



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: February 8, 2011

TO: Robert Baldwin, City Manager

VIA: Robert Daniels, Director *Robert Daniels*

FROM: Corinne Lajoie, AICP, Principal Planner *C Lajoie*

SUBJECT: RZ-47-10: The applicant, Earnest Jones for St. Ruth Missionary Baptist Church, is requesting a rezoning from Neighborhood Residential to Commercial Neighborhood Office and Banking District (C-1) for the property located north of Collins Elementary School (FIRST READING).

PROPERTY INFORMATION:

EXISTING ZONING	Neighborhood Residential (NBHD-RES)
LAND USE	Regional Activity Center
OVERLAY DISTRICT	Community Redevelopment Agency (CRA)

The subject property is located north of Collins Elementary School and is owned by St. Ruth Missionary Baptist Church. The Church is requesting a rezoning of the property from residential to commercial so that a new church building may be constructed on the property. The current residential zoning does not allow a place of worship as a permitted use.

The construction of a church will require site plan review and approval prior to issuance of a building permit. The site plan will be heard by the Planning and Zoning Board if it is a small scale site plan (less than 20,000 square feet) or the City Commission if it is a large scale site plan (more than 20,000 square feet).

Staff has requested that the applicant meet with the Northwest Byrd Park Civic Association prior to the Planning and Zoning Board meeting, which occurred on January 14, 2011. A subsequent meeting has been scheduled for January 20, 2011. The results of that meeting will be presented to the Commission at the meeting.

Staff is recommending the Commercial C-1 zoning designation, as it is the least intense of the commercial zoning districts and would therefore have the least impact on the neighborhood while still allowing a church to be built on the property. However, C-1 will also permit auto parts and retail, office, restaurants and bars by right and schools with a special exception.

This property is located within the CRA and has the support of the CRA Director.

PLANNING AND ZONING BOARD RECOMMENDATION

On January 19, 2011 the Planning and Zoning Board recommended approval of the request.

STAFF RECOMMENDATION

Staff is recommending approval of Commercial, C-1 zoning designation.

Lajoie, Corinne

From: Earle, Jeremy
Sent: Tuesday, November 30, 2010 1:03 PM
To: Lajoie, Corinne
Cc: Daniels, Bob
Subject: Re: St. Ruth's rezoning application

I agree with the C-1 then. Thanks

Jeremy Earle, ASLA, AICP
Executive Director
Dania Beach Community Redevelopment Agency

Sent from my AT&T wireless device

On Nov 30, 2010, at 11:49 AM, "Lajoie, Corinne" <cchurch@ci.dania-beach.fl.us> wrote:

> In the attached application & explanation of request you will see that they requested C-4 "if applicable".
> C-4 allows a long list of commercial activities, where as C-1 allows banks, places of worship, office and not much else. I like C-1 because it allows a place of worship yet provides the maximum protections for the neighborhood by significantly restricting the commercial uses that can occur.

>

> Corinne Lajoie, Principal Planner

>

> Dania Beach Mission Statement

> "Dania Beach is committed to providing a unique small-town quality of living for all of its residents and guests.

> We do so by maintaining beautiful neighborhoods and vibrant commercial

> centers throughout the City while being fiscally responsible and having a diverse population and business community."

>

>

> _____

>

> From: Earle, Jeremy

> Sent: Tuesday, November 30, 2010 11:35 AM

> To: Lajoie, Corinne

> Subject: Re: St. Ruth's rezoning application

>

>

> What's the difference between C-1 and C-4? Did they indicate why they wanted C-4?

