

## **RESOLUTION Z-24-2**

*A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA FOR A SPECIAL EXCEPTION TO ALLOW A CHILD CARE CENTER AS AN ACCESSORY USE TO A PLACE OF WORSHIP IN AN "R-1C" (SINGLE-FAMILY RESIDENTIAL) DISTRICT WITH A FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL (1 TO 4 DWELLING UNITS/ ACRE) ON APPROXIMATELY 4.7 ACRES LOCATED AT 2303 SE 27<sup>TH</sup> ST. ON TAX PARCEL NUMBER 16134-053-000, AS SUMMARIZED IN EXHIBITS A AND B*

WHEREAS, Zoning Application Z22-000008 has been duly filed and was considered by the Alachua County Planning Commission at its regular meeting of January 17, 2024, and,

WHEREAS, Zoning Application Z22-000008 has been duly filed and was considered by the Alachua County Board of County Commissioners at its regular meeting of February 27, 2024;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:

Zoning Application Z22-000008, a request by Willie L. Jones, Sr. and Sharon Jones, agents, for First Assembly Faith Fellowship, Inc., owners, for a special exception to allow a child care center as an accessory use to a place of worship in an 'R-1c' (single-family residential) zoning district with a future land use designation of Low Density Residential (1 to 4 dwelling units/acre) on approximately 4.7 acres located at 2303 SE 27<sup>th</sup> St., on parcel 16134-053-000, as summarized in Exhibits A and B in this resolution, is hereby

approved with the following conditions and bases:

### **Conditions**

1. This special exception shall allow a child care center as a use that is accessory to the existing church on parcel 16134-053-000. In the event that the church is no longer operating, the child care center shall cease operation.
2. The total maximum size of buildings for the child care center shall be 4,800 sq. ft.
3. The hours of operation for the child care center shall be limited to 6am-8pm.
4. A 50-ft setback shall be required for all outdoor stationary playground equipment, dumpsters, garbage cans or recycling bins.
5. A development plan, covering the entirety of parcel 16134-053-000, shall be approved prior to the opening of the child care center. Any change of use of existing buildings and all future buildings on the site shall be labeled on an approved development plan according to their use.
6. Future changes to the site shall comply with applicable regulations in the County's Unified Land Development Code (ULDC).
7. The child care center shall be licensed in accordance with Florida Statutes.

### **Bases**

1. Child care centers are allowed as an accessory use for places of worship when located within the R-1c zoning district, by means of a special exception. The

applicant has applied for this special exception to comply with **Sec. 404.31 of the Unified Land Development Code (ULDC)**.

2. **Sec. 404.31 of the ULDC** provides standards for all child care centers. As conditioned by staff, the special exception will comply with these standards, namely:

- Licensure
- Maximum building size for the child care center
- Hours of operation
- Setbacks and location of playground equipment and dumpsters
- Vehicle circulation/parking
- Landscaping

3. **Sec. 402.113 of the ULDC** provides approval criteria for special exceptions. Staff has reviewed the application and found the proposed use consistent with the Comprehensive Plan and ULDC. The proposed use is compatible with the existing land use pattern of low-density residential uses and another adjacent church. The child care center will help serve the existing place of worship on site as an accessory use. Staff has not found any likely adverse effects to public health, safety or welfare that would result from this special exception approval as conditioned. Satisfactory provisions have been made related to ingress/egress to the property. Staff has proposed conditions on hours of operation and location of dumpsters to address any noise, glare and odor effects. Landscaping

requirements will be addressed as part of the development plan review process. A maximum square footage has been established at 4,800 sq. ft. for the child care center use.

4. **Policy 7.1.2 of the Future Land Use Element** states that proposed changes to the zoning map shall be considered in light of the availability and capacity of public facilities required to serve development, as well as the relationship of the proposed development to existing development in the vicinity. The facility has direct access to a collector road (SE 27<sup>th</sup> St.) that has existing capacity remaining. The use of the site for the purpose of a child care center will not impact emergency services, school capacity, or other levels of service within Alachua County. Surrounding land uses include single family residences and another place of worship. The subject property has a future land use designation Low Density Residential (1 to 4 dwelling units/acre), which allows for institutional uses as set forth in the Comprehensive Plan. The child care center facility is expected to be contained within two future buildings with a total maximum square footage of 4,800 sq. ft. Its impact will thus not be out of character with the area. The child care center shall be required to maintain a medium density landscaping buffer along the northern property boundary which includes screening in order to minimize any possible additional noise or visual impacts. Traffic impacts will be minimal and will consist of drop-off and pick-up periods in the morning and afternoon. The request complies with all required setbacks of this proposed use. The proposed facility will thus have a minimal impact on the surrounding uses

and the request is therefore consistent with Policy 7.1.2 of the FLUE.

DULY ADOPTED in regular session this 27<sup>th</sup> day in February, A.D., 2024.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By:\_\_\_\_\_

Mary C. Alford, Chair

ATTEST:

\_\_\_\_\_

Jesse K. Irby, II, Clerk

APPROVED AS TO FORM

\_\_\_\_\_

(SEAL)

Alachua County Attorney

DEPARTMENT APPROVAL

AS TO CORRECTNESS

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Department of Growth Management

Authorized Designee

## EXHIBIT A

### Legal Description of Site

#### LEGAL DESCRIPTION (PER O.R.B. 2083 PG 1107)

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT A RAILROAD SPIKE MARKING THE SOUTHWEST CORNER OF SAID SECTION 11 AND RUN SOUTH 89 DEGREES, 37 MINUTES, 01 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 11, A DISTANCE OF 39.75 FEET TO A FOUND 3/4 INCH IRON PIPE ON THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. S-329-A (KINCAID ROAD - AN 80 FOOT RIGHT OF WAY) AND THE POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES, 02 MINUTES, 33 SECONDS EAST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 475.96 FEET TO A REBAR AND CAP (P.L.S. 4788); THENCE RUN SOUTH 89 DEGREES, 37 MINUTES, 20 SECONDS EAST, A DISTANCE OF 469.00 FEET TO A REBAR AND CAP (P.L.S. 4788); THENCE RUN SOUTH 00 DEGREES, 02 MINUTES, 33 SECONDS WEST, A DISTANCE OF 476.01 FEET TO A REBAR AND CAP (P.L.S. 4788) ON THE SOUTH LINE OF SAID SECTION 11; THENCE RUN NORTH 89 DEGREES, 37 MINUTES, 01 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 469.00 FEET TO THE POINT OF BEGINNING.

A 35 FOOT WIDE STRIP OF LAND LYING IN THE SOUTHWEST 1/4 OF SECTION 11, TOWNSHIP 10 SOUTH, RANGE 20 EAST, ALACHUA COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT A RAILROAD SPIKE FOUND AT THE SOUTHWEST CORNER OF SAID SECTION 11, AND RUN THENCE NORTH 89°06'18"EAST, ALONG THE SOUTH LINE OF SAID SECTION, 40.16 FEET TO THE EAST RIGHT—OF—WAY LINE OF S.E. 27TH STREET (A.K.A. STATE ROAD NO. 329A AND A.K.A. KINCAID ROAD); THENCE CONTINUE NORTH 89°06'18"EAST, ALONG SAID SOUTH LINE, 50.00 FEET TO THE POINT—OF—BEGINNING OF THE HEREIN DESCRIBED EASEMENT; THENCE CONTINUE NORTH 89°06'18"EAST, ALONG SAID SOUTH LINE, 419.00 FEET; THENCE NORTH 01-14'08"WEST 35.00 FEET; THENCE SOUTH 89°06'18"WEST 419.01 FEET; THENCE SOUTH 01-15'32"EAST 35.00 FEET TO THE SAID POINT—OF—BEGINNING.