



**Interoffice Memorandum**

DATE: March 31, 2020

TO: Mayor Jerry L. Demings  
-AND-  
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director  
Planning, Environmental, and Development Services  
Department

**CONTACT PERSON: Brandy Driggers, Assistant Manager  
Zoning Division  
(407)836-5806**

SUBJECT: April 21, 2020 – Board Called Public Hearing  
Applicant: Ocoee Church of God (Pastor Thomas Odom)  
BZA Case #SE-20-02-164, February 6, 2020; District 2

Board of Zoning Adjustment (BZA) Case # SE-20-02-164, located at 1105 N. Lakewood Ave., Ocoee, FL 34761, in District 2, is a Board called public hearing. The applicant is requesting an amendment to an existing special exception in the R-2 zoning district to increase the allowable number of students from 140 to 175 for a K-12 school and add two additional modular buildings for classrooms.

The subject property is located on the east side of N. Lakewood Ave., between 16th Ave. and 17th Ave.

At the February 6, 2020 BZA hearing, staff recommended approval of the special exception subject to eight (8) conditions. The proposed amendment to the existing special exception does not adversely affect the general public interest and is compatible with the R-2 zoning district, which allows single-family homes and multifamily development, as well as, religious institutions through the special exception process. The BZA recommended approval of the special exception with a 4-0 vote subject to eight (8) conditions.

The application for this request is subject to the requirements of Article X, Chapter 2, Orange County Code, as may be amended from time to time, which mandates the disclosure of expenditures related to the presentation of items or lobbying of items before the BCC. A copy is available upon request in the Zoning Division.

If you have any questions regarding this matter, please contact Brandy Driggers at 407-836-5329.

Page Two

April 21, 2020 – Board Called Public Hearing

Ocoee Church of God (Pastor Thomas Odom)

BZA Case #SE-20-02-164, February 6, 2020; District 2

**ACTION REQUESTED: Approve the applicant's request; or approve the applicant's request with modifications and/or conditions; or deny the applicant's request. District 2.**

**PLANNING, ENVIRONMENTAL, AND DEVELOPMENT SERVICES DEPARTMENT  
ZONING DIVISION PUBLIC HEARING REPORT  
APRIL 21, 2020**

The following is a public hearing before the Board of County Commissioners on April 21, 2020 at 2:00 p.m.

**APPLICANT:** OCOEE CHURCH OF GOD (PASTOR THOMAS ODOM)

**REQUEST:** An amendment to an existing Special Exception in the R-2 zoning district to allow for up to 175 students for a K-12 school and add two additional modular buildings for classrooms.

**LOCATION:** 1105 N. Lakewood Ave., Ocoee, FL 34761, east side of N. Lakewood Ave., between 16th Ave. and 17th Ave.

**TRACT SIZE:** 300 ft. x 400 ft./2.75 acres

**ZONING:** R-2

**DISTRICT:** #2

**PROPERTIES NOTIFIED:** 86

**BOARD OF ZONING ADJUSTMENT (BZA) HEARING SYNOPSIS ON REQUEST:**

Staff described the history of the property, including prior Special Exceptions to add modular classrooms, increase enrollment, and convert an existing single family home to a daycare. They explained that one of the new modular buildings will replace some of the existing classrooms in the sanctuary building, and provide additional capacity for the school increasing enrollment. Currently, the property consists of three (3) separate parcels. Staff is recommending that the two large parcels be consolidated under one parcel number. Eventually, the third parcel will be combined as well. Staff noted that they had received two (2) correspondence from adjacent property owners in support, and no correspondence in opposition.

The applicant indicated their agreement with the staff recommendation and conditions. There being no one in the audience to speak in favor or opposition to the request, the public hearing was closed.

The BZA unanimously recommended approval of the amendment to the Special Exception, subject to the eight (8) conditions found in the staff report.

## **BZA HEARING DECISION:**

A motion was made by Gregory A. Jackson, seconded by Roberta Walton and unanimously carried to recommend APPROVAL of the Special Exception request in that the Board finds it met the requirements governing Special Exceptions as spelled out in Orange County Code, Section 38-78, and that the granting of the Special Exception does not adversely affect general public interest; further, said approval is subject to the following conditions (unanimous; 4-0 and 3 absent):

1. Development in accordance with the site plan dated December 11, 2019, and all other applicable regulations. Any deviations, changes, or modifications to the plan are subject to the Zoning Manager's approval. The Zoning Manager may require the changes be reviewed by the Board of Zoning Adjustment (BZA) for administrative approval or to determine if the applicant's changes require another BZA public hearing.
2. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
3. Any deviation from a Code standard not specifically identified and reviewed/addressed by the Board of County Commissioners shall be resubmitted for the Board's review or the plans revised to comply with the standard.
4. The applicant shall submit construction plans through the commercial site plan review process within 3 years of final approval by Orange County, or this approval is null and void.
5. The modulars shall be fitted with skirting to conceal the understory from the bottom of the frame to the natural grade.
6. Approval of this request does not constitute approval of the use of septic tanks and wells. The use of septic tanks and wells shall be in accordance with all applicable regulations.
7. If the school converts to a charter school then all requirements of the new school siting ordinance (Ordinance No. 2017-06) shall be met.
8. Consolidate parcels 08-22-28-5956-01-050 & 08-22-28-5956-01-030 under one parcel identification number.