>

> Jeremy Earle, ASLA, AICP

> Executive Director

> Dania Beach Community Redevelopment Agency

>

> Sent from AT&T wireless device

>

> On Nov 30, 2010, at 10:50 AM, "Lajoie, Corinne" <cchurch@ci.dania-beach.fl.us> wrote:

>

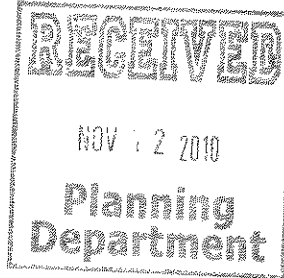
>
>
> I am recommending that the property be rezoned to C-1, which is the lowest intensity commercial district that still allows for a place of worship. They are requesting C-4.
> Your thoughts?
>
> Corinne Lajoie, Principal Planner
>
> Dania Beach Mission Statement
> "Dania Beach is committed to providing a unique small-town quality of living for all of its residents and guests.
> We do so by maintaining beautiful neighborhoods and vibrant commercial centers throughout the City while
> being fiscally responsible and having a diverse population and business community."
>
>
> _____
>
> From: Lajoie, Corinne
> Sent: Wednesday, November 24, 2010 4:19 PM
> To: Earle, Jeremy
> Subject: St. Ruth's rezoning application
>
>
>
> Please see the attached rezoning application. Please provide me with your comments.
>
> Thanks.
>
>
> Corinne Lajoie, Principal Planner
>
> Dania Beach Mission Statement
> "Dania Beach is committed to providing a unique small-town quality of living for all of its residents and guests.
> We do so by maintaining beautiful neighborhoods and vibrant commercial centers throughout the City while
> being fiscally responsible and having a diverse population and business community."
>
>
> <St. Ruth's rezoning.pdf>
>
> <St. Ruth's rezoning.pdf>



City of Dania Beach, Florida
 Department of Community Development
 Planning and Zoning Division
 (954) 924-6805 Phone
 www.daniabeachfl.gov

General Development Application

- Administrative Variance
- Assignment of Flex/Reserve Units
- Land Use Amendment
- Plat
- Plat Delegation Request
- Rezoning
- Site Plan
- Special Exception
- Trafficway Waiver
- Variance
- Roadway Vacation
- Extended Hours
- Other: _____



Date Rec'd: _____

Petition No.: R247-10

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City's Building Department.

Location Address: n/a

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: _____

Parcel 504234-00-0230 504234-00-0201
~~Folio~~ Number(s): 504234-00-0200 Legal Description: _____

Applicant/Consultant/ Legal Representative (circle one) Earnest Jones Cell. 9260-2883

Address of Applicant: 1940 N.W. 12 Ave FT. LAUD FL. 33311

Business Telephone: 922-2529 Home: 760-6258 Fax: JONESEARNEST@ATT.NET

Name of Property Owner: ST. RUTH MISSIONARY BAPTIST CHURCH INC.

Address of Property Owner: 145 N.W. 5 AVE DANIA BCH. FL. 33004

Business Telephone: 922-2529 Home: N/A Fax: 954 922 2547

Explanation of Request: Rezoning (ATTACHMENT)
 For **Plats** please provide proposed **Plat Name** for **Variations** please attach **Criteria Statement** as per Article 10.13 of Chapter 28, Zoning Code.

Prop. Net Acreage: _____ Gross Acreage: 3.5 Prop. Square Footage: 171232 A

Existing Use: VACANT Proposed Use: church

Is property owned individually, by a corporation, or a joint venture? Corporation



CORPORATION NOTARIZED SIGNATURE:

This is to certify that the below referenced corporation is the owner of subject lands described above and that I, EARNST JONES, as a duly authorized officer, have authorized (Applicant/Consultant/Representative) to make and file the aforesaid application.

Sworn to and subscribed before me

This 4th day of November 2010

Corporation Name:

St RUTH Missionary Baptist Church Inc.

Signature: Earnest Jones

Date: 11/4/2010

EARNST JONES

(Print Name)

Trustee Chairman

(Print Title)

Ruth White

Sign Name of Notary Public
State of (FL)

Ruth White

Print Name of Notary

1940 N.W. 12 Ave FT. LAUD. FL.
Street Address, City, State and Zip Code 33311

954 760 6258

Telephone No. & Fax No.

Commission Expires: 07/26/2014

Seal:

JOINT VENTURE/PARTNERSHIP NOTARIZED SIGNATURE:

This is to certify that the below referenced that the duly authorized persons are the owners of subject lands described above and that all partners have authorized (Applicant/Consultant/Representative) to make and file the aforesaid application.

