

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Country Club Road (Parcel 27) – Lake Mary Congregation of Jehovah’s Witness, applicant; Request for a six-month extension to the Special Exception that established a church in R-1A (Single Family Residential) district.

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

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

Agenda Date 9/22/08    Regular     Consent     Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **Approve** the request for a six-month extension to the Special Exception that established a church in R-1A (Single Family Residential) district; or
2. **Deny** the request for a six-month extension to the Special Exception that established a church in R-1A (Single Family Residential) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Owner:  Location: Zoning: Subdivision:	Truman Willard Lake Mary Congregation of Jehovah’s Witness Country Club Road (Parcel 27) R-1A (Single Family Residential) N/A
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• On October 22, 2007 the Lake Mary Congregation of Jehovah’s Witness was granted a Special Exception in order to establish a church within the R-1A zoning district.</li> <li>• The construction site plan is under review with Development Review subject to final approval.</li> <li>• Per SCLDC Sec 30.45 Time Limit, a six-month renewal may be granted by the Board of Adjustment without a public hearing.</li> </ul>	

Reviewed by:  
Co Atty: dic  
Pln Mgr: ACS

<b>STAFF FINDINGS</b>	<p>The applicant has satisfied the criteria for the grant of the six month extension. Staff has determined that:</p> <ul style="list-style-type: none"><li>• The church is moving forward with the construction plans. The site plan has been to the Development Review Committee and approval of the proposed site plan is subject to waivers to be granted by the Board of County Commissioners.</li><li>• Staff believes that this will be completed and site permits issued within a few months.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>Based on the stated findings, staff recommends approval of a six-month extension of the Special Exception to establish a church in R-1A granted October 22, 2007.</p>

**INDEX OF ATTACHMENTS**

*Items that are checked are included in the packet*

- Staff Report
- Application
- Applicant statement of request
- Proposed Site Plan
- Location map
- Property Appraiser data sheet
- PUD Commitment Card, *if applicable*

**Support information:**

- Proposed elevation drawings, renderings, floor plans, etc
- Aerials, *if warranted*
- Plat, *if warranted*
- Code Enforcement information
- Building Permit information
- Correspondence
- Authorization letter
- Applicant Authorization Form
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents
  
- Proposed Development Order

Fee: \$370.00

RECEIVED AUG 20 2008

Application # B\$ 2008-13  
Meeting Date 9/22/08



**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: Lake Mary Congregation of Jehovah's Witnesses  
Address: c/o 775 Orlando Hill Cr. Apt. 209 City: Lake Mary Zip code: 32746  
Project Address: Country Club Rd. 04-20-30-300-0270-0000 City: Lake Mary Zip code: \_\_\_\_\_  
Phone number(s): 407-332-7495 Truman/321-228-6991 Louis/407-620-9925 Raque  
Email address: truewillard@yahoo.com

