



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Decision Letter

Board of County Commissioners

Tuesday, April 10, 2018

2:00 PM

County Commission Chambers

18-270

Board of Zoning Adjustment Appeal

Jamal A. Hassounah, Case # SE-17-12-134, February 1, 2018; District 4

Case: Board of Zoning Adjustment Case # SE-17-12-134; February 1, 2018

Consideration: Appeal of the recommendation of the Board of Zoning Adjustment on a request by applicant for a special exception in the A-2 zoning district as follows: to allow a religious use facility with ancillary uses (worshipping, social services, boys and girls youth group, Monday evening gatherings, Sunday workshop, SAT program and family night).

Location: District 4; property generally located on the East side of Hancock Lone Palm Rd., 1/2 mile south of East Colonial Dr.; Orange County, Florida (legal property description on file in Zoning Division)

Court Reporter: Lassie Steakley, Orange Legal

Clerk's note: Condition of Approval #6 in the staff report does not match Condition of Approval #6 as presented during the Board meeting. The numbering of the Conditions of Approval as presented during the Board meeting do not follow a sequential order.

County staff presented the following Conditions of Approval:

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.
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 8:00 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.
9. Prior to operating the site, all required permits shall be obtained.
10. Access, drainage, roadway improvements and concurrency management shall be determined by the Public Works Department.
11. 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.
12. 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.
13. 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.

The Conditions of Approval shown on the PowerPoint at the public hearing were presented incorrectly - Conditions of Approval #7 and #8 were shown along with an inadvertent duplicate numbering of Conditions of Approval 7 and 8 on actual Conditions #9 and #10. Therefore, there were in fact 13 conditions of approval for this special exception (not 11).

Condition of Approval #6 was modified as follows:

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 8:00 p.m. Outdoor amplified sound and music shall be 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 thirty (30) days prior to the date of each event. The Traffic Engineering Division shall review the traffic on Hancock Lone Palm Road no less than bi-annually to determine the threshold of traffic to be generated by this development that would require an off-duty patrolman or deputy sheriff for outdoor special events only.~~

County staff clarified the request to amend the hours of operation and outdoor events to read as follows:

13. The hours of operation for this facility shall be from 8:00 a.m. to 10:00 p.m., and no outdoor events between 8:00 p.m. to 10:00 p.m.

A motion was made by Commissioner Thompson, seconded by Commissioner VanderLey, to overturn the Board of Zoning Adjustment recommendation and approve the special exception, Case #SE-17-12-134, subject to the thirteen (13) conditions of approval as modified. The motion carried by the following vote:

Aye: 7 - Mayor Jacobs, Commissioner Nelson, Commissioner Thompson, Commissioner Clarke, Commissioner VanderLey, Commissioner Bonilla, and Commissioner Siplin



THE FOREGOING DECISION HAS BEEN
FILED WITH ME THIS 2ND DAY OF MAY 2018.

Kari Sweet

DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS
ORANGE COUNTY, FLORIDA

Note: This document constitutes the final decision of the Board of County Commissioners on this matter. If, upon the Board's subsequent review and approval of its minutes, an error affecting this final decision is discovered, a corrected final decision will be prepared, filed, and distributed.

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