Sworn to and subscribed before me

This ___ day of ___ 20__

Signature: _____

Date: _____

(Print Name)**

Sign Name of Notary Public
State of ()

Print Name of Notary

Street Address, City, State and Zip Code

Commission Expires:

Seal:

Telephone No. & Fax No.

****Each partner must sign. Attach duplicate sheets as required.**



I understand that site plan and variance approval automatically expires within 12 months of City Commission approval, pursuant to Ordinance No. 2005-040.

Earnest Jones
Applicant/Owner signature

EARNEST JONES
Print Name

11/4/2010
Date

APPLICANT, CONSULTANT, OR LEGAL REPRESENTATIVE NOTARIZED SIGNATURE

Sworn to and subscribed before me
This 4th day of November 2010

Applicant/Consultant/Representative:

Signature: Earnest Jones

Date: 11/4/2010

Ruth White
Sign Name of Notary Public
State of (FL)

EARNEST JONES
(Print Name)

Ruth White
Print Name of Notary

1940 N.W. 12 Ave. FT. LAUD. FL.
Street Address, City, State and Zip Code 33311

Commission Expires: 07/26/2014
Seal:

954 760-6258
Telephone No. & Fax No.

INDIVIDUAL OWNER NOTARIZED SIGNATURE:

This is to certify that I am the fee simple owner of subject lands described above and that I have authorized (Applicant/Consultant/Representative) _____ to make and file the aforesaid application.

Sworn to and subscribed before me
This _____ day of _____ 20____

Owner: _____

Signature: _____

Date: _____

Sign Name of Notary Public
State of (_____)

(Print Name)

Print Name of Notary

Street Address, City, State and Zip Code

Commission Expires: _____
Seal:

Telephone No. & Fax No.



SAINT RUTH MISSIONARY BAPTIST CHURCH

145 NW 5th Avenue, Dania Beach, Florida 33004

P.O. Box 698

Ph: 954 922-2529 Fax: 954 922-2547

**Bishop Victor T. Curry, D.Min., D.Div.
Pastor/Teacher**

Tom Grace, Deacon Board Chairman
Earnest Jones, Trustee Chairman
Gloria Black, Financial Secretary

Carolyn W. Jones, Clerk
Ruth White, Church Secretary
Albert Jones, Treasurer

ATTACHMENT

General Development Application

“Explanation of Request”

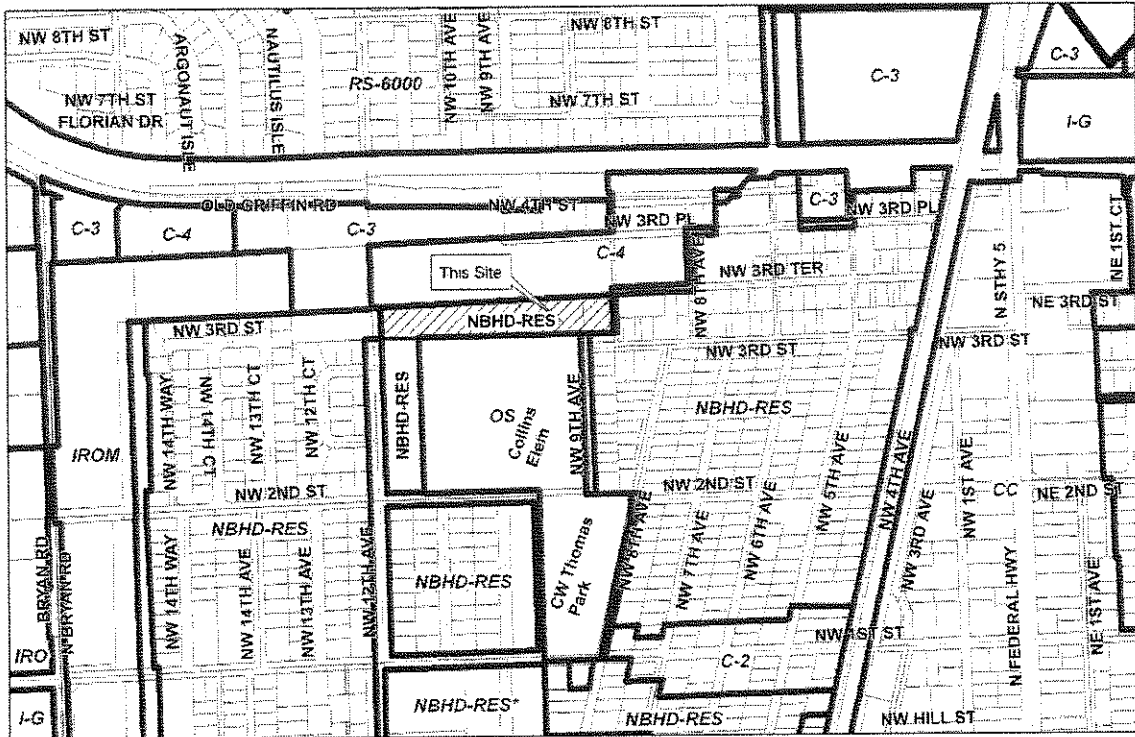
The members of St. Ruth Missorary Baptist Church are requesting a zoning change on the mentioned properties in this application (C-4 if applicable). The congregation wants to construct a church complex.

