



LAND USE HEARING OFFICER VARIANCE REPORT

APPLICATION NUMBER: VAR 22-1528

LUHO HEARING DATE: January 23, 2023

CASE REVIEWER: Sam Ball

REQUEST: The applicant is requesting variances to buffering requirements for a proposed 117-seat church on property zoned RMC-16.

VARIANCE(S):

Buffers Between Incompatible Land Uses

Per LDC Section 6.06.06.A, the proposed church is required to provide a 10-foot-wide buffer with Type A screening along the northern and southern boundaries of the project site due to the adjacent multi-family residential developments. The applicant requests a 5-foot decrease to the minimum required buffer width to allow a 5-foot-wide buffer along the northern and southern boundaries. No variance is requested to the Type A screening requirement in those buffers. Additionally, no variance is requested to buffering and screening requirements along the eastern boundary of the project.

Off-Street Vehicular Use Area Buffers

Per LDC Section 6.06.04.E.1, a landscaped buffer a minimum of 6 feet in width shall be required between the off-street vehicular use area and any property boundary not fronted by a road right-of-way, unless the buffer or screening requirements of 6.06.06 and 6.06.06.C are more stringent, in which case the more stringent requirements shall apply. The applicant requests a 1.0-foot decrease to the minimum required buffer width to allow a 5-foot width for the vehicular use area buffer where required along the northern and southern property boundaries.

FINDINGS:

- The applicant originally requested a variance to the minimum width required for drive aisles in the project, but is no longer seeking that variance.

DISCLAIMER:

The variance listed above is based on the information provided in the application by the applicant. Additional variances may be needed after the site has applied for development permits. The granting of these variances does not obviate the applicant or property owner from attaining all additional required approvals including but not limited to subdivision or site development approvals and building permit approvals.

ADMINISTRATOR'S SIGN-OFF



InterCity

t
Thu Jan 12 2023 16:02:25

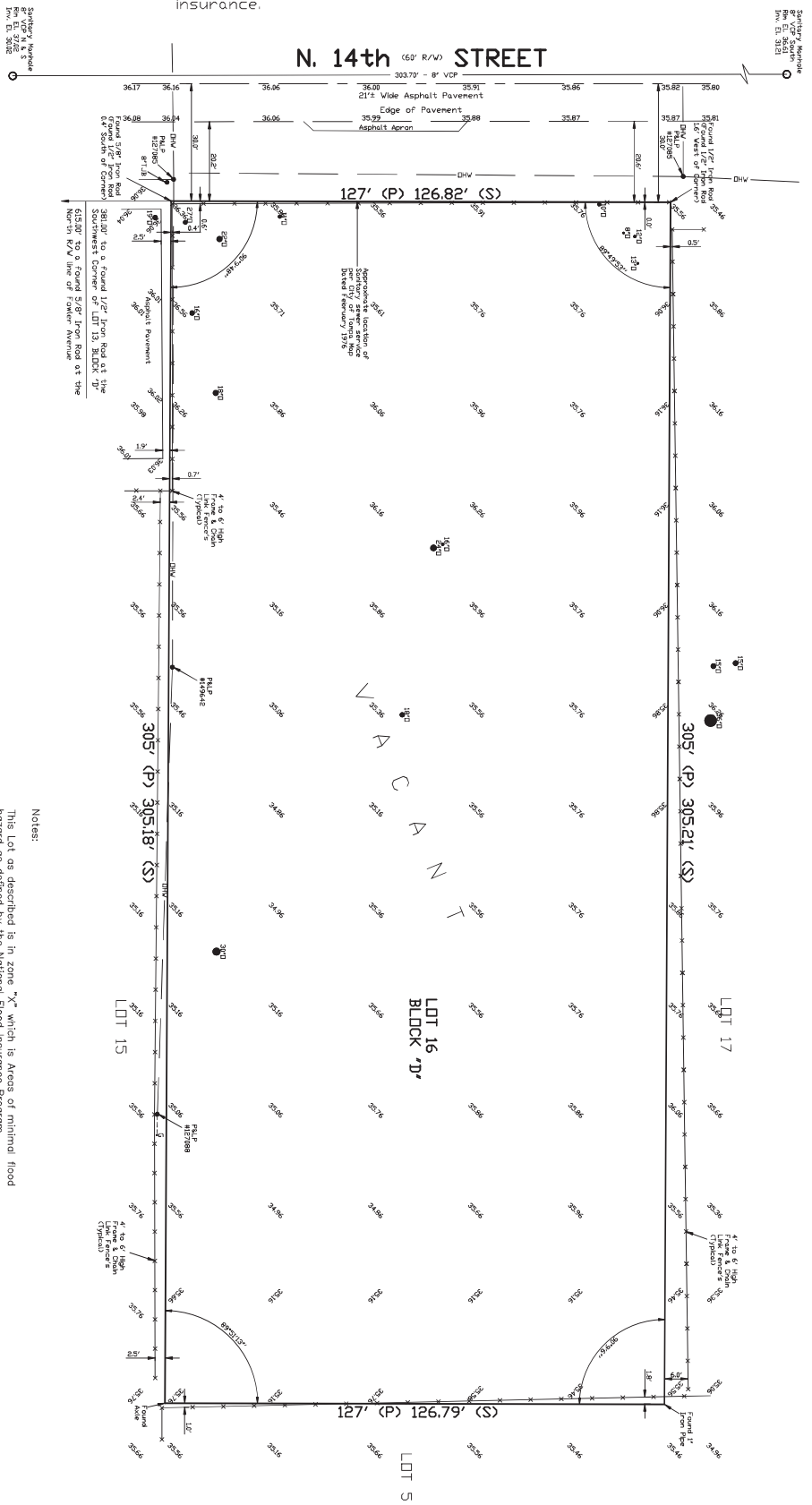
Attachments: Application
Site Plan
Petitioner's Written Statement
Current Deed

