



Marion County Board of County Commissioners

Date: 10/4/2021

P&Z: 9/27/2021 BCC: 10/19/2021

Application No:
211006Z
[AR# 27182]

Type of Application:
Rezoning to PUD

Request:
From: R-1, Single
Family Dwelling
To: PUD, Planned Unit
Development (82 units)

**Future Land Use
Designation:**
High Residential (4-8
du/ac)

Parcel #/Acreage:
9007-0000-12;
10.33 AC

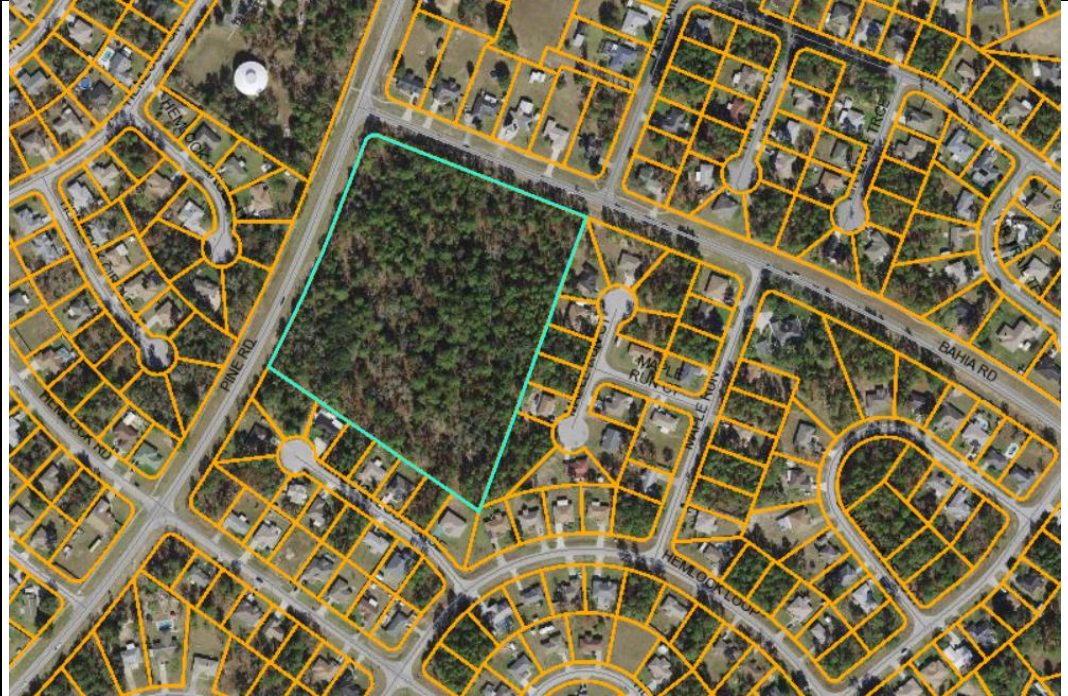
Existing Use:
Vacant

Owner/Applicant(s):
Armstrong Land, LLC/
Tillman & Associates
Engineering

**Staff
Recommendation**
Approval with
Development
Conditions

**P&Z
Recommendation:**
Approval with
Development
Conditions

Staff Planner
Dan Zhu



Item Summary

Staff is recommending **APPROVAL WITH DEVELOPMENT CONDITIONS** for rezoning from R-1, Single Family Dwelling to PUD (Planned Unit Development) on ±10.33 acres, in accordance with Marion County Land Development Code (LDC), Article 2, Division 7, *Zoning Change*. This request is proposed for a residential development with 82 units. Staff is recommending approval because the proposed PUD is consistent with the Comprehensive Plan and compatible with the surrounding area.

Public Notice

Notice of the public hearing was mailed to 64 property owners within 300 feet of the subject property. Four written comments in opposition have been received at the time of this report's distribution or 6%.

Location

The property is located at the east of Pine Rd. and south of Bahia Rd, approximately half a mile northeast of SE Maricamp Rd.

Background

The applicant is requesting rezoning from R-1, Single Family Dwelling to PUD, Planned Unit Development for the intended use of attached single family residential development of 82 units on 10.33 acres. The previously approved zoning change (051010Z) was from B-2, Community Business, to R-1, Single Family Dwelling.

**Code Enforcement
Action:**
None

Analysis

The site is located within the Silver Springs primary springs protection zone and outside of the Urban Growth Boundary. According to Marion County Comprehensive Plan Policy 2.1.19, High Residential (HR), the density range shall be four (4) dwelling units to eight (8) dwelling units per one (1) gross acre. The site is 10.33 acres, which allows for a maximum of 82.64 units thus meeting the maximum density allowed for HR designation.

Buffer

The applicant has proposed a Type C buffer along the right-of-way (ROW), adjacent to Pine Rd and Bahia Rd. Type E buffers were proposed on the southwest and southeast of the subject property, adjacent to the existing single family dwelling which is inconsistent with the LDC. According to LDC Article 1, Division 2, the definition of multi-family is any residential development project that consists of more than two dwelling units per building, or eight dwelling units or more per gross acre. The proposed “single family attached dwelling townhome” consists of 6 or 8 units per building and is therefore considered Multi-family residential. The size of each lot will be 20 to 25 ft. by 60 to 65 ft. The site is surrounded with approximately 0.25 acre lots of single family dwellings on its southeast and southwest portion of the property. Per LDC Sec. 6.8.6, a Type A buffer is required on the southeast and southwest portion of the property that abuts existing single-family dwellings.

In addition, the conceptual plan shows the location of an amenity center with handicapped parking and a tentative pool with a maximum building height of 40 feet. The building height is consistent with LDC Sec. 4.2.31. The conceptual plan indicates the locations of the property access and a stabilized emergency access. LDC Sec 6.11.4 states a residential development with more than 50 developable lots shall have a minimum of two access points therefore requiring an additional full access

The Development Review Committee reviewed the application. The Traffic Division commented this project is expected to generate less than 50 peak hour trips. A traffic analysis is not required. However, sidewalks are required on both sides of Pine Road and Bahia Road including connections to the existing sidewalks on Pine Road and Bahia Road. The Environmental Services Department commented a public water connection is required without extension, and the sewer connection may require an extension, depending on final development.

ADJACENT PROPERTIES			
Direction of Adjacency	Future Land Use Designation	Zoning	Existing Use/MCPA Property Class
North	Public High Density Residential	R-1 Single-Family Dwelling	(86) County Property (01) Improved Residential
South	High Density Residential	R-1 Single-Family Dwelling	(01) Improved Residential (00) Vacant Residential
East	High Density Residential	R-1 Single-Family Dwelling	(00) Vacant Residential (01) Improved Residential
West	High Density Residential	R-1 Single-Family Dwelling	(00) Vacant Residential (01) Improved Residential

Infrastructure

Pine Rd and Bahia Rd provide access to the subject property.

Road	Classification	Maintenance	Existing Conditions			
			Surface	No. Lanes	R/W Min. Width	R/W Deficiency
Pine Rd	Major Local	County	Paved	2	100'	0'
Bahia Rd	Major Local	County	Paved	4	100'	0'

In reaching its decision, the Commission must address the following:

- 1. Granting the proposed zoning change will not adversely affect the public interest.** The subject properties are located adjacent to residential on its north, south, west and east. Creating a residential community could greatly benefit this area.
- 2. The proposed zoning change is consistent with the current Comprehensive Plan.** The FLU Map 1: Marion County 2045 Future Land Use Map of the Comprehensive Plan designates these properties as High Residential. According to Policy 2.1.19., this land use designation is intended to recognize areas suited for a mixture of single-family and multi-family residential units to recognize existing and new development that is located within the urban area. This request is consistent with the Comp Plan.

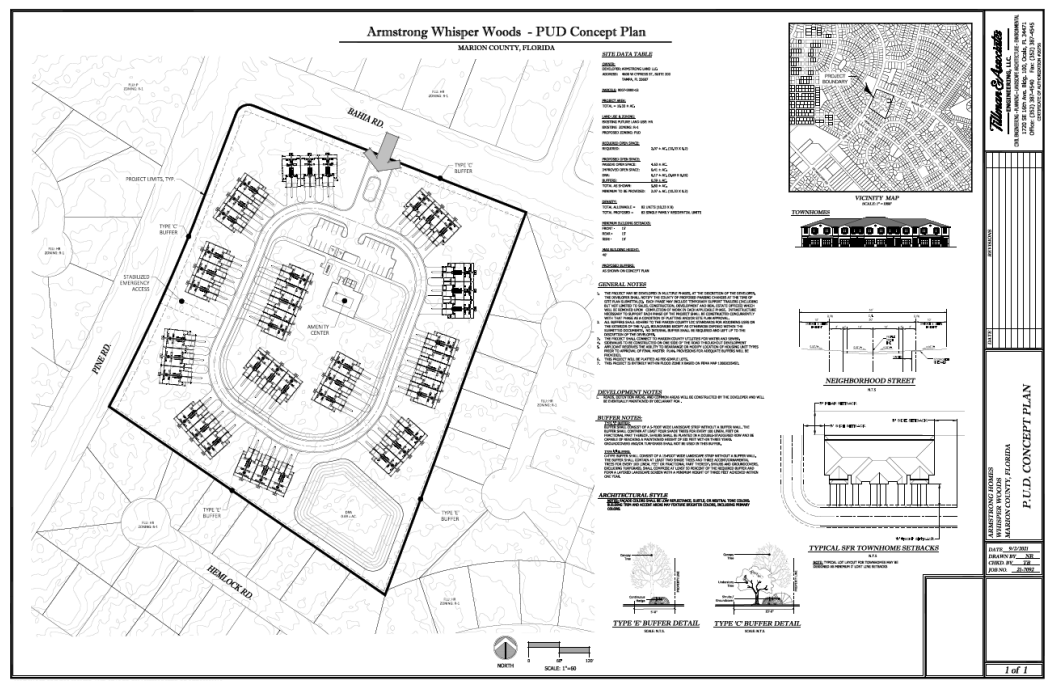
3. The proposed zoning change is compatible with land uses in the surrounding area. There are residential properties within the vicinity of the subject property. The request is compatible with land uses and the long term planning of this area.

**PLANNING & ZONING COMMISSION RECOMMENDATION:
Approval with Development Conditions**

Staff Recommendation: Approval with Development Conditions

1. The project shall be developed consistent with the Conceptual Plan dated 09/02/21, the application, and LDC unless otherwise revised by the conditions of approval.
2. A minimum of two full access points are required.
3. A Type A buffer is required on the southwest and southeast portion of the property that abuts existing single family dwellings.

Conceptual Plan (received on Sept 2nd, 2021)



Zoning and Land Use



A view to the subject property from Bahia Rd



A view to the subject property from Pine Rd



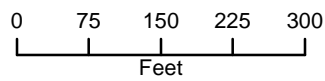
Bahia Rd



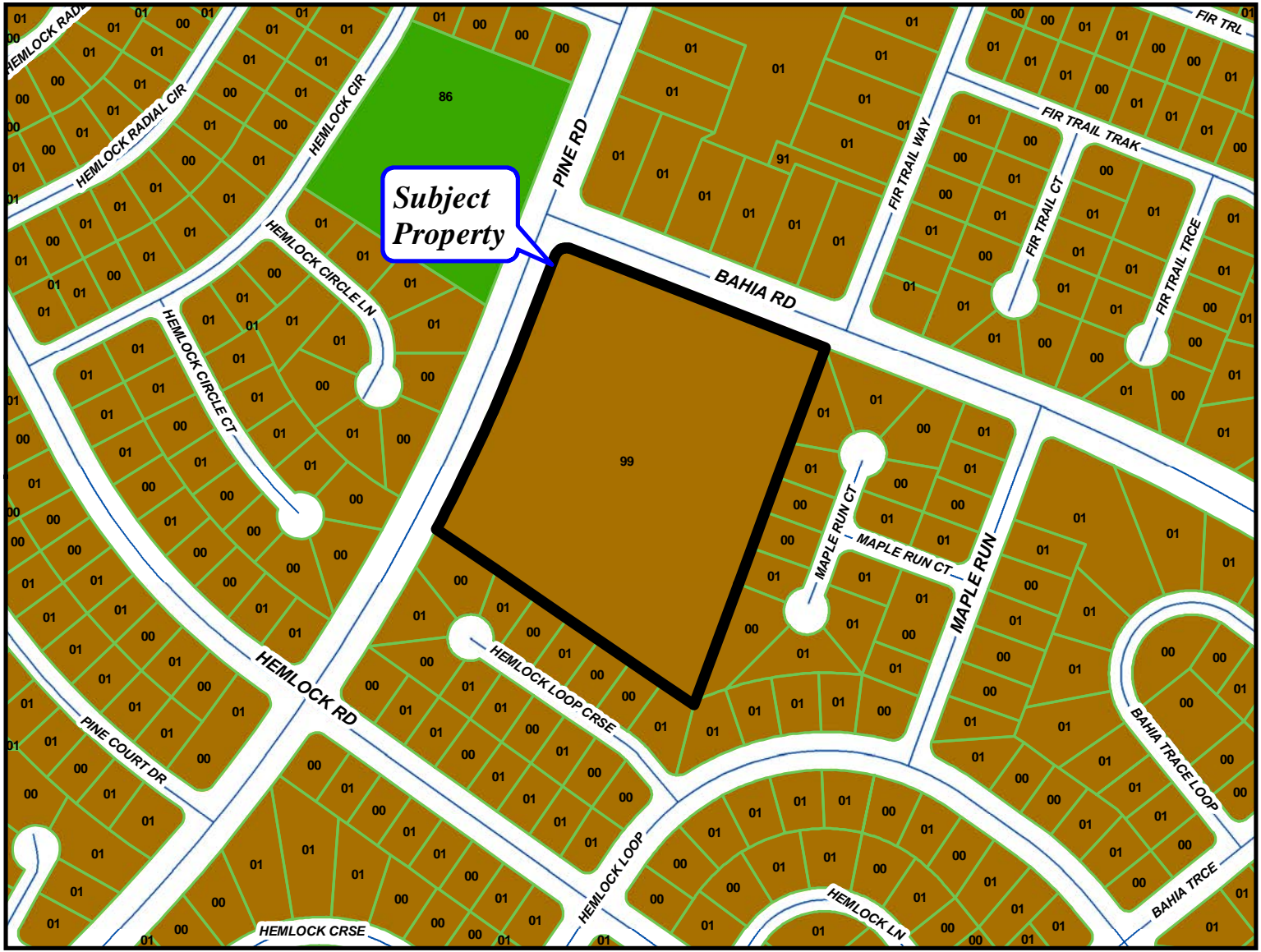
View of the nearby residential property



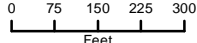
Aerial: 211006Z



Existing Land Use Designation 211006Z



Subject Property



Use per MC Property Appraiser	
01	Single Family Res
50-69/99	Agricultural
00/10/40/70	Vacant
71	Church
02	Mobile Home
06-07/11-39	Commercial
41-49	Industrial
83-98	Public
82	Recreation
03-05/08	Multi-Family
77	Club/Lodge/Union Hall

OWNER(S): Armstrong Land, LLC.

AGENT: Tillman and Associates Engineering

PARCEL(S): 9007-0000-12



All provided GIS data is to be considered a generalized spatial representation, which is subject to revisions. The feature boundaries are not to be used to establish legal boundaries. For specific visual information, contact the appropriate county department or agency. The information is provided visual representation only and is not intended to be used as legal or official representation of legal boundaries.



Legend

- All Amendments
- Rural Land (1 du/10 ac)
- Urban Residential (8 - 16 du/ac)
- Employment Center (0 - 12 du/ac; FAR 2.0)
- ★ Policy 1.20
- Low Residential (0 - 1 du/ac)
- Rural Activity Center (0 - 2 du/ac; FAR 0.35)
- Commerce District (N/A; FAR 2.0)
- Medium Residential (1 - 4 du/ac)
- Rural Community (0 - 3 du/ac; FAR 0.70)
- Public (N/A; FAR 1.0)
- High Residential (4 - 8 du/ac)
- Commercial (0 - 6 du/ac; FAR 1.0)
- Preservation (N/A; N/A)
- Farmland Preservation Area
- Environmentally Sensitive Overlay Zone (ESOZ)
- Municipality

2110063
AR# 27182
PA#: 9007-0000-12



Marion County
Board of County Commissioners

Growth Services ■ Planning & Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2675
Fax: 352-438-2676

PUD

APPLICATION FOR REZONING

Application No.: 2110063

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from R-1

to PUD, for the intended use of:
PUD for residential development. "Townhomes" "Whisper Woods" w/ proposed 82 units

Legal description: (please attach a copy of the deed and location map)

Parcel account number(s): 9007-0000-12

Property dimensions: _____ Total acreage: 10.33 +/-

Directions: Take SE Maricamp Road southeasterly, turn L on Pine Road, subject property on R just before Bahia Road.

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

Armstrong Land LLC <u>40 A-Plus Homes, Inc.</u>	Tillman & Associates Engineering
Property owner name (please print) 4600 W Cypress St, Suite 200	Applicant or agent name (please print) 1720 SE 16th Avenue, Bldg 100
Mailing address Tampa, FL 33607	Mailing address Ocala, FL 34471
City, state, zip code <u>NA</u>	City, state, zip code 352-387-4540
Phone number (please include area code) <u>NA</u>	Phone number (please include area code) <u>[Signature]</u>

Signature

Signature

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is \$1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

 RECEIVED BY: CR/wkw DATE: 8/4/21 ZONING MAP NO.: 234/J-100 AR# 27182
Proj. # 2007060044 S 5 T 16 R 23 Rev. 01/11/2021