**What is this request for?**

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

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

What is the current use of the property? Vacant undeveloped land

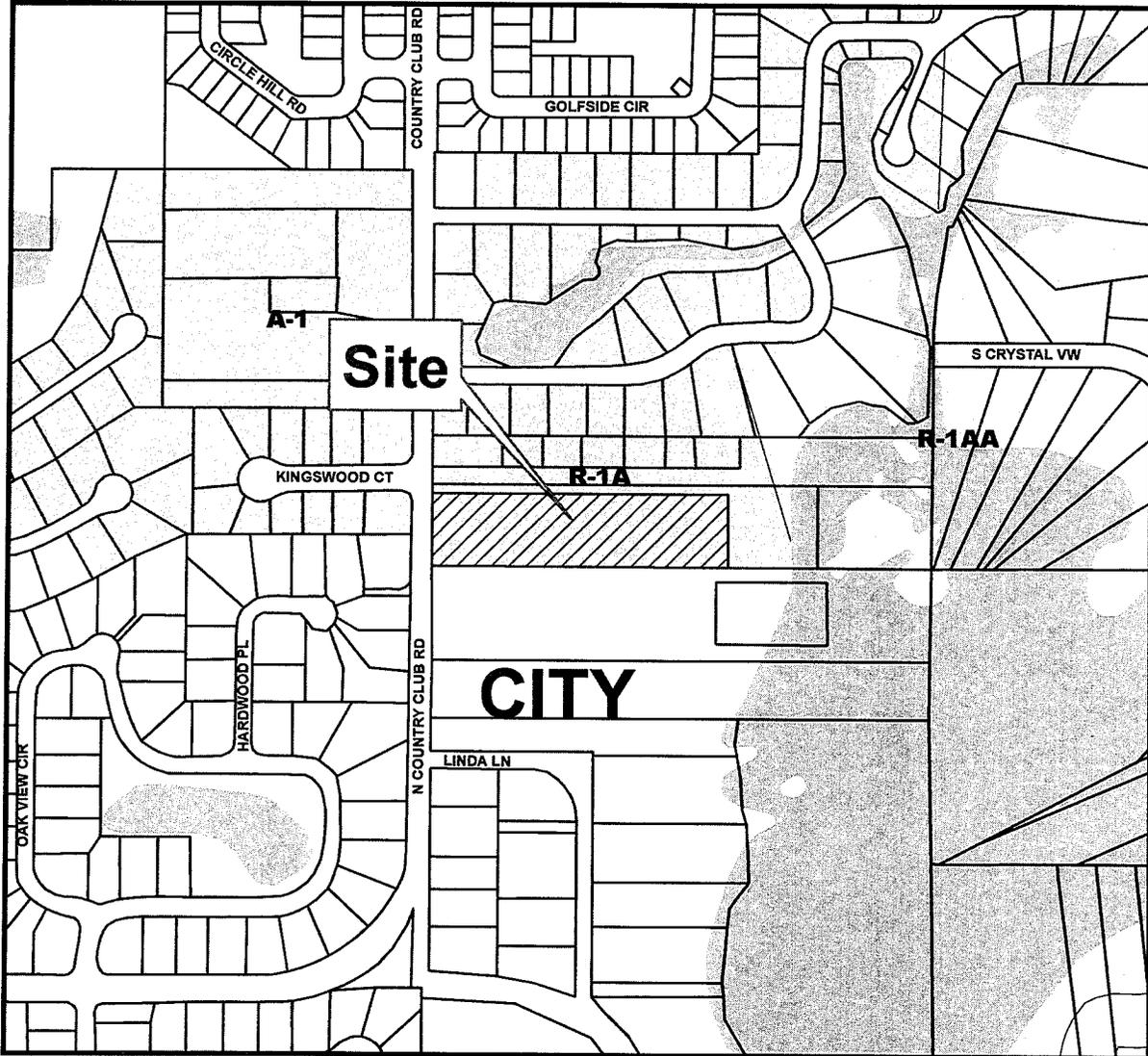
**NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless the required pre-application conference has been held and all of the required information in the Special Exception application and submittal checklist is provided to the Planning Division.**

Signed: [Signature]

**FOR OFFICE USE ONLY**

Date Submitted: <u>8-20-08</u>	Reviewed By: <u>P. Johnson</u>
Tax parcel number: <u>04-20-30-300-0270-0000</u>	Zoning/FLU <u>R-1A/LOR</u>
<input type="checkbox"/> Legally created parcel (1971 tax roll, 5-acre dev, lot split)	<input type="checkbox"/> Platted Lot (check easements on lots / in dedication)
<input type="checkbox"/> Lot size _____	<input type="checkbox"/> Meets minimum size and width
<input type="checkbox"/> Past approval # _____	<input type="checkbox"/> Application and checklist complete
Notes: _____	
_____	
_____	

