

**HANCOCK
LONE
PALM
ROAD**

**UPHOLD
DENIAL**

**LAND USE FROM
A-2
(and Future Land use
exclusively for Low-
Medium Residential)
to
Commercial
and
Commercial
exceptions
SE-17-12-134**

UPHOLD BZA DENIAL



**The applicant has failed to
meet several of the six
Special Exception criteria
required by OC Code 38-78**

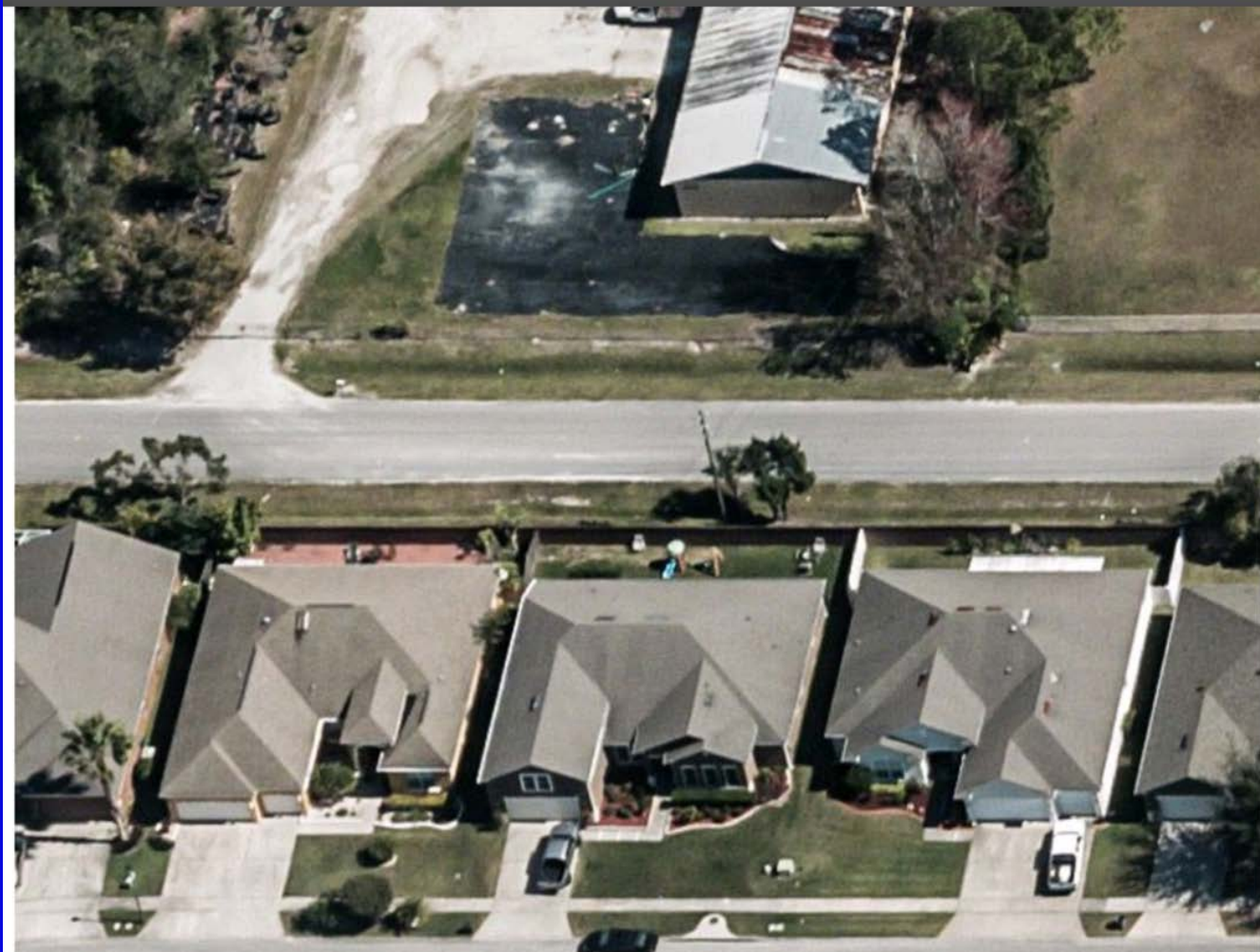
The applicant has failed to
meet several of the six
Special Exception criteria
required by OC Code 38-78

NOT ALL COMMERCIAL INSTITUTIONS ARE THE SAME

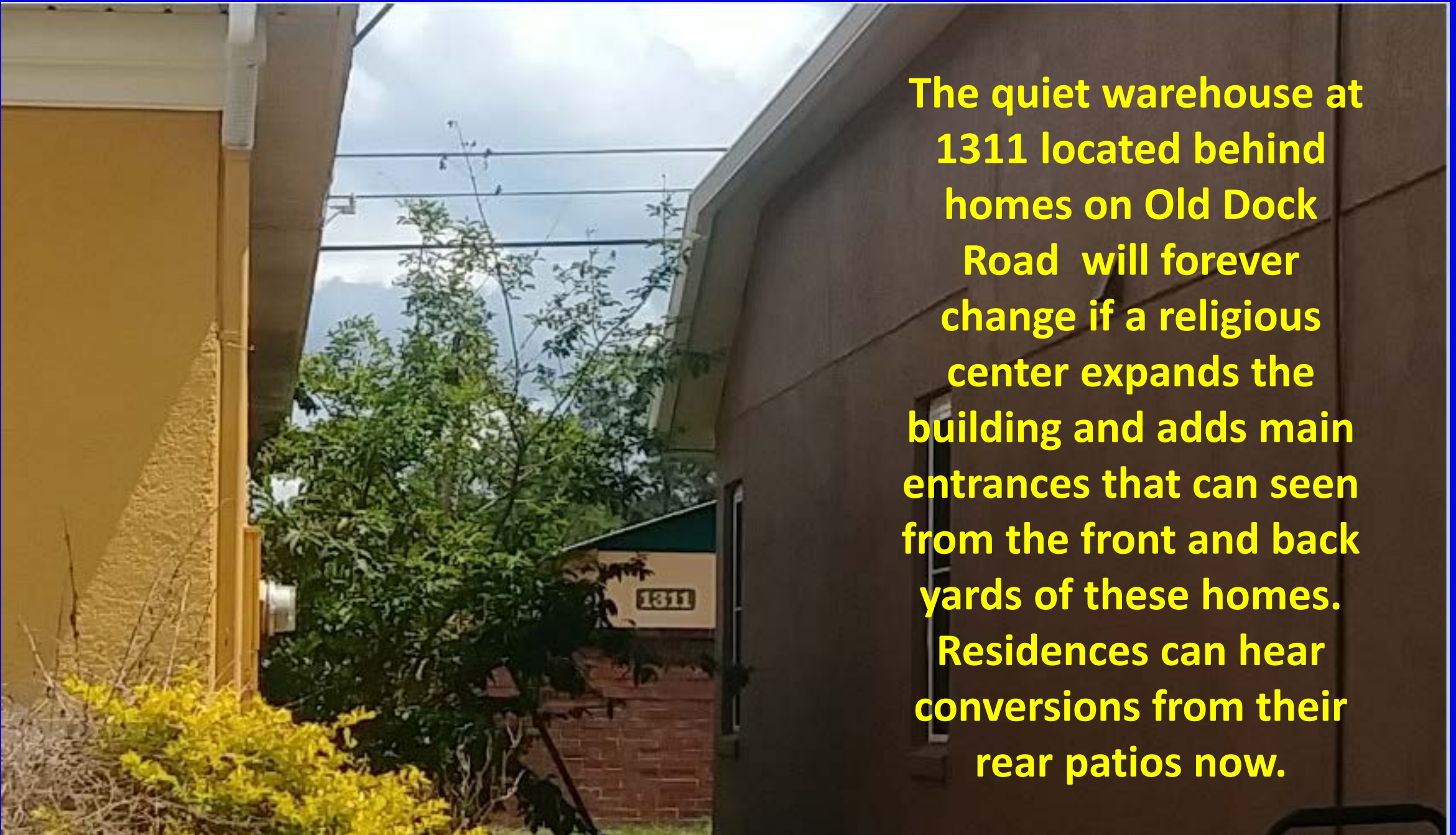
HUGE DIFFERENCES



**AN
EXISTING HOME
USED BY
RESIDENTS FOR
PRAYER MEETINGS**



**YOUTH SOCCER
AND SMALL METAL
BUILDING FOR
KARATE CLASSES**



The quiet warehouse at 1311 located behind homes on Old Dock Road will forever change if a religious center expands the building and adds main entrances that can be seen from the front and back yards of these homes. Residences can hear conversions from their rear patios now.

- No retention ponds on neighboring properties,
- No great number of parking spots on other properties,
- No frontage concrete walls on other properties,
- No intrusion on residential properties back yards by other properties,
- No commercial renovations and additions on other properties,
- Road and side Setbacks are drastically different from other properties,
- Daily and nightly Crowds will be different,
- Vehicle traffic VOLUME will be continuous unlike other properties,
- Parking on dirt and grass does not meet commercial codes,
- No other properties have commercial worship buildings and additions,
- Night time activities will require flood lights, sound systems, etc.,
- There are no daily 8am to 10pm activities on other properties.
- There is no comparison to other properties granted change in use. Each property was based on existing laws at the time granted and the regulatory criteria that this property violates is not the same as the other properties. REQUEST APPEAL DENIAL.

Almost 100 percent of land owners and residents on Hancock Lone Palm Road and Thamhall Way and those in the adjacent Bridgewater HOA across the road from subject property have signed a petition in opposition and that the proposed use is a detrimental intrusion to this idyllic community.

- Incompatible intrusion into the little Econolatchee River water preservation/ agricultural/residential area
- Traffic, noise, and light pollution.
- Loss of conservation and agricultural tranquility.
- Environmental impacts to wetlands on property.
- Catalyst for additional non-residential non-agricultural development.
- Loss of tax base.
- Lack of adequate utilities and construction of huge septic sewage system at prime headwaters of the Little Econolatchee river.
- Multiple uses of building and assessorial buildings for various high volume attendance activities
- Location of main institution building overlooks the interior of several residential homes impacting privacy and intrusion of noise, dust, etc.
- Traffic, pedestrian, and animal safety concerns.

100% of property owners on Lake Mabel property have signed a petition in opposition to the proposed request and have signed a petition stating the proposed use is a detrimental intrusion.

Fact-Based Concerns:

- Incompatible intrusion into conservation/residential area
- Traffic, noise and light pollution
- Loss of conservation/wildlife corridor and habitat
- Environmental impacts to Lake Mabel
- Catalyst for additional non-residential development
- Lack of available utilities
- Height of proposed building



BCC ACTION REQUESTED

PAST EXAMPLE

ACTION REQUESTED:

**Deny the request consistent with the
BZA's recommendation on December
2, 2010.**



BZA RECOMMENDATION

Deny the Variance request in that the request did not meet the requirements governing variances as spelled out in Section 20-43, Orange County Code.

(Unanimous vote)



10

BRIDGEWATER
HOA PRESIDENT
DALE SORONSEN

PETITIONS
SIGNED
TO

OPPOSE

SE-17-12-143

BRIDGEWATER HOA
PRESIDENT DALE SORONSEN
SIGNED ALSO

*NOTE: Remaining residents
could not be contacted or had
no comment*





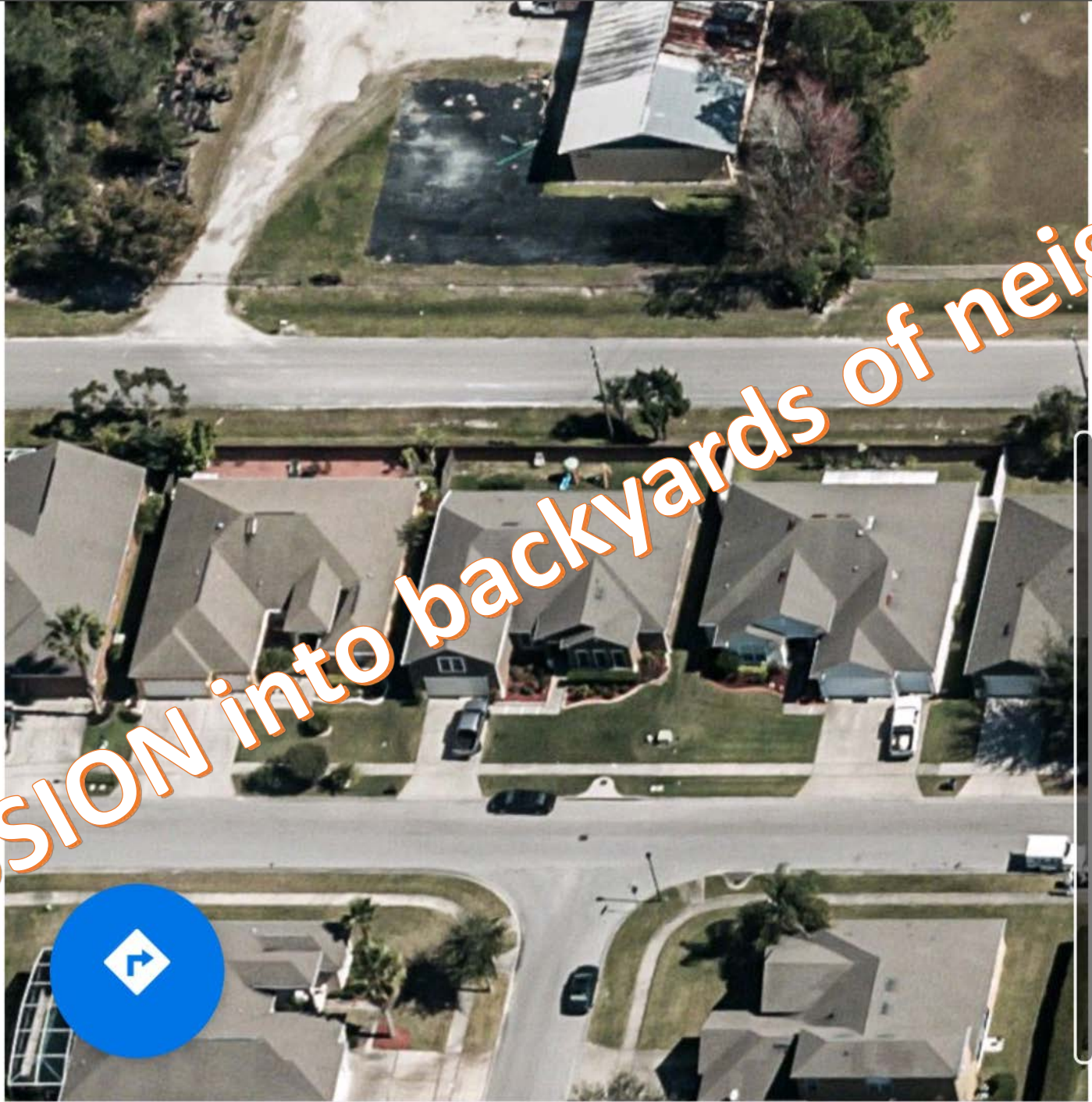
COMMUNITY FEEDBACK

- **Additional traffic/traffic congestion**
- **Pedestrian safety**
- **Parking vehicles on a narrow street (Killarney Drive)**
- **No bathroom facilities**
- **Use may produce litter and loitering with persons visiting the property**
- **Concern how future owners would use the property, if variance request were approved**
- **Applicant not a stakeholder; does not live in the neighborhood**

PAST EXAMPLE

**The character of this
neighborhood is not a
cluster of different types of
religious institutions**

INTRUSION into backyards of neighbors



HOMEOWNERS AND RESIDENTS
on
HANCOCK LONE PALM ROAD
and
adjacent streets ARE OPPOSED to this
dramatic change in the rural character
of the area.

NEIGHBORS ARE
FROM ALL WALKS
OF LIFE

SEVERAL OTHER
INSTITUTIONS IN THIS
COUNTY HAVE BEEN
DENIED
SPECIAL EXCEPTIONS

This denial is about
intrusion
detrimental
impact
and changing
the characteristics of the
community

Almost 100 percent of land owners and residents on Hancock Lone Palm Road and Thamhall Way and those in the adjacent Bridgewater HOA across the road from subject property have signed a petition in opposition and that the proposed use is a detrimental intrusion to this idyllic community.

- Incompatible intrusion into the little Econolatchee River water preservation/agricultural/residential area**
- Catalyst for additional non-residential non-agricultural development**
- Lack of adequate utilities and construction of huge septic sewage system at prime headwaters of the Little Econolatchee river**
- Multiple uses of building and assessorial buildings for various high volume attendance activities**
- Safety concerns for animals and farmers... plus children no sidewalks**
- Location of main institution building overlooks the interior of several residential homes impacting privacy and intrusion of noise, dust, etc.**
- Loss of conservation and agriculture tranquility**
- Environmental impacts to wetlands on property**
- Traffic, noise, and light pollution.**
- Loss of tax base**

Not Similar or Compatible:

The surrounding area is rural agriculture and adjacent property to the west is a residential high priced single family homes in a developed PUD. Estate farms and wetlands that feed the little Econolatchee River are to the north, east and south of subject property.

A religious institution is commercial in nature, including substantial traffic and access conflicts, parking lots with overflow parking, commercial lighting, building renovation and commercial expansion, excessive noise and other commercial impacts.

Detrimental Intrusion:

The negative impacts of the proposed use would intrude into the heart of this agricultural and single family residential and rural corridor.

The little Econolatchee River is one of just a few waterways beautifying and providing habitat for wild Florida wildlife and along its basin area is this tranquil and idyllic last remaining agriculture area in east central Orange county.

Not similar in noise, vibration, dust, odor, glare, heat producing and other characteristics of the agriculture/single family low medium residential zoning:

- **NOISE caused by traffic coming in and out of property**
- **NOISE caused by patrons and vehicles throughout the day 8 AM TO 10PM**
- **VIBRATION caused by numerous vehicles, music and social events**
- **DUST caused by vehicles on unpaved parking areas (DRIVEWAY BEING PAVED NOT PARKING SPOTS).**

ENTRANCE TO HANCOCK LONE PALM ROAD IS A

DEADLY INTERSECTION.





**THIS IS THE ONLY DIRECT ROAD ENTRANCE TO THE
AREA
THERE IS NO TURNING LANE OFF STATE ROAD 50**

There is only one county road into the area off main road (Highway 50) VERY dangerous and unsafe traffic turning off a 60,000 vehicles a day 6 lane highway with no turning lanes. Several wrecks.

Road is a rural unimproved road with no center lines and with deep ditches on side of road. Unsafe traffic volume and WITH HEAVY TRAFFIC and no center line is dangerous

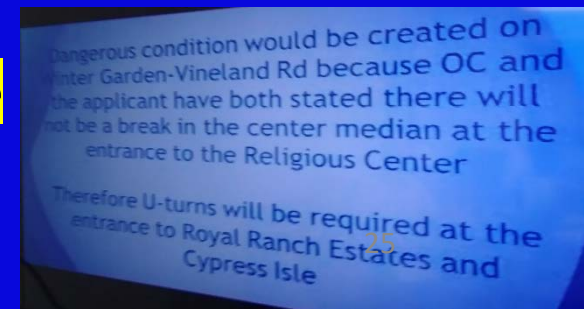
Road is too narrow to add a turning lane into subject cultural institution. Very unsafe, life-threatening situation when 100s of additional automobiles and vans are attending events.

Hancock Lone Palm Road has slow moving agricultural equipment and large semi trucks loaded with vegetation products that turn onto road. Large trucks and cars are pulling off road to allow each other to pass. Unsafe conditions.

Residents ride horses and occasionally farm animals end up on Hancock Lone Palm road. This will be life threatening with a mix of animals and riders with new extra-heavy traffic volume.

Hancock Lone Palm Road is a dead-end road. Traffic will have to pull into residential driveways to turn around. Pedestrians walking along road and driveways will be subject to danger.

Nearby HOA Waterbridge PUD has a back entrance that connects to Hancock Lone Pine Road. Several traffic incidents happen each day for traffic that goes thru the area. This will be greatly compounded and result in more casualties.



REQUEST DENIAL OF APPEAL – BACKGROUND ON OPPOSITION (Exhibit 1)

1. BZA correctly based its decision in part on *OPPOSITION FROM THE IMMEDIATE NEIGHBORHOOD by the residents.*

- Community hearing was held over 2 miles away in another remote neighborhood not normally visited by member's of this community. Folks who attended meeting reside outside the area.
- When neighbors discovered that a religious institution was applying for a zoning variance and exceptions they gathered among themselves expressing concern.
- Neighborhood petition gatherers focused on state and county criteria and preserving their neighborhood way of life.
- Petitioners gave fellow residents they contacted the choice of “in favor” or “opposed”.
- Residents had formulated in their own minds why they opposed the proposed zoning variance. They did not rely on outside community activists.
- Petitions were emailed, faxed and delivered to staff and more were submitted at BZA hearing by local residents.
- Various families and neighbors came together to gather petitions.

**BZA CORRECTLY BASED DECISION ON APPLICANT
FAILING TO MEET SEVERAL CRITERIA SET FORTH IN SEC 38-78.**

FACT BASED EVIDENCE THAT SUPPORTS CRITERIA NOT BEING MET (Exhibit 2)

- 1. Comprehensive Policy Plan Future Land Use is low to medium density residential.**
 - This request is an entirely new commercial operation with crowds and daily operations on property without commercial utilities and sewerage as required by FLU and other government regulatory entities.
 - FLU is meant to control urban sprawl and protect current landowners' bundle of rights in areas they chose to reside in. Current use is Agricultural and future is residential.
 - Religious institutions are commercial in nature and exhibit all characteristics of exterior uses of the activities conducted there.
 - Community centers are the preferred locations under the Comprehensive Policy Plan for new commercial institutions.

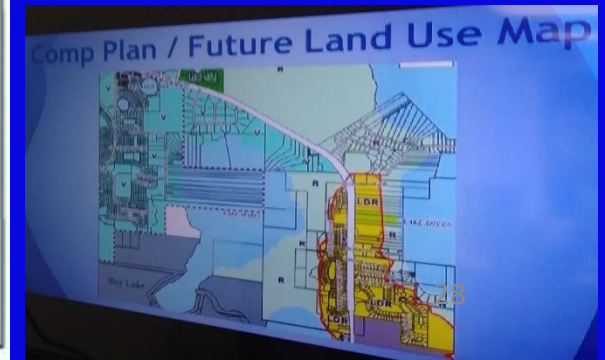


COMPREHENSIVE LAND USE

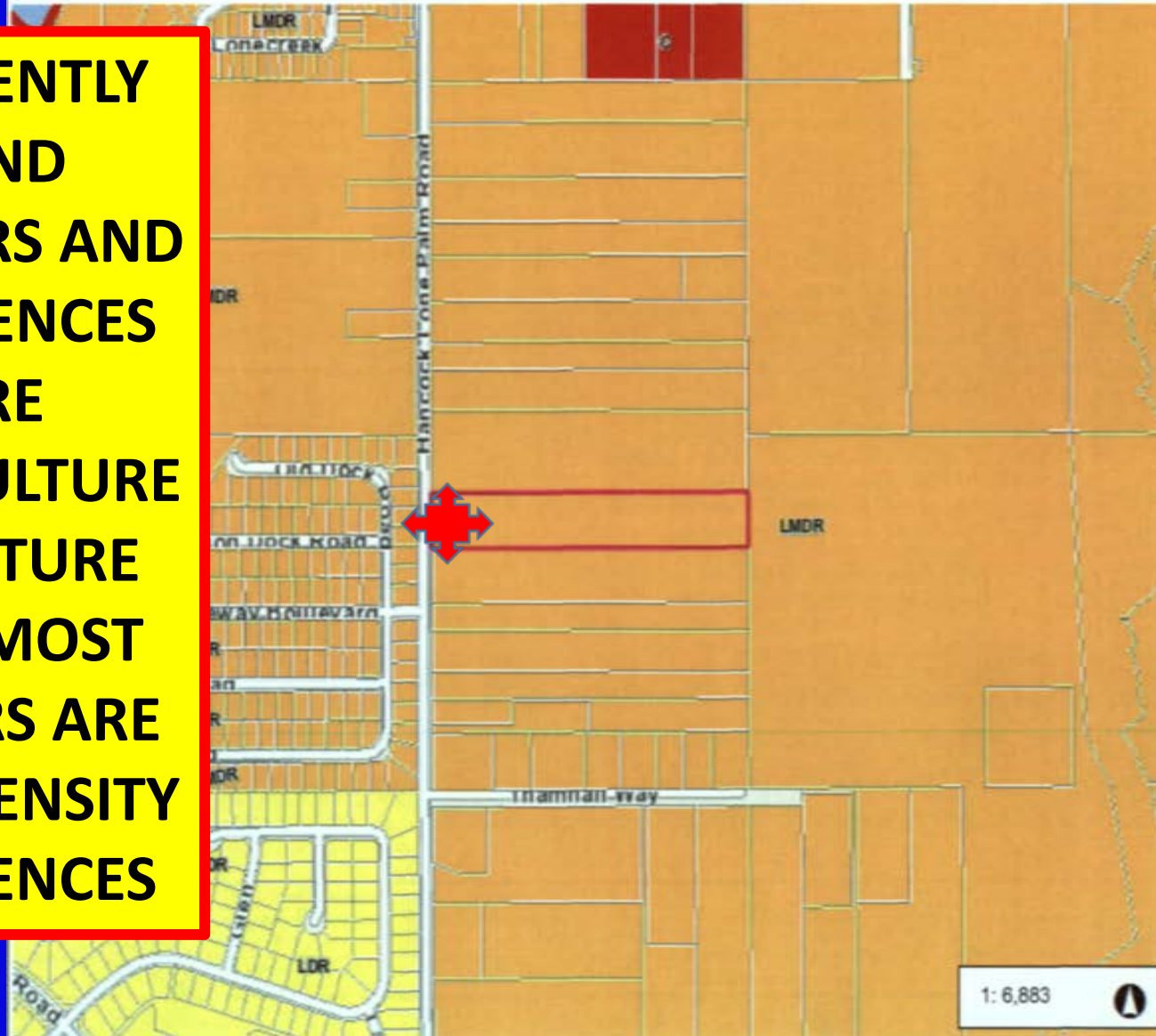


Proposed
institution

**PROPOSED
COMMERCIAL
INSTITUTION IS
NOT IN
COMPLIANCE
WITH EXISTING
AND FUTURE
LAND USE**



**CURRENTLY
LAND
OWNERS AND
RESIDENCES
ARE
AGRICULTURE
IN NATURE
AND MOST
OTHERS ARE
LOW DENSITY
RESIDENCES**



Legend

- Parcel Outline
- Future Land Use
 - Rural
 - Rural 1/1
 - Rural 1/2
 - Rural 1/5
 - Low Density Residential
 - Low-Medium Density
 - Medium Density Residential
 - High Density Residential
 - Traditional Neighborhood
 - Neighborhood Activity Corridor
 - Neighborhood Center
 - Neighborhood Residential
 - Activity Center Residential
 - Activity Center Mixed Use
 - Community Village Center
 - Village
 - Office
 - Commercial
 - Industrial
 - Institutional
 - Education
 - Parks/Recreation
 - Preservation
 - Planned Development

Notes

0.2 0 0.11 0.2 Miles

NAD_1983_StatePlane_Florida_East_FIPS_0901_Feet
Orange County, FL BCC

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

**BZA CORRECTLY BASED THEIR DECISION ON APPLICANT
FAILING TO MEET SEVERAL CRITERIA SET FORTH IN SEC 38-78.**

FACT BASED EVIDENCE THAT SUPPORTS CRITERIA NOT BEING MET (Exhibit 3)

- 2. The use is NOT similar nor compatible with the surrounding areas and is NOT consistent with the pattern of surrounding development.**
 - Surrounding area is rural and has low density residential and agricultural lands.
 - Surrounding area is agricultural with only one narrow road into the area off State Road Highway 50 and is a dead end street.
 - Area has a variety of farm animals and horse riding in the right-of-way.
 - The proposed religious institution is VERY dissimilar to high-end residences across the street and VERY incompatible with farming and agricultural activities.
 - The “Soul Quest” religious facility is in an occupied residential home.
 - The other “religious use” facility is not a worship church.
 - Both of these facilities are not typical of the surrounding area and should not be used as a basis for commercial use comparison.




**HANCOCK LONE
PALM ROAD
&
THAMHALL WAY**

L WAY, ORLANDO, FL 32828



**Agricultural crops and livestock
grazing pastures blend with wetlands
within the Econ Protection Area**



A rural area rich in culture and diversity. A neighborhood that preserves the last of the rural lifestyle where one can still ride horses, raise chickens, cattle, goats, sheep and pigs. People of all races and ethnicities live in this beautiful part of Orange County.



**BZA CORRECTLY BASED DECISION ON APPLICANT
FAILING TO MEET SEVERAL CRITERIA SET FORTH IN SEC 38-78.**

FACT BASED EVIDENCE THAT SUPPORTS CRITERIA NOT BEING MET(Exhibit 4)

3. Proposed change is A DETRIMENTAL INTRUSION onto residences located adjacent to street and entrance.

- Front of building is less than 90 feet from rear of homes. Applicant's claim that they had 1000 foot buffer was untruthful. Property is only 200 feet wide.
- The proposed renovation and expansion will conflict with activities around the quiet, rural neighborhood.
- High traffic flow and crowds of people entering and exiting the building at night within a few yards of existing homes is, by definition, A DETRIMENTAL INTRUSION.

**BZA ALSO CORRECTLY BASED DECISION ON APPLICANT
FAILING TO MEET THE CRITERIA SET FORTH IN SEC 38-78.**

FACT BASED EVIDENCE THAT SUPPORTS CRITERIA NOT BEING MET (Exhibit 5)

- 4. Proposed change is NOT similar in noise, vibration, dust, odor, glare, heat producing characteristics of the majority of uses currently in the zoning district.**
 - Current zoning is rural on two sides and adjacent HOA neighborhood is medium density residential.**
 - Traffic will produce a high volume of noise, vibration and dust not common in a paved high end residential neighborhood.**
 - Outdoor lighting will be necessary for safety and will be completely incompatible with the surrounding area that has no lighting at all.**

**BZA ALSO CORRECTLY BASED DECISION ON APPLICANT
FAILING TO MEET THE CRITERIA SET FORTH IN SEC 38-78.**

FACT BASED EVIDENCE THAT SUPPORTS CRITERIA NOT BEING MET (Exhibit 6)

- 5. 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.**
 - Applicant claims a 1000 foot buffer which is impossible on a lot that is only 200 feet wide and has homes less than 90 feet from front of building.**
 - Entrance driveway is one lane near property line.**
 - Foliage is exaggerated in pictures and does not meet commercial specs.**
 - Several commercial exceptions will have to be granted in order to meet Section 24-5 of the Orange County code.**

**A rural area where immigrants came to Orange
County Florida to enjoy privacy and quiet
enjoyment of their properties**



ITEMS ON APPLICATION and STATEMENTS MADE THAT MAY BE OF INTEREST TO THE BCC

Applicant claims a 1000 foot buffer which is impossible to do on a lot that is only 200 feet wide.

Foliage is exaggerated in pictures. SEE ACTUAL PICTURES and on site visit

Pictures presented in staff photos make property look wider and more expansive than what it really is.

Approval of those who looked at “plans” but did not submit approval of the application at the location do not live in the area.

Hours of operations daily and nightly activities will have multiple types of events

Events held outdoors and Night time events will bring hundreds of visitors

Open 8am to 8pm now 10 pm to 11pm???? “WILL BE OPEN ALL DAY BUT not going to be operated continuously throughout day”. Weekend family gatherings.

Gate will have to be opened and closed continuously with stacked cars on street to get in and out of a NEW TWO lane entrance off Hancock Lone Pine Road.

No evidence of how they intend to meet performance standards

Will increase the production of noise, vibration,.... Activities inside will require access and departure which will impact peace and quiet of homes within 60 feet of new driveway entrance.

Currently there is no PRODUCTION and NO CURRENT NOISE. No lighting on street.

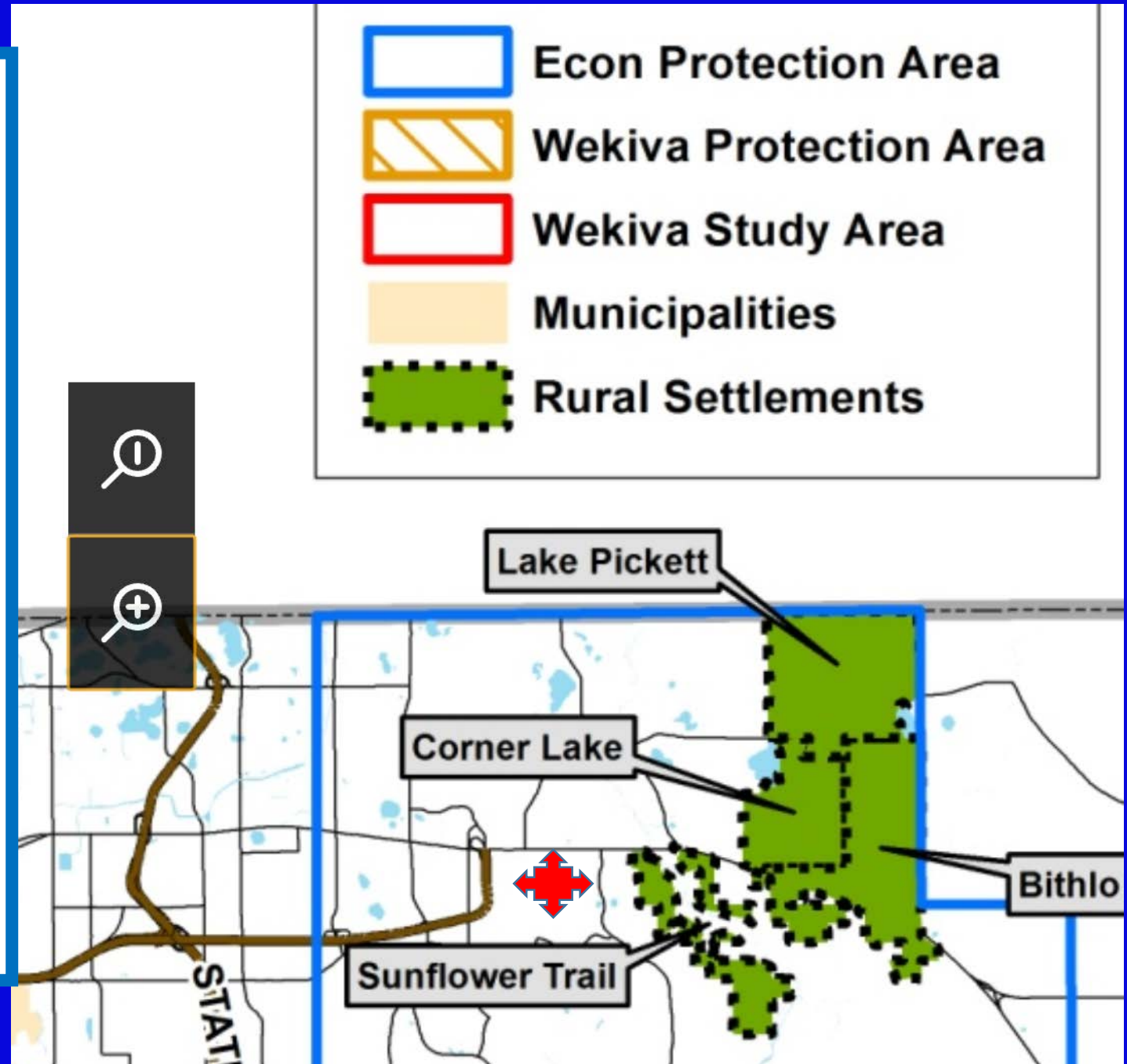
Petitions were not vetted for content and were submitted as is.

They admit not in a FLU designation.

A religious institution and a martial arts building are not the norm in the area.

Proposed Elevation rendition does not match site layout, note parking lines and sidewalks don't match.

**Property
is located
within the
Econ
Protection
Area**





ACC Expansion Project June 21, 2017 Update

Alhamdulillah an offer was accepted and a contract was executed on ~6.0 acres property:

422 S. Alafaya Trail
 Orlando, FL
<http://aishacenter.com/Donate/>

- Located within 5.0 miles radius from ACC
- More than 5 acres
- High and dry and clear
- Has on it 4000 sq structure which can hold current activities
- Has a 3600 sq covered picnic structure
- Has another 1600 sq covered picnic structure
- Spacious land for Soccer, basketball and volleyball sport fields
- Spacious land for parking including for Eid events
- Located within walking distance from subdivisions and good living housing

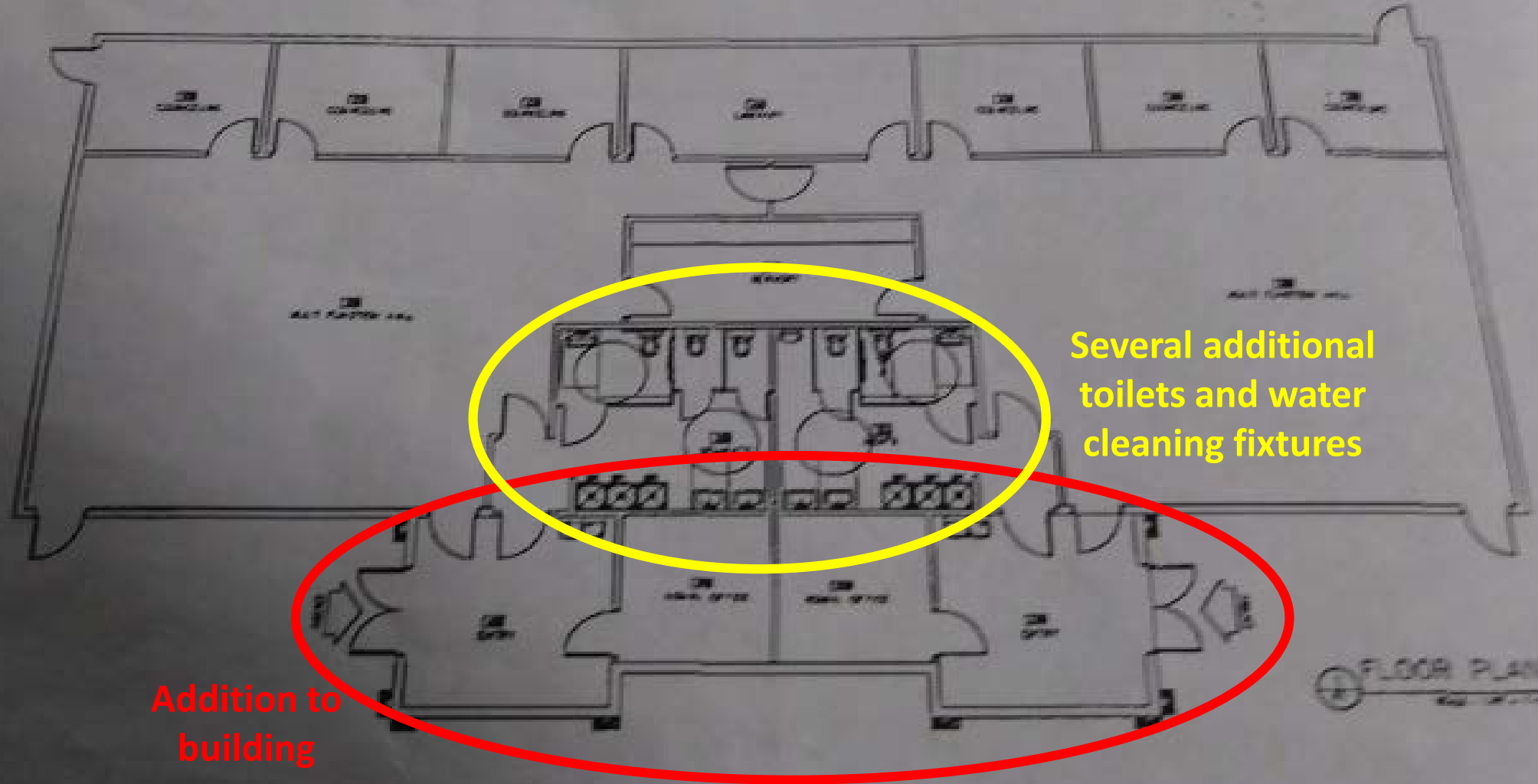
Purchase price: \$500,000

Needed: \$72,000 as of 6/21/2017



Applicant's website also appears to have more plans for the property then what it says on their application.

Commercial septic
sewage and water
utilities will be
required



Several additional
toilets and water
cleaning fixtures

Addition to
building

FLU 6.1.1 (E) states that commercial, civic, cultural, and recreational uses shall be focused at the village center.

The subject property is located in a currently zoned Agricultural rural area and the proposed main institution building is within 90 feet of residential homes and is way outside the village centers planned in the area.

Legend

 Parcels Abutting Avalon Park Boulevard
Corridor Overlay District

Orange County, Florida

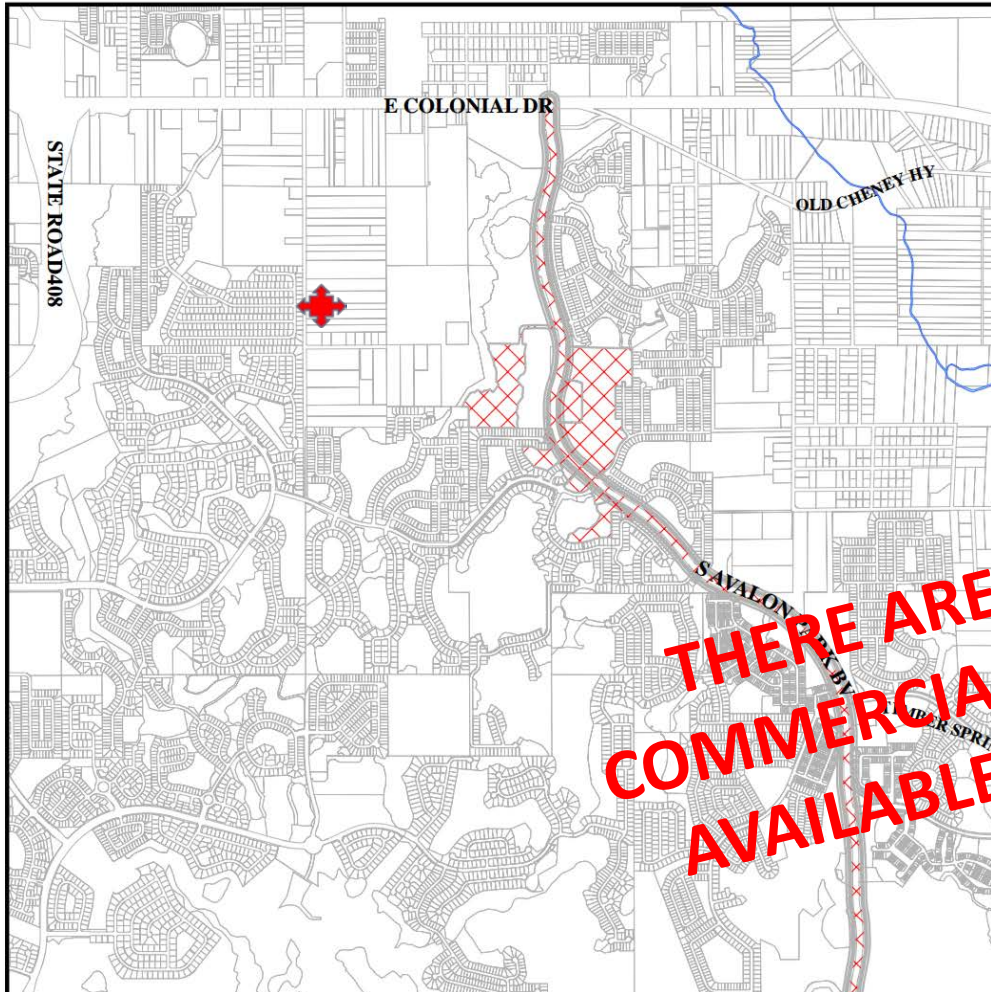
Avalon Park Boulevard Corridor Overlay District

Boundary Description

Parcels Adjacent to Avalon Park Boulevard

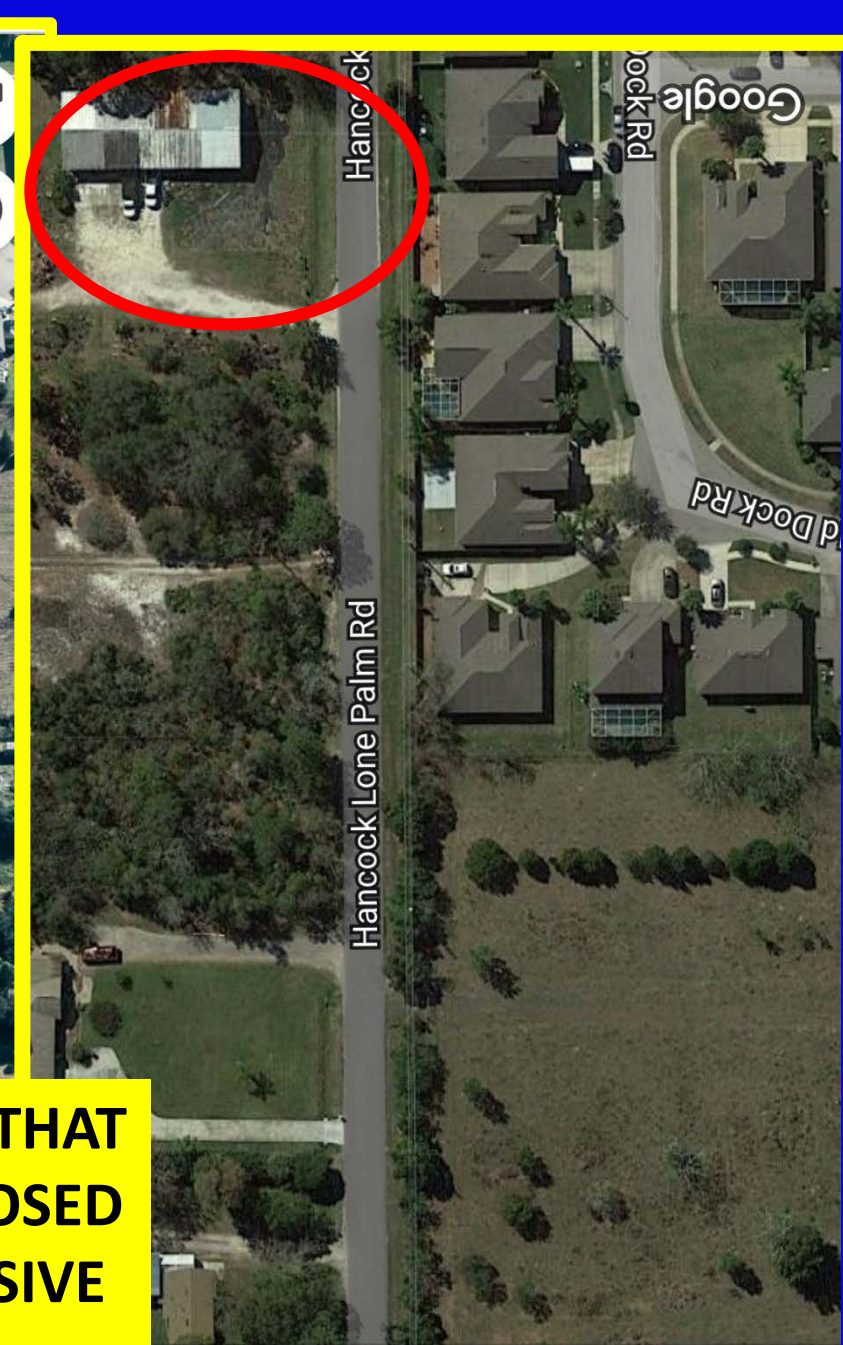
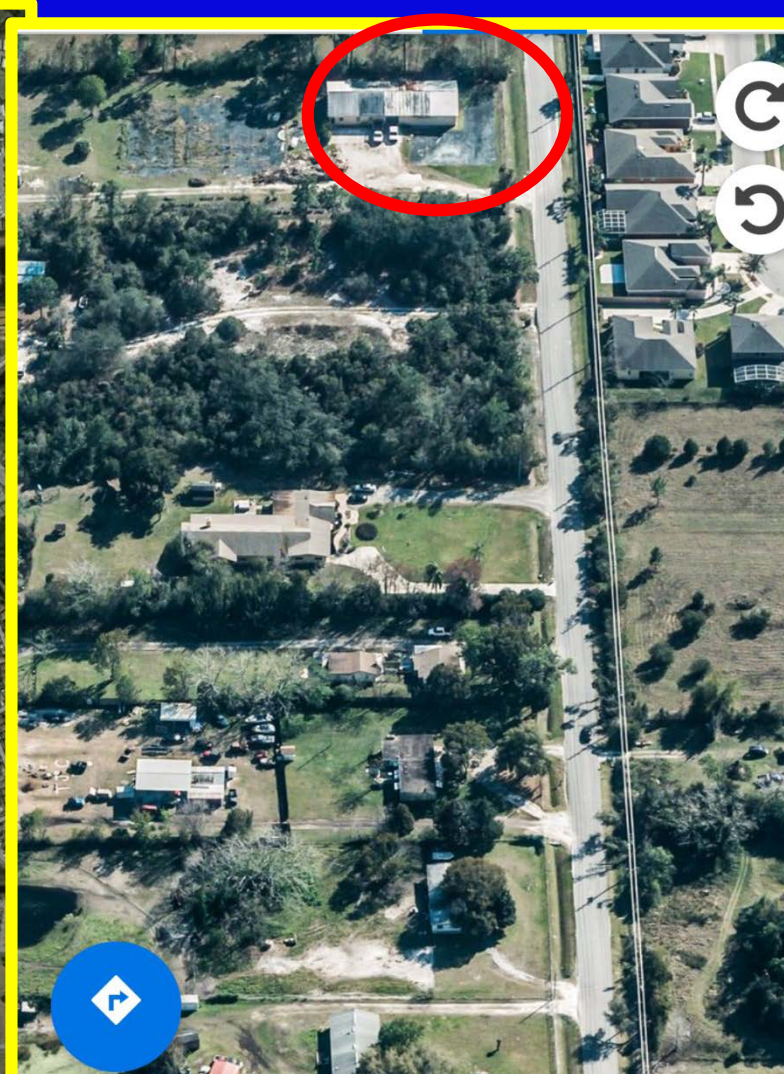
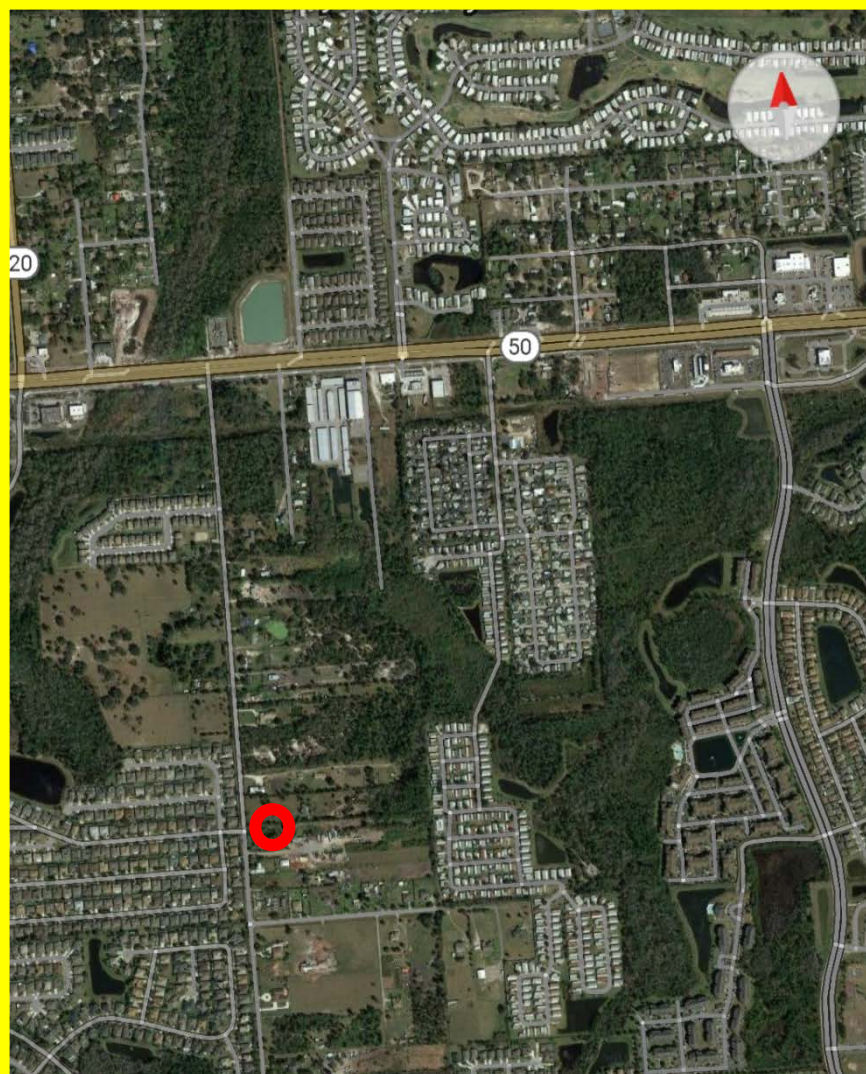
North: East Colonial Drive

South: South Alafaya Trail



THERE ARE VILLAGE CENTERS AND
COMMERCIAL AREAS NEARBY THAT ARE
AVAILABLE FOR PURCHASE AND USE



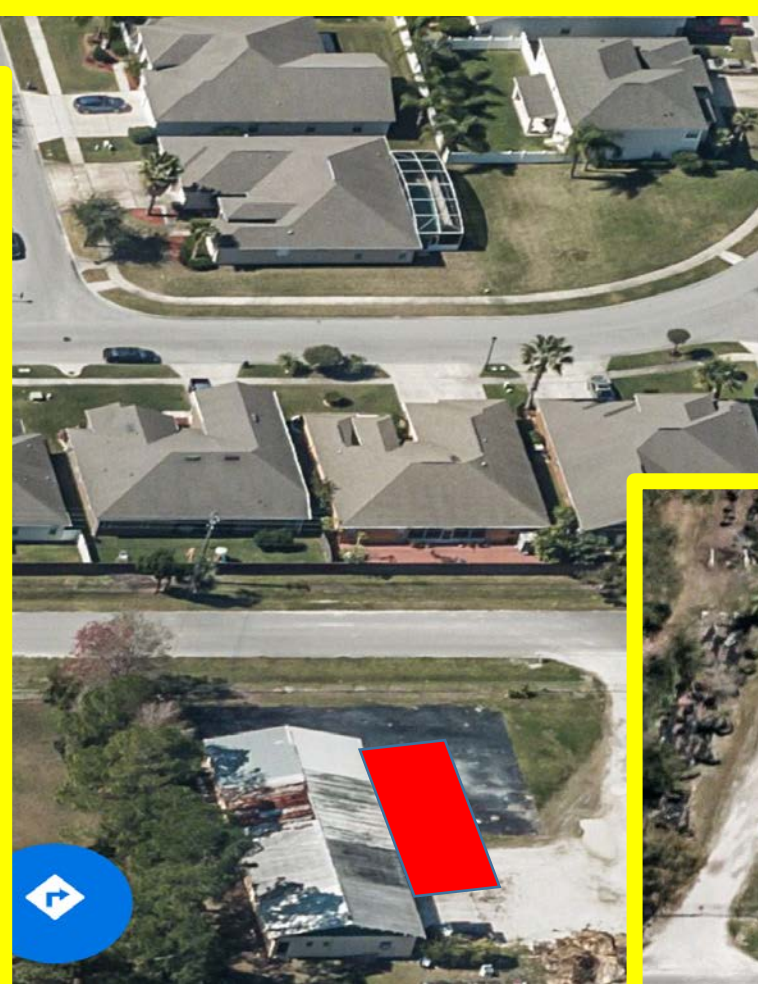


PROPOSED USE CHANGE IS IN RURAL AREA ON ROAD THAT SERVICES RURAL RESIDENCES ... HOWEVER THE PROPOSED USE BUILDING and *expansion* IS ALSO BEHIND EXPENSIVE HOMES IN A HOA ACROSS THE STREET.



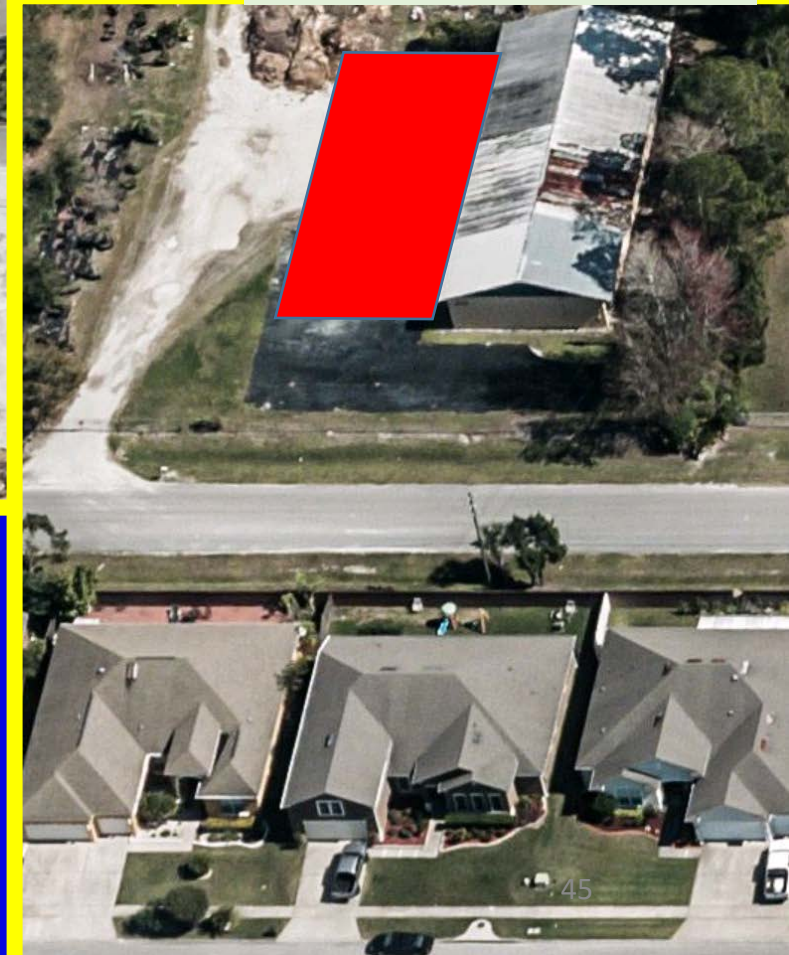


**New wide double entrance
driveway and locked gates
WITHIN 60 FEET OF HOMES**



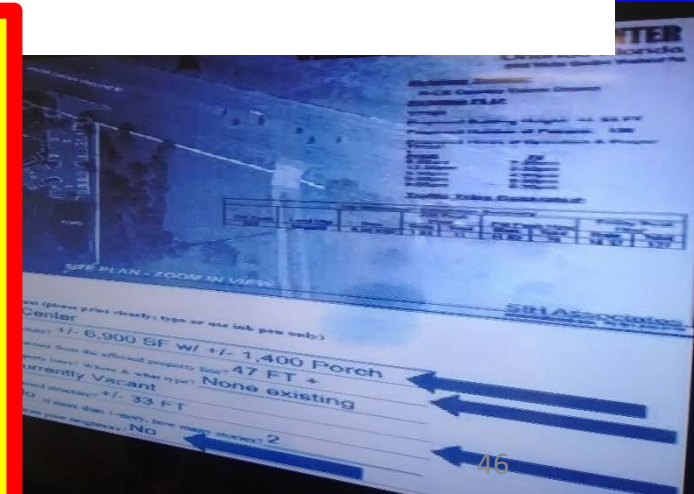
**PROPOSED
EXPANSION OF
INSTITUTION
LOOKING OVER
HOA HOMES**

**HOMES LESS
THAN 90 FEET
FROM PROPOSED
EXPANDED
CENTER**



1. What are you proposing? For variances, indicate the proposed distance (in feet) from the affected property line or the proposed height and/or size (in feet and square footage) of the structure you are requesting the variance(s) for. If you know what the zoning code requires, please state that as well: The proposed Religious Institution will have activities including prayer services, community gatherings, study hours, and special annual events. The normal hours of operation will be from 8 am to 8 pm; however, the facility will only be used periodically during the day. It is anticipated that the facility will serve 120 community members. No new buildings are proposed as part of this project except for a minor addition to enhance to the building entrance and other renovation to the existing building for the community center.
2. List all existing structures and uses on site: Existing 4,000 Sq.Ft. building used for warehousing of landscaping nursery company.
3. What is the size of the proposed structure(s) in feet and/or square footage: 4,000 Sq.Ft. existing building proposed to be renovated for new use as Religious Institution with a 750 S.F. entrance addition.

INCLUDES a required commercial building renovation, commercial site plans and a building expansion of additional 20 percent. Note: 3 pages of intended use.



An EXAMPLE of granting a special variance for a small facility that grew and it HAS now expanded thru out THE neighborhood and now will be 10 million dollar multi BUILDING facility gathering place. Nearby home owners moved out. (Apopka Vineland Road area)

11543 Ruby Lake Rd
Muslim Welfare Association Of Greater Orlando
Islamic Center Of Orlando
11543 Ruby Lake Rd
Orlando, FL 32036-6111
Un-Incorporated

Click To Enlarge Or Upload
282415621154010 06/02/2006

Values, Exemptions and Taxes | Property Features | Sales Analysis | Location Info | Market Stats | Update Information

Property Description
ORANGE CENTER D/143 LOTS 1 THROUGH 5 & 20 THROUGH 24 BLK 56 & IN THERON H KEENS P/28 LOTS 6 THROUGH 10 BLK 56 & A STRIP OF LAND 10 FT WIDE LYING IN
10. TOWN HALL 10 LOTS & LOTS IN SEC 15-24-28 & VAC R/W PER 10978/3188

Total Land Area
1 LOT(S)

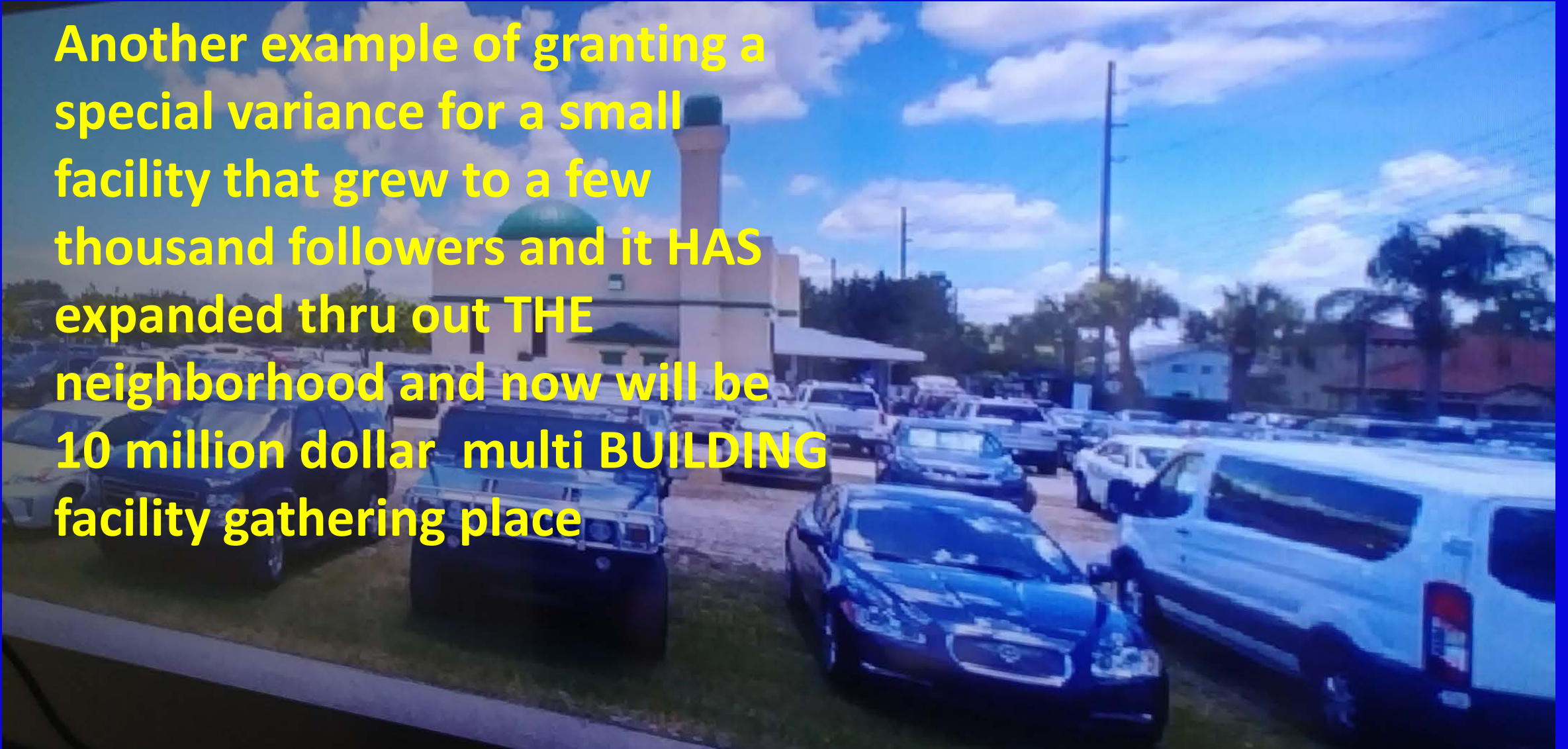
| Land (includes working values) | Unit Price | Land Value | Class Unit Price | Class Value |
|-----------------------------------|--------------|------------|------------------|-------------|
| Land Use Code 7100 - Religious | \$250,000.00 | \$250,000 | \$0.00 | \$250,000 |

Page 1 of 1 (1 total records)

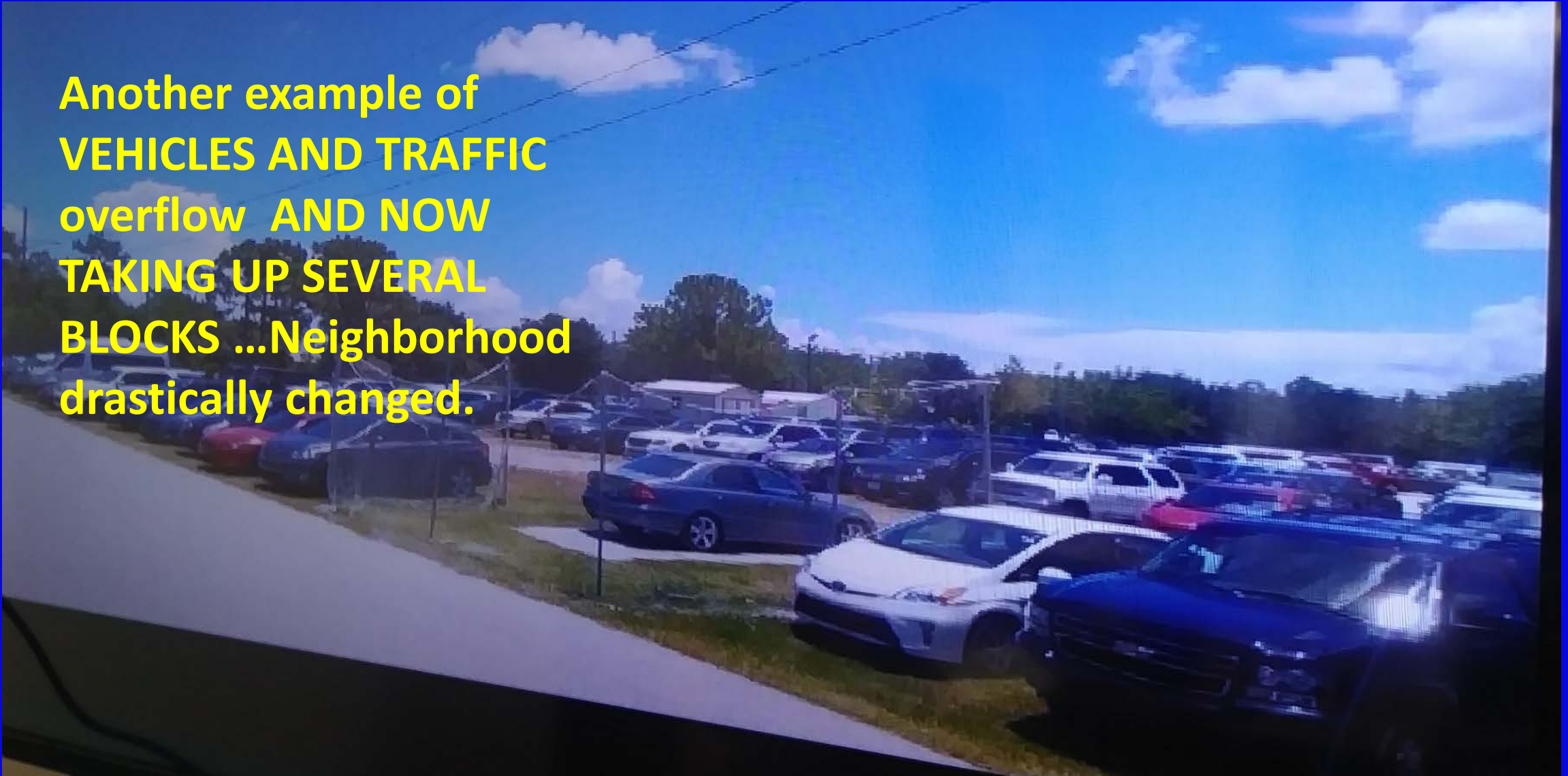
| Buildings (includes working values) | Structure | Actual Year Built | Beds | Gross Area | Living Area |
|---|-----------|-------------------|------|------------|-------------|
| Important Information Model Code: Type Code: 04 - Commercial 7100 - Religious | | 1991 | 0 | 6965 sqft | 6911 sqft |


View Orange County Permits

Another example of granting a special variance for a small facility that grew to a few thousand followers and it HAS expanded thru out THE neighborhood and now will be 10 million dollar multi BUILDING facility gathering place

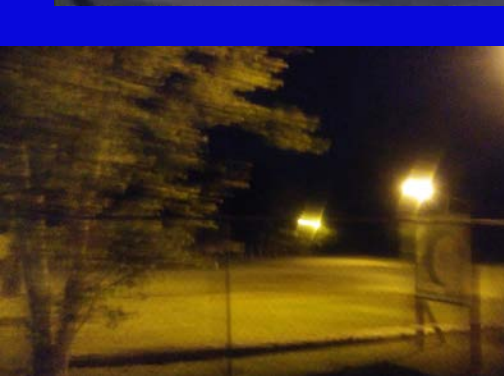


**Another example of
VEHICLES AND TRAFFIC
overflow AND NOW
TAKING UP SEVERAL
BLOCKS ...Neighborhood
drastically changed.**





PROPOSED PROPERTY WILL RESULT IN OUTDOOR EIDS AND OTHER EVENTS BRINGING IN MORE CROWDS, FLOOD LIGHTING, SOUND STAGES, NOISE AND OUTDOOR FACILITIES.



Another example of a center that expanded - now with lights on after 9:30 PM.

There is plenty of commercial land available within a couple of miles that would not require a special exception and will not need septic sewage and large upgrade to high volume water utilities.

A religious center at the appropriate commercial and/or town center would place it within more appropriate places

IAW Florida and County laws.



**EXISTING RESIDENCE THAT SETS
SEVERAL HUNDRED FEET OFF ROAD
WITH FEW VISITORS with ACTIVITIES
SEVERAL HUNDRED FEET BEHIND THE
RESIDENTIAL HOME.**



**NO
SIMILARITY**



REQUEST DENIAL OF APPEAL

1. BZA Correctly BASED DECISION ON OPPOSITION IN THE IMMEDIATE NEIGHBORHOOD

- ✓ Over 80 petitions from residents living within a half mile of subject property (see map and list)
- ✓ Applicant said they had neighbors adjacent to property attached to their application when in fact they did not.
- ✓ Residents and Owners on Hancock Lone Palm Road and Thamhall Way distributed and collected Petitions.
- ✓ Residents showed up at BZA hearing to oppose and applicant had no neighborhood supporters show up

2. BZA ALSO Correctly BASED DECISION ON APPLICANT NOT MEETING THE CRITERIA SET FORTH IN SEC 38-78.

- ✓ The use shall be consistent with the Comprehensive Policy Plan.
- ✓ The use shall be similar and compatible with the surrounding areas and shall be consistent with the pattern of surrounding development
- ✓ The use shall not act as A DETRIMENTAL INTRUSION in the surrounding area.
- ✓ 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. (neighborhood is rural) and adjacent neighborhood is medium density residential
- ✓ 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 use shall meet the performance standards of the district in which the use is permitted.

THE BZA DENIAL OF THE RELIGIOUS INSTITUTION ON HANCOCK LONE PALM ROAD

County Staff

Staff said that he only received 44 local petitions opposing change when in fact 80 were received from adjacent neighbors and over 110 from the community.

Staff used 2 examples of anomalies of special exceptions in order to try to show the character and similar use of current zoning instead of showing what the entire neighborhood's characteristics and surrounding similarity

Staff said that property was A-1 when in fact it is A-2

Staff did not mention in presentation that the warehouse would be expanded.

Staff did not correctly point out buffers.

Staff was “told” that they did not need a viable transportation study done

BZA board members Findings/decision



BZA was in possession of more (100+) petitions and discussed the almost 100 percent opposition from local residents and how their concerns showed that special exception criteria was not met



BZA correctly pointed out the current area's rural Character and residential use. The future land use Criteria also was discussed



BZA was aware of future land use requirements.



BZA discussed the expansion.



BZA members pointed out the buffer problems.



BZA discussed traffic volume...intersection problems...dead end residential street nightmare.

Applicant lives in Seminole County. Individuals who favor institution do not live in the rural community

Board Of Zoning Adjustment DENIAL was based on law, policy, precedence and criteria

THE BZA DENIAL OF THE RELIGIOUS INSTITUTION ON HANCOCK LONE PALM ROAD

County Staff

Staff did not present how close homes were to subject property and made it appear that nearest homes were several hundred feet away.

Staff presented that facility would be open daily from 8am to 8pm.

Staff recommended approval but presented two pages of conditions (that BZA could never enforce).

Staff notified applicant that their web site plans did not match plans submitted to county.

Staff did not say how applicant met all of special exception criteria numbers 2, 3 and 5.

The staff provided a recommendation because he was required to.

BZA board members Findings/decision

➡ BZA was presented evidence that nearby upscale homes were less than 95 feet from subject building and discussed impact and intrusion upon existing zoning and homes.

➡ BZA heard different longer hours of operations to 10PM and possibly even later.

➡ BZA discussed and questioned the applicant to explain use and got conflicting answers when compared to application.

➡ BZA was presented with applicants proposed expansion plans and discussed how these types of institutions tend to expand especially with all the land.

➡ BZA discussed all the criteria and correctly analyzed how applicant failed to meet them.

➡ The BZA unanimously voted against applicant.

Applicant lives in Seminole County. Individuals who favor institution *do not live* in the rural community

Board Of Zoning Adjustment DENIAL was based on law, policy, precedence and criteria

HANCOCK

LONE

PALM

ROAD

BZA
Was correct
in DENYING

LAND USE FROM
A-2

(and Future Land use
exclusively for Low-
Medium Residential)

to

Commercial

and

Commercial

exceptions

SE-17-12-134