Surveyed by
John Mella
P.L.S. 3626
P.L.S. 3626

SCALE: 1"=20'
NORTH



The survey depicted here is not covered by professional liability insurance.



This certifies that we have made a survey of the above described property and that the survey and this plat is made in compliance with the Standards of Practice for Land Surveys in Florida as set forth by the Florida Board of Professional Land Surveyors in Chapter SJ.17, Florida Administrative Code, pursuant to Section 47.202(1), Florida Statutes.

Field Date: December 30, 2021

JOHN MELLA & ASSOCIATES, INC.
5804 N. 22nd Street
Tampa, Florida 33610
(813) 232-9441

John Mella
Digitally signed
by John Mella
Date: 2022.01.03
08:47:16 -0500

John Mella
Florida Surveyor And Mapper, LS1988
Florida Surveying Mapping Business, LB1687
This Survey Map Will Significantly Embossed Seal
of a Florida Licensed Surveyor and Mapper
For: William Buttrif Design and Consulting
C/O Miracle Faith & Deliverance Church of God in Christ, Inc.
JM Job No. K153842-1214623

Topographic Survey of:
Lot 16, Block 'D' of W.E. HANNERS' HOMESTEAD ACRES, according to map and plat thereof recorded in Plot Book 31, Page 70 of the Public Records of Hillsborough County, Florida.
Contains 38,708.44 square feet or 0.889 acres, more or less.