# BZA STAFF REPORT

Planning, Environmental, & Development Services/ Zoning Division

Meeting Date: **FEB 06, 2020**  
Case #: **SE-20-02-164**

Case Planner: **David Nearing, AICP**  
Commission District: **#2**

## GENERAL INFORMATION

APPLICANT(s): OCOEE CHURCH OF GOD (THOMAS ODOM)

OWNER(s): PASTOR THOMAS ODOM

REQUEST: An amendment to an existing Special Exception in the R-2 zoning district to allow for up to 175 students for a K-12 school and add two additional modular buildings for classrooms.

PROPERTY LOCATION: 1105 N. Lakewood Ave., Ocoee, FL 34761, east side of N. Lakewood Ave., between 16th Ave. and 17th Ave.

PARCEL ID(s): 08-22-28-5956-01-030, 08-22-28-5956-01-050, and 08-22-28-5956-01-120

LOT SIZE: 300 ft. x 400 ft./2.75 acres

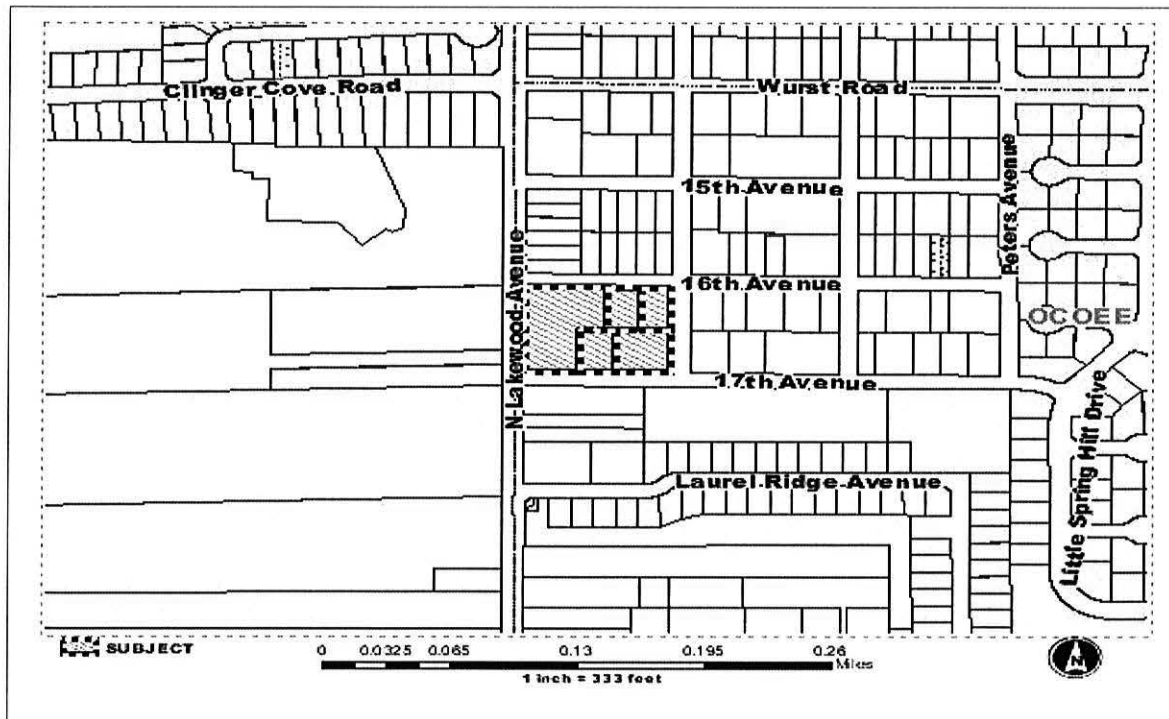
NOTICE AREA: 500 ft.

NUMBER OF NOTICES: 86

## STAFF RECOMMENDATIONS

Approval, subject to the conditions in this report.

## LOCATION MAP



**SITE & SURROUNDING DATA**

	Property	North	South	East	West
Current Zoning	R-2	R-2	R-2	R-2	A-1
Future Land Use	LDR	LDR	LDR	LDR	LDR
Current Use	Church Sanctuary, Modular Classrooms, Daycare/Pre-school & Single Family Residence	Single Family Residences	Single Family Residences	Single Family Residences	Single Family Residences

**BACKGROUND AND ANALYSIS**

**DESCRIPTION AND CONTEXT**

The property is located in the R-2, Residential District, which allows single-family homes, multifamily development, and associated accessory structures. Other institutional uses such as religious institutions, and public and private schools are permitted through the Special Exception process.

The applicant owns the entire block, which is made up of three (3) separate parcels. The first parcel, which is where the two new modular buildings will be located, consists of 1.12 acres, and is developed with a former single family residence that was converted to a three (3) room daycare facility through B17901413 and B17902603. The structure, which was constructed in 1947, contains a total of 2,304 sq. ft. of gross floor area.

The second parcel is located to the west of the subject property and consists of a 1.29 acre property developed with a sanctuary, four (4) modular classrooms, a 2,720 sq. ft. fellowship hall, and parking. The sanctuary was constructed in 1950 and the fellowship hall was built in 1983.

The initial Special Exception that permitted the church was granted on October 20, 1964. In 2009, the applicant obtained approval of SE-09-08-011, which approved the site for a 35 student daycare and a 35 student K-12 school. In 2014, the applicant obtained approval to install three (3) of the modular classrooms through SE-14-06-025. In 2016, the fourth modular classroom was approved, and the capacity of the daycare and school was increased to 95 students through SE-16-04-026. In 2017, the Special Exception (SE-17-03-010) which approved the daycare on the subject property also increased the total capacity of the daycare and school to 140 students. This property was acquired by the applicant in 2011.

The third parcel is a 15,002 sq. ft. lot located on the north side of 17th Avenue, between the two (2) larger parcels. It is developed with a single family residence constructed in 1981, containing a total of 2,889 sq. ft. of gross floor area.

The applicant is now in the process of developing a comprehensive master plan for the campus, which will ultimately include expansion of the support facilities for the overall operation. In anticipation of this, they are requesting one (1) of the new modular buildings to replace two (2) smaller classrooms in the fellowship hall and to use the other to reduce some classroom size and accommodate the increase in students.

Parking for schools is based on the number of classrooms for K-8 and the number of students for grades 9-12. With 11 classrooms, at four (4) spaces per classroom, that would equate to 44 parking spaces. Parking for a high school is one (1) space per 3 students. With 18 high school students, six (6) additional spaces are required for a total of 50 spaces. There are 48 standard spaces and two (2) handicap spaces for a total of 50 spaces on site.

Historically, since the applicant owns both large parcels, and they are all used for the overall church/school campus, the internal parcel lines have been ignored. The third parcel containing the single family residence is also owned by the applicant, however, it is not yet integrated into the campus, as it is being used as collateral for a loan, and must remain separate. Staff is recommending that the applicant consolidate the two (2) large parcels under one (1) parcel identification number. At such time as the loan is retired, the single family lot also needs to be consolidated with the main parcel.

As of the preparation of this staff report, staff had not received any correspondence regarding this application.

**District Development Standards**

	Code Requirement	Proposed
Max Height:	35 ft.	25 ft.
Min. Lot Width:	45 ft.	300 ft.
Min. Lot Size:	4,500 sq. ft.	2.75 acres

**Building Setbacks (that apply to structure in question) (Measurements in feet)**

	Code Requirement	Proposed
Front:	25 ft.	40 ft. (Greenwood Ave.)
Rear:	25 ft.	N/A
Side:	6 ft.	N/A
Sidestreet:	15 ft.	106 ft. (16 <sup>th</sup> Ave.)/135 ft. (17 <sup>th</sup> Ave.)

**STAFF FINDINGS**

**SPECIAL EXCEPTION CRITERIA**

**Consistent with the Comprehensive Plan**

The Comprehensive Plan provides that certain institutional uses are consistent with residential Future Land Use designations through the Special Exception process, this includes religious institutions, daycares and public and private schools.

**Similar and compatible with the surrounding area**

A religious institution has existed in this location since 1964 and a school has been operating since 2009.

**Shall not act as a detrimental intrusion into a surrounding area**

The applicant owns the entire block and has no plans to expand beyond that; therefore, they will not be a detrimental intrusion into the neighborhood.

**Meet the performance standards of the district**

The applicant is complying with all siting criteria, and is providing the required parking.

**Similar in noise, vibration, dust, odor, glare, heat producing**

No activity takes place on the property that would generate vibration, dust, odor, glare or heat and increases in noise only occur during recess periods and are limited to children at play.

**Landscape buffer yards shall be in accordance with Section 24-5 of the Orange County Code**

The applicant will provide the required landscaping.

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**CONDITIONS OF APPROVAL**

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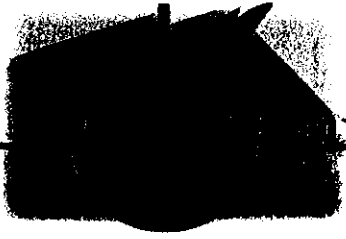
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5. The modulars shall be fitted with skirting to conceal the understorey from the bottom of the frame to the natural grade.
6. Approval of this request does not constitute approval of the use of septic tanks and wells. The use of septic tanks and wells shall be in accordance with all applicable regulations.
7. If the school converts to a charter school then all requirements of the new school siting ordinance (Ordinance No. 2017-06) shall be met.



8. Consolidate Parcel I.D.s 08-22-28-5956-01-050 & 08-22-28-5956-01-030, under one (1) parcel identification number.

C: Pastor Thomas Odom  
1105 N Lakewood Ave.  
Ocoee, FL 34761

COVER LETTER



Church of God

*Rebuilding lives from the inside out!*

1105 N. Lakewood Avenue · Ocoee, FL · 34761 · p: 407-656-8011 · f: 407-656-8028

December 11, 2019

Orange County Zoning Division

Re: Ocoee Church of God Special Exception

To Whom It May Concern:

In 2009, Ocoee Church of God received a special exception to operate a private school and child care facility. Since then, the church has been able to minister to our community by providing the option of affordable private education through our school, Light Christian Academy. Due to increasing enrollment, we applied for and received a special exception in 2014 to add three modular buildings to our campus in order to provide additional space. In 2016, we received a third special exception, allowing us to add a fourth modular building and increase capacity to 95 students. In 2017, we received another special exemption, allowing us to convert a single family residence into a school building with two classrooms and increase capacity to 140 students. Currently, there are 9 classrooms on site.

We are now seeking a special exception to add two additional modular units consisting of a total of four classrooms. The addition of these four classrooms would provide us an increase of 2 classrooms (11 classrooms total), as we intend to relocate two classrooms from our current main building to these modular units. There will be no change to our hours of operations. There will be no change in the age of students served; we will continue to be a K3-12<sup>th</sup> grade school. We also request an increase of our capacity from 140 students to 175 students.

Our current property already contains sufficient parking to accommodate the addition of these modular units. With a total of 11 classrooms, a minimum of 44 parking spaces would be needed. With up to 15 high school students, an additional 6 parking spaces would be needed. The existing campus includes 50 parking spaces, including 2 handicap spaces.

Ocoee Church of God has been in existence at this location for more than 50 years and is an established part of the neighborhood. To our knowledge, we have not had any code enforcement complaints filed against us. As shown on the proposed site plan, the use is completely contained and all outdoor play areas are internal to our campus. Additionally, these modular units will connect via sidewalks to our existing structures.

Our future plans consist of working with our engineering firm to create a master site plan for the next phase of Ocoee Church of God. We believe that the placement of these two modular units brings us to the completion of a season, and it is now time for us to determine the next steps for our future.

