

DESOTO COUNTY, FLORIDA

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE DESOTO COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A SPECIAL EXCEPTION USE (USE-0193-2024) WITH CONDITIONS TO AUTHORIZE A 10,056 SQUARE FOOT EXPANSION OF AN EXISTING PLACE OF WORSHIP ON AN 8.31 ACRE PARCEL ZONED AGRICULTURAL – 10 (A-10) AND IS LOCATED AT 2865 SW CR 661, WITH THE PARCEL IDENTIFICATION NUMBERS BEING 09-38-24-0000-0150-0000 AND 08-38-24-0000-0020-0000; INCORPORATING THE WHEREAS CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the DeSoto County Property Appraiser records show that the subject property is located at 2865 SW CR 661 and is owned by Mt. Ephraim Baptist Church, Inc. (Exhibit A: Location Map); and

WHEREAS, the 2040 Future Land Use Map shows the 8.31-acre property is located within the Rural/Agricultural Land Use designation and the Official Zoning District Atlas shows the property is situated within the A-10 (Agricultural-10) zoning district; and

WHEREAS, Land Development Regulations (LDR) Section 20-126(1)(c)(8) provides that a Place of Worship is considered a Special Exception use in the A-10 zoning district; and

WHEREAS, Section 20-1430 of the LDRs further provides that special exception uses shall be reviewed in accordance with the criteria and procedures set forth in Article XI, Division 5, of the LDRs ; and

WHEREAS, on August 22, 2024, a Special Exception Use application and fee was submitted to the Development Department (USE-0193-2024) with the fee for the expansion of a place of worship; and

WHEREAS, the Development Department has reviewed the Development Plan application and concludes the application is in conformance with the LDR provided conditions are imposed; and

WHEREAS, on November 4, 2025, the Planning Commission held a duly noticed public hearing on the application and entered into the record the Development Review Report and all other competent substantial evidence presented at the hearing, and forwarded the record to the Board of County Commissioners (Board) with the recommendation that the Board adopt the proposed Resolution; and

WHEREAS, on November 18, 2025, the Board of County Commissioners held a duly noticed public hearing on the application and entered into the record the Development Review Report and all other competent substantial evidence presented at the Planning Commission and Board hearings; and

WHEREAS, the Board concluded the owner/applicant established through competent substantial evidence that the application is in harmony with the LDRs general intent and purpose, is not injurious to the neighborhood or to adjoining properties or is otherwise detrimental to the public welfare based on the findings herein and conditions of approval.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESOTO COUNTY, FLORIDA, AS FOLLOWS:

Section 1. *Whereas clauses incorporated.* The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are hereby incorporated by reference as part of this Resolution.

Section 2. *Property description.* The 8.31-acre parcel is located at 2865 SW CR 661, the Property Identification Numbers being 09-38-24-0000-0150-0000 and 08-38-24-0000-0020-0000.

Section 3. *Findings and conclusions.* The Development Review Report, incorporated herein by reference, represents the written findings of fact and conclusions to support granting to Mt. Ephraim Baptist Church, Inc., a Special Exception use development order to allow within the A-10 zoning district, for the expansion of a place of worship as displayed on the site plan (Exhibit B: Site Plan), in accordance with the Land Development Regulations subject to the following conditions:

1. The applicant shall show that all proposed and existing buildings meet the standards for the minimum distance between adjacent buildings of 10 feet, per Section 20-472(a)(1) of the LDR. This shall be approved by the Planning Department with the Improvement Plan.
2. The site is located within the Conservation Overlay district and wetlands exist on site. An environmental report and wetland delineation will be required with the Improvement Plan and the applicant may be required to secure regulatory permits from the State. A copy of the state required permit, or a letter of exemption shall be provided to the Planning Department prior to issuance of the Notice to Proceed.
3. The square footage of existing buildings to remain on site shall be shown on the Improvement Plan, along with a Floor Area Ratio calculation that complies with the Comprehensive Plan. This shall be approved by the Planning Department.
4. The applicant shall show a clear visibility triangle and sight distances of the proposed access drives on the Improvement Plan, which shall be approved by the County Engineer.
5. The Improvement Plan shall show compliance with the standards for ADA accessible parking found in Table 20-537 of the LDR. This shall be approved by the Planning Department.
6. The Improvement Plan shall show a Type A buffer where the off-street parking area abuts the public right-of-way. This shall be approved by the Planning Department.
7. All parking areas, including grassed, shall conform to the access aisle width requirements and provide wheel stops. This shall be approved by the Planning Department with the Improvement Plan.
8. The Planning Department shall approve the required dumpster enclosure consistent with the County's requirements with the Improvement Plan.

9. New septic tank systems or modifications to existing septic systems may be required and will be permitted by the Department of Health. Any needed improvements shall be in place prior to issuance of a Certificate of Occupancy.
10. The height and type of existing fences shall be in accordance with the LDR and approved by the Planning Department with the Improvement Plan.
11. Parking area interior landscaping shall be approved by the Planning Department with the Improvement Plan, consistent with Section 20-537(e)(2).
12. A lighting plan shall be approved by the Planning Department with the Improvement Plan addressing glare, traffic safety, economic effects, and compatibility and harmony with properties in the district for any proposed lighting.
13. The existing nonconforming sign shall be shown on the Improvement Plan with setbacks and may be continued with the limitations set forth in Sec. 20-760(c) of the LDR. A note to this effect shall be placed on the Improvement Plan.
14. The applicant shall depict the onsite vehicular circulation patterns in accordance with the LDR and be approved by the planning, engineering and public safety departments with the Improvement Plan.
15. A maximum of half of the required parking may be grassed parking areas in accordance with Section 20-537(a)(3) of the LDR where it is clear that such grassed surface can be adequately maintained due to infrequency of use, and that adequate permanent traffic control means will be provided to direct vehicular flow and parking. This shall be approved by the Planning Department with the Improvement Plan.

Section 4. *Effective date.* This Resolution shall take effect immediately upon its adoption.
PASSED AND ADOPTED this 18th day of November, 2025.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
OF DESOTO COUNTY, FLORIDA**

By: _____
Mandy Hines
County Administrator

By: _____
J.C. Deriso, Chairman
Board of County Commissioners

APPROVED AS TO LEGAL FORM

By: _____
Valerie Vicente
County Attorney

Exhibit A:



