

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: 620 Palm Springs Drive – Palm Springs Drive Church of Christ, applicant; Request for a Special Exception to expand an existing church in R-1AA (Single Family Dwelling District).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT:** 7387

Agenda Date 12-03-07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Approve** the request for a special exception to expand an existing church in R-1AA (Single Family Dwelling District); or
2. **Deny** the request for a special exception to expand an existing church in R-1AA (Single Family Dwelling District); or
3. **Continue** The request to a time and date certain.

GENERAL INFORMATION	Palm Springs Drive Church of Christ, 620 Palm Springs Drive Altamonte Springs, Florida	R-1AA District, LDC section 30.203 (conditional uses): Churches with their attendant educational facilities.
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • In 1969, the Church of Christ was granted a special exception to establish a church. • This special exception request proposes to expand the church facility and the membership with the addition of 6,900 square foot classroom building added to the existing 6,000 square foot assembly building. • They are proposing a membership of 200 with regular attendance at the Sunday worship of about 225. • 50 parking spaces are to be provided on site. 	

	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	SITE	R-1AA	LDR	Church
	NORTH	R-1AA City of Altamonte Springs	LDR City of Altamonte Springs	Residential Vacant Residential and Commercial
	SOUTH	R-1AA City of Altamonte Springs	LDR City of Altamonte Springs	Residential Commercial
	EAST	City of Altamonte Springs	City of Altamonte Springs	Church
	WEST	R-1AA	LDR	Residential
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</p>	<p>The Board of Adjustment (BOA) shall have the power to hear and decide special exceptions it is specifically authorized to pass under the terms of the Land Development Code upon determination the use requested:</p> <p><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></p> <p>The proposed use would represent an expansion of an existing church with the addition of a 6,900 square foot classroom building. The existing 6,000 square foot assembly building is located on the east side of the property adjacent to Palm Springs Drive and parking is currently on the west and south sides of the building with access off both Palm Springs Drive and Orange Street. The parking area adjacent to Orange Street (on the west side) would be the location of the new classroom addition and the parking area on the south side would be restructured to provide the additional required parking.</p> <p>The church faces Palm Springs Drive which is a collector roadway. Moving the access off Orange Street, a residential road, and orienting it to Palm Springs Drive for the larger church would make this use more consistent and compatible with the trend of development along Palm Springs Drive.</p> <p>An additional benefit of reconfiguring this site is the opportunity to apply buffer standards where new parking is adjacent to residential. Along with the passive edge of the new building as a buffer, the required landscape elements for an active buffer for the new parking will serve to further separate the church use from the residential area.</p>			

	<p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>Churches customarily meet at times where impact on the traffic would be insignificant. Further, prior to obtaining permits, the site must pass concurrency. A traffic study will be determined at that time.</p> <p><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></p> <p>The Seminole County Vision 2020 Comprehensive Plan describes the Low Density Land Use (LDR) future land use as an effective transitional use between urban and suburban uses. The approved uses listed in the LDR land use include schools (elementary, middle and high) and churches. The property is located on a collector roadway and would perform as a transitional use between the commercial corridor and adjacent residential.</p> <p><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></p> <p>Based on the submitted site plan, the proposed use is existing and proposed buildings and site meet the minimum area and dimensional requirements of the R-1AA district.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>Within the R-1AA district churches and schools are allowed as conditional uses. The prior establishment of the church demonstrates consistency with the trend of nearby and adjacent development in the area.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE R-1AA (LOW DENSITY RESIDENTIAL); LDC SECTION 30.203</p>	<p>The BOA may permit any use allowed by special exception in the R-1AA (Low Density Residential district) upon making findings of fact, in addition to those required by section 30.43(b)(2) of the land development code, that the use:</p> <p><u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE R-1AA (LOW DENSITY RESIDENTIAL DISTRICT):</u></p> <p>The Low Density Residential zoning district permits nonresidential uses that provide services to the immediate and adjacent areas with conditions to protect the character of the area.</p>