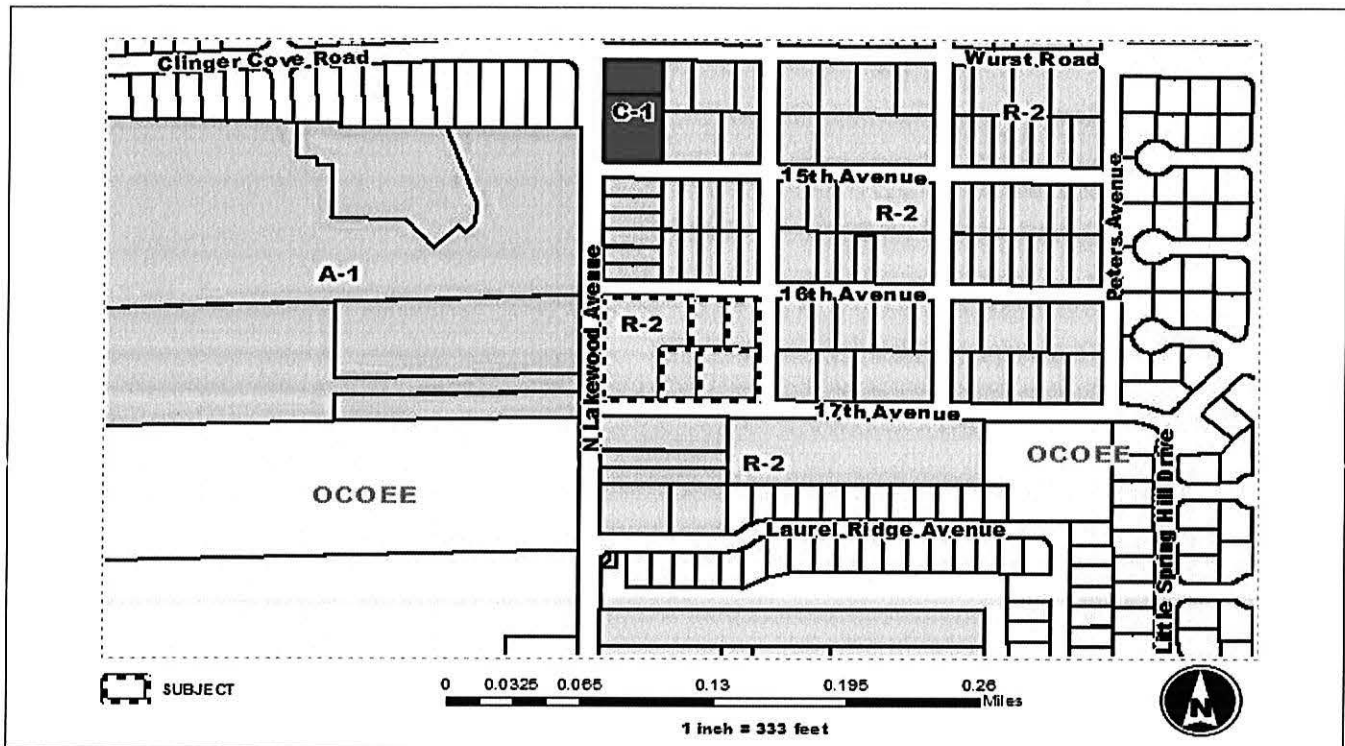
Thank you for your consideration. If you have any further questions, please feel free to contact me at the church office by calling 407-656-8011 or on my cell phone by calling 407-509-7852.

Sincerely,

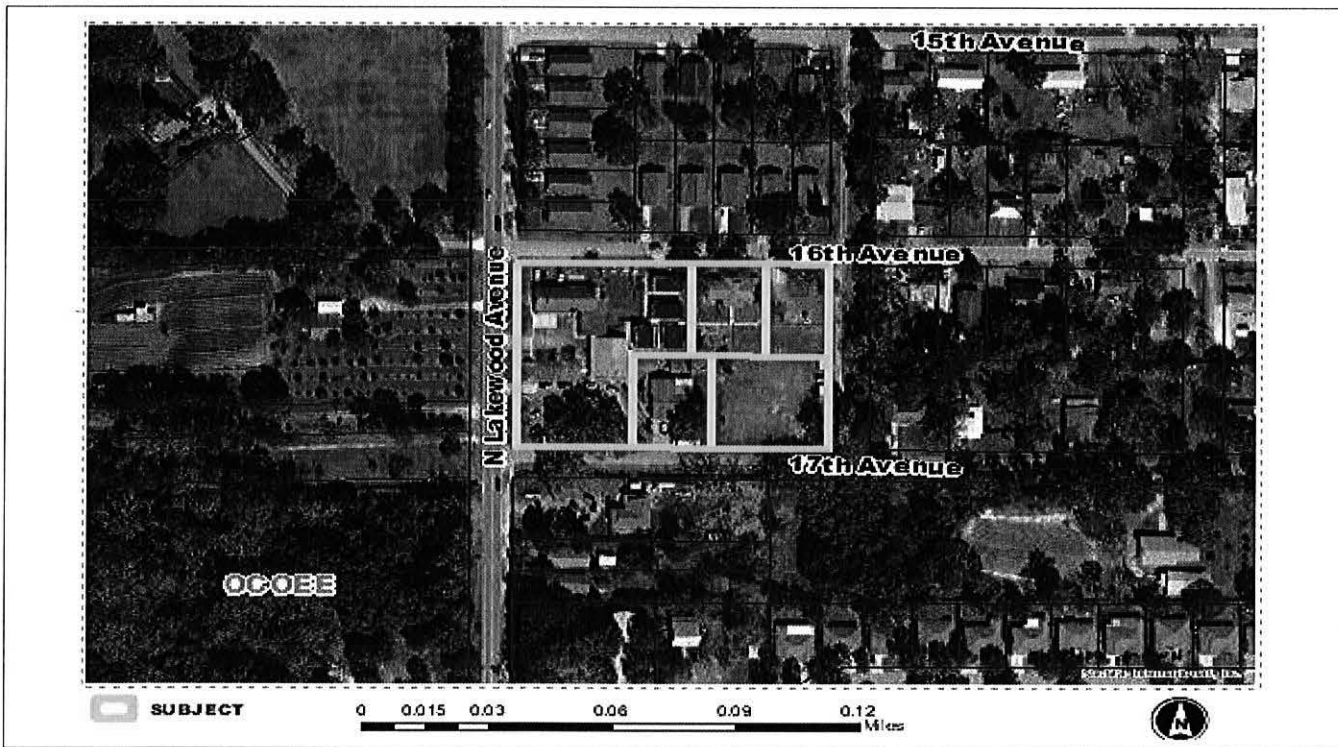
A handwritten signature in black ink, appearing to read "Bishop Thomas Odom".

Bishop Thomas Odom, Lead Pastor

ZONING MAP



AERIAL MAP



# SITE PLAN

300'(P)  
300.21'(W)  
N0104°45'W

300'(P)  
300.21'(W)  
N0104°45'W

**GREENWOOD AVENUE**

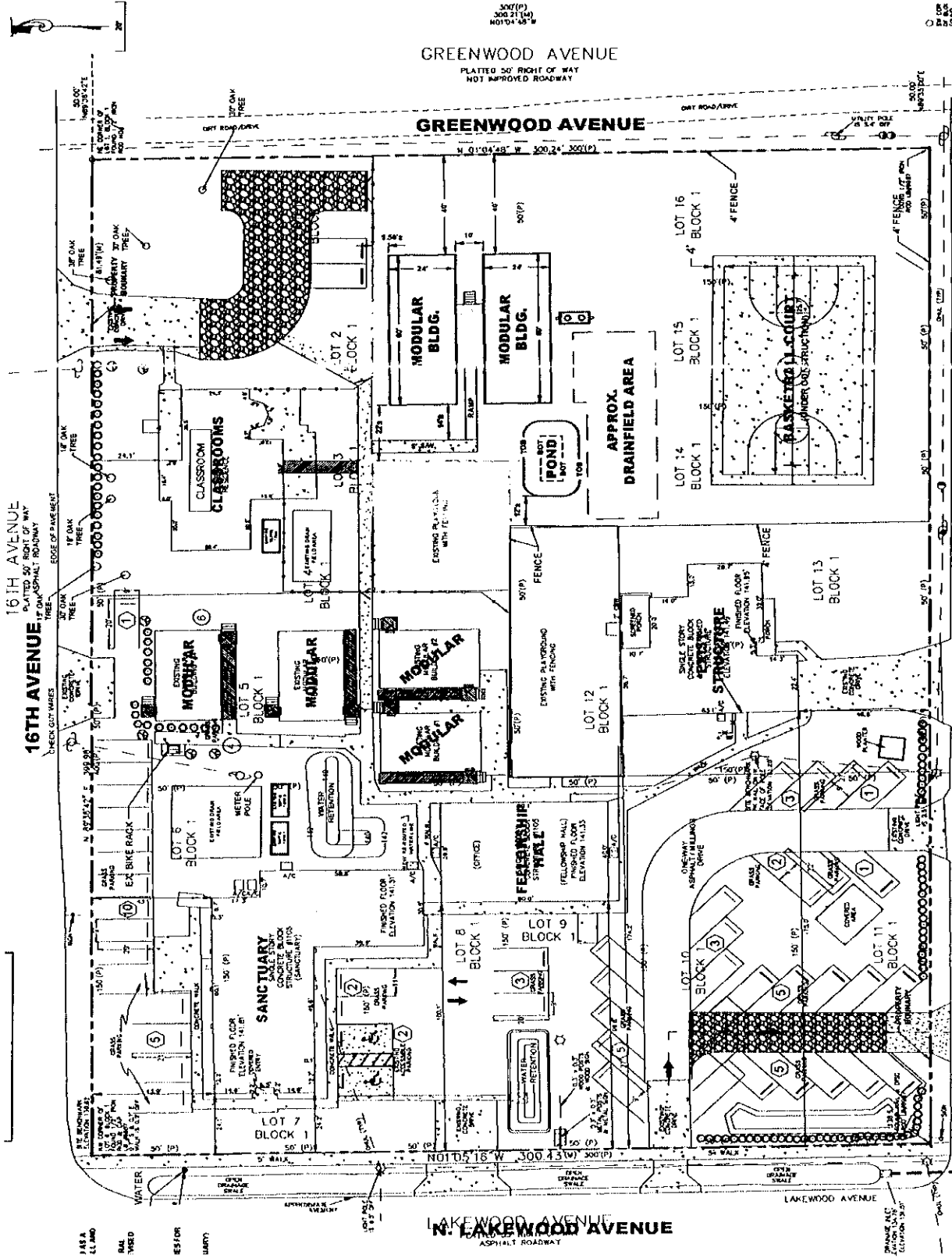
PLATTED 50' RIGHT OF WAY  
NOT IMPROVED ROADWAY

**GREENWOOD AVENUE**

**16TH AVENUE**  
PLATTED 50' RIGHT OF WAY  
ASPHALT ROADWAY

**17TH AVENUE**  
ASPHALT ROADWAY  
PLATTED 50' RIGHT OF WAY

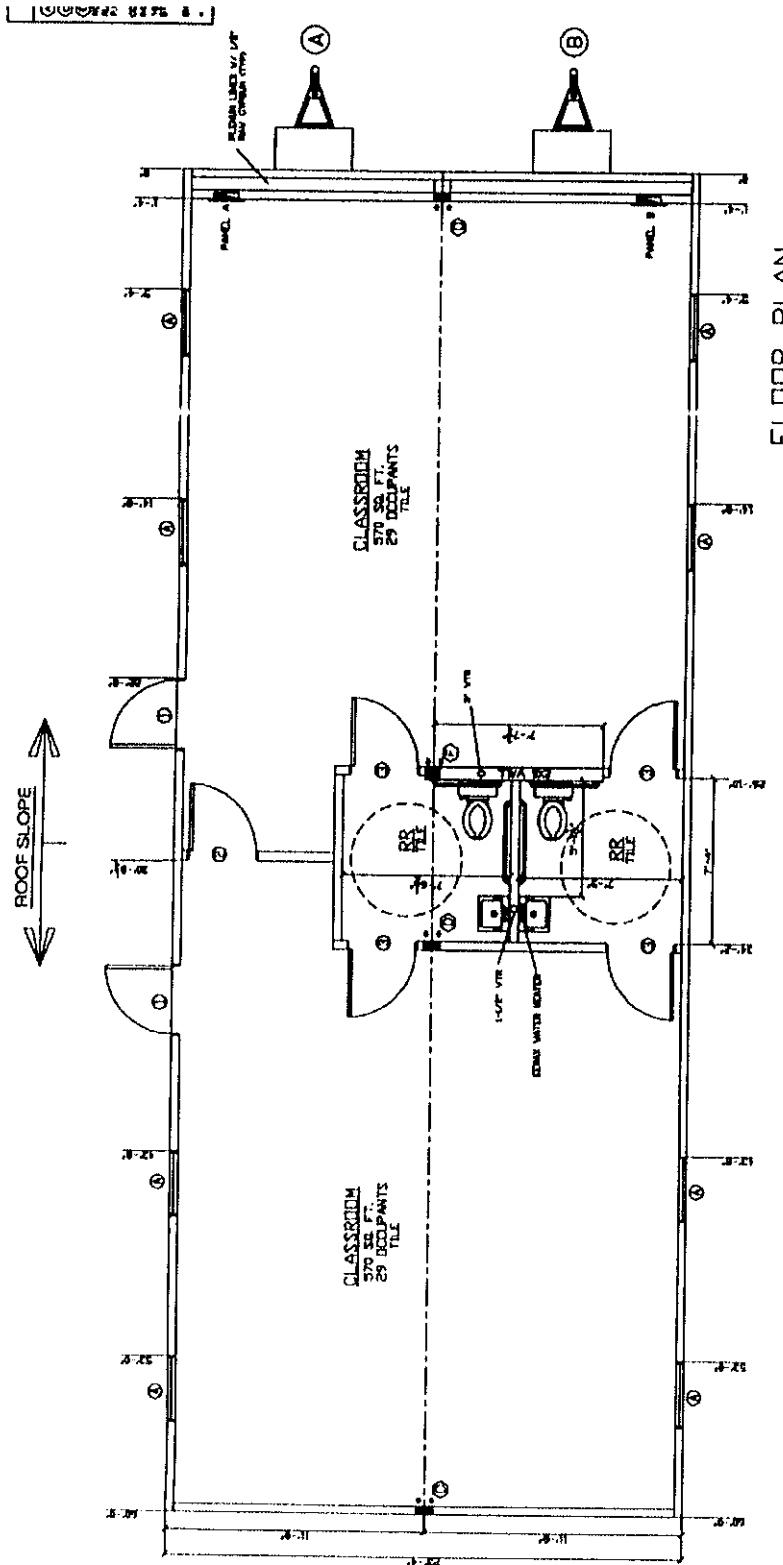
**N. LAKEWOOD AVENUE**  
ASPHALT ROADWAY



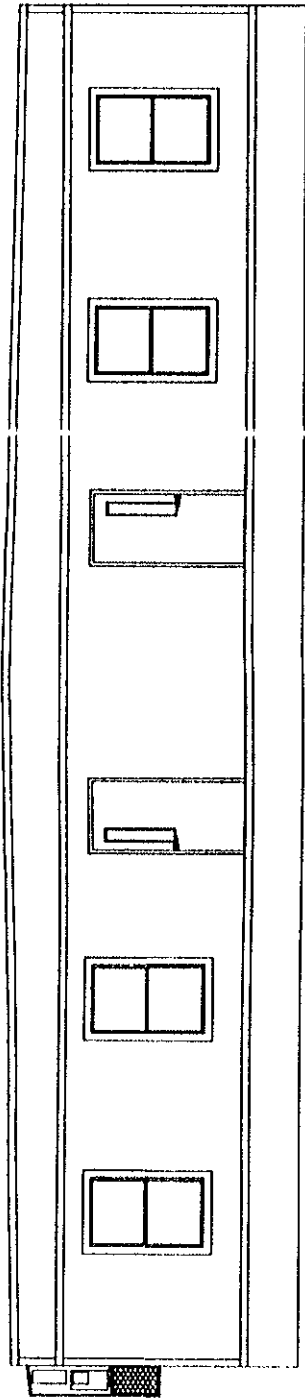
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N 89°30'07" E 380.94'  
17TH AVENUE  
ASPHALT ROADWAY  
PLATTED 50' RIGHT OF WAY  
FORM PLANNING DATE  
10/20/10 ELEVATION 140.7'  
/ NORTH CERVINO 140.7'

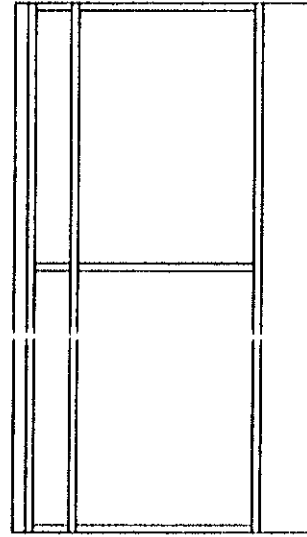
# FLOOR PLAN



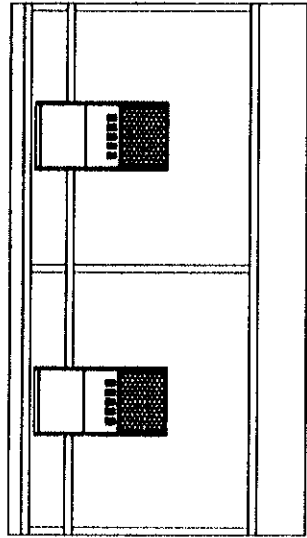
ELEVATIONS



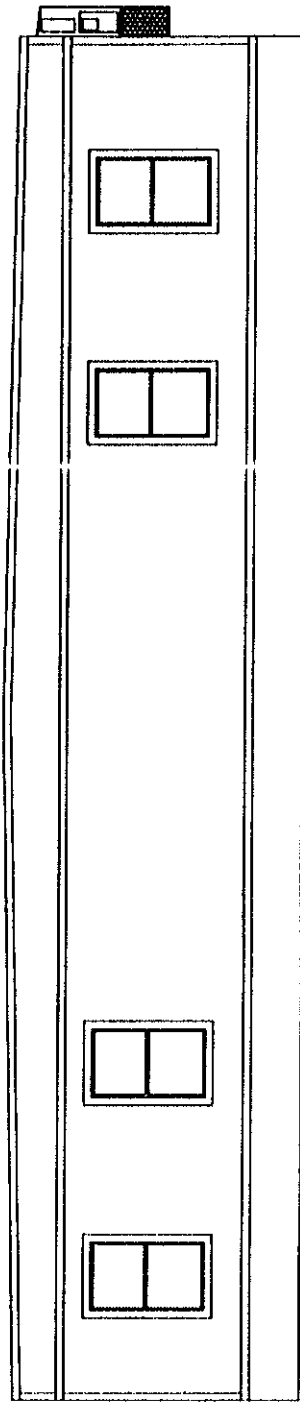
FRONT ELEVATION  
S&S 1/24/07



RIGHT ELEVATION  
S&S 1/24/07



LEFT ELEVATION  
S&S 1/24/07



BACK ELEVATION  
S&S 1/24/07



SITE PHOTOS



Proposed Modular Location from 17<sup>th</sup> Ave. Looking North



Proposed Modular Location from Greenwood Ave. Looking West

SITE PHOTOS



View of the Modular Location from Greenwood Ave. Looking Northwest



View of the Church Campus from Greenwood Ave. Looking West