

2011-CU-003 & 2010-V-007

Project Name: "Living God's Standard Community Outreach Church, Inc"

Applicant and/or Property Owner: Lorenzo and Wenda Downing

Representative: n/a

Request 1: Conditional request is to allow the expansion of a place of worship located within an R1M zoning district to accommodate an addition on the east side of the building
(LDC 6.09.02.H)

Request 2: Variance to reduce the front building setback from 25 feet to 14.8 feet
(LDC 6.05.07.I.1.a)

Zoning District: R1M (Mixed Residential Subdivision)

**ZBOA Data & Analysis
March 3, 2011**

Conditional Use 2011-CU-003 & Variance 2011-V-007

I. Applicant:

"Living God's Standard Community Outreach Church, Inc." Lorenzo & Wenda Downing

II. Request:

Conditional Use request is to allow the expansion of a place of worship located within an R1M zoning district to accommodate an addition on the east side of the building

Variance to reduce the front building setback from 25 feet to 14.8 feet to accommodate the proposed addition

III. Proposed Location:

6731 Old Highway 90, Milton; on the south side of Old Highway 90 west of Canal Street between Patterson Town Road and Tar Plant Road in the Webb Tract subdivision (Parcel number 10-1N-28-5690-00000-0171)

IV. LDC 6.09.01 General Provisions Regulating Conditional Uses: A conditional use shall be permitted by the Board of Adjustment (Zoning Review and Appeals Board) provided that the Board finds that the use:

A. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected;

Is this criterion met?

Staff Analysis: The proposed use has been designed and located in such a manner as to minimize the impact upon neighboring properties. It is not anticipated that the proposed addition will adversely affect the public health, safety, and welfare. The new addition will consist of classrooms and a fellowship hall.

B. Will not unduly adversely affect other property in the impacted area which it is located;

Is this criterion met?

Staff Analysis: It is not anticipated that the

(continued on next page)

**ZBOA Data & Analysis
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proposed addition will unduly or adversely affect other property in the impacted area in which it is located. The church established itself in the community and has rehabilitated the existing building to serve the community.

The surrounding properties are a mix of single family residence and vacant land.

- C. Is consistent with the Goals, Objectives, and Policies of the Santa Rosa County Comprehensive Plan;

Is this criterion met?

Staff Analysis: According to the Santa Rosa County Future Land Use Map (FLUM) the subject area for the proposed Conditional Use is located in Single Family Residential (SFR) land use category. This request is consistent with the Goals, Objectives, and Policies of the Santa Rosa Comprehensive Plan. Institutional uses are included within all residential uses.

- D. Satisfies criteria stipulated for similar uses and as listed below.

- H. Places of Worship (AG, AG-2, RR-1, R-1, R-1A, R-1M, R-2, R-2M, R-3)

1. Sites shall be located within more highly accessible portions of residential districts near major thoroughfares so as to discourage traffic along local residential streets of the

Is this criterion met?

Staff Analysis: Staff has determined that the location

(continued on next page)

**ZBOA Data & Analysis
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impacted area.

is highly accessible with traffic entering directly from a major thoroughfare.

2. The minimum site for places of worship in residential districts shall be fifteen thousand (15,000) square feet, except within R-1, R-1A, and R-1M zones the minimum size lot shall be one-half acre.

Is this criterion met?

Staff Analysis: The existing church site is .86-acres in size and exceeds the minimum lot requirement for those within R-1, R-1A, and R-1M zoning districts.

3. No main or accessory building shall be located within fifty (50) feet of any side or rear lot line.

Is this criterion met?

Staff Analysis: The proposed addition will be located on the east side of the building and will be located over 50 feet from the side and rear property lines. The applicants are seeking a Variance to reduce the front setback to allow the addition to extend to the front of the existing building which is located 14.8 feet from the front property line.

4. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to contiguous residential properties

Is this criterion met?

Staff Analysis: It is not anticipated that the proposed addition will generate an unreasonable amount of noise, traffic, congestion, or other potential nuisances to contiguous properties. The proposed addition will be used as a classroom addition and fellowship hall to an existing church.

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V. **2.04.00 SPECIAL EXCEPTIONS AND VARIANCES:** The BOA shall have the following duties and powers:

B. **No variances shall be authorized under this provision unless the Board finds that all of the following conditions exist:**

1. The special circumstances or conditions applying to the building or land in question are peculiar to such property and do not apply generally to other land or buildings in the vicinity.

Is this criterion met?

Staff Analysis: Although staff has determined that this parcel does not possess unique qualities with respect to shape, size, exceptional shallowness, narrowness or have any unique topographic conditions that are peculiar to such property and not to other lots within the area, there are special circumstances regarding the building in question.

The applicant is seeking relief from the Ordinance which regulates the placement of structures with respect to the property lines. The applicants are proposing to construct an addition along the entire east side of the existing building. As such, the north end of the addition would encroach into the front setback 10.2 feet and would be located 14.8 feet from the property line.

2. The variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.

Is this criterion met?

Staff Analysis: This Variance request is necessary for the

(continued on next page)

**ZBOA Data & Analysis
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preservation and enjoyment of a substantial property right and does not serve merely as a convenience to the property owner.

3. The authorization of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding area or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of Santa Rosa County.

Is this criterion met?

Staff Analysis: The authorization of this Variance will not impair an adequate supply of light and air to adjacent property, increase congestion to public streets, or impair the public safety. It is unknown whether the authorization of this Variance will unreasonably diminish or impair established property values within the surrounding area.

4. The variance will not impair the intent of the zoning ordinance or zoning district map.

Is this criterion met?

Staff Analysis: If authorized, a Variance with special circumstances would not impair the intent of the zoning ordinance.

5. To permit the reduction of parking or loading requirements whenever the character or use of a building is such as to render unnecessary the full provision of parking or loading facilities as specified herein or whenever the strict enforcement of such provision would impose an unreasonable hardship as contrasted with merely granting an advantage or convenience.

Is this criterion met?

Staff Analysis: The proposed request does not apply to the reduction of parking or loading requirements nor does it apply to the access management standards

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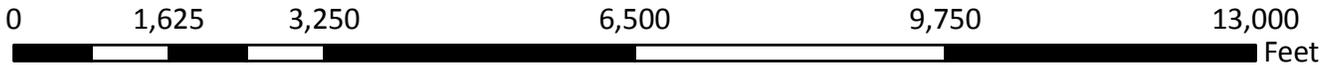
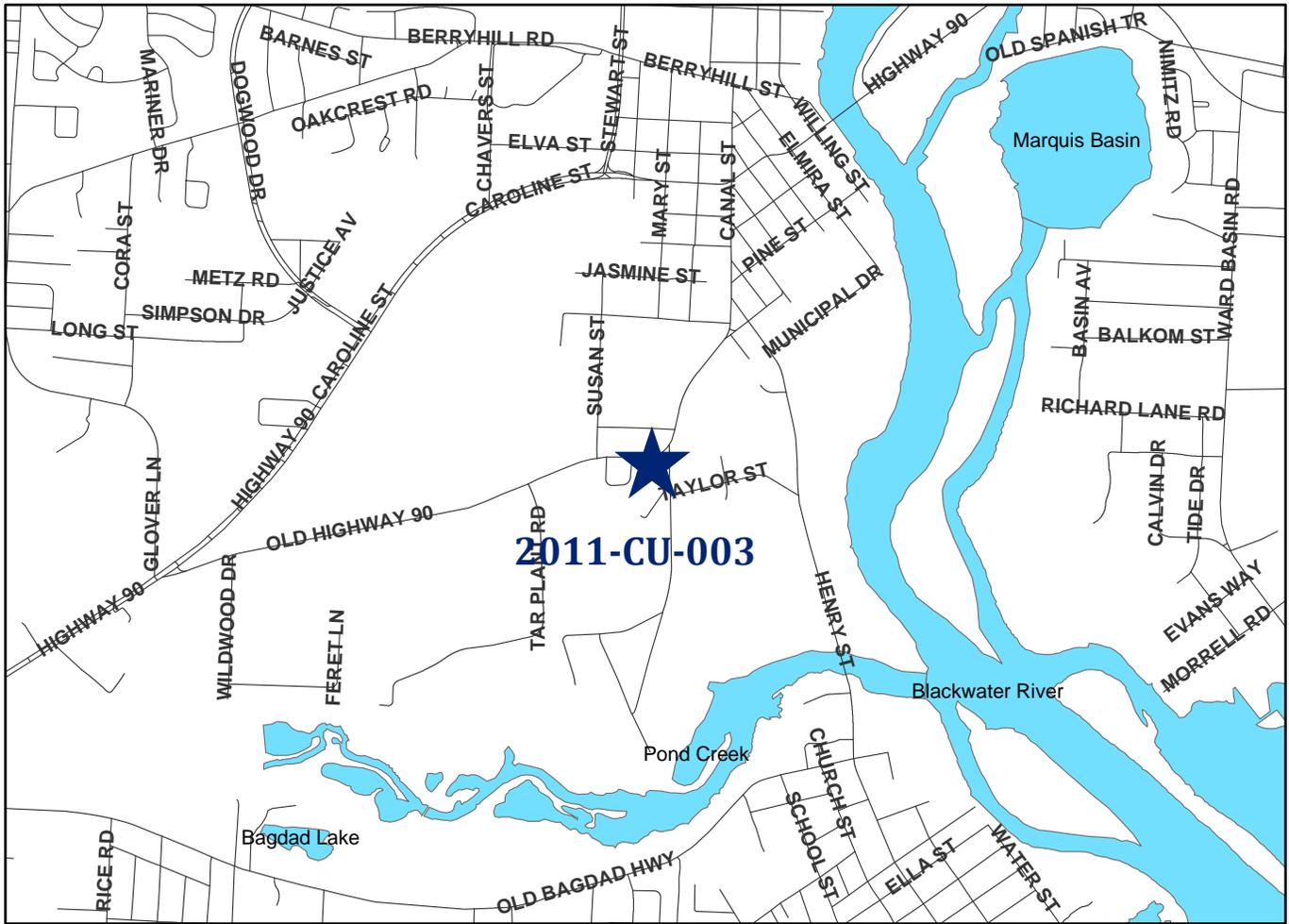
Additionally, variances from access management connection standards may be granted where the effect of the variance would be to enhance the safety or operation of the roadway.

which would affect the safety or operation of the roadway.

VI. Criteria

Santa Rosa County Land Development Code, Articles 6.09.02.H, 6.05.07.I.1.a.

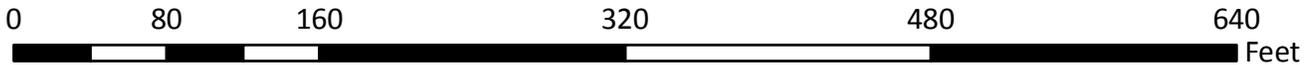
Location



Legend

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Aerial



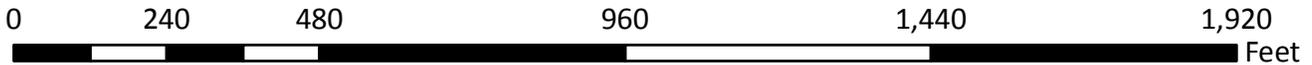
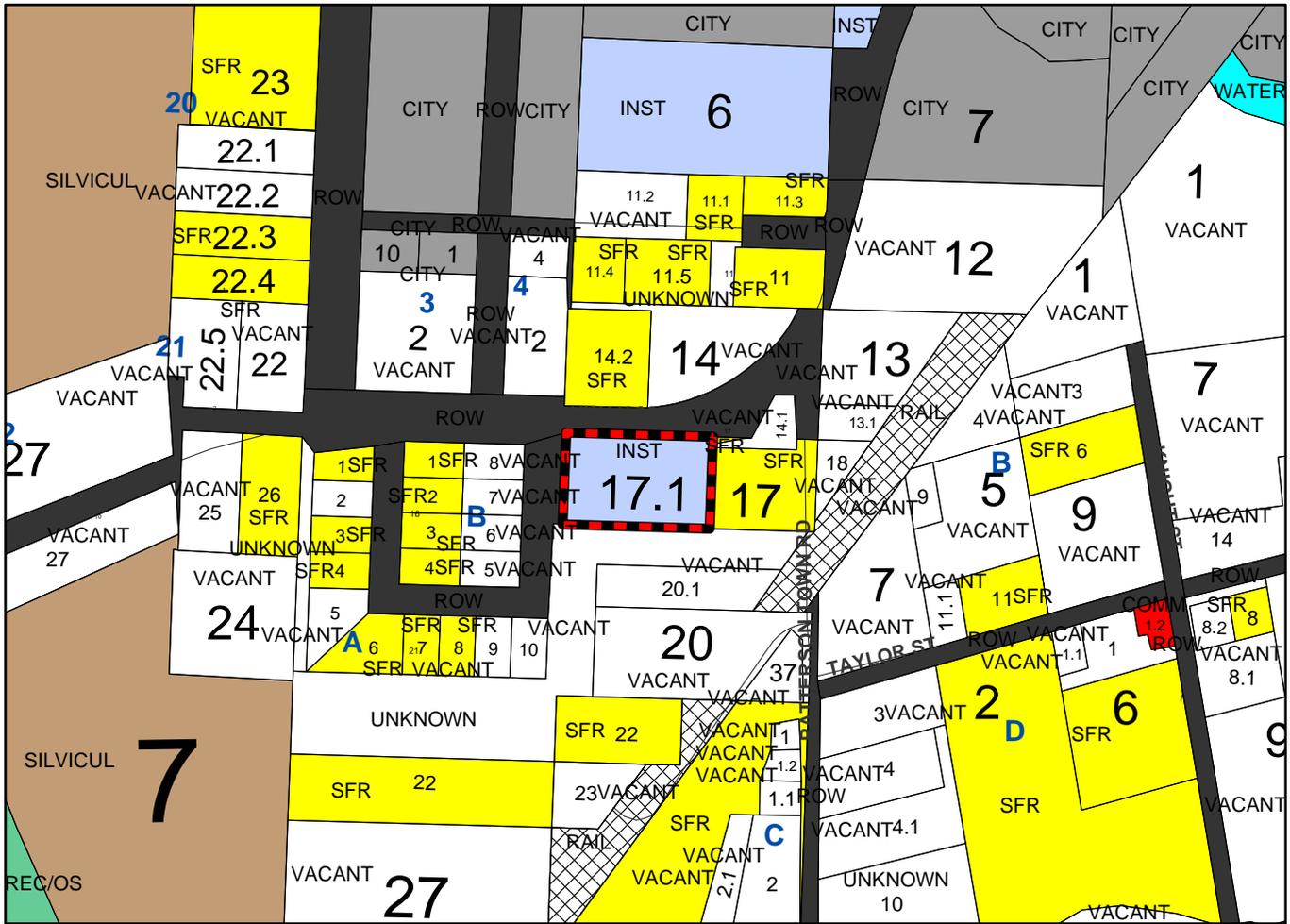
Legend

 Pending ZBOA Case

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Existing Land Use



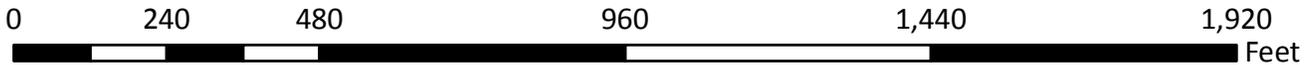
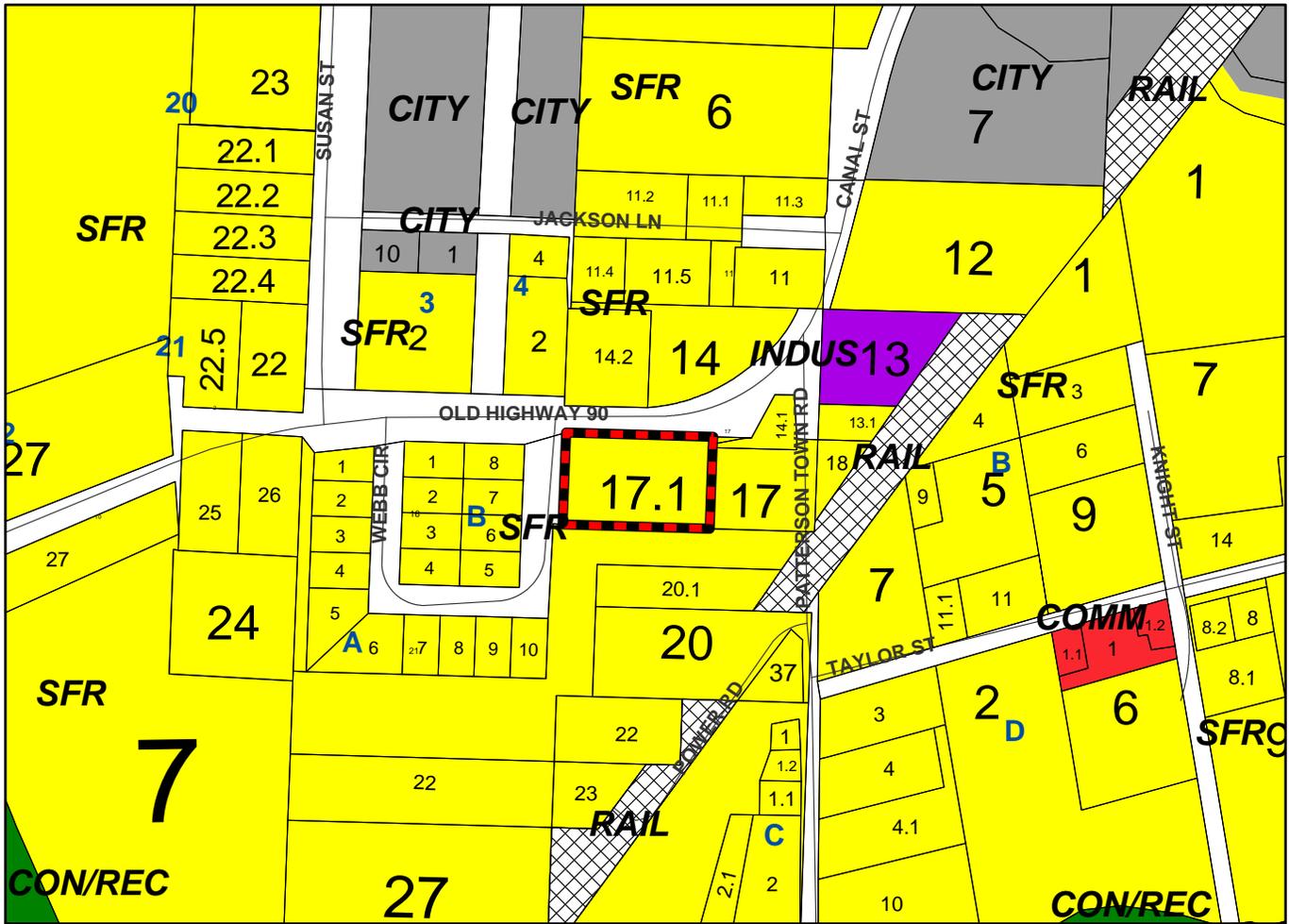
Legend

- Pending ZBOA Case
- Institutional
- Recreation/Open Space
- Existing Land Use**
- Multi-Family Residential <5
- Right of Way
- Multi-Family Residential >5
- Single Family Residential
- CATEGORY**
- Agriculture
- Military
- Silviculture
- Agriculture, Homestead
- Mixed Residential/Commercial
- Uncategorized
- Condo's/Townhomes
- Office
- Utilities
- City
- Public Owned Property
- Vacant
- Commercial
- Rail
- Water
- Industrial
- Recreation/Commercial

