

MINUTES

MARION COUNTY BOARD OF ADJUSTMENT May 4, 2026

A public hearing of the Marion County Board of Adjustment was held on May 4, 2026, at 2:00 p.m. in the Marion County Growth Services Training Room, 2710 E. Silver Springs Boulevard, Ocala, Florida.

The meeting was called to order at 2:00 p.m. Members present, creating a quorum, were Chairman Donald Barber, Vice Chairman C. Cadell Hager, Len Racioppi, Jackie Alsobrook, Samuel Hunt, Zilca Diaz and George Thron, Jr. Staff members present were: Assistant County Attorney Linda Blackburn, Director Chuck Varadin, Deputy Director Ken Weyruach, Planners Erik Kramer, Jared Rivera and Kathleen Brugnoli, GIS Technician Analyst Antony Alva, and Administrative Staff Assistant Kimberly Lamb.

George Thron, Jr. delivered the Invocation, followed by Zilca Diaz leading the Pledge of Allegiance.

Chairman Barber and Attorney Blackburn explained the procedures for hearing variance requests, and Attorney Blackburn administered the Oath en masse.

Kimberly Lamb proceeded by reading the provided Affidavit of Publication and the Proof of Required Mailing and Posting of Notice and advised that the meeting was properly noticed.

2.1. 260401V – Betty Jo and Mealy W. Reed, Jr., request a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the front (Lakeside) setback from 75' to 55' for a pool and deck, in a Single-Family Dwelling (R-1) zone, on Parcel Number 45568-000-00, Site Address 10410 SE 138th Place Road, Summerfield, FL 34491

Jared Rivera presented the case and read the report into the record, stating this request is to reduce the front (Lakeside) setback for a pool and deck.

13 homeowners were notified within 300' of the parcel. No letters of support or opposition were received.

Ed Abshire, 5614 SE 111th Street, Belleview, Ocala 34420, agent, addressed the board. Mr. Abshire explained that other properties have been given variances for the same reasons. He also stated that it's the best spot for the pool and deck.

There was no one in the audience to speak for or against the request, and the chair closed the public portion of the hearing.

C. Cadell Hager made a motion to **approve** the variance as requested and moved that, having heard competent, substantial evidence, the Board finds that: 1. A special condition or circumstance exists on the property that does not exist on other properties within the same zoning and land use area; 2. The applicant did not cause the special condition or circumstance; 3. Literal enforcement of the regulations would create unnecessary and undue hardship and deprive the applicant of rights commonly enjoyed by other properties within the same zoning and land use area; 4. The variance is the minimal variance that will allow reasonable use of the property; 5. The variance will not confer any special privilege on the applicant that is denied to other properties within the same zoning and land use area; and 6. The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare, and the Board grants the variance.

Len Racioppi made a motion to second.

Motion to Approve - Passed 5 to 1, with Jackie Alsobrook dissenting.

2.2. 260402V – Brite Properties of Florida, LLC, requests a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the (Front) setback from 25' to 20' for 46 parcels, in a Single-Family Dwelling (R-1) zone, on Parcel Account Numbers 8002-0072-01, 8002-0074-01, and Various Others, Site Addresses Various Parcels in Marion Oaks Unit 2 Subdivision, Ocala, FL 34473

Erik Kramer presented the case and read the report into the record, stating this request is to reduce the (Front) setback from 25' to 20' for 46 parcels.

124 homeowners were notified within 300' of the parcel. No letters of support or opposition were received.

Austin Daly, 40 SE 11th Avenue, Ocala, FL 34471, agent, addressed the board. Mr. Daly explained that the code was amended in April 2024 and now specifies a 20-foot setback requirement. His clients relied on this updated information, completed their due diligence, and obtained stamped plans reflecting approval of the 20-foot setback. However, the County has since informed the clients that they must obtain a variance to reduce the required setback from 25 feet to 20 feet.

Brandy Smith, 312 Marion Oaks Boulevard, Ocala, FL 34473, addressed the board. Her concerns relate to the adjacent community and the potential impacts on the surrounding neighborhood. Approximately 70 homes are being constructed, and she is questioning whether the requested variance would affect those homes.

The chair closed the public portion of the hearing.

Donald Barber made a motion to **approve** the variance as requested and **to include the additional Special Condition of: this variance will not apply to the replacement or substantial rebuilding** and moved that, having heard competent, substantial evidence, the Board finds that: 1. A special condition or circumstance exists on the property that does not exist on other properties within the same zoning and land use area; 2. The applicant did not cause the special condition or circumstance; 3. Literal enforcement of the regulations would create unnecessary and undue hardship and deprive the applicant of rights commonly enjoyed by other properties within the same zoning and land use area; 4. The variance is the minimal variance that will allow reasonable use of the property; 5. The variance will not confer any special privilege on the applicant that is denied to other properties within the same zoning and land use area; and 6.

The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare, and the Board grants the variance.

Samuel Hunt made a motion to second.

Motion to Approve with Special Conditions, the reduced setback granted will not apply to the replacement or substantial rebuilding. - Passed 6 to 0.

2.3. 260501V – Vickie Sue Rudasil and Paula Rudasil, request a **Variance** in accordance to Section 2.9 of the Marion County Land Development Code, to reduce the (side) setback from 8' to 2'9" for an existing RV carport in a Mixed Residential (R-4) zone, on Parcel Account Number 00359-005-01, Site Address 16825 NE 243rd Place Road, Fort McCoy, FL 32134

Jared Rivera presented the case and read the report into the record, stating this request is to reduce the (side) setback from 8' to 2'9" for an existing RV carport.

6 homeowners were notified within 300' of the parcel. No letters of support or opposition were received.

There was no one in the audience to speak for or against the request, and the chair closed the public portion of the hearing.

C. Cadell Hager made a motion to **approve** the variance as requested and **to include the additional Special Condition of: Building permit to be completed for the RV carport** and moved that, having heard competent, substantial evidence, the Board finds that: 1. A special condition or circumstance exists on the property that does not exist on other properties within the same zoning and land use area; 2. The applicant did not cause the special condition or circumstance; 3. Literal enforcement of the regulations would create unnecessary and undue hardship and deprive the applicant of rights commonly enjoyed by other properties within the same zoning and land use area; 4. The variance is the minimal variance that will allow reasonable use of the property; 5. The variance will not confer any special privilege on the applicant that is denied to other properties within the same zoning and land use area; and 6. The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare, and the Board grants the variance.

Zilca Diaz made a motion to second.

Motion to Approve with Special Conditions, the reduced setback granted, and the building permit to be completed for the RV carport. - Passed 5 to 0.

OTHER BUSINESS:

- Richard Stout, 3445 NE 24th Street, Ocala, FL 34470, brought to the board's attention that his client received a fraudulent email.
- Chairman Donald Barber requested that the training links be sent to the board members.

MINUTES: None

ADJOURNED: The meeting adjourned at 3:48 p.m.



Donald M. Barber, Chairman

Attest:



Kimberly Lamb, Administrative Staff Assistant

VARIANCE ACTION FORM

ITEM NO: 260401V

DATE OF PUBLIC HEARING: MAY 4, 2026

OWNER NAME(s):

Betty Jo & Mealy W. Reed, Jr.
10410 138th Place Road
Summerfield, FL 34491

AGENT NAME(s):

Ed Abshier
P.O. Box 2770
Bellevue, FL 34421

LEGAL DESCRIPTION OF PROPERTY: Parcel Account No. 45568-000-00, SEC 11 TWP 17 RGE 23, in Marion County, Florida.

VARIANCE REQUESTED: Request to reduce the Front (lakeside) setback from 75' to 55' for a pool and deck in a Single-Family Dwelling (R-1) zone.

FINDINGS OF BOARD OF ADJUSTMENT

1. Written Petition. A written petition for a Variance has been submitted demonstrating that:

- A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.
- B. The special conditions and circumstances do not result from the actions of the applicant.
- C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship of the applicant.
- D. The Variance, if granted, in the minimum Variance that will allow the reasonable use of the land, building or structure.
- E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings of structures in the same zoning classification and land use area.
- F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

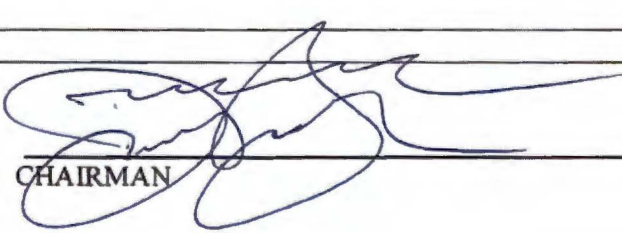
2. X **GRANTED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have been demonstrated by the applicant for Variance.
(5-1)

3. _____ **DENIED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have not been demonstrated by the applicant for Variance.

4. _____ **CONDITIONS & SAFEGUARDS:**

A. Should the structure be removed for any reason, any replacement structure must meet the then required setbacks, or a variance must be requested. _____

B. _____


CHAIRMAN

05-04-2026
DATE

VARIANCE ACTION FORM

ITEM NO: 260402V

DATE OF PUBLIC HEARING: MAY 4, 2026

OWNER NAME(s):

Brite Properties of Florida, LLC
P.O. Box 770279
Orlando, FL 32877

AGENT NAME(s):

Klein & Klein
40 SE 11th Avenue
Ocala, FL 34471

LEGAL DESCRIPTION OF PROPERTY: Parcel Account Nos. SEE ATTACHED LIST, SEC 23 TWP 17 RGE 21, in Marion County, Florida.

VARIANCE REQUESTED: Request to reduce the (Front) setback from 25' to 20' for 46 Parcels, in a Single-Family Dwelling (R-1) zone.

FINDINGS OF BOARD OF ADJUSTMENT

1. **Written Petition.** A written petition for a Variance has been submitted demonstrating that:

- A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.
- B. The special conditions and circumstances do not result from the actions of the applicant.
- C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship of the applicant.
- D. The Variance, if granted, in the minimum Variance that will allow the reasonable use of the land, building or structure.
- E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings of structures in the same zoning classification and land use area.
- F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

2. X **GRANTED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have been demonstrated by the applicant for Variance.

(6-0)

3. **DENIED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have not been demonstrated by the applicant for Variance.

4. X **CONDITIONS & SAFEGUARDS:**
A. Should the structure be removed for any reason, any replacement structure must meet the then required setbacks, or a variance must be requested.

B. _____

CHAIRMAN

05-04-26
DATE

The variance request applies to, and the applicant intends to use, the following Marion County Parcel Identification Numbers ("PIDs") as the subject parcels (collectively, the "Subject Property"):

8002-0073-01	8002-0092-23
8002-0084-01	8002-0094-01
8002-0087-01	8002-0095-16
8002-0091-01	8002-0083-12
8002-0092-01	8002-0083-13
8002-0095-01	8002-0083-14
8002-0084-13	8002-0083-15
8002-0072-01	8002-0083-16
8002-0074-01	8002-0083-17
8002-0076-02	8002-0083-18
8002-0076-03	8002-0083-19
8002-0076-04	8002-0083-20
8002-0078-01	
8002-0079-01	
8002-0079-16	
8002-0084-09	
8002-0084-10	
8002-0084-11	
8002-0084-12	
8002-0084-14	
8002-0084-15	
8002-0085-01	
8002-0086-01	
8002-0088-01	
8002-0088-02	
8002-0088-03	
8002-0088-04	
8002-0088-05	
8002-0088-06	
8002-0088-07	
8002-0088-08	
8002-0088-09	
8002-0089-01	
8002-0090-01	

VARIANCE ACTION FORM

ITEM NO: 260501V

DATE OF PUBLIC HEARING: MAY 4, 2026

OWNER NAME(s):

Vickie Sue Rudasil and Paula Rudasil
16825 NE 243rd Place Road
Fort McCoy, FL 32134

AGENT NAME(s):

I.P.C. Services, Inc.
3445 NE 24th Street
Ocala, FL 34470

LEGAL DESCRIPTION OF PROPERTY: Parcel Account No. 00359-005-01, SEC 27 TWP 11 RGE 24, in Marion County, Florida.

VARIANCE REQUESTED: Request to reduce the (Side) setback from 8' to 2'9" for an existing RV carport, in a Mixed Residential (R-4) zone.

FINDINGS OF BOARD OF ADJUSTMENT

1. Written Petition. A written petition for a Variance has been submitted demonstrating that:

- A. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.
- B. The special conditions and circumstances do not result from the actions of the applicant.
- C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship of the applicant.
- D. The Variance, if granted, in the minimum Variance that will allow the reasonable use of the land, building or structure.
- E. Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings of structures in the same zoning classification and land use area.
- F. The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

2. X **GRANTED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have been demonstrated by the applicant for Variance.

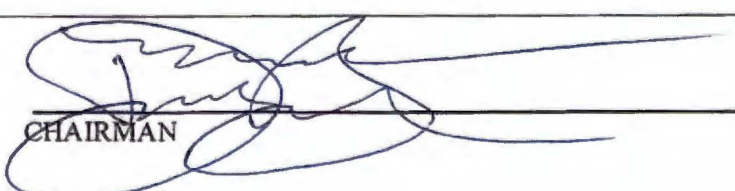
(5-0)

3. **DENIED:** Based on the Board of Adjustment's finding that the requirements of Paragraph 1 above have not been demonstrated by the applicant for Variance.

4. **CONDITIONS & SAFEGUARDS:**

A. Should the structure be removed for any reason, any replacement structure must meet the then required setbacks, or a variance must be requested.

B. Building permit to be completed for R.V. Carport


CHAIRMAN

05-04-26
DATE