



Staff Report

SE25-0006

SE26-0002

SE26-0003

Board of Adjustment: March 16, 2026

Applicant: Primus Rutledge
Agent: Andy Kesselring
Property Owner: Cry Of Deliverance Outreach and Ministry, Inc.
Project Planner: Breah J. Miller, Planner II
Applicant Request: **Three** Special Exceptions:

SE25-0006 – to allow an 1,824 square foot expansion of an existing church/place of worship within the R-2, Two-Family Residential, District.

SE26-0002 – to allow for off-site parking in association with a church/place of worship within the R-2, Two-Family Residential District.

SE26-0003 – to allow for off-site parking in association with a church/place of worship within the R-3, Multi-Family Residential District.

Parcel Information

Acres: ± 0.25 acres, ± 0.24 acres, ± 0.25 acres
Parcel(s) #: 22504-000-00, 22508-000-00, 22497-000-00
Location: 2210 NW 8th Street, 2236 NW 8th Street, and the northwest corner of the intersection of NW 22nd Avenue and NW 8th Street.
Existing use: Nonconforming church/place of worship, Vacant, and Undeveloped
Future Land Use: Neighborhood
Zoning Designation: R-2, Two-Family Residential District & R-3, Multi-Family Residential District
Special District(s)/Plans(s): N/A
Overlay(s): N/A

Figure 1. Case Map



Adjacent Property Information

SE25-0006 (Parcel A):

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Neighborhood	R-3, Multi Family District	Undeveloped
East	Neighborhood	R-2, Two Family District	Single Family Residence
South	Employment Center	R-2, Two Family District	Single Family Residence
West	Neighborhood	R-2, Two Family District	Undeveloped

SE26-0002 (Parcel B):

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Neighborhood	R-3, Multi Family District	Undeveloped
East	Neighborhood	R-2, Two Family District	Undeveloped Cry of Deliverance Church
South	Neighborhood	R-2, Two Family District	Duplex
West	Neighborhood	R-2, Two Family District	Single Family Residence Mobile Home

SE26-0003 (Parcel C):

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning District</u>	<u>Current Use</u>
North	Neighborhood	R-3, Multi Family District	Undeveloped
East	Neighborhood	R-3, Multi Family District	Water Retention Area
South	Neighborhood	R-2, Two Family District	Cry of Deliverance Church
West	Neighborhood	R-3, Multi Family District	Undeveloped

Applicant Request

SE25-0006 – The Applicant is requesting a Special Exception to allow an 1,824 square foot expansion of an existing church/place of worship R-2, Two-Family Residential District.

SE26-0002 – The Applicant is requesting a Special Exception to allow for off-site parking in association with a church/place of worship within the R-2, Two-Family Residential District.

SE 26-0003 – The Applicant is requesting a Special Exception to allow for off-site parking in association with a church/place of worship within the R-3, Multi-Family Residential District.

The applicant’s request involves multiple special exceptions. The proposed church/place of worship and associated off-site accessory parking are distributed across three separate parcels. As such, each request is interdependent on the approval of the others. Should any one of the requests be denied, the remaining requests would no longer support the proposed use and should likewise be denied.

Background

SE25-0006: The subject property identified by Parcel Identification Number 22504-000-00 was annexed in 1975. Property Appraiser records indicate that the existing church/place of worship building was constructed in 1957. A church/place of worship has continuously operated at this parcel and is considered a legal nonconforming use. The church conducts bible study and prayer, Sunday school, and Sunday service. Historically, the church utilized the property located to the north, across NW 8th Street, identified as Parcel Identification Number 22497-000-00, for grass parking.

SE26-0002: The subject property identified by Parcel Identification Number 22508-000-00 was annexed in 1975. Property Appraiser records indicate that there was once a building located on the property that was demolished. It is not known if the demolished building was used for residential or non-residential purposes. Cry of Deliverance Church acquired the property May 1, 2024. There is currently no established use on the property.

SE26:0003: The subject property identified by Parcel Identification Number 22497-000-00, was annexed in 1975. Property Appraiser records indicate that the property is undeveloped and serves as nonconforming grass parking for the Cry of Deliverance Church property, Parcel Identification Number 22504-000-00. This property was purchased by the Applicant in June 2022 and later transferred to the Church in May 2024.

Staff Analysis

This staff report analyzes the appropriateness of the special exceptions requested and provides the necessary conditions and safeguards for special exceptions SE25-0006, SE26-0002, and SE26-0003.

The provided site sketch, labeled Conceptual Site Plan, identifies parcels 22504-000-00 as Parcel A, 22508-000-00 as Parcel B, and 22497-000-00 as Parcel C. These designations will be used consistently throughout the staff analysis for clarity and reference.