Mr. Jeremy Earle, Community Redeployment Agency , Executive Director met and presented the Cities plan for this property and the surrounding area of the Northwest section of the City. During that meeting we discussed a Memorandum from the City (attachment) Re. Zoning Code Text Amendments; Compliance with Federal Religious Land Use and Institutionalized Person Act of 2000 (RLUIPA). Item # I. Elimination of Special Exception for Houses of Worship.

Mr. Earle recommended that we start the zoning process with this application. Once we select an architect we will have them meet with City staff and with their input develop a site plan that will include all necessary requirements of the City.



RZ-47-10 - Rezoning
St Ruths Baptist Church
NW 3rd Terr between
NW 12th Ave and NW 9th Ave



THE NORTH WEST BIRD POINT CIVIC ASSOCIATION

The Bird Point Civic Association supports the proposal for Saint Ruth Missionary Baptist Church. However we have two restrictions.

1. No through traffic on NW 12th Avenue
2. And a buffer wall to separate the church from the Community.

Jeff Hatcher, President
Tammie James, Vice President

Signature	Address	Phone No.
Jeffery Hatcher	125 NW 7 th AVE	305-742-4269
Ronnie Harkless	251 NW 12 Court	754-246-9528
Mary Harkless	251 NW 12 Court	954-226-1595
Winston Scott	247 n.w. 12 th	754 423-1049
April Bates	247 n.w. 12 th Ct.	754 423-1049
Carolyn Patterson	240 n.w. 12 th Ct.	754 423-0234
Sharon Hooper	244 NW 12 th Ct.	954-923-5606
Deloris Scott	243 NW West 12 th Ct.	954-920-1489
Tammie James	255 NW 12 th Ave	954-923-3229
Ellis James	255 NW 12 th Ave	954-923-3229
Ashley James	255 NW 12 Avenue	954-923-3229
Cristina Crocker	248 NW 12 Court	954-243-8530

Signature

Address

Phone No.

[Signature]

239 NW 12th

954 925-4853

Lou Ann Humphrey

235 n.w. 12th ct

(954) 9206029

James Humphrey

235 n.w. 12th ct

Anthony Humphrey

235 n.w. 12th ct

Robert Humphrey

235 n.w. 12th ct

Deborah Meggett

235 n.w. 12th ct

[Signature]

1206 NW 12th ct.

754 244-2471

[Signature]

235 N.W. 12th AVE

954-684-4943

Mary Rose

1221 NW 2nd St

929-6189

Perry Rose

1221 NW 2nd St

929-6189

Faye Walker

1231 N.W 2nd St

954-921-6981

Jaxiska Walker

1231 NW 2nd St.

954-921-6981

Veronica Larkins 211 NW 12th AVE

Cokenye West 211 NW 12th AVE

Xavier Larkins 211 NW 12th AVE

George Larkins 211 NW 12th AVE

VERONICA JACKSON 235 NW 12th Avenue

Isaac Gathers 259 NW 12th ct

Daphny Gathers 259 NW 12th ct Dania

Daphnetony

1201 NW 2nd Street Dania

954 926-1046