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Future Land Use



Legend

Pending ZBOA Case	GP RURAL RESIDENTIAL (GPRR)	NAVARRE BEACH MEDIUM DENSITY RESIDENTIAL (NBMDR)
AGRICULTURE (AG)	BAGDAD HISTORIC DISTRICT (HIS)	NAVARRE BEACH MEDIUM/HIGH DENSITY RESIDENTIAL (NBMHDR)
SINGLE FAMILY RESIDENTIAL (SFR)	INDUSTRIAL (INDUS)	NAVARRE BEACH HIGH DENSITY RESIDENTIAL (NBHDR)
MEDIUM DENSITY RESIDENTIAL	MARINA (MARINA)	NAVARRE BEACH MIXED RESIDENTIAL/COMMERCIAL (NBMRC)
RESIDENTIAL (RES)	MILITARY (MIL)	NAVARRE BEACH UTILITIES (NBU)
COMMERCIAL (COMM)	MIXED RESIDENTIAL COMMERCIAL (MRC)	CITY
CONSERVATION/RECREATION (CON/REC)	NAVARRE BEACH COMMERCIAL (NBCOMM)	RAIL
GP SINGLE FAMILY RESIDENTIAL (GPSFR)	NAVARRE BEACH LOW DENSITY RESIDENTIAL (NBLDR)	WATER

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Santa Rosa County Development Services



Beckie Cato, AICP
Planning and Zoning Director

Tony Gomillion
Public Service Director

John T. "Tim" Tolbert
Building and Fire Official

Conditional Use Application

*Application Instructions begin on Page 4

** For Official Use Only **			
Application No.	<u>2011 -CU- 003</u>	Date Received:	<u>2/14/2011</u>
Review Fee:	<u>249.31</u>	Receipt No.:	<u>30</u>
Zoning District:	<u>R1M</u>	Conditional Use	
FLUM Designation:	<u>SFR</u>	Request:	<u>6.09.02.H</u>

Comm Dist #2

Property

Owner

Property Owner Name: Living God Standard Church

Address: Lorenzo & Wenda Downing

6760 Old Highway 90, Milton, FL 32570

Phone: 850-626-3526 Fax: _____

Email: _____

Applicant

Check here and skip this section if the applicant is the Property Owner. Otherwise, complete this section and provide authorization from the Property Owner giving the Applicant the authority to pursue conditional use approvals.

Company: _____

Contact Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information

Parcel ID Number(s): 101N285690000000171

-OR-

Street Address of property for which the Conditional Use is requested:

6731 Old Highway 90, Milton, Florida

Parcel Size (acres): .86 acres

Santa Rosa County Public Service Complex
6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583

www.santarosa.fl.gov

Office: (850) 981-7000

Inspections/Compliance Division Fax: (850) 623-1208 • Planning/Zoning Division Fax: (850) 983-9874

1.0

Conditional Use Request Please describe the requested conditional use. Attach a site plan showing the proposed development in as much detail as necessary to demonstrate that your request meets the criteria found in Section 6.09.02 (attached).

To allow the expansion of a place of worship located within an R1M zoning district; the expansion includes an addition on the east side of the building

Conditional Use Criteria I understand that all decisions made by the Zoning Board of Adjustments are subject to appeal and that their decision does not become effective until the appeal time has successfully passed.

Yes No

I understand that approval by the Zoning Board of Adjustments does not authorize construction and/or land clearing to occur on this site and that additional approvals and Building Permits may be required.

Yes No

I understand that determinations by the Zoning Board of Adjustments are valid for 36 months.

Yes No

Please read the attached conditional use information pertaining to your request and describe how your request meets the pertinent criteria. Attach additional sheets if necessary.

Certification and Authorization

By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application. I do hereby authorize County staff to enter upon my property at any reasonable time for purposes of site inspection.

Loraine Downing
Applicant Name (Type or Print)

Loraine Downing
Applicant Signature

Title (if applicable)

Date

6.09.00 CONDITIONAL USES

6.09.01 General Provisions Regulating Conditional Uses: A conditional use shall be permitted by the Board of Adjustment (Zoning Review and Appeals Board) provided the Board finds that the use:

- A. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected;

The proposed addition to our church will be located, designed and operated so that the public health, safety and welfare will be protected.

- B. Will not unduly adversely affect other property in the impacted area which it is located;

We do not feel that the addition to our church will adversely affect other properties within the area. We feel like our church is a positive influence in the community and will continue to be such. This addition will contain classrooms and a fellowship hall which will serve many purposes, including providing a place where we can feed the hungry a few times a month.

- C. Conforms to all applicable provisions of the district in which the use is to be located;

Although we are seeking a Variance to reduce the front building setback, we will comply with all other provisions of the district.

- D. Satisfies criteria stipulated for similar uses as described in the following section.

6.09.02.H. Places of Worship (AG, AG-2, RR-1, R-1, R-1A, R-1M, R-2, R-2M, R-3)

1. Sites shall be located within more highly accessible portions of residential districts near major thoroughfares so as to discourage traffic along local residential streets of the impacted area.

Our church is located directly on Old Highway 90 and is highly accessible.

2. The minimum site for places of worship in residential districts shall be fifteen thousand (15,000) square feet, except within R-1, R-1A, and R-1M zones the minimum size lot shall be one-half acre.

Our church site is .86 acres in size and exceeds the minimum lot size requirement.

3. No main or accessory building shall be located within fifty (50) feet of any side or rear lot line.

The existing church was granted a Conditional Use and Variance in 2007 which allowed the rehabilitation of the existing building which was located 14.8 feet from the front property line and 15.0 feet from the west side. The proposed addition will be located on the east side of the existing building, approximately 175 feet from the east property line and 89 feet from the rear property line. We are seeking a Variance to reduce the front building setback to 14.8 feet to align with the front of the existing building.

4. The scale, intensity and operation of the use shall not generate unreasonable noise, traffic, congestion or other potential nuisances or hazards to contiguous residential properties.

We do not feel that the proposed addition will generate unreasonable noise, traffic, congestion or other nuisances to contiguous residential properties.



Santa Rosa County Development Services



Beckie Cato, AICP
Planning and Zoning Director

Tony Gomillion
Public Service Director

John T. "Tim" Tolbert
Building and Fire Official

Variance Application

* Application Instructions begin on Page 5

** For Official Use Only **			
Application No.	<u>2011 -V- 007</u>	Date Received:	<u>2/14/2011</u>
Review Fee:	<u>249.31</u>	Receipt No.:	<u>30</u>
Zoning District:	<u>R1M</u>	FLUM Designation:	<u>SFR</u>

Comm. Dist #2

Property Owner Property Owner Name: Living God Standard Church

Address: Lorenzo & Wenda Downing
6760 Old Highway 90, Milton, FL 32570

Phone: 850-626-3526 Fax: _____

Email: _____

Applicant Check here and skip this section if the applicant is the Property Owner. Otherwise, complete this section and provide authorization from the Property Owner giving the Applicant the authority to pursue variance approvals.

Company: _____

Contact Name: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information Parcel ID Number(s): 101N285690000000171
-OR-

Street Address of property for which the Variance is requested:
6731 Old Highway 90, Milton, Florida

Santa Rosa County Public Service Complex
6051 Old Bagdad Highway, Suite 202 Milton, Florida 32583
www.santarosa.fl.gov
Office: (850) 981-7000

Inspections/Compliance Division Fax: (850) 623-1208 • Planning/Zoning Division Fax: (850) 983-9874

What is the present use of the property? church

Variance Request

Please describe the requested variance, including exact dimensions and purpose of the variance.

reduce the front building setback to 14.8 feet

Please describe the special circumstances or conditions that apply to the building or land in questions which necessitate the variance request.

We would like to add an addition to the existing building. The proposed addition would align with the front of the existing building, which is located 14.8 feet from the front property line.

Are the special conditions or circumstances described above the result of a proposed or prior action of the applicant? Yes No

Please explain why the literal enforcement of the provisions of the Land Development Code will result in unnecessary hardship.

Variance Provisions And Criteria

Do you currently have a Code Enforcement Violation which pertains to this Variance request?

Yes No

I understand that all decisions made by the Zoning Board of Adjustment are subject to appeal and that their decision does not become effective until the appeal time has successfully passed.

Yes No

I understand that approval by the Zoning Board of Adjustments does not authorize construction and/or land clearing to occur on this site and that additional approvals and Building Permits may be required.

Yes No

I understand that determinations by the Zoning Board of Adjustment are valid for 36 months.

Yes No

Certification and Authorization

By my signature hereto, I do hereby certify that the information contained in this application and the required supplemental materials is true and correct, and understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application. I do hereby authorize County staff to enter upon my property at any reasonable time for purposes of site inspection.

Lorenzo Downing
Applicant Name (Type or Print)

Lorenzo Downing
Applicant Signature

Title (if applicable)

2/14/2011
Date

