



# Staff Report: Special Exception

SE24-0002

Board of Adjustment: December 16, 2024

**Petitioner/Property Owner:** Greater New Bethel Missionary Baptist Church of Ocala, FL, Inc.

**Agent:** Pastor Tanya Hanks

**Project Planner:** Kristina L. Wright, CNU-A, FRA-RA

**Applicant Request:** Special Exception to allow a church/place of worship in the R-2, Two-Family Residential zoning district.

**Parcel Information**

Acres: ±0.67 acres

Parcel(s) #: 2865-017-001

Location: 612 NW 4<sup>th</sup> Place

Existing Use: Church/Place of Worship

Future Land Use: Neighborhood

Zoning Designation: R-2, Two-Family Residential

Special District(s)/Plan(s): West Ocala Community Redevelopment Area (CRA)

Approved Agreements(s): N/A

**Figure 1. Aerial Location Map**



**Adjacent Property Information**

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	Public	GU, Governmental Use	Water Retention Area
<b>East</b>	Public	GU, Governmental Use	Water Retention Area
<b>South</b>	Neighborhood	R-2, Two-Family Residential	Undeveloped
<b>West</b>	Neighborhood	R-2, Two-Family Residential	Residential

**Applicant Request**

The petitioner is requesting a Special Exception to allow for an addition to an existing church/place of worship in the R-2, Two-Family Residential District.

**Background**

In 2022, the applicant originally applied for a Special Exception to allow for a thirty-foot-by-thirty-foot (30' x 30') building addition. At that time, attendance for the 10 AM Sunday service was approximately 65 to 80 parishioners. The ministry anticipates several different purposes including, but not limited to; children’s church, youth ministry, 3-day a week after school programs, test tutoring, bible studies, and feeding the homeless. The City of Ocala, via quit claim deed, granted the church an additional 0.17 acres (parcel 2865-017-003). A condition of the 2022 Special Exception was that site plan approval was required within two years of the special exception hearing.

Parcel 2865-017-001 is developed with a church; the building was originally established in 1889 in its present location - 612 NW 4<sup>th</sup> Place. The church was rebuilt 32 years ago in 1992, on the original footprint. Portions of the building used to lie outside of the property boundaries. Churches are not a permitted use by right in the R-2 zoning district, although, they are permitted by special exception. The Church has been a mainstay in the West Ocala community for more than a century and they wish to expand their ministry’s work.

The subject properties lie within the West Ocala Community Redevelopment Area. The surrounding area is characterized by single-family residential to the west and vacant undeveloped areas to the north, south, and east of the subject property.

**Staff Analysis**

The present zoning of the subject property does not permit the use of a church. A minor site plan (SPLM24-45598) is under review currently, although the minor site plan is not consistent with the 2022 special exception approval. The special exception approved in 2022, allowed the church expansion on the original acreage; however, the site plan under review, includes additional building square footage and land acreage not contemplated during the 2022 special exception. A new special exception is required to address the increase in square footage and acreage, as well as

the condition of receiving site plan approval within a two-year period of the 2022 special exception approval. This special exception request will replace the 2022 special exception and allow for the church use on the newly acquired property.

The site plan indicates a proposed flood compensatory storage area in the form of a swale, as well as a dining addition of 1,464 square feet. Proposed parking will include 31 parking spaces, including 2 handicap spaces. Ingress/egress into the church will be from NW 4<sup>th</sup> Place. The original conceptual plan with the special exception request in 2022 indicated a smaller addition of 900 square feet, which is 564 square feet smaller than what is being proposed with this request. The original conceptual site plan proposed less landscaping and did not include the compensatory storage swale.

The minor site plan is consistent with the Ocala Code of Ordinances Sections 122-1010 (*Required number of spaces*) and 122-286 (*Lot requirements*). More specifically, the parking required for the church based on a capacity of 140 seats would require 28 parking spaces. The applicant is proposing a total of 31 parking spaces, with two of these being handicap spaces. The property is located within a FEMA Flood Zone, which requires coordination with the Stormwater Engineering Department for future development of the property.

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

The Code states that the Board of Adjustment, in reaching its conclusion and in making the required findings, 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, that the purposes and requirements for granting the special exception have been met by the applicant. The required factors to be weighed are as follows:

- 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.

*Primary ingress/egress to the property is off NW 4<sup>th</sup> Place; however, there is also a secondary means of ingress/egress to the east of the property where NW 4<sup>th</sup> Place terminates, creating an access to the eastern side of the building.*

- 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.

*The requirement for churches/places of worship is one space for each five seats in the auditorium or chapel area, not including classrooms (Sec. 122-1010(a)(12)). The conceptual plan provided by the applicant indicates that there will be 31 spaces, with two of these being handicap spaces. Based on the code requirements, the use is required to provide 28 spaces.*

- 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.

*There is an existing dumpster on the subject property. Any additional sanitation requirements will be met through the site plan review process.*

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

*Electric, Internet, Potable Water, and Sanitary Sewer utility services are available. Any additional connections or service needs will be determined during the site plan review process.*

- 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 has suggested that the addition to the church match the existing architecture and color palette of the existing church to blend more seamlessly with the surrounding uses. Building setbacks will be verified by staff during the site plan and building plan review process.*

- 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.

*No additional signage is being proposed for this project, however, all signage must comply with Chapter 110, Ocala Code of Ordinances.*

- G. Required yards and open spaces.

*Development of the property will be required to comply with all required lot and open space requirements as part of the site plan approval process.*

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

*The existing R-2 zoning allows a maximum building height of thirty-five (35) feet. The proposed building height will be consistent with the zoning district.*

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

*The proposed use is consistent with and supportive of existing nearby uses. The church hosts festivals and tutoring for children within a low-income community. The new space will house these special events, as well as feeding the homeless on certain days of the week.*

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

*The property is not located within a historic district.*

## **Findings**

Staff recommends approval of the special exception. The proposal meets the standards of Ocala Code of Ordinances Section 122-73(5) for the approval of a Special Exception. Further, the Neighborhood land use designation allows for non-residential (e.g., commercial, office, institutional, educational facilities, recreational or cultural) development to serve the surrounding residential areas at compatible intensities. Finally, the existing church at this location was established in 1889 and predates the adoption of the City of Ocala's Code of Ordinances. The proposed expansion of the church will be subject to the special exception and associated conditions.

**Staff Recommendation: Approval with Conditions**

**Recommended Conditions of Approval:**

1. This Special Exception shall be granted for and run with the subject property located at 612 NW 4<sup>th</sup> Place (parcel 2865-017-001) so long as the church/place of worship remains the primary use.
2. The site plan shall be consistent with the provided conceptual plan and the addition shall architecturally match the existing church building in materials and design.
3. Minor Site Plan approval for the addition shall be obtained within 24 months of the effective date of the Special Exception or the Special Exception shall expire.
4. Sanitation cart service is currently being provided; however, should future sanitation or recycling needs require dumpster service, the dumpster/s will be required to be screened from nearby residential properties via a minimum 6-ft high concrete masonry wall or privacy fence. A dumpster shall not be located within 25-feet of a residential use's property boundary.
5. Any signage must be ground mounted, without any animation or illumination.