Notes:
This Lot as described is in zone "X" which is Areas of minimal flood hazard as defined by the National Flood Insurance Program. (Community Panel No. 1205700212H, dated 8/26/2008)
Elevations shown are in feet and refer to NAVD Mean Sea Level Datum of 1988.
Hillsborough County Baren Mark Circuit No. VA-105 Elev.: 33.98 Station is located 0.152 miles North of Fowler Avenue on the East side of R.R. Truss near the Southwest corner of steel fence around a pump.
No cop identification found on property corners.
This property surveyed without the benefit of a title search for record of all rights-of-way or other encumbrances or record not shown hereon.
No underground or utility service investigation performed at this time.
Trees as indicated are our interpretation and a certified arborist would need to be hired to precisely identify. Heights or drip line of trees not indicated at this time.
(Note: Only Herwood Trees Located as indicated)
The New poles in the right of way have the same number as indicated.
The nearest Fire Hydrant is located 341 feet North and 49 feet West of the Northwest corner of subject property, also found a Water Valve 2.5 feet South of the Fire Hydrant.

Legend:
(N) — Measured
(S) — Sherry
Eg — Cherry Laurel
O — Oak
Mu — Mulberry
OHW — Overhead Wire
Pa — Palm
P&LD — Power & Light Pole
R/W — Right-of-way
SJB — Sycamore Junction Box
TB — Telecom Junction Box



Additional / Revised Information Sheet

Office Use Only		
Application Number: 22-1528	Received Date:	Received By:

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Application Number: 22-1528 Applicant's Name: Pastor Rodney Bandy

Reviewing Planner's Name: _____ Date: _____

Application Type:

- Planned Development (PD) Minor Modification/Personal Appearance (PRS) Standard Rezoning (RZ)
- Variance (VAR) Development of Regional Impact (DRI) Major Modification (MM)
- Special Use (SU) Conditional Use (CU) Other _____

Current Hearing Date (if applicable): _____

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Will this revision add land to the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with * on the next page.

Will this revision remove land from the project? Yes No

If "Yes" is checked on the above please ensure you include all items marked with + on the next page.

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ZoningIntake-DSD@hcfgov.net

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For additional help and submittal questions, please call (813) 277-1633 or email ZoningIntake-DSD@hcfgov.net.

I certify that changes described above are the only changes that have been made to the submission. Any further changes will require an additional submission and certification.

William Butmi (727) 638-2595

Signature

11/17/2022

Date



**Hillsborough
County Florida**
Development Services

Identification of Sensitive/Protected Information and Acknowledgement of Public Records

Pursuant to [Chapter 119 Florida Statutes](#), all information submitted to Development Services is considered public record and open to inspection by the public. Certain information may be considered sensitive or protected information which may be excluded from this provision. Sensitive/protected information may include, but is not limited to, documents such as medical records, income tax returns, death certificates, bank statements, and documents containing social security numbers. While all efforts will be taken to ensure the security of protected information, certain specified information, such as addresses of exempt parcels, may need to be disclosed as part of the public hearing process for select applications.

Additionally, parcels exempt under [Florida Statutes §119.071\(4\)](#) will need to contact [Hillsborough County Development Services](#) to obtain a release of exempt parcel information.

Are you seeking an exemption from public scrutiny of selected information submitted with your application pursuant to Chapter 119 FS? Yes No

I hereby confirm that the material submitted with application 22-1528

Includes sensitive and/or protected information.

Type of information included and location _____

Does not include sensitive and/or protected information.

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Signature: _____
(Must be signed by applicant or authorized representative)

Intake Staff Signature: _____ Date: _____



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Please indicate below which revised/additional items are being submitted with this form.

Included	Submittal Item
1	<input type="checkbox"/> Cover Letter** + If adding or removing land from the project site, the final list of folios must be included
2	<input checked="" type="checkbox"/> Revised Application Form** +
3	<input type="checkbox"/> Copy of Current Deed* Must be provided for any new folio(s) being added
4	<input type="checkbox"/> Affidavit to Authorize Agent* (If Applicable) Must be provided for any new folio(s) being added
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7	<input type="checkbox"/> Legal Description of the Subject Site**
8	<input type="checkbox"/> Close Proximity Property Owners List**
9	<input checked="" type="checkbox"/> Site Plan** All changes on the site plan must be listed in detail in the Cover Letter.
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17	<input type="checkbox"/> Transportation Analysis
18	<input type="checkbox"/> Sign-off form
19	<input checked="" type="checkbox"/> Other Documents (please describe):
<div style="border: 1px solid black; padding: 5px;"> Survey Site Plan </div>	

*Revised documents required when adding land to the project site. Other revised documents may be requested by the planner reviewing the application.