As found in the following staff analysis, the functions of the addition are consistent with the existing church operations and will not alter the character of the surrounding development, nor increase any other nonconformities. The existing church located on Parcel A, for reasons stated in the background and below is a legal nonconforming structure and use:

Pursuant to Section 122-173, *“Where, at the effective date of the ordinance from which this chapter is derived, before the date of adoption of this chapter, or the effective date of an amendment of this chapter, lawful use of land exists that is made no longer permissible under the terms of this chapter as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:*

- 1. No such nonconforming use shall be enlarged or increased, or extended, or occupy a greater area of land than was occupied at the effective date of the ordinance from which this chapter is derived, before the date of adoption of this chapter, or the effective date of an amendment of this chapter.*
- 2. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of the ordinance from which this*

chapter is derived, before the date of adoption of this chapter, or the effective date of an amendment of this chapter.

3. *If any such nonconforming use of land ceases for any reason for a period of more than one year, any subsequent use of such land shall conform to the regulations specified by this chapter for the district in which such land is located.”*

The existing church/place of worship building and expansion will not be in compliance with the minimum parking standards without the approval of both off-site parking areas which are concurrent special exceptions under project numbers SE26-0002 and SE26-0003. Should one or both off-site parking requests be denied, the proposed special exception for the church expansion cannot move forward as proposed. Parcel A, which contains the church building and proposed expansion is not of adequate size to account for the required parking pursuant to Section 122-1010: “churches are required to provide one (1) parking space per five (5) seats.”

The proposed 120 seats located within the church will require a total of 24 parking spaces. Parcel A proposes four (4) off-street parking spaces. The remaining parking required will be provided on the two off-site properties. Each lot consists of 18 parking spaces. If approved, both off-site parking facilities will total 34 parking spaces or ten more than what is required.

Special Exception Standards for Approval (Section 122-73(5)):

The Code states that the Board of Adjustment shall consider and weigh the following factors and standards, among others, and shall show in its record these factors and the disposition made thereof. Further, the board shall find in the case of any of these factors and standards, where they may be relevant and applicable, that the purposes and requirements for granting the special exception have been met by the applicant:

- A. *Ingress and egress to the property and the proposed structures thereon, if any, including such considerations as automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Staff Comment:

SE25-0006: The provided site sketch depicts a driveway connection on the northwestern corner of Parcel A from NE 8th Street. A continuous public sidewalk is also shown along both NW 8th Street and NW 22nd Avenue to provide a safe and convenient pedestrian connection between the associated church property and the off-site parking lots.

SE26-0002: The provided site sketch depicts a driveway connection for Parcel B along the northern property line from NE 8th Street to access the off-site parking lot. A continuous public sidewalk along both NW 22 Court and NW 8th Street are also shown to provide a safe and convenient pedestrian connection between this property and the associated church property.

SE26:0003: The provided site sketch depicts a driveway connection for Parcel C along the southern property line from NE 8th Street to access the off- site parking lot. A continuous public sidewalk are also shown along both NW 22 Avenue and NW 8th Street with a cross walk across NW 8th Street to provide a safe and convenient pedestrian connection between the associated northern off-site parking lot and the church property.

- B. *Off-street parking and loading areas, where required, including consideration of ingress and egress to the property, and the economic, noise, glare, or odor effects of the location of such off-street parking and loading areas on adjacent and nearby properties and properties generally in the district.*

Staff Comment:

SE25-0006: Per the site sketch, Parcel A proposes a total of four (4) off-street parking spaces. The four (4) off-street parking spaces do not meet the minimum off-street parking requirements for a church/place of worship.

Section 122-1010(12).- Churches/places of worship: One parking space for each five seats in auditorium or chapel area, not including classrooms. Per the information provided by the applicant there will be 120 seats located within the chapel area. This concludes that there is a required total number of twenty-four (24) parking spaces for the proposed church expansion.

Approval of the concurrent Special Exceptions for the proposed off-site parking is essential to this site meeting the minimum parking requirements. The proposed off-street parking, and access improvements, will not result in adverse economic impacts or create significant noise, glare, or odor effects on adjacent or nearby properties. The proposed grass parking will require separate approval by the City Engineer, pursuant to Section 122-1007, *“All off-street parking facilities, including access aisles and driveways, shall be surfaced with a minimum of one-inch asphalt on six inches of limerock on a stable subgrade, and maintained in good condition. Other types of pavement materials may be substituted upon approval by the city engineer provided the construction meets the minimum standards set forth in this section.”*

Additionally, pursuant to subsection 122-260(c)(2), *“All off-street parking areas and drive-in service facilities shall be screened from the bordering streets with a minimum of five feet of landscaped buffer strip between the parking or drive-in area and the bordering street. These five feet shall be free of all construction, including driveways, sidewalks or necessary appurtenances, and shall have a minimum three-foot-high continuous hedge or acceptable alternative as approved by the planning director.”* The site sketch depicts the required five-foot (5') hedge along the western property line and a portion of the northwestern property front. The development is consistent with applicable site development standards, including the required parking buffers, and is aligned with considerations of public health, safety, and welfare.

SE26-0002: Per the site sketch, Parcel B proposes a total of eighteen (18) parking spaces. There are no set minimum or maximum parking requirements for a stand-alone parking lot but parking is being supplied for the church located on Parcel A. The proposed parking lot is designed as grass parking with concrete wheel stops. The proposed off-street parking will not result in adverse economic impacts or create significant noise, glare, or odor effects on adjacent or nearby properties. The site sketch provides the required five-foot (5') hedge along NW 22nd Court and a 6 foot tall Opaque PVC fence along the southern and eastern property lines. The development is consistent with applicable site development standards, including the required parking buffers, and is aligned with considerations of public health, safety, and welfare.

SE26:0003: Per the site sketch, Parcel C proposes a total of eighteen (18) parking spaces. The associated church use requires twenty-four (24) spaces to meet the minimum parking

standards, this parking lot will supply the church use with sufficient parking. The proposed parking lot is designed as grass parking with concrete wheel stops. The proposed off-street parking and access improvements will not result in adverse economic impacts or create significant noise, glare, or odor effects on adjacent or nearby properties. The site sketch provides the required five-foot (5') hedge along NW 8th Street and NW 22nd Avenue with a 6 foot tall Opaque PVC located on the northern and western property line. The development is consistent with applicable site development standards, including the required parking buffers, and is aligned with considerations of public health, safety, and welfare.

- C. *Refuse and service areas, and how these areas correspond with both the off-street parking area, and the ingress and egress to the site.*

Staff Comment:

SE25-0006: The Church site, Parcel A, currently has curb side pickup. Additional refuse is not depicted on the provided site sketch. Future development will be subject to site plan review requirements.

SE26-0002: Additional refuse is not depicted on the provided site sketch for Parcel B.

SE26:0003: Additional refuse is not depicted on the provided site sketch for Parcel C.

- D. *Utilities, including such considerations as hook-in locations and availability and compatibility of utilities for the proposed use.*

Staff Comments:

SE25-0006: Electric, Potable Water, and Sanitary Sewer utility services are available on the site and will continue to be provided.

SE26-0002: Electric, Potable Water, and Sanitary Sewer utility services are available. Future development will be subject to site plan review requirements.

SE26:0003: Electric, Potable Water, and Sanitary Sewer utility services are available. Future development will be subject to site plan review requirements.

- E. *Screening and buffering, including consideration of such relevant factors as type, dimensions and character to preserve and improve compatibility and harmony of use and structure between the proposed special exception and the uses and structures of adjacent and nearby properties and properties generally in the district.*

Staff Comments:

SE25-0006: Parcel A is zoned R-2 and is developed as an existing church/ place of worship. When an institutional use or district abuts a less intensive use or district, a ten-foot-deep landscaped buffer area, or a four-foot-deep landscaped buffer area combined with a stone, brick, or concrete block wall, is required. The site sketch provides a 6-foot tall Opaque PVC fence along the southern and western property lines. The proposed alterations to the site are internal to the existing building footprint; enclosing the middle of the building. Thereby, no additional encroachments are proposed into the existing side and rear yards.

SE26-0002: Per the site sketch, there is a 6-foot tall Opaque PVC fence proposed along the southern and eastern property lines of Parcel B. The addition of buffers and screening aid in

the compatibility and harmony of use by providing a transition area between the off-site church parking and adjacent residential properties.

SE26:0003: Per the site sketch, there is a 6-foot tall Opaque PVC fence proposed along the northern and western property lines of Parcel C. The addition of buffers and screening aid in the compatibility and harmony of use by providing a transition area between the off-site church parking and adjacent residential properties.

- F. *Signs, if any, and proposed exterior lighting, if any, with reference to glare, traffic safety and economic effects of signs and lighting on properties in the district and compatibility and harmony with other properties in the district.*

Staff Comments:

SE25-0006: Parcel A has an existing freestanding sign for the church which is located along NW 22nd Avenue. The site sketch does not show any additional signage being proposed as a result of the request. Any additional request for signage shall require a modification to the special exception.

SE26-0002: There are no signs or exterior lighting shown on the site sketch for Parcel B. Any additional request for signage shall require a modification to the special exception.

SE26:0003: There are no signs or exterior lighting shown on the site sketch for Parcel C. Any additional request for signage shall require a modification to the special exception.

- G. *Required yards and open spaces.*

Staff Comments:

SE25-0006: Pursuant to Section 122-286, nonresidential uses within the R-2 district have a minimum front yard setback of 20 feet. The site sketch depicts that the proposed addition is being placed on the northern elevation of the building and will meet the front yard setback at 21.2 feet and the site will have approximately 23.2% of open space.

SE26-0002: There are no proposed structures associated with this request. The site sketch depicts the grass parking lot five feet (5') from the street side, thirty feet (30') from the front, ten feet (10') from the interior side, and fourteen feet (14') from the rear.

SE26:0003: There are no proposed structures associated with this request. The proposed site sketch shows the parking lot to be eighteen feet (18') from the street side, seventeen feet (17') from the front, ten feet (10') from the interior side, and eleven feet (11') from the rear.

- H. *Height of structure where related to uses and structures on adjacent and nearby properties and properties generally in the district.*

Staff Comment:

SE25-0006: Section 122-286 establishes a maximum height of 35 feet for building in the R-2 zoning district. The applicant has proposed a maximum height of 20 feet for the proposed expansion.

SE26-0002: There are no proposed structures associated with this request.

SE26:0003: There are no proposed structures associated with this request.

I. Economic effect on adjacent and nearby properties and properties generally in the district of the grant of the special exception.

Staff Comments:

SE25-0006: The proposed church addition is not anticipated to have an adverse economic impact on adjacent or nearby properties or on properties within the surrounding district. The expansion is intended to improve and modernize the existing place of worship, which is an established use in the area.

SE26-0002: The proposed off-site parking lot is expected to reduce on-street parking and traffic-related impacts during service times, which will minimize traffic-related impacts on surrounding properties. Overall, the request is not expected to diminish property values or negatively affect the economic character of the district.

SE26: 0003: The proposed off-site parking lot is expected to reduce on-street parking and traffic-related impacts during service times, which will minimize traffic-related impacts on surrounding properties. Overall, the request is not expected to diminish property values or negatively affect the economic character of the district.

J. Visual, physical, and economic impact of the proposed project or use on a historically designated property and district.

Staff Comment: None of the subject properties are individually designated historic properties or located within a designated historic district.

Staff Findings and Recommendation

SE25-0006:

- The expansion of the church requires a Special Exception because the existing church/ place of worship is a legal nonconforming use.
- The property currently does not meet the off-street parking requirements set forth in Section 122-1010.
- The approval of this request is linked to the approval of the associated Special Exception request for the two (2) off-site parking requests.
- The request meets the standards for approval of a Special Exception pursuant to Ocala Code of Ordinances Section 122-73(5).

SE26-0002:

- The proposed off-site parking lot is a permitted use by Special Exception within the R-2, Two-Family Residential, District and is consistent with the intent and standards of the Code of Ordinances, as conditioned below.
- The approval of this request is linked to the approval of the associated Special Exception for a church/place of worship.
- The request meets the standards for approval of a Special Exception pursuant to Ocala Code of Ordinances Section 122-73(5).

SE26-0003:

- The proposed off-site parking lot is a permitted use by Special Exception within the R-2, Two-Family Residential, District and is consistent with the intent and standards of the Code of Ordinances, as conditioned below.
- The approval of this request is linked to the approval of the associated Special Exception for a church/place of worship in the R-2, Two- Family District.
- The request meets the standards for approval of a Special Exception pursuant to Ocala Code of Ordinances Section 122-73(5).

Staff Recommendation: Approval with Conditions

Recommended Conditions of Approval:

Staff recommends **approval** of the three special exception requests with the following conditions:

1. Approval shall become void if either of the associated Special Exception requests for the two (2) off-site parking lots is denied.
2. Approval shall become void if the associated Special Exception for the Cry of Deliverance Church is denied.
3. The two parking lots are only to be used as off-site parking for Cry of Deliverance Church.
4. Any new signs for Parcel A must be ground mounted, without any animation or illumination. No signage is permitted for the two off-site parking lots.
5. This Special Exception shall be granted for and run with the subject properties (Parcels: 22504-000-00, 22508-000-00, 22497-000-00) as long as the church remains the primary use and the off-site parking remains an accessory use to the church.
6. Approval of a public hearing by the Planning & Zoning Commission to allow required off-street parking facilities provided on land within 300 feet of the plot.
7. The site plan shall be consistent with the provided conceptual plan, and site plan approval shall be required within 24 months of the date of last public hearing required as part of this request or this special exception shall expire.
8. Landscape areas must be defined and protected from traffic movement as indicated on the concept plan.
9. Architectural elevations are required that demonstrate retention of character with the existing building. If a steeple will be incorporated into the design of the church, the steeple shall not exceed 35 feet, in order to preserve the character of the R-2 zoning and the residential scale of the surrounding properties.
10. Drainage retention must be addressed during the site plan process and is subject to the review and approval of stormwater management.
11. An alternate surface for the off-site parking areas shall require approval by the City Engineer.