



**Marion County
Board of County Commissioners**

Growth Services

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

**PLANNING & ZONING SECTION
STAFF REPORT**

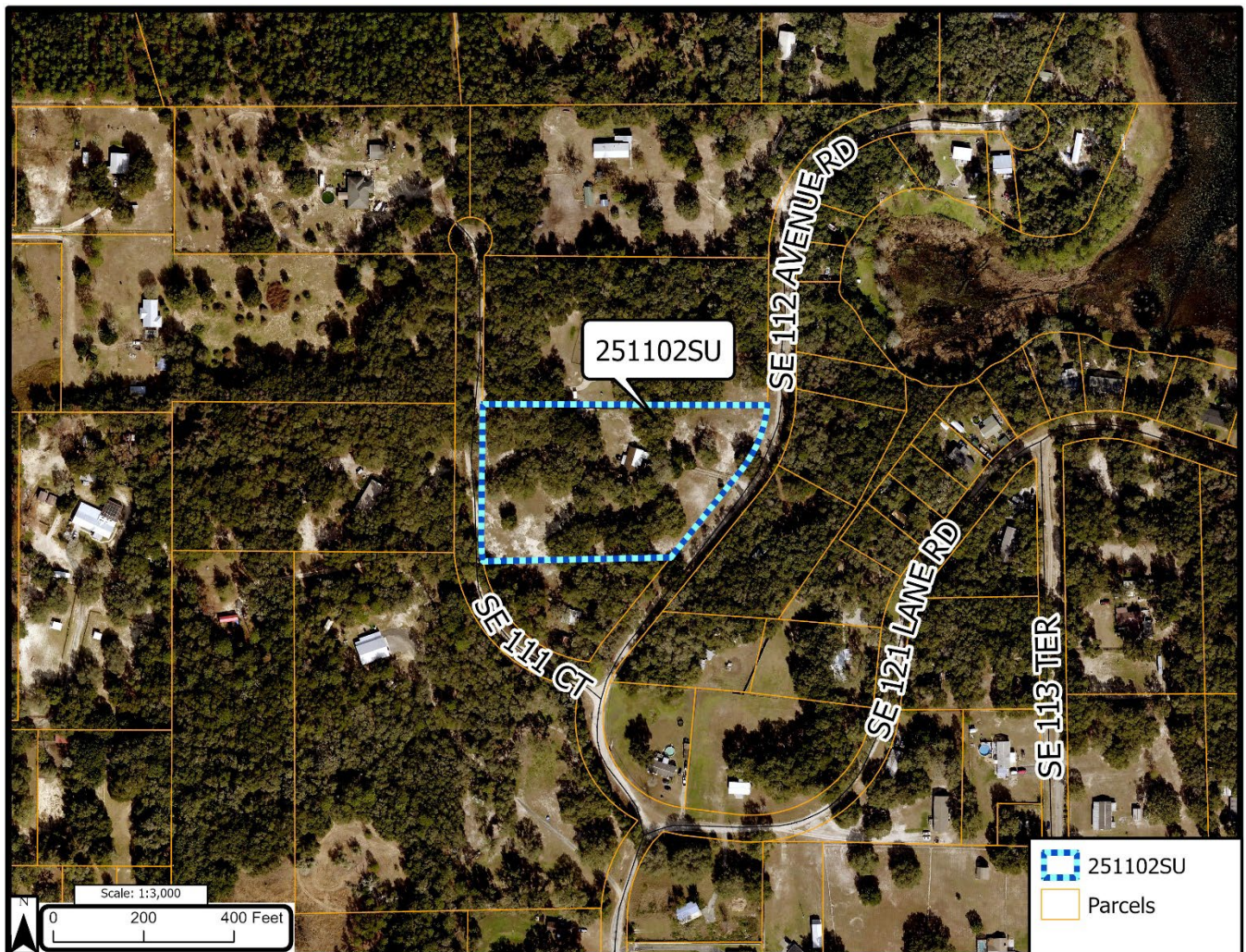
P&ZC Date: 10/27/2025	BCC Date: 11/17/2025
Case Number:	251102SU
CDP-AR:	33252
Type of Case:	Special Use Permit: For parking two (2) semi-tractors, one (1) active trailer, and two (2) storage trailers.
Owner	Krystal Rodriguez-De Leon
Applicant	Kemuel Rodriguez-Rivera
Street Address	12160 SE 112 th Ave Rd, Belleview
Parcel Number	44997-000-15
Property Size	±4.0
Future Land Use	Rural Land (RL)
Zoning Classification	General Agriculture (A-1)
Overlay Zone/Scenic Area	Secondary Springs Protection Zone
Staff Recommendation	Approval With Conditions
P&ZC Recommendation	Approval With Conditions (3-1)
Project Planner	Kenneth Odom
Related Case(s)	Code Case #: 991048: Commercial Vehicle Parking on Residential/Agriculture (See Attachment D)

I. ITEM SUMMARY

Krystal Rodriguez De Leon and Kemuel rodriguez Rivera have filed for a Special Use Permit (SUP) to allow for the parking of two (2) commercial vehicles with a weight greater than 16,000 Pounds, one (1) trailer and two (2) storage trailers on property with a zoning of General Agriculture (A-1) parcel less than five acres (See attachment A). Figure 1 is an aerial photograph showing the general location of the subject property. The Parcel Identification Number associated with the property is 44997-000-15, and the street address is 12160 SE 112th Ave Rd, Belleview. The Property