	<p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>The request would double the square footage of the building and potentially increase the attendance by 70%, from 160 to approximately 225. Focusing the facility toward Palm Springs Drive, placing the parking area on the south side and removing the access from Orange Street, the residential road, would lessen the impact of the church on the adjacent residential area.</p> <p><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES:</u></p> <p>The property is located in the Southwest Service Area in which water is provided by Seminole County utilities and sewer is provided by the City of Altamonte Springs although the project proposes to remain on sewer. Capacity availability for the proposed improvements will be determined at concurrency. Other county services, including emergency services and garbage disposal, are also available to the site.</p>
STAFF FINDINGS	<p>Staff believes the proposed use would be compatible with the trend of development in the area for the following reasons:</p> <ul style="list-style-type: none">• The property is located on Palm Springs Drive which is a collector roadway.• The prior establishment of the church demonstrates consistency with the trend of nearby and adjacent development in the area.• Moving the access off Orange Street, a residential road, and orienting it to Palm Springs Drive for the larger church would make this use more consistent and compatible with the trend of development along Palm Springs Drive.• Reconfiguring this site to have passive edges for new building as a buffer where adjacent to residential and an active buffer for the new parking area will serve to further separate the church use from the residential area.• Based on the submitted site plan, the proposed use is existing and proposed buildings and site meet the minimum area and dimensional requirements of the R-1AA district.

STAFF RECOMMENDATION	<p>Staff recommends approval subject to the proposed amendment to the existing special exception based upon the following conditions:</p> <ol style="list-style-type: none">1. Prior to the recording of the Development Order, provide an agreement for shared parking with an adjacent commercial/office property to accommodate overflow parking.2. Occupancy of the church shall be limited to 225 people.3. Access to Orange Street or Center Street is prohibited.4. There shall be no parking on Orange Street or Center Street.5. No day care facilities are proposed.6. No kitchen facilities are proposed.7. Existing lighting shall be upgraded to meet today's lighting standards SCLDC Sec 31.1234.8. Active buffer per SCLDC Part 64 Chapter 30, sec. 30.1232 will be provided at the south and west of the new parking area.9. The north and west side of the classroom building shall be a passive edge with no active components as provided in SCLDC Part 64 Chapter 30, sec. 30.1232.10. Provide 1 canopy tree every 40 feet and 3 understory trees between along Orange Street, Palm Springs Drive, and Center Street. To be determined at site plan review.11. Prior to the issuance of development permits, a site plan that meets the requirements of all other applicable code requirements including Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).
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Fee: \$370.00

COPY Application # BS2007-22
Meeting Date 12-3-07



SPECIAL EXCEPTION APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Palm Springs Drive Church of Christ
Address: 620 Palm Springs Drive City: Altamonte Springs Zip code: 32701
Project Address: _____ City: _____ Zip code: _____
Phone number(s): 407-831-3230
Email address: admin@psdchurchofchrist.org

What is this request for?

- Church
- Daycare
- School
- Group Home
- Assisted Living Facility (ALF)
- Kennel
- Riding Stable
- Alcoholic Beverage Establishment
- Communication Tower
- Other: _____

RECEIVED OCT 12 2007

Is the property available for inspection without an appointment? Yes No

What is the current use of the property? Church

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless the required **pre-application conference** has been held and all of the required information in the Special Exception application and submittal checklist is provided to the Planning Division.

Signed: Jama M. Clary Elder

FOR OFFICE USE ONLY

Date Submitted: 11-12-07 Reviewed By: P. Johnson
 Tax parcel number: 12-21-29-580-6700-0010 Zoning/FLU R-1AA/LOR
 Legally created parcel (1971 tax roll, 5-acre dev, lot split) Platted Lot (check easements on lots / in dedication)
 Lot size _____ Meets minimum size and width
 Past approval # _____ Application and checklist complete
 Notes: _____

**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-_____;

- 1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____
Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____

(Use additional sheets for more space.)

- 2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: _____	Name of Corporation: _____
Officers: _____	Officers: _____
Address: _____	Address: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
Shareholders: _____	Shareholders: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

- 3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: <u>Palm Springs Road Church of Christ</u>	Beneficiaries: <u>Palm Springs Church of Christ</u>
Trustees: <u>James McClenny</u>	Address: <u>620 Palm Springs Drive</u>
Address: <u>1263 Punta Gorda Circle</u>	<u>Altamonte Springs FL 32701</u>
<u>Winter Springs, FL 32708</u>	

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT**

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: _____	Name of Partnership: _____
Principal: _____	Principal: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee: Name: _____	Contract Vendee: Name: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

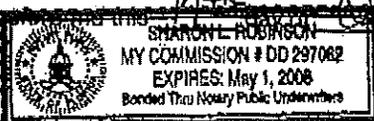
Oct 17, 2007
Date

James McClenny
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF FLORIDA

Sworn to (or affirmed) and subscribed 17th October, 2007 by James McClenny

Sharon L. Robinson
Signature of Notary Public



Print, Type or Stamp Name of Notary Public

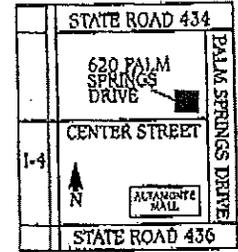
Personally Known OR Produced Identification _____
Type of Identification Produced _____

For Use by Planning & Development Staff	
Date: _____	Application Number: _____

Form #
Date



The church of Christ
A totally undenominational congregation of Christians



620 Palm Springs Drive,
Altamonte Springs, FL 32701
831-3230 or 834-7738

TO: Seminole County Planning and Development
Attn: PattyJohnson

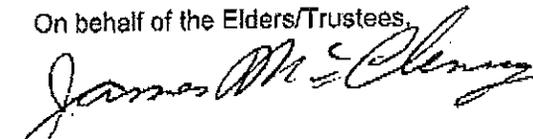
The Palm Springs Drive Church of Christ has been in this location for almost 40 years. Our Membership is approximately 140 and our regular Sunday morning attendance averages 155 - 160. We are a religious body, a church, which meets as a group three times a week for regular services. Sunday morning at 9:30 am for Bible Class & 10:30 am for worship, and again at 6 pm for worship. We have a regular Wednesday meeting at 7:30 pm for Bible Class. Our Sunday evening worship and Wednesday Bible Class averages about 110 in attendance. We do not conduct any type of week day activities such as a school or day care.

We are submitting the request for a special exception so we can add to the current 8000 sq ft building in order to accommodate our current attendance and desired growth. Our auditorium will only seat about 175 comfortably, and our classroom space is already inadequate for our current needs. We want to grow to a membership of about 200 and regular attendance on Sunday morning of about 225. The bldg expansion will provide the extra space for the auditorium and classrooms that will permit that growth, as well as allow us to expand the foyer area and bathroom facilities. We want to add about 5000 sq ft that will be primarily for Sunday morning and Wednesday evening bible classes. Again the maximum number of people in attendance will be about 225 at the 10:30 Sunday morning worship.

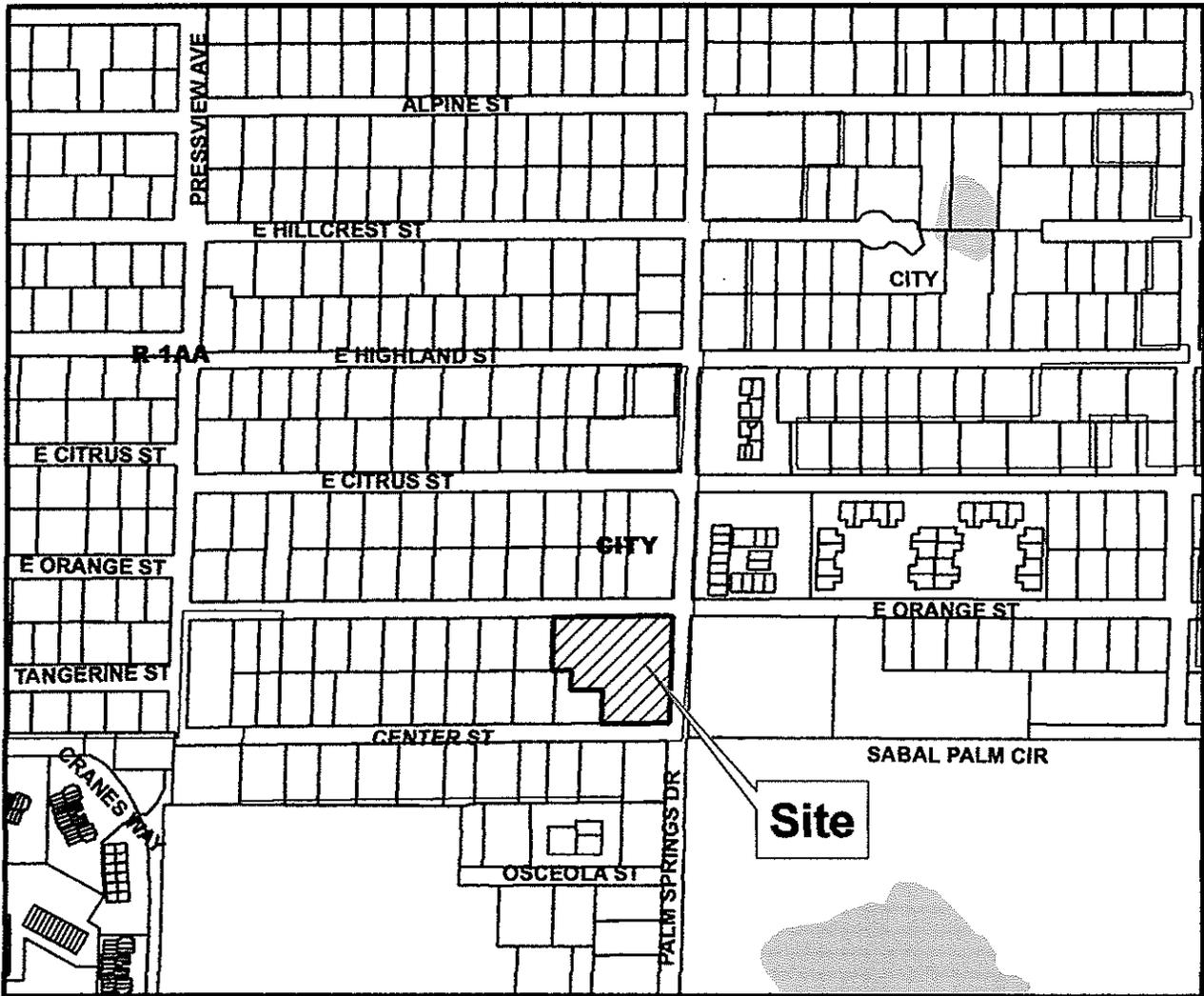
The expansion and growth should have minimal impact on the adjacent properties because of the times of our meetings.

Thank you for considering our application. If you have any questions, please feel free to call me directly at 407-312-2003.

On behalf of the Elders/Trustees,


James McClenny

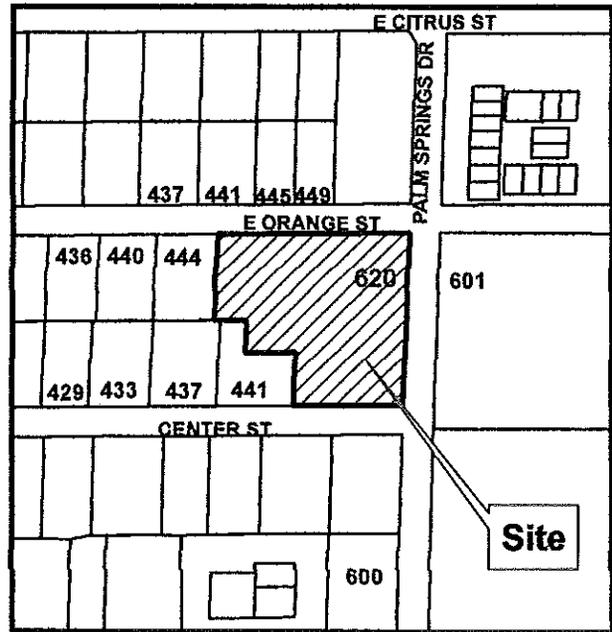
Palm Springs Drive Church of Christ
 620 Palm Springs Drive
 Altamonte Springs, Florida 32701



Seminole County Board of Adjustment
 December 3, 2007
 Case: BS2007-22 (Map 3155, Grid E5)
 Parcel No: 12-21-29-5BD-6700-0010

Zoning

-  BS2007-22
-  R-1AA

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 3, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 1 TO 4 & LOT 5 (LESS W 6.25 FT) & 39 & 40 & PT OF LOTS 37 + 38 BEG
39.32 FT W OF SE COR LOT 38 RUN N 93.49 FT W 85.86 FT N 45.63 FT E TO NE
COR LOT 38 S TO SE COR W TO BEG BLK 67 SANLANDO PB 3 PG 65 1/2

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: CHURCH PALM SPRINGS ROAD OF CHRIST TRUSTEES
620 PALM SPRINGS DR
ALTAMONTE SPRINGS FL 32701

Project Name: PALM SPRINGS DR (620)

Requested Development Approval:

Request for a Special Exception to expand an existing church in R-1AA (Single Family Dwelling District).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The Special exception granted will apply only to the church as depicted on the attached site plan.
 2. Prior to the recording of the Development Order, provide an agreement for shared parking with an adjacent commercial/office property to accommodate overflow parking.
 3. Occupancy of the church shall be limited to 225 people.
 4. Access to Orange Street or Center Street is prohibited.
 5. There shall be no parking on Orange Street or Center Street.
 6. No day care facilities are proposed.
 7. No kitchen facilities are proposed.
 8. Active buffer per SCLDC Part 64 Chapter 30, sec. 30.1232 will be provided at the south and west of the new parking area.
 9. The north and west side of the classroom building shall be a passive edge with no active components as provided in SCLDC Part 64 Chapter 30, sec. 30.1232.
 10. Provide 1 canopy tree every 40 feet and 3 understory trees between along Orange Street, Palm Springs Drive, and Center Street. To be determined at site plan review.
 11. Prior to the issuance of development permits, a site plan that meets the requirements of chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Dori L. DeBord
Planning & Development Director

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: