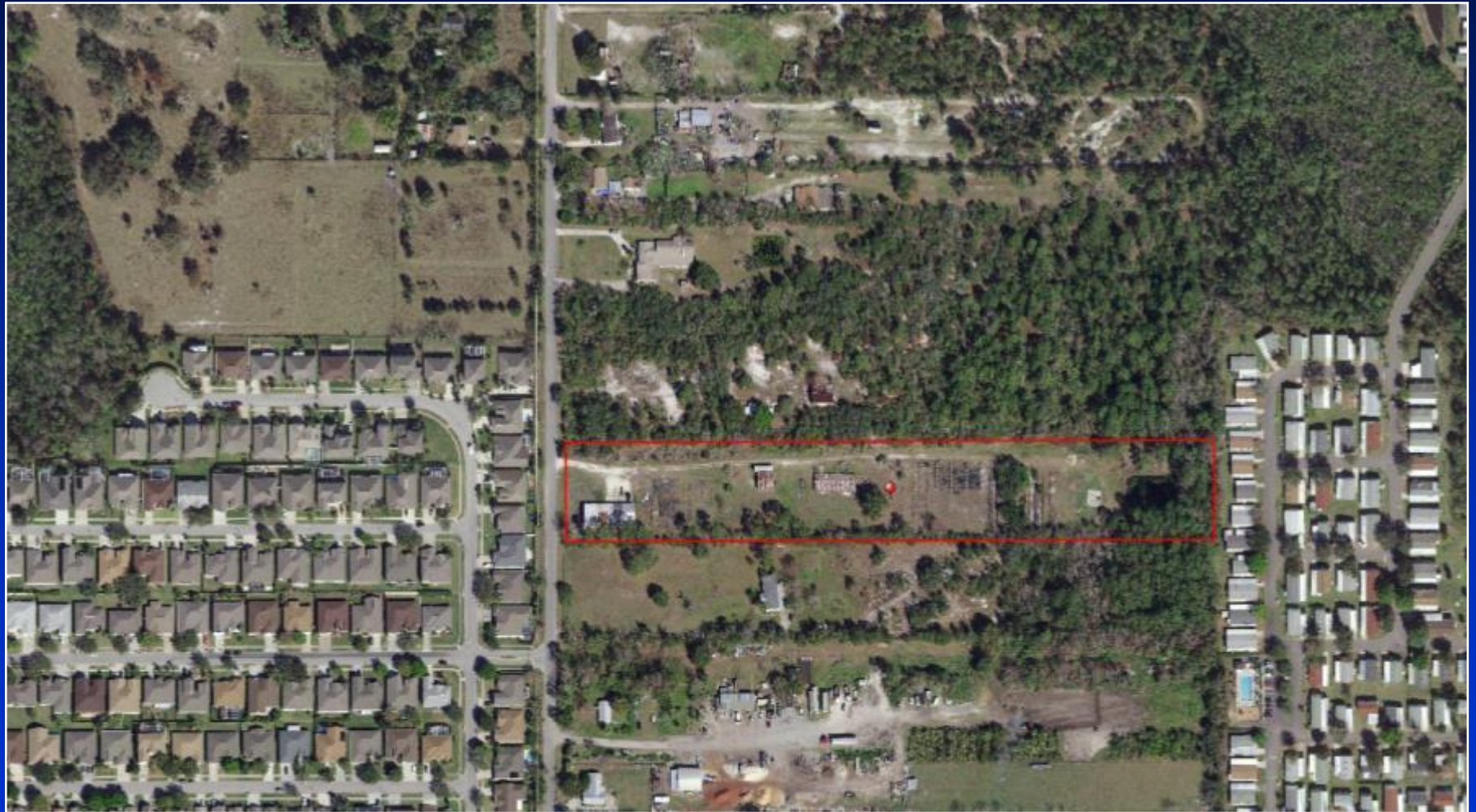


Zoning Map



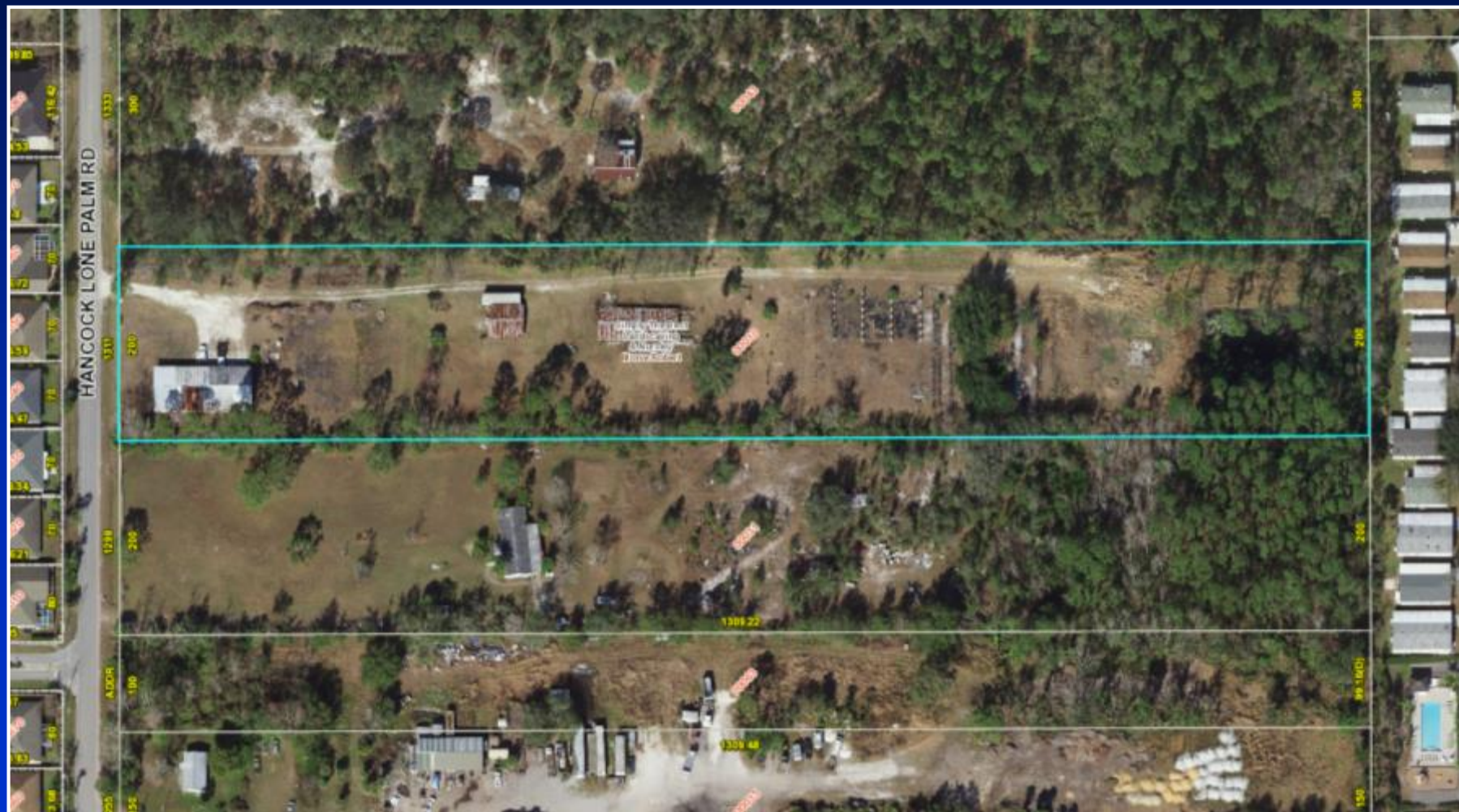


Aerial Map





Aerial Map





Previous Approvals

- **Soul Quest Church of Mother Earth at 1371 Hancock Lone Palm Road received special exception for religious institution and variance to allow unpaved parking approval from the BZA on Dec 1, 2016 and BCC on Dec 20, 2016**
- **Garcia Property PD 14220 Thamhall Way– the Church and Clergy Residence Development Plan was approved by the DRC on March 10, 2010**



Garcia PD and Soul Quest Church of Mother Earth





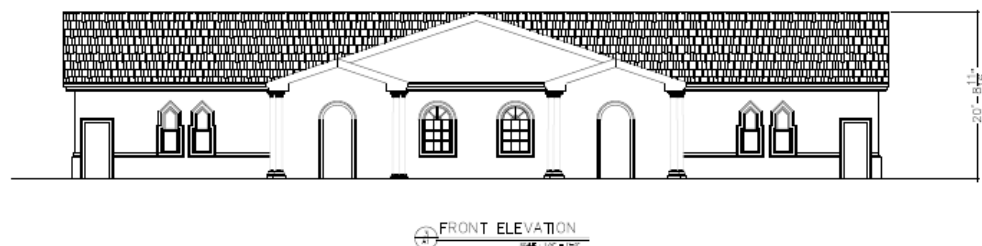
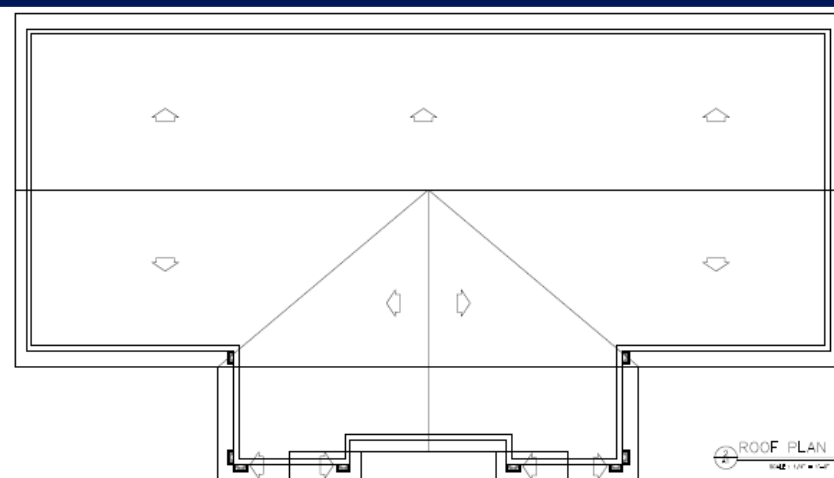
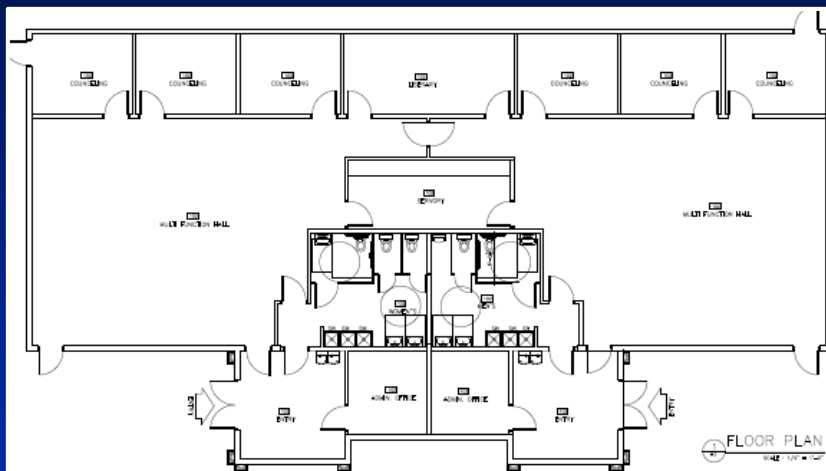


Proposed Building Elevations





Proposed Floor Plan





Staff Findings

1. The site has been used as a landscape nursery and related warehousing. The site currently contains an existing 4,000 sq. ft. building. The proposed project will utilize the existing building and will provide the required parking
2. The abutting property on the north was re-zoned in 2017 to Planned Development and is proposing forty (40) single family homes.
3. A special exception for a religious facility was approved on Dec. 1, 2016 for Soul Quest Church of Mother Earth, 1371 Hancock Lone Palm Road on property approximately 400 ft. to the north of the subject property.
4. Garcia Planned Development includes approval for a Church and Clergy Residence at 14220 Thamhall Way on property southeast of the subject property
5. The applicant is proposing a six foot high masonry wall along the front property line to create a buffer from the existing single family homes located across the street.



Staff Findings

6. A community meeting was held on January 10, 2018. Staff, the BZA Commissioner, the District #4 aide, and the applicant's team were in attendance. No neighbors attended the community meeting.
7. This site will serve as a religious institution/community center
8. The required parking spaces and drive aisles will be paved.
9. The applicant has submitted fifty seven (57) letters in support of the application. Most of these letters were from citizens who do not live near the subject property



Site Photograph



04/04/2018 11:48



Site Photograph





Site Photograph





Site Photograph





Site Photograph





Existing religious institution approximately
400 ft. to the north





Existing religious facility less than
1,600 ft. to the southeast





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 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.**



Public Feedback

- Mailed 85 notices to property owners within 600 ft. radius of the property:
 - Staff received 32 letters in support of the request.
 - Staff received 48 letters in opposition to the request.
- The applicant held a community meeting on January 10, 2018. No members of the public attended the meeting.



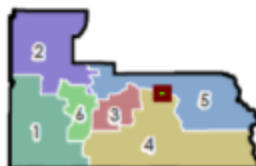
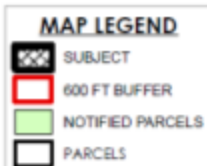
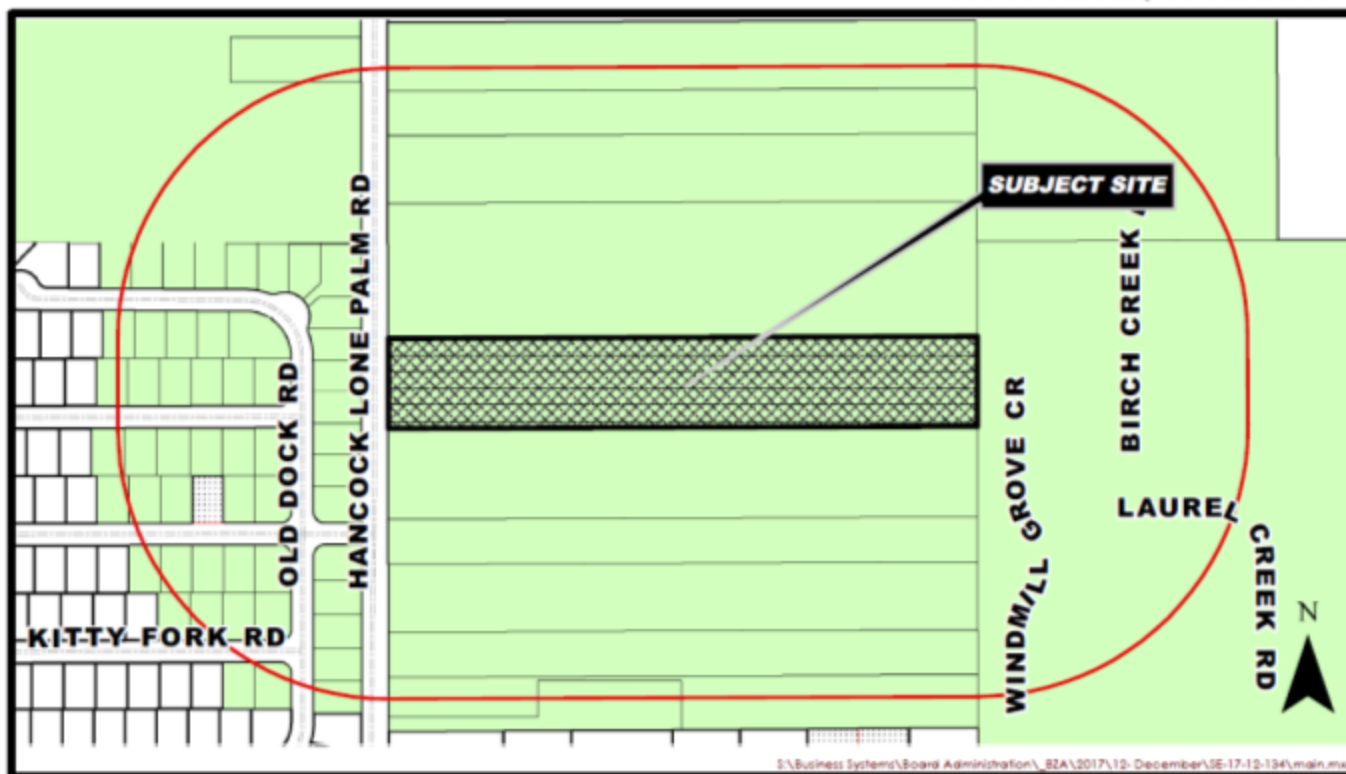
Public Notification Map



Public Notification Map

SE-17-12-134

600 FT BUFFER, 85 NOTICES

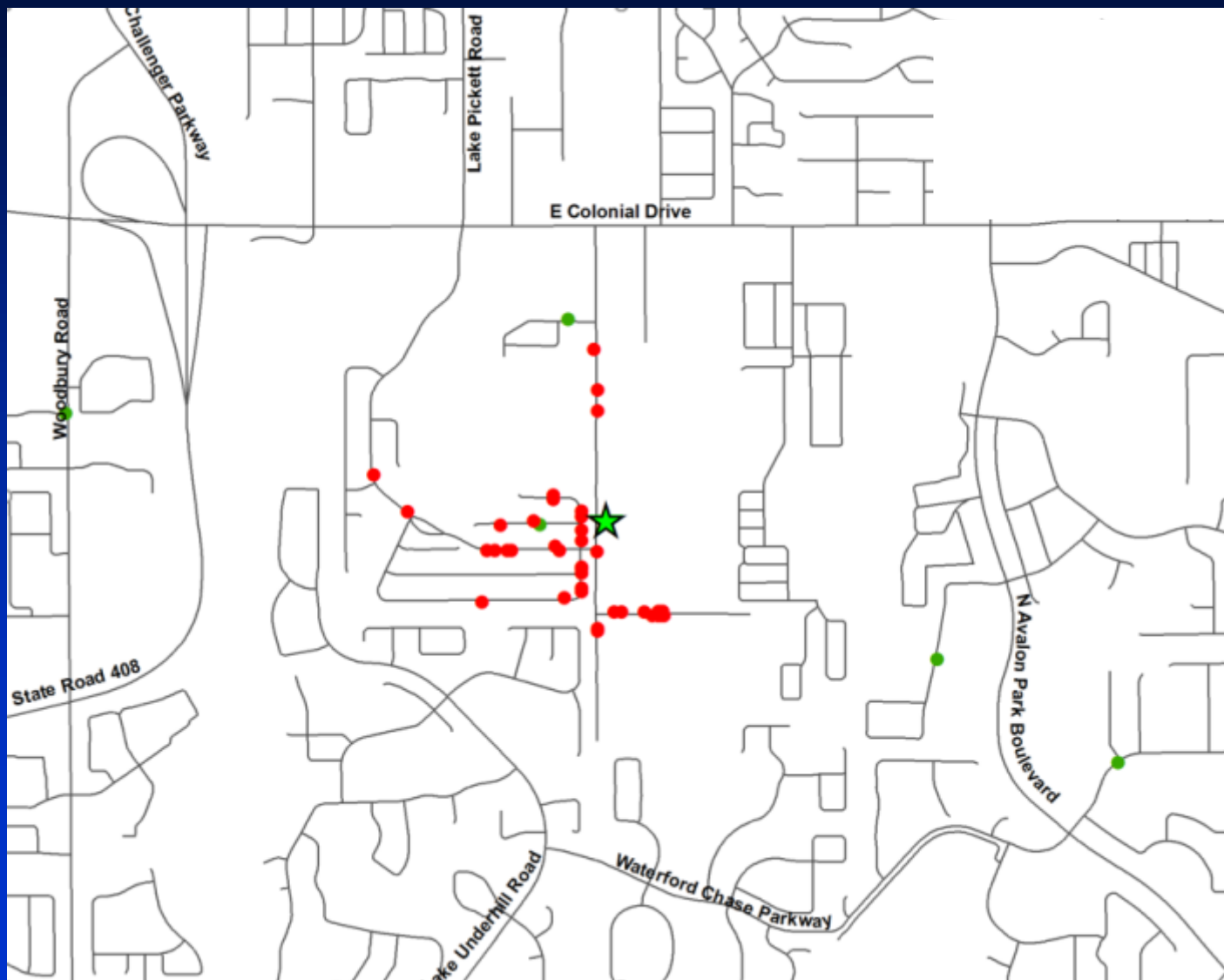


1 inch = 292 feet



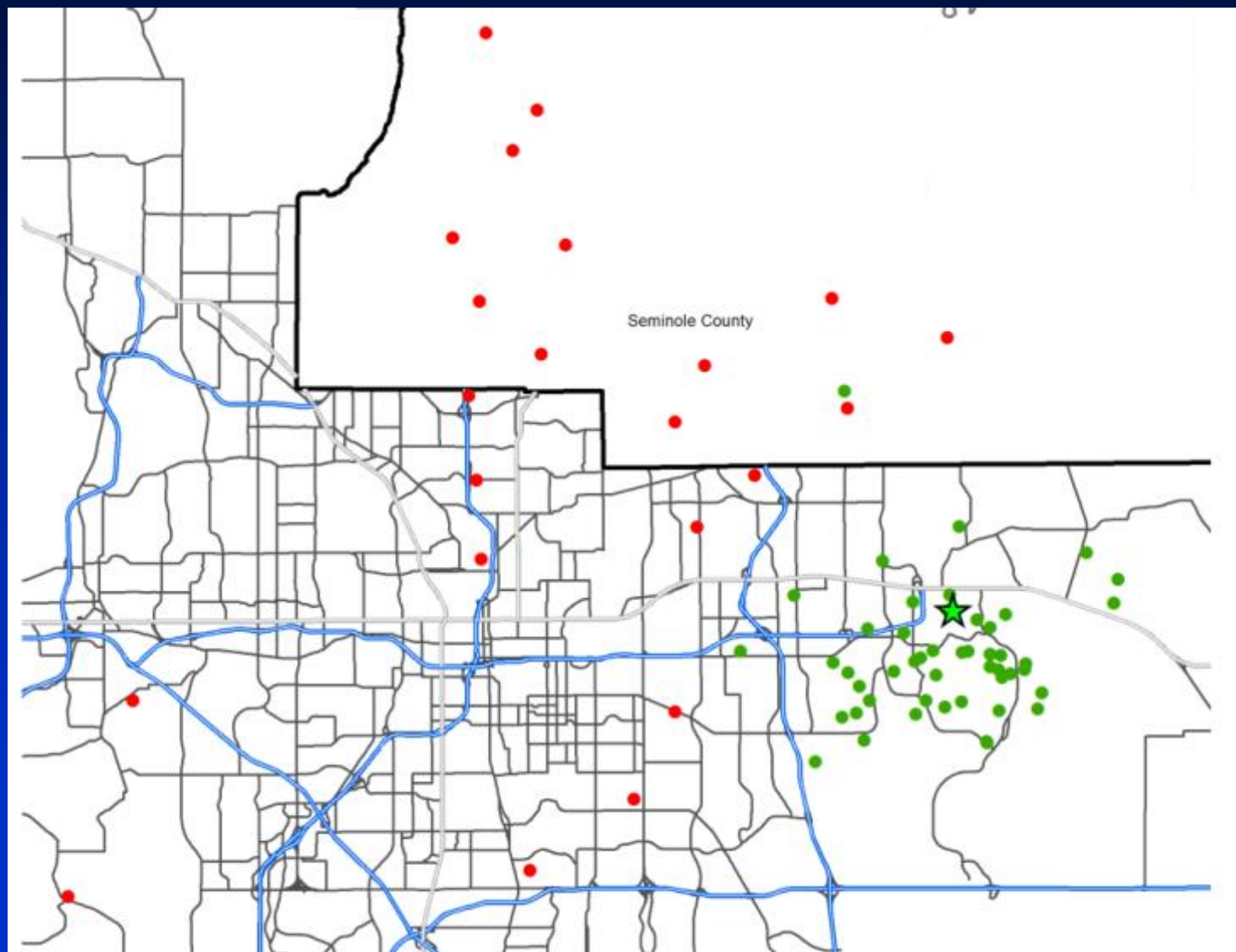


Local Responses





Map of Local and Non-Local Responses





BZA Findings

- Numerous letters/notices submitted in opposition from those in the immediate area
- The detrimental intrusion of the noise and the traffic on the area/neighborhood
- The proposed use is not similar and compatible with the surrounding area nor is it consistent with the pattern of surrounding development
- The BZA recommended denial of the request with 5-0 vote



Requested Action

- Uphold the BZA's recommendation of denial on February 1, 2018 OR
- Overturn the BZA's recommendation and approve the special exception request subject to the thirteen (13) conditions



Conditions of Approval

Approve the Special Exception request in that it meets the requirements of Section 38-78 in the Orange County Code

- 1. Development in accordance with the site plan dated February 15, 2018 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. All driving aisles and required handicapped spaces shall be paved.
5. Construction plans shall be submitted within 2 years of final approval or this approval becomes null and void.
6. There shall be no more than four (4) outdoor special events per calendar year, and the hours of those events shall be limited between the hours of 8:00 a.m. and 9:00 p.m. Outdoor amplified sound and music shall be prohibited.
7. No impacts to any approved Conservation Areas without Orange County approval.
8. A 6 ft. high block wall shall be constructed along the front (west) property line.



Conditions of Approval

7. Prior to operating the site, all required permits shall be obtained.
8. Access, drainage, roadway improvements and concurrency management shall be determined by the Public Works Department.
9. A type D landscape buffer shall be provided along the north property line and a type C landscape buffer shall be provided along the south property line.
10. The applicant shall install a six (6) foot high vinyl fence along the north and south property lines abutting the parking areas and proposed development.
11. The hours of operation for this facility shall be limited to 8:00 a.m. to 8:00 p.m., except that an outdoor special event may continue until 9:00 p.m. pursuant to condition #3.