



Marion County

Development Review Committee

Meeting Minutes

412 SE 25th Ave
Ocala, FL 34471
Phone: 352-671-8686

Monday, August 5, 2024

9:00 AM

Office of the County Engineer

MEMBERS OF THE PUBLIC ARE ADVISED THAT THIS MEETING / HEARING IS A PUBLIC PROCEEDING, AND THE CLERK TO THE BOARD IS MAKING AN AUDIO RECORDING OF THE PROCEEDINGS, AND ALL STATEMENTS MADE DURING THE PROCEEDINGS, WHICH RECORDING WILL BE A PUBLIC RECORD, SUBJECT TO DISCLOSURE UNDER THE PUBLIC RECORDS LAW OF FLORIDA. BE AWARE, HOWEVER, THAT THE AUDIO RECORDING MAY NOT SATISFY THE REQUIREMENT FOR A VERBATIM TRANSCRIPT OF THE PROCEEDINGS, DESCRIBED IN THE NOTICE OF THIS MEETING, IN THE EVENT YOU DESIRE TO APPEAL ANY DECISION ADOPTED IN THIS PROCEEDING.

1. ROLL CALL

MEMBERS PRESENT:

Michael Savage Chairman (Building Safety Director)
Ken McCann, Vice Chairman (Fire Marshal)
Steven Cohoon (County Engineer)
Chuck Varadin (Growth Services Director)
Jody Kirkman (Utilities Director)

OTHERS PRESENT:

Ken Odom (Planning/Zoning)
Susan Heyen (Landscape/Parks)
Dana Olesky (Legal)
Kevin Vickers (Office of the County Engineer)
Heather Ringo (Office of the County Engineer)
Chris Zeigler (Office of the County Engineer)
Brittney Murphy (Office of the County Engineer)
Kristen Savage (Office of the County Engineer)

2. PLEDGE OF ALLEGIANCE

3. ADOPT THE FOLLOWING MINUTES:

3.1. July 29, 2024

Motion by Ken McCann to approve the minutes, seconded by Jody Kirkman

Motion carried 5-0

4. PUBLIC COMMENT: None

5. CONSENT AGENDA: STAFF HAS REVIEWED AND RECOMMENDS APPROVAL

**5.1. Jordan Jeffrey Lee - Waiver Request for Family Division
12400 NE Hwy 314 Silver Springs
Project #2024030005 #31804 Parcel #16220-000-00
Jordan Jeffrey Lee**

LDC 2.16.1.B(10) - Family Division

CODE states Family Division. A parcel of record as of January 1, 1992 that is located in the Rural Land may be subdivided for use of immediate family members for their primary residences. Within the Farmland Preservation area, each new tract and the remaining parent tract must be at least three (3) acres in size. Within the Rural Land outside of the Farmland Preservation area each new tract and the remaining parent tract must be at least one acre in size. In the Urban Area, only parcels of record as of January 1, 1992 which are low density residential property exceeding two acres in size may be divided for the use of immediate family members for their primary residences up to the maximum density of one dwelling unit per gross acre. Immediate family is defined as grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child, or grandchild. A parcel of record shall not be allowed to be divided more than three times as a family division. Minimum access onto a road or street shall be 40 feet in width and shall be provided by recorded deed or by recorded non-exclusive easement. No subdivision to the same family member more than once every five years shall be permitted. Any subdividing of a parcel of record for the purpose of family division shall follow the waiver request process.

APPLICANT requests family division to give 4.5 acres to son Matthew Jordan.

**5.2. Sanders Romaine Marcum - Waiver Request for Family Division
2850 NE 41st PL Ocala
Project #2024070072 #31811 Parcel #15842-001-01
Sanders Romaine Marcum**

LDC 2.16.1.B(10) - Family Division

CODE states Family Division. A parcel of record as of January 1, 1992 that is located in the Rural Land may be subdivided for use of immediate family members for their primary residences. Within the Farmland Preservation area, each new tract and the remaining parent tract must be at least three (3) acres in size. Within the Rural Land outside of the Farmland Preservation area each new tract and the remaining parent tract must be at least one acre in size. In the Urban Area, only parcels of record as of January 1, 1992 which are low density residential property

exceeding two acres in size may be divided for the use of immediate family members for their primary residences up to the maximum density of one dwelling unit per gross acre. Immediate family is defined as grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child, or grandchild. A parcel of record shall not be allowed to be divided more than three times as a family division. Minimum access onto a road or street shall be 40 feet in width and shall be provided by recorded deed or by recorded non-exclusive easement. No subdivision to the same family member more than once every five years shall be permitted. Any subdividing of a parcel of record for the purpose of family division shall follow the waiver request process.

APPLICANT requests family division to give one acre to son for his residence.

- 5.3. WME Waiver for MO10 8010-0968-10 - Waiver Request to Water Main Extension 6965 SW 132nd PL Ocala
Project #2024070070 #31805 Parcel #8010-0968-10
Holiday Builders**

LDC 6.14.2.A(3) - Water Main Extension to Farthest Property Corner

CODE states When property is within connection distance to water, the water main shall be extended to the farthest property line by Developer. Refer to Sec. 6.15.3.B for fire hydrant installation requirements.

APPLICANT states Water main exists at parcel's corner but not across as is required by Code 6.14.2.A(3). Conditional Waiver approved provided applicant (1) opens a water utility account with MCU; (2) pays all Connection charges; and (3) pays \$5K capital connection fee as this is part of a pending ARPA grant to design and extend water main for all gaps in Marion Oaks Units 7/10.

Motion by Jody Kirkman to approve items 5.1 through 5.3 on the consent agenda, seconded by Ken McCann

Motion carried 5-0

6. SCHEDULED ITEMS:

- 6.1. Marion Oaks Unit 2 Improvement - Waiver Request to Improvement Plan in Review
Project #1999001650 #29457 Parcel #8002-0088-11
Radcliffe Engineering**

LDC 6.12.12.A, B, & C - Sidewalks

CODE states A. Sidewalks shall be provided in the Urban Area, Rural Activity Centers, and Specialized Commerce Districts along arterial, collector, and major local streets where these streets adjoin the project and minimally along one side of the internal streets. Sidewalks shall be constructed with all-weather surfaces and shall meet Americans with Disabilities Act, Florida Building Code, and FDOT Design Standards. B. Sidewalks outside the right-of-way and independent of the street system are encouraged as an alternative to sidewalks parallel to a roadway,

provided equivalent pedestrian needs are met. C. The sidewalk system shall provide connectivity between existing and proposed developments.

APPLICANT requests sidewalk requirement waiver with a condition that the sidewalks will be constructed at the time of home construction and at the end of two years or 60 percent development, the remainder of the sidewalks will be constructed.

Motion by Jody Kirkman to table until applicant is able to attend, seconded by Michael Savage

Motion carried 5-0

Applicant was in attendance via WebEx but had difficulty connecting due to Hurricane Debby. Item was discussed after 6.3 on this agenda.

Motion by Jody Kirkman to rehear, seconded by Steven Cohoon

Motion carried 5-0

Motion by Jody Kirkman to approve the waiver request, seconded by Steven Cohoon

Motion carried 5-0

LDC 6.12.9.K - Subdivision roads and related infrastructure

CODE states Centerline radii shall be designed to accommodate the minimum design speed of 30 mph for subdivision local and minor local roads, 40 mph for major local and collector roads, and 45 mph for arterial roads in accordance with FDOT and AASHTO Standards.

APPLICANT requests waiver to provide appropriate warning signage for decreased speed on curves not meeting 30 mph design speed requirement.

Motion by Jody Kirkman to table until applicant is able to attend, seconded by Michael Savage

Motion carried 5-0

Applicant was in attendance via WebEx but had difficulty connecting due to Hurricane Debby. Item was discussed after 6.3 on this agenda.

Motion by Jody Kirkman to rehear, seconded by Steven Cohoon

Motion carried 5-0

Motion by Steven Cohoon to approve the waiver request but to be in accordance with MUTCD requirements for signage on curves, seconded by Jody Kirkman

Motion carried 5-0

**6.2. Farm Credit Building Addition - Waiver Request to Major Site Plan in Review
5075 NW Blitchton RD Ocala
Project #2023080063 #31389 Parcel #21585-001-00
Davis Dinkins Engineering**

LDC 2.12.8. - Current boundary and topographic survey

CODE states current boundary and topographic survey (one-foot contour intervals extending 100 feet beyond the project boundary) based upon accepted vertical datum. Surveys will be less than 12 months old and accurately reflect current site conditions, meeting standards set forth in Ch. 5J-17 FAC. Alternate topographic data may be accepted if pre-approved by the Marion County Land Surveyor. APPLICANT requests waiver as no significant changes have been made since field work was completed for survey in late 2022.

Motion by Ken McCann to table until the applicant is ready to bring this item forward, seconded by Jody Kirkman

Motion carried 5-0

LDC 6.8.6.D - Buffers

CODE states buffers may consist of landscaping, buffer walls, fencing, berms, or combinations thereof which work cohesively to achieve the intent of buffering. APPLICANT requests waiver to utilize existing vegetation on northern boundary as existing new is requested.

Motion by Ken McCann to table until the applicant is ready to bring this item forward, seconded by Jody Kirkman

Motion carried 5-0

This item is under the authority of the County Engineer. A deviation request is under review.

LDC 6.11.4.B(2) - Cross Access

CODE states cross access shall be provided and constructed for all commercial, industrial, and multi-family residential development on arterial and collector roads unless it is determined by the County Engineer to not be practical or reasonable due to adjacent features, specific type of development, or the potential development of the adjacent property. APPLICANT states the site to the east is developed and does not provide cross access and the site to the west is proposed self-storage with drainage proposed on the SE portion preventing connection.

No motion needed

LDC 6.12.12.A, B, & C - Sidewalks

CODE states A. Sidewalks shall be provided in the Urban Area, Rural Activity Centers, and Specialized Commerce Districts along arterial, collector, and major local streets where these streets adjoin the project and minimally along one side of

the internal streets. Sidewalks shall be constructed with all-weather surfaces and shall meet Americans with Disabilities Act, Florida Building Code, and FDOT Design Standards. B. Sidewalks outside the right-of-way and independent of the street system are encouraged as an alternative to sidewalks parallel to a roadway, provided equivalent pedestrian needs are met. C. The sidewalk system shall provide connectivity between existing and proposed developments. APPLICANT states US 27 is an FDOT section without sidewalks in this location and this was discussed with staff during conceptual review.

Motion by Ken McCann to table until the applicant is ready to bring this item forward, seconded by Jody Kirkman

Motion carried 5-0

- 6.3. Nextran Ocala - Standalone Waiver Request to Access Management for Previously Approved Major Site Plan**
7398 NW 44th Ave Ocala
Project #2021070099 #31795
Parcel #13160-001-00, 13160-002-00, 13166-003-00 & 13166-001-00
Kimley-Horn & Associates

The Major Site Plan was previously approved on 5/22/23 subject to a condition a final hold be placed relative to the easement.

LDC 6.11.4.C(2) - Access management

CODE states Access to adjacent lands. Access to adjacent platted lands shall be provided at selected points, as approved by the County, by extending an existing or proposed street to the subdivision boundary.

APPLICANT requests to reconsider the requirement to provide public ingress/egress access easement for NW 73rd Place and remove all inspection/certificate of occupancy holds. See attached project information letter.

Motion by Steven Cohoon to reconsider the previous motion, seconded by Michael Savage

Motion carried 5-0

Motion to by Steven Cohoon to strike the requirement for a public ingress/egress easement

Motion failed due to a lack of a second

Motion by Michael Savage to approve the waiver request subject to working with the County Engineer and Legal regarding the type of the ingress/egress easement to be provided (public vs private) as well as removing inspection holds to continue work on the project for 90 days, seconded by Jody Kirkman

Motion carried 4-1 with Steven Cohoon voting in opposition

6.4. Union Corrugating - Waiver Request to a Major Site Plan
490 Oak Rd Ocala
Project #2016120025 #31768 Parcel #9014-0044-01
Moorhead Engineering Company

LDC 2.21.1.A(1) Major Site Plan

CODE states a Major Site Plan shall be submitted for review and approval prior to the issuance of a Building Permit or prior to the construction of site improvements when proposed improvements exceed any of the following thresholds: (1) Collectively, all existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet.

APPLICANT requests a waiver as the existing site was developed in 1971 as a manufacturing facility. The building has been connected to both Marion County water and sanitary utilities, the building has a fire sprinkler system that is connected to Marion County water system as well. All stormwater runoff has been accounted for and drains to two different county WRA's. The proposed 3375 square feet warehouse will have on site water retention area for it.

Motion by Steven Cohoon to table for one week, seconded by Jody Kirkman

Motion carried 5-0

6.5. Trident Pool Taub - Waiver Request to Major Site Plan
16296 SE 83rd Ave Summerfield
Project #2024070075 #31816
Parcel #4703-040-044 Permit #2024064664
Jennifer's Permitting Service

LDC 2.21.1.A(1) - Major Site Plan

CODE states A Major Site Plan shall be submitted for review and approval prior to the issuance of a Building Permit or prior to the construction of site improvements when proposed improvements exceed any of the following thresholds: (1) Collectively, all existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet.

APPLICANT requests waiver as the homeowner proposes an inground pool with deck; existing impervious is 4,475 square feet on a 0.29-acre lot and the pool deck is additional 213 square feet for a total of 4,688 square feet of impervious where 4,421 square feet is allowed; Desire to work with stormwater to address the overage of 267 square feet.

Motion by Ken McCann to approve the waiver request conditionally subject to 1. The applicant providing controls for the additional run-off in excess of the 100-year 24hr storm 2. A permit inspection hold will be in effect until a sketch of the improvements is provided and approved by stormwater department 3. A final hold will be in effect until staff conducts a final inspection verifying construction has occurred and disturbed areas have vegetative cover established at time of final inspection and (b) the applicant must provide a final sketch, noting the horizontal extents and volume capacity of the stormwater controls, seconded by Steven Cohoon

Motion carried 5-0

**6.6. Peterson & Smith Guard House - Waiver Request to a Major Site Plan
4747 SW 60th Ave All Units Ocala
Project #2024070066 #31801
Parcel #23834-001-02 Permit #2024051252
McLauchlin & Company**

LDC 2.21.1.A(1) - Major Site Plan

CODE states a Major Site Plan shall be submitted for review and approval prior to the issuance of a Building Permit or prior to the construction of site improvements when proposed improvements exceed any of the following thresholds: (1) Collectively, all existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet.

APPLICANT requests waiver because Peterson & Smith Equine Hospital has an approved major site plan dated 4/21/06 which shows the proposed improvements for the site (Parcel #23834-001-02). The improvements included the main equine hospital building, several horse barns, paddocks, miscellaneous asphalt driveways, parking areas and stormwater retention ponds and structures to accommodate the planned impervious area. The attached site plan differentiates between existing and future improvements and shows the extent of the proposed scope. The overall site is 11.52 acres.

To date, not all the approved buildings on the major site plan have been built. However, all the retention ponds and stormwater structures have been built to accommodate the full approved impervious area of the site. The major site plan that was previously approved a credit of 20,737 square feet of impervious area on file with Marion County Stormwater.

The property owner is requesting approval to build a tiny receiving office that is 12-foot wide by 12-foot long (144 square feet) and add approximately 1,360 square feet of pavement to the property. These two improvements will add 1,504 square feet of impervious area to the property but will not come close to the originally approved impervious area.

We are asking for a waiver to the requirement for a revised major site plan, since these two minor improvements will not come near the already approved impervious area for which the current stormwater system is designed to accommodate. After these minor improvements are completed, there will still be 19,233 square feet of impervious that could be built for the current stormwater system that is in operation. These minor improvements are internal to the site and not visible from SW 60th Avenue. The existing facility is nicely landscaped and is sufficient for this minor request.

Motion by Steven Cohoon to approve the waiver request, seconded by Ken McCann

Motion carried 5-0

6.7. Channel Innovations Relocation - Waiver Request to Major Site Plan
Project #2024070016 #31758
Parcel #9023-0475-26 Permit #2024053360
Fincher Services

Tabled on 7/29/24, applicant was not in attendance.

LDC 2.21.1.A(1) - Major Site Plan

CODE states a Major Site Plan shall be submitted for review and approval prior to the issuance of a Building Permit or prior to the construction of site improvements when proposed improvements exceed any of the following thresholds: (1)

Collectively, all existing and proposed impervious ground coverage equals or exceeds 35 percent of the gross site area or 9,000 square feet.

APPLICANT requests a waiver to the major site plan for concrete slabs. The site will be over the allowed 35 percent (7,013 square feet) per Marion County LDC. Total proposed new impervious area - 780 square feet.

Motion by Steven Cohoon to rehear, seconded by Ken McCann

Motion carried 5-0

Motion by Steven Cohoon to table for one week, seconded by Jody Kirkman

Motion carried 5-0

6.8. Barbara D Swoap - Waiver Request for Family Division
11375 SE 108th Terrace Rd Belleview
Project #2024030054 #31812 Parcel #39396-001-01
Jason Swoap

LDC 2.16.1.B(10) - Family Division

CODE states Family Division. A parcel of record as of January 1, 1992 that is located in the Rural Land may be subdivided for use of immediate family members for their primary residences. Within the Farmland Preservation area, each new tract and the remaining parent tract must be at least three (3) acres in size. Within the Rural Land outside of the Farmland Preservation area each new tract and the remaining parent tract must be at least one acre in size. In the Urban Area, only parcels of record as of January 1, 1992 which are low density residential property exceeding two acres in size may be divided for the use of immediate family members for their primary residences up to the maximum density of one dwelling unit per gross acre. Immediate family is defined as grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child, or grandchild. A parcel of record shall not be allowed to be divided more than three times as a family division. Minimum access onto a road or street shall be 40 feet in width and shall be provided by recorded deed or by recorded non-exclusive easement. No subdivision to the same family member more than once every five years shall be permitted. Any subdividing of a parcel of record for the purpose of family division shall follow the waiver request process.

APPLICANT requests family division to amend a previously approved family division

for 1 acre (AR# 31315) to give 3 acres to son Jason for his primary residence.

Motion by Chuck Varadin to approve the waiver request subject to staff comments to provide a better site plan showing the easement and what is being divided as well as the applicant understanding that this approval is not for any water connection, seconded by Jody Kirkman

Motion carried 5-0

**6.9. Portion of east 30' of Centre Street aka SE 136th Court in South Lake Weir-Road Closing / Abrogation
16180 SE 137th Ct Weirsdale
Project #2024020055 #31164 Parcel #4984-007-000
Weirsdale Presbyterian Church**

On 7/15/24 this item was approved subject to an easement being granted for the southern parcel with the driveway and providing a certified survey showing that all parcels are not one lot in block six.

Applicant now requests amending the original application to seek abrogation of the original segment of SE 136th Court (formerly Centre Street), less and except the South 293 feet thereof which will maintain (along its west side) the public right of way between Blocks 6 and 7 of South Lake Weir along the entire east line of Marion County Parcel 4984-006-001 (a distance of 253 feet) and provide the minimum frontage of 40 feet to the remainder of Lot 4, Block 6, and all of Lot 6 and the south 91 feet of Lot 3, Block 7 (on its east side). My understanding from the discussions with DRC is that this would be an acceptable option to alleviate any concerns over landlocking said Lots 4 and 3 as a result of the presumed adoption of a formal resolution by the Board of County Commissioners.

Previously Applicant had requested to close road/ally/W 1/2 of road previously closed in 1956 (DB 340, page 514); complete road closure will allow petitioner to clear portions of trail road (infrequently used) encroaching onto Petitioner's property and will help prevent illegal dumping by others for which Petitioner recently received a code enforcement violation and will allow Petitioner to better secure and protect property used to conduct Boy Scout and other related activities.

Motion by Steven Cohoon to deny, seconded by Chuck Varadin

Motion carried 5-0

7. CONCEPTUAL REVIEW ITEMS: None

8. DISCUSSION ITEMS:

Steven Cohoon asked for an update on the Carty Family Division that was on the agenda last week in regards to the prescriptive road. Ken Odom relayed Growth Services is working with the applicant and their attorney regarding the easement.

Dana Olesky addressed the language for the Family Division items listed above. The language has been changed but has not been codified in the LDC and is not available on the website. Dana will provide the new language to staff for use until the LDC has been updated.

9. OTHER ITEMS: None

Motion by Chuck Varadin to adjourn, seconded by Steven Cohoon

Motion carried 5-0

10. ADJOURN: 10:35am

Michael Savage, Chairman

Attest:

Kristen Savage
OCE Customer Service Specialist