+Required documents required when removing land from the project site. Other revised documents may be requested by the planner reviewing the application.

JB BROMLEY CONSTRUCTION INC
A FULL SERVICE CONSTRUCTION COMPANY

November 8, 2022

Clare Odell
Planning & Zoning
Development Services Department
Hillsborough County BOCC

PROJECT: Miracle Faith & Deliverance Church of God in Christ Inc
ADDRESS: 11725 14th St. Tampa, FL 33612-5533
FOLIO: 036016.0000

Resubmittal for Variance Application:
Miracle Faith & Deliverance Church of God in Christ Inc

This cover letter is to inform you of our resubmittal for the current variance application requiring additional information.

The application request description has been revised to indicate proposed landscape buffers and indicate proposed location.

Please note a Site - Landscape Plan has been attached and a Survey Plan has been attached.

If you have any questions or comments, please call or email.

Thank you for your assistance,

William Buttmi (Representative)
wrbuttmi@designwrb.com
(727) 638-2595

JB BROMLEY CONSTRUCTION INC
2345 Southwind Lane Largo FL 33771
(727) 754-1194 Office (727) 224-2966 Mobile

22-1528



**Hillsborough
County Florida**
Development Services

Application No: _____

Project Description (Variance Request)

1. In the space below describe the variance including any history and/or related facts that may be helpful in understanding the request. This explanation shall also specifically identify what is being requested (e.g. Variance of 10 feet from the required rear yard setback of 25 feet resulting in a rear yard of 15 feet). If additional space is needed, please attach extra pages to this application.

This request seeks to change the required buffer to 5Ft in width at (against) the North side fence and limit the required buffer to 5Ft in width at (against) the South side fence. The rear buffer requirement will be provided and located at the rear parking to be installed at edge of pavement (against pond), running North - South. A landscape buffer will be provided at the front of property along the edge of the pond, running North - South.

2. A Variance is requested from the following Section(s) of the Hillsborough County Land Development Code:

LDC 6.04.03 and 6.02.08

Additional Information

1. Have you been cited by Hillsborough County Code Enforcement? No Yes
If yes, you must submit a copy of the Citation with this Application.
2. Do you have any other applications filed with Hillsborough County that are related to the subject property?
 No Yes If yes, please indicate the nature of the application and the case numbers assigned to the application (s): Preliminary Site Project ID# 6303
3. Is this a request for a wetland setback variance? No Yes
If yes, you must complete the Wetland Setback Memorandum and all required information must be included with this Application Packet.
4. Please indicate the existing or proposed utilities for the subject property:
 Public Water Public Wastewater Private Well Septic Tank
5. Is the variance to allow a third lot on well or non-residential development with an intensity of three ERC's?
 No Yes If yes, you must submit a final determination of the "Water, Wastewater, and/or Re-claimed Water – Service Application Conditional Approval – Reservation of Capacity" prior to your public hearing



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11/17/2022

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JB BROMLEY CONSTRUCTION INC
A FULL SERVICE CONSTRUCTION COMPANY

November 8, 2022

Clare Odell
Planning & Zoning
Development Services Department
Hillsborough County BOCC

PROJECT: Miracle Faith & Deliverance Church of God in Christ Inc
ADDRESS: 11725 14th St. Tampa, FL 33612-5533
FOLIO: 036016.0000

Resubmittal for Variance Application:
Miracle Faith & Deliverance Church of God in Christ Inc

This cover letter is to inform you of our resubmittal for the current variance application requiring additional information.

The application request description has been revised to indicate proposed landscape buffers and indicate proposed location.

Please note a Site - Landscape Plan has been attached and a Survey Plan has been attached.

If you have any questions or comments, please call or email.

Thank you for your assistance,

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(727) 638-2595

JB BROMLEY CONSTRUCTION INC
2345 Southwind Lane Largo FL 33771
(727) 754-1194 Office (727) 224-2966 Mobile

22-1528



Variance Criteria Response

1. Explain how the alleged hardships or practical difficulties are unique and singular to the subject property and are not those suffered in common with other property similarly located?

This request seeks to adjust the requirement for a buffer.

2. Describe how the literal requirements of the Land Development Code (LDC) would deprive you of rights commonly enjoyed by other properties in the same district and area under the terms of the LDC.

With strict adherence to the buffer requirement the construction of the church would not be possible.

3. Explain how the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

Allowing the variance will not interfere in any way adjoining neighbors rights or privacy or disturbance.

4. Explain how the variance is in harmony with and serves the general intent and purpose of the LDC and the Comprehensive Plan (*refer to Section 1.02.02 and 1.02.03 of the LDC for description of intent/purpose*).

The proposed project will have a privacy fence around each side and at rear of property for a visual screen for neighbors and includes 16 tree plantings. Landscaping will also incorporate other trees and shrubs within the project. There is a irrigation system to installed to insure maintenance and viability of the project landscaping.

5. Explain how the situation sought to be relieved by the variance does not result from an illegal act or result from the actions of the applicant, resulting in a self-imposed hardship.

No illegal act shall result in granting variance.

6. Explain how allowing the variance will result in substantial justice being done, considering both the public benefits intended to be secured by the LDC and the individual hardships that will be suffered by a failure to grant a variance.

The granting of the variance will allow building the church as planned with great benefit to the immediate neighbors and the neighborhood at large.

Prepared by and Return to:
Priority Title of Florida
Ida Campbell
10006 Park Place Avenue
Riverview, Florida 33578
Our File Number: 1507-03

For official use by Clerk's office only

STATE OF Florida) **SPECIAL WARRANTY DEED**
COUNTY OF Hillsborough) (Corporate Seller)

THIS INDENTURE, made this July 24, 2015, between Knights Haulage Limited Company, a Florida corporation, whose mailing address is: 8751 North 30th Street, Tampa, Florida 33604, party of the first part, and Miracle Faith & Deliverance Church of God in Christ, Inc., whose mailing address is: 9709 Timmons Road, Thononotassa, Florida 33592, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, to wit:

Lot 16, Block D, W.E. Hamners Homestead Acres, a subdivision according to the plat thereof recorded at Plat Book 31, Page 70, in the Public Records of Hillsborough County, Florida.

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on July 24, 2015.

Signed, sealed and delivered in the presence of:

Knights Haulage Limited Company

Ida Williams Campbell
Witness signature
IDA WILLIAMS-CAMPBELL

Rosemay T. Latortue
Print Name: Rosemay T. Latortue
Title: Secretary

Print witness name

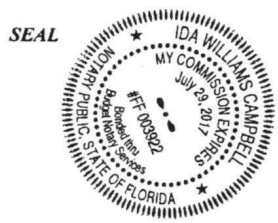
Linda Reddish
Witness signature
Linda Reddish
Print witness name

State of Florida
County of Hillsborough

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE. WITNESS MY HAND AND OFFICIAL SEAL THIS 14 DAY OF October, 2015
Hillsborough County, State of Florida
Clerk of the Circuit Court and Comptroller
By: *[Signature]*
Print: _____ As Deputy Clerk

THE FOREGOING INSTRUMENT was acknowledged before me this July 24, 2015 by Rosemay T. Latortue, Secretary of Knights Haulage Limited Company, a Florida Corporation, who has produced drivers license as identification.

Ida Williams Campbell
Notary Public
IDA WILLIAMS-CAMPBELL
Print Notary Name
My Commission Expires: 7/29/2017
Notary Seal





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Miracle Faith & Deliverance Church of God in Christ Inc

This cover letter is to inform you of our resubmittal for the current variance application requiring additional information.

The application request description has been revised to indicate proposed landscape buffers and indicate proposed location.

Please note a Site - Landscape Plan has been attached and a Survey Plan has been attached.

If you have any questions or comments, please call or email.

Thank you for your assistance,

William Buttmi (Representative)
wrbuttmi@designwrb.com
(727) 638-2595

JB BROMLEY CONSTRUCTION INC
2345 Southwind Lane Largo FL 33771
(727) 754-1194 Office (727) 224-2966 Mobile

22-1528

Variance Application Package



**Hillsborough
County Florida**
Development Services

Instructions to Applicants for Requests Requiring Public Hearing:

I. Prior to completing this application:

If you have any questions regarding your proposed project prior to submittal of this application, please email ZoningIntake-DSD@HCFLGov.net.

Please ensure you gather items that will need to be submitted prior to submitting your application as incomplete applications will not be accepted. Some of the items necessary may be obtained as follows:

- **Property information** such as folio numbers, future land use, current zoning, section/township/range and other information may be obtained by using the [Hillsborough County Map Viewer](#) and searching for the necessary address in the search bar at the top.
- **Sunbiz Forms** may be obtained by visiting Sunbiz.org.
- **A Copy of the Current Recorded Deed(s)** may be obtained by visiting the Hillsborough County Property Appraiser's website at HCPAFL.org and conducting a Property Search. Search by folio number or property address and select the correct result. Scroll down to 'Sales History' and select the most recent 'Instrument Number'. Select one of the results to view and save the current recorded deed.
- **Close Proximity Property Owners List** may be requested by emailing gisdept@hcpafl.org. Include all folio numbers and the buffer area in the request. *Please Note:* If your property has an Agricultural Future Land Use Designation or a Future Land Use Designation of RES-1 you must obtain a list of all property owners within 500 feet of the subject property. For all other Future Land Use Categories you must obtain a list of all property owners within 300 feet of the subject property.

II. Application submittal:

Part A and Part B of the submittal requirements include specific requirements and their requisite forms necessary for a complete and sufficient application submission.

- **Part A** will verify the property owner has authorized the application and includes forms and documents needed to verify the area for the proposed change.
- **Part B** includes the specific additional submittal requirements for the type of application being submitted.

Documents must be submitted as separate PDF documents with a minimum image resolution of 300 dpi labeled according to their contents and submitted in a single email to ZoningIntake-DSD@HCFLGov.net. Incomplete submittals will receive an email indicating the documents that are missing and will require a full resubmittal.

IMPORTANT: Review the entire application (both Parts A and B) for completeness prior to submission. Ensure you have your complete application submitted by 3:00 PM on the [cut-off day for your desired hearing](#) or your application will miss the cut-off and be continued to the next hearing date. Incomplete applications will not be accepted.

III. Post-application submittal:

Complete submittals will receive a payment request email. The deadline to make the payment is **one business day** after you receive this request. Failure to complete the payment by the deadline will result in application delays and/or additional Fastrack fees. Please view our [current fee schedule](#) for a list of zoning fees. Payments must be made through the [HillsGovHub portal](#). Instructions on how to [create an account](#) and [how to make a payment](#) are also available.

Remember, the Hillsborough County Land Development Code requires public notice for this category of application. After payment is received, you will receive a Letter of Notice that must be sent to all addresses on the Adjacent Property Owners List and/or HOA list. A Certificate of Mailing must also be provided. Instructions on completing your Letter of Notice and obtaining a Certificate of Mailing, will be sent with the Letter of Notice via email. Mailing deadlines and the deadline to submit the certificate of mailing will also be included on this email.



**Hillsborough
County Florida**
Development Services

Submittal Requirements for Applications Requiring Public Hearings

Official Use Only

Application No: _____ Intake Date: _____
 Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Applicant/Representative: William Buttmi (Representative) Phone: (727) 638-2595

Representative's Email: wrbuttmi@designwrb.com

The following information is used by reviewing agencies for their comments and should remain constant, with very few exceptions, throughout the review process. Additional reviews, such as legal description accuracy, compatibility of uses, agency reviews, etc., will still be conducted separately and may require additional revisions.

The following ownership information must be provided and will be verified upon submission initial submittal. If you are viewing this form electronically, you may click on each underlined item for additional information.

Part A: Property Information & Owner Authorization Requirements

	Included	N/A	Requirements
1	<input type="checkbox"/>	<input type="checkbox"/>	<u>Property/Applicant/Owner Information Form</u>
2	<input type="checkbox"/>	<input type="checkbox"/>	<u>Affidavit(s) to Authorize Agent</u> (if applicable) NOTE: All property owners must sign either the Application form or the Affidavit to Authorize Agent. If property is owned by a corporation, submit the Sunbiz information indicating that you are authorized to sign the application and/or affidavit.
3	<input type="checkbox"/>	<input type="checkbox"/>	<u>Sunbiz Form</u> (if applicable). This can be obtained at Sunbiz.org .
4	<input type="checkbox"/>	<input type="checkbox"/>	<u>Property/Project Information Sheet</u> All information must be completed for each folio included in the request.
5	<input type="checkbox"/>	<input type="checkbox"/>	<u>Identification of Sensitive/Protected Information and Acknowledgement of Public Records</u>
6	<input type="checkbox"/>	<input type="checkbox"/>	<u>Copy of Current Recorded Deed(s)</u>
7	<input type="checkbox"/>	<input type="checkbox"/>	<u>Close Proximity Property Owners List</u>
8	<input type="checkbox"/>	<input type="checkbox"/>	Legal Description for the subject site
9	<input type="checkbox"/>	<input type="checkbox"/>	Copy of Code Enforcement/Building Code Violation(s) (if applicable)
10	<input type="checkbox"/>	<input type="checkbox"/>	Fastrack Approval (if applicable)

Additional application-specific requirements are listed in Part B.



**Hillsborough
County Florida**
Development Services

Property/Applicant/Owner Information Form

Official Use Only

Application No: _____ Intake Date: _____
 Hearing(s) and type: Date: _____ Type: _____ Receipt Number: _____
 Date: _____ Type: _____ Intake Staff Signature: _____

Property Information

Address: 11725 14th St. City/State/Zip: Tampa, FL 33612-5533
 TWN-RN-SEC: 07-28-19 Folio(s): 036016-0000 Zoning: RMC-16 Future Land Use: PD Property Size: 305x127

Property Owner Information

Name: Pastor Rodney Bandy Daytime Phone (813) 928-5683
 Address: 9709 Timmons Road City/State/Zip: Thonotosassa, FL 33592
 Email: rodbandy@yahoo.com Fax Number _____

Applicant Information

Name: Pastor Rodney Bandy Daytime Phone (813) 928-5683
 Address: 9709 Timmons Road City/State/Zip: Thonotosassa, FL 33592
 Email: _____ Fax Number _____

Applicant's Representative (if different than above)

Name: Doug Buttmi / JB Bromley Construction, Inc. Daytime Phone (727) 488-8384
 Address: P.O. Box 1885 City/State/Zip: Pinellas Park FL 33780
 Email: estimating.jbbcinc@gmail.com Fax Number _____

I hereby swear or affirm that all the information provided in the submitted application packet is true and accurate, to the best of my knowledge, and authorize the representative listed above to act on my behalf on this application.

Doug Buttmi

Signature of the Applicant

Doug Buttmi

Type or print name

I hereby authorize the processing of this application and recognize that the final action taken on this petition shall be binding to the property as well as to the current and any future owners.

Pastor Rodney Bandy

Signature of the Owner(s) – (All parties on the deed must sign)

Pastor Rodney Bandy

Type or print name