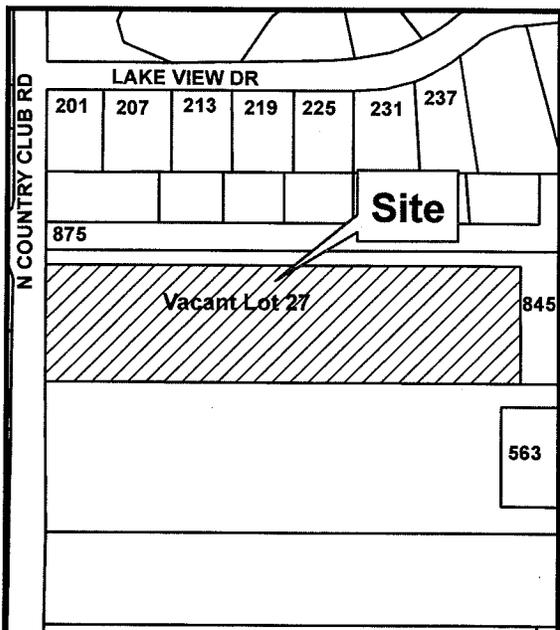
Lake Mary Congregation of Jehovah's Witnesses  
 Country Club Road (Vacant Lot 27)  
 Lake Mary, Florida 32746



Seminole County Board of Adjustment  
 September 22, 2008  
 Case: BS2008-13 (Map 3052, Grid B6)  
 Parcel No: 04-20-30-300-0270-0000

**Zoning**

-  BS2008-13
-  A-1
-  R-1AA
-  R-1A

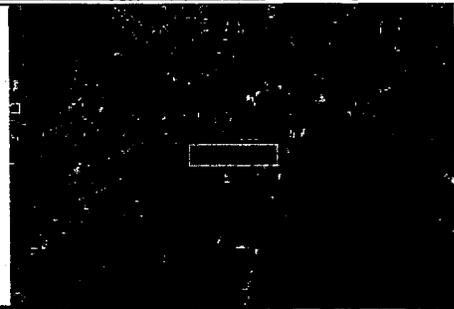
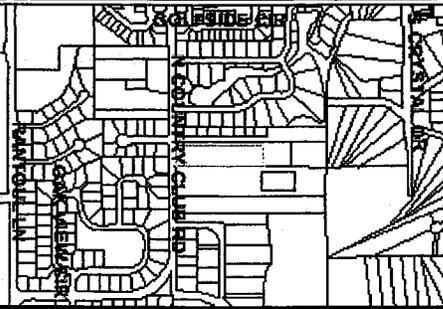
**PARCEL DETAIL**

DAVID JOHNSON, CFA, ASA

**PROPERTY APPRAISER**

EMINOLE COUNTY FL

1101 E. FIRST ST  
SANFORD, FL 32771-1468  
407-665-7508



**GENERAL**

Parcel Id: 04-20-30-300-0270-0000  
 Owner: LAKE MARY FLA CONGREGATION OF  
 Own/Addr: JEHOVAH'S WITNESSES  
 Mailing Address: 634 MOSS DR  
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32714  
 Property Address: COUNTRY CLUB RD LAKE MARY 32746  
 Facility Name:  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions: 36-CHURCH/RELIGIOUS ()  
 Dor: 99-ACREAGE NOT AGRICULT

**VALUE SUMMARY**

VALUES	2008 Working	2007 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	0	0
Depreciated Bldg Value	\$0	\$0
Depreciated EXFT Value	\$0	\$0
Land Value (Market)	\$211,250	\$211,250
Land Value Ag	\$0	\$0
Just/Market Value	\$211,250	\$211,250
Portability Adj	\$0	\$0
Save Our Homes Adj	\$0	\$0
Assessed Value (SOH)	\$211,250	\$211,250
<b>Tax Estimator</b>		
<b>Portability Calculator</b>		

**2008 Taxes and Taxable Value Estimate**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes
Cnty County	\$211,250	\$211,250	\$0	4.5153	\$0.00
Schools	\$211,250	\$211,250	\$0	7.5430	\$0.00
Fire	\$211,250	\$211,250	\$0	2.3299	\$0.00
Road District	\$211,250	\$211,250	\$0	.1107	\$0.00
SJWM(Saint Johns Water Management)	\$211,250	\$211,250	\$0	.4158	\$0.00
Natural Lands/Trails I/S Debt	\$211,250	\$211,250	\$0	.1451	\$0.00
<b>Total</b>				<b>15.0598</b>	<b>\$0.00</b>

The taxable values and taxes are calculated using the current years working values and the proposed millage rates.

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	07/1995	02949	1848	\$75,000	Vacant	Yes
WARRANTY DEED	10/1990	02234	1360	\$100	Vacant	No

Find Sales within this DOR Code

**2007 VALUE SUMMARY**

2007 Tax Bill Amount: \$0  
 2007 Taxable Value: \$0  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
ACREAGE	0	0	3.250	65,000.00	\$211,250

**LEGAL DESCRIPTION**

SEC 04 TWP 20S RGE 30E S 185 FT OF N 4302 FT OF W 765 FT OF E 1295 FT

**NOTE:** Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.  
 \*\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

August 20, 2008

Seminole County Government  
Development Review Staff  
1101 East First Street, 2<sup>nd</sup> Floor, West Wing  
Sanford, Florida 32771

**Re: Lake Mary Congregation of Jehovah's Witness; Application No: 06-06000063**  
Request for Six Month Extension of Special Exception

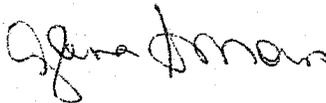
Dear Staff:

This is a request for a six month extension of the Special Exception as allowed in Section 30.45. There have been many issues associated with the development of this property, including roadway improvements, water service, fire protection availability and environmental issues. The Congregation has been diligently working toward resolving these issues. However, the resolution has taken more time than anticipated and the additional six month are needed to finalize the responses to Staff concerns. Comments are currently being addressed and plans are being prepared for re-submittal. We expect to have the plans re-submitted within three weeks.

The project has received permit #40-117-106602-2 from the St Johns River Water Management District. It has also received permit #SAJ-2008-2732 (NW-EPB) from the Army Corps of Engineers. We believe that these permits are proof that the project is moving forward and the Congregation is making it's best effort to address Staff concerns to obtain the construction permit.

I thank you in advance for your consideration of the applicant's request.

Sincerely,  
**MORRIS ENGINEERING, INC.**



Glenna S. Morris, P.E.  
Principal

**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

Please provide the information as requested below in accordance with Ordinance No. 07-23:

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: _____
City/Zip: _____	City/Zip: _____
Phone #: _____	Phone #: _____

Name: _____	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
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: _____
City/Zip: _____	City/Zip: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
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: English Lake Mary Congregation of Jehovah's Witnesses

Trustees: <u>Racque Trombley</u>	Beneficiaries: _____
Address: <u>775 Oakland Hills Cr. #209</u>	Address: _____
City/Zip: <u>Lake Mary, FL 32746</u>	City/Zip: _____

Eugene Outler/215 Juniper Ridge Ct./Sanford, FL 32771

(Use additional sheets for more space.)

Manuel Gonzales/969 Highpoint Loop/Longwood, FL 32750

**SEMINOLE COUNTY  
APPLICATION AND AFFIDAVIT**

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: _____
City/Zip: _____	City/Zip: _____

(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:	Contract Vendee:
Name: _____	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____

(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.

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.

Date

8/20/08

Owner, Agent, Applicant Signature

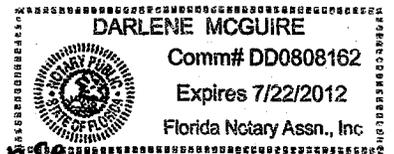
*Truman Willard*

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 20 day of August, 2008 by Truman Willard.

Darlene McGuire  
Signature of Notary Public

Darlene McGuire  
Print, Type or Stamp Name of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification Driver's License  
Type of Identification Produced Fl. Driver's License W463-805-37-247-D

**For Use by Planning & Development Staff**

Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

**English Congregation  
Of Jehovah's Witnesses  
Lake Mary**

c/o Racque Trombley  
775 Oakland Hills Circle #209  
Lake Mary, FL 32746-5857  
Phone: (407) 330-6586

August 18, 2008

Seminole County Planning Division  
1101 East First Street  
Sanford, FL 32771

RE: ACTING REPRESENTATIVE - SEMINOLE COUNTY SPECIAL EXCEPTION

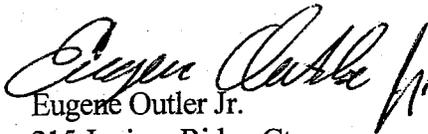
Dear Sirs:

As Trustees of the English Lake Mary Congregation of Jehovah's Witnesses, we do grant Truman Willard by means of our signatures, the authority to act as our representative to secure an extension to the Special Exception granted us by Seminole County.

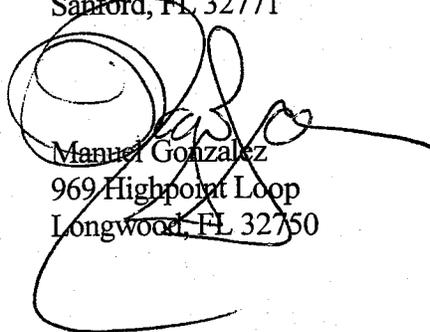
Best regards,



Racque Trombley  
775 Oakland Hills Circle #209  
Lake Mary, FL 32746



Eugene Outler Jr.  
215 Juniper Ridge Ct.  
Sanford, FL 32771

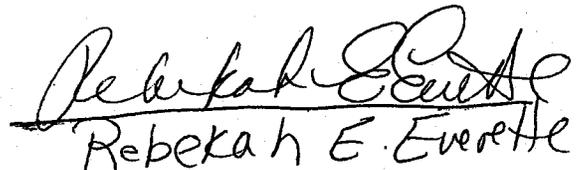


Manuel Gonzalez  
969 Highpoint Loop  
Longwood, FL 32750

The State of Florida  
County of Seminole  
The foregoing instrument was  
acknowledged before me  
this 18<sup>th</sup> day of August 2008,  
by Racque Trombley,  
Eugene Outler Jr., and  
Manuel Gonzalez  
who is personally known to  
me or has produced DL as  
ID.



REBEKAH E. EVERETTE  
COMMISSION #DD38675  
EXPIRES: JAN. 17, 2009  
BONDED THRU  
ATLANTIC BONDING CO. INC.



Rebekah E. Everette

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 04 TWP 20S RGE 30E S 185 FT OF N 4302 FT OF W 765 FT OF E 1295 FT

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

### FINDINGS OF FACT

**Property Owner:** Lake Mary Fla Congregation of Jehovah's Witnesses  
634 Moss Dr  
Altamonte Springs FL 32714

**Project Name:** Country Club Road (Parcel 27)

#### **Requested Development Approval:**

Request for a six-month extension for a Special Exception that established a church in R-1A (Single Family Residential District).

All six criteria for granting a variance under the Land Development Code have been satisfied.

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:

- a. The six-month extension granted will apply only to the Special Exception that established a church on the subject property granted October 22, 2007.

(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: \_\_\_\_\_  
Alison C. Stettner  
Planning Manager

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 \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On September 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 04 TWP 20S RGE 30E S 185 FT OF N 4302 FT OF W 765 FT OF E 1295 FT

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

**FINDINGS OF FACT**

**Property Owner:** Lake Mary Fla Congregation of Jehovah's Witnesses  
634 Moss Dr  
Altamonte Springs FL 32714

**Project Name:** Country Club Road (Parcel 27)

**Requested Development Approval:**

Request for a six-month extension for a Special Exception that established a church in R-1A (Single Family Residential) district.

The Development Approval was sought to extend the Special Exception that established a church in R-1A zoning. The applicant still retains reasonable use of the property without the granting of the request.

The requested development approval is hereby denied.

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

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Alison C. Stettner  
Planning Manager

**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 \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: