

**MARION COUNTY  
STAFF VESTING COMMITTEE  
VESTING CASE NO. 92-8**

In Re: MedX Corporation  
Donald Heckman, Agent  
1155 N.E. 77th Street  
Ocala, Florida 32670

**ORDER APPROVING VESTED RIGHTS**

On June 24, 1992, the Marion County Staff Vesting Committee met to consider the application for vesting determination submitted by the above-referenced applicant for a manufacturing development on 11.02 acres of property.

The Committee hereby adopts the following findings of fact:

1. PROJECT DESCRIPTION:

This 40.28 acre project is located on NE 77th Street approximately halfway between West Anthony Road and Old Jacksonville Road. Eleven (11.02) acres of the project area is currently zoned M-1 and contains several existing structures for the manufacture of exercise equipment and is adjacent to an existing paved aircraft runway. The balance of the project, 29.26 acres, is zoned A-1 and is used for agricultural purposes. The project is located in the rural area, and is not in the 100 year flood plain or the Environmentally Sensitive Overlay Zone.

2. The 11.02 acre parcel was rezoned by the Board of County Commissioners on January 10, 1980. Building permits were obtained for the first two manufacturing buildings which were completed in October, 1989. The building permits for buildings 3 and 4 were obtained in December, 1989. Building 3 was completed in March 1991. Building 4 was delayed and the permit expired in December 1990. In December, 1991, a building permit application for building 4 was submitted and provisional permit issued subject to submittal and approval of a 79-1 drainage plan. The final approvals of the drainage plan is awaiting the results of this request. A Master Plan for the 11.02 acre, M-1 zoned property has been submitted.

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3. The 79-1 drainage plan shows buildings 1 through 4 plus two proposed buildings.

4. Expenditures:

Construction of buildings 1 and 2	\$ 200,000.00
Construction of building 3	180,000.00
Construction of building 4	200,000.00
Other improvements, roads, parking, etc.	25,000.00
Design fees	5,137.00 - 0.08%
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TOTAL COST OF DESIGN AND DEVELOPMENT	\$ 610,137.00

5. The development of this property was permitted by the Comprehensive Plan and Land Development Regulations in effect prior to February 12, 1992.

6. The project was determined to be inconsistent with the Comprehensive Plan due to its location in the rural area where industrial uses are limited to those compatible with the rural character.

Based on the findings of facts above, the Staff Vesting Committee hereby finds and determines:

1. Marion County Ordinance 92-11 provides the Staff Committee shall provide the applicant with written notification of the determination of vested status including findings of fact supporting such determination, within ten (10) working days after making said determination.

2. The applicant has submitted sufficient information to support that he has made a substantial change in position or has incurred extensive obligations or expenses and it would be inequitable, unjust or fundamentally unfair to deny the development rights acquired by the applicant.

3. On June 24, 1992, the Vesting Committee voted unanimously to approve the vested rights of the applicant.

4. The applicant was not charged an application fee and no refund is due the applicant.

Accordingly, the Marion County Staff Vesting Committee has determined the applicant has vested rights to complete the development of buildings 1 through 4 plus two proposed buildings in

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accordance with the proposed drainage plan providing the applicant receives a final local development order on building 4 and the two proposed buildings within 18 months of the date of this order and continues development activity in good faith.

Done and Ordered this 8th day of July, 1992.



Ron Fuller, Second Vice-Chairman  
Staff Vesting Committee

Copies Furnished To:

Donald Heckman, Agent

Parnell Townley, Chairman

Arla Bernstein, Community Development Director

Carol Pacheco, Secretary

Thomas D. MacNamara, Assistant County Attorney

Tom Klinker, Finance Director