



**Interoffice Memorandum  
Zoning Division**

Continue public  
hearing to  
MAY 13 2014



**DATE:** March 24, 2014

**TO:** Katie A. Smith, Deputy Clerk of the Board of County Commissioners, County Comptroller's Office

**THROUGH:** Cheryl Gillespie, Supervisor, Agenda Development Office

**FROM:** Mitch Gordon, Manager, Zoning Division

**CONTACT PERSON:** Rocco Relvini, Chief Planner  
Zoning Division 407-836-5386  
rocco.relvini@ocfl.net

**SUBJECT:** Request for Public Hearing before Board of County Commissioners (BCC) to Consider Appeal of March 6, 2014 Board of Zoning Adjustment (BZA) Recommendation on BZA Case # SE-14-03-003

**Type of Hearing:** Appeal of March 6, 2014 BZA Recommendation on BZA Case # SE-14-03-003

**Applicant(s) Request:** Special Exception and Variance in A-1 zone to convert existing residence as follows:

- 1) Into a religious use facility to accommodate up to 60 members
- 2) Into an education facility (school K-12) for up to 63 students
- 3) Variance: To allow unpaved parking spaces and driving aisles in lieu of paved  
(Note: No vertical construction is proposed and the applicant has agreed to limit the school grades to K-5<sup>th</sup> grade)

**Address:** 4630 Hiawassee Rd.

**Location:** West side of Hiawassee Rd.; south of Clarcona-Ocoee Rd.; 300 ft. south of Hyland Oaks Dr.

05/06/14  
2:2pm

Applicant/Appellant: Faith Central Ministries, Inc.

Commission District: 2

General Location: West side of N. Hiawassee Rd.; south of Clarcona-Ocoee Rd.; 300 ft. south of Hyland Oaks Dr.

BCC Public Hearing Required by: Ch. 30, Orange County Code

Clerk's Advertising Requirements: (1) At least 15 days before the BCC public hearing date, publish an advertisement in the Legal Notices section of *The Orlando Sentinel* describing the particular appeal, the general location of the subject property, and the date, time, and place when the BCC public hearing will be held; and (2) At least 10 days before the BCC public hearing date, send notices of BCC public hearing by U.S. mail to owners of property within 300 feet of the subject property and beyond.

**Material Provided:**

- (1) Names and last known addresses of property owners within 300 feet and beyond;
- (2) Location map; and
- (3) Copy of appellant's notice of appeal.

**Special Instructions to the Clerk:**

- (1) The BCC public hearing must be held within 45 days after March 21, 2014, which was the date the notice of appeal was filed, or as soon thereafter as the BCC's calendar reasonably permits.
- (2) Unless stated otherwise, the public hearing should be advertised to begin at 2:00 p.m., or as soon thereafter as the matter may be heard.

Attachments (location map and notice of appeal)

c: Chris R. Testerman, AICP, Assistant County Administrator  
Jon V. Weiss, Director, Community Environmental Development Services Department



ZONING DIVISION  
 MITCH GORDON, Manager  
 201 South Rosalind Avenue, 1st Floor • Reply To: Post Office Box 2687 • Orlando, Florida 32802-2687  
 407-836-5525 • Fax 407-836-5507  
 www.orangecountyfl.net

Art Interiano  
 Assistant Manager

Chief Planners

Carol Hossfield  
 Permitting

Rocco Relvini  
 BZA Section

Bob Windom  
 Project Review

**BOARD OF ZONING ADJUSTMENT APPEAL FORM**

DATE: MARCH 20, 2014

TO: Orange County Zoning Division

SUBJECT: SE 14-03-003 FAITH CENTRAL MINISTRIES  
 (BZA subject name)

\_\_\_\_\_  
 (print or type name) FAITH CENTRAL MIN.  
 (print or type company name)

Mailing Address: P. O. BOX 683345, ORLANDO, FL 32868

Telephone: (407) 702 4235 Fax: \_\_\_\_\_

I respectfully request an appeal of the decision regarding public hearing in the name of FAITH CENTRAL MIN., hearing number SE 14-03-003 rendered by the BOARD OF ZONING ADJUSTMENT on 03/06/2014  
 (print/date of hearing).

Reason for the Appeal (provide a brief summary or attach additional pages if necessary):

1. STAFF PROVIDE INCORRECT INFORMATION
2. BZA Decision based on Assumptions and hypothetical Not Facts of Application
3. See Additional Sheet.

Signature of Appellant: [Signature]

Fee: \$691.00 (make check payable to ORANGE COUNTY ZONING DIVISION)

NOTE: The Clerk of the Board will notify you of the date of your appeal. If you have any questions, please contact the Zoning Division at 407-836-3111.

March 20, 2014

Orange County Zoning Division  
201 South Rosalind Ave, 1St Floor  
P. O. Box 2687  
Orlando, Fl 32802

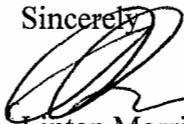
Attention : Mitch Gordon, Manager

RE: Appeal of SE-14-03-003, BZA Decision on 03/06/2014 for Faith Center Ministries, Inc.

We are appealing the action taken by the Board of Zoning Adjustment on the above application as follows:

1. The BZA did not use the facts of the application. They based their decision on hypothetical scenarios presented by Hylandoak Neighborhood Association. They presented no facts but hypothetical.
- 2.
3. The Application complied with the requirements of Orange county Code Section 38-78.
4. The one requirement that the BZA discussed was "Noise" made by Children. They assumed that all 63 students would be at Physical Education (PE) at the same time and created noise to the neighbors. This assumption is not consistent with the program or operation of the school. They never once inquired what the program of the school was concerning PE, dismissal and start of school. There were no evidence presented as to what level of noise is acceptable.
5. The assumption that there were no hardship for variance.
6. BZA denial if uphold will create a violation of the First Amendment Rights of the Applicant to practice their religion.
7. BZA denial if up held would clearly indicate to residents and supporters of this school that Orange County Government is opposed to christian schools. The are was a former illegal drug activity. If the schools is opposed the County would indicate it does not want private citizen to invest their money and clean up the neighborhood of illegal drug activities.

Sincerely



Linton Morris  
for Faith Center Ministries Inc  
P. O. Box 683345  
Orlando, Fl 32868

**FAITH CENTER MINISTRIES, INC.**  
**SE-14-03-003**

---

**REQUEST:** Special Exception and Variance in A-1 zone to convert existing residence as follows:

- 1) Into a religious use facility to accommodate up to 60 members
  - 2) Into an education facility (school K-12) for up to 63 students
  - 3) Variance: To allow unpaved parking spaces and driving aisles in lieu of paved
- (Note: No vertical construction is proposed.)

**ADDRESS:** 4630 N Hiawassee Rd.

**LOCATION:** West side of N. Hiawassee Rd.; south of Clarcona- Ocoee Rd.; 300 ft. south of Hyland Oaks Dr.

**S-T-R:** 02-22-28

**TRACT SIZE:** 198 ft. x 607 ft.

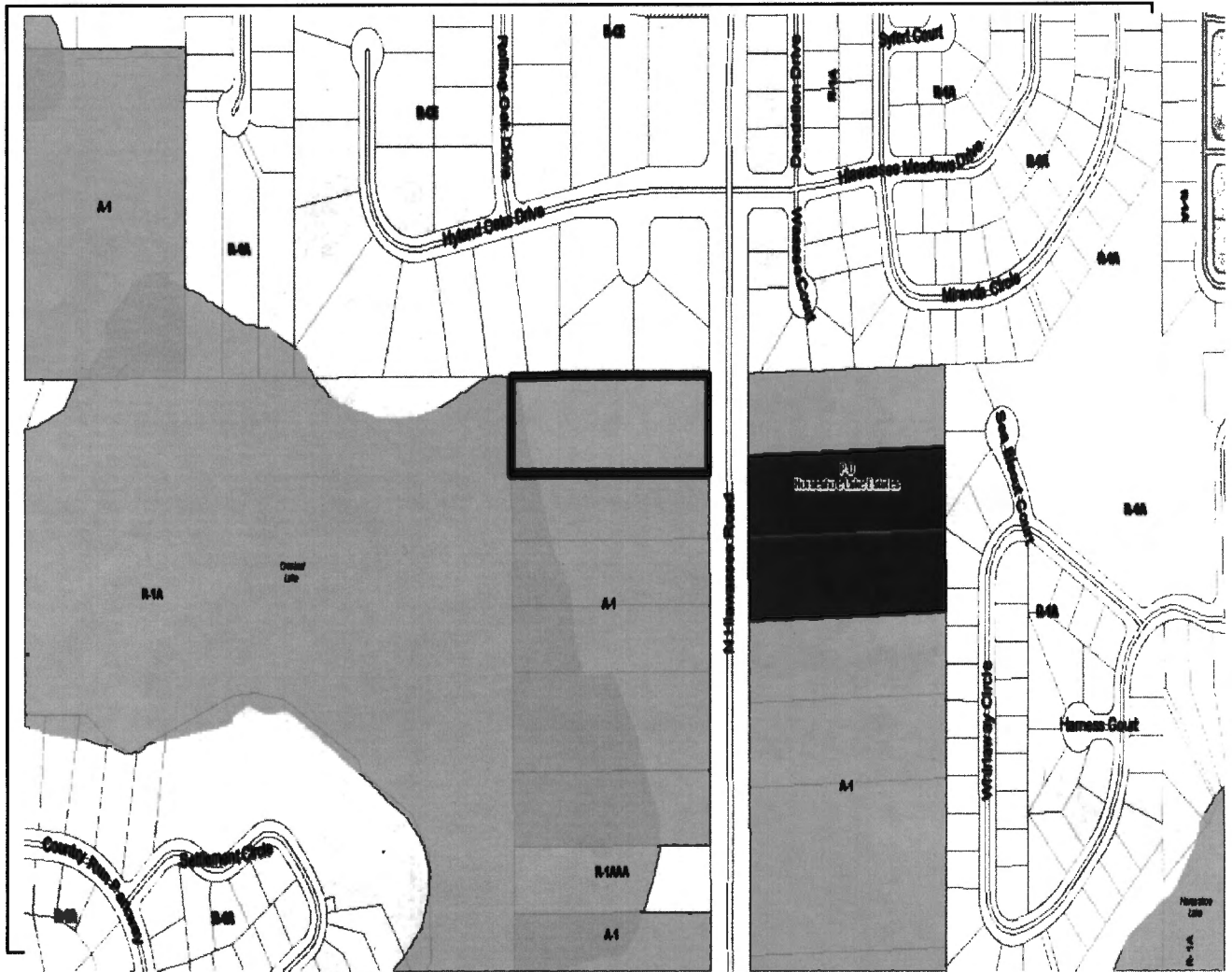
**DISTRICT#:** 2

**LEGAL:** THE N 198 FT OF THE E1/2 OF THE SE1/4 OF THE SE1/4 OF SEC 02-22-28 (LESS THE E 30 FT THEREOF FOR RD RW

**PARCEL ID:** 02-22-28-0000-00-017

**NO. OF** 132

**NOTICES:**



Applicant: FAITH CENTER MINISTRIES, INC.

BZA Number: SE-14-03-003

BZA Date: 03/06/2014

District: 2

Sec/Twn/Rge: 02-22-28-SE-D

Tract Size: 198 ft. x 607 ft.

Location: West side of N. Hiawassee Rd.; south of Clarcona- Ocoee Rd.; 300 ft. south of Hyland Oaks Dr.

If you have any questions  
regarding this map, please call  
Rocco Relvini  
at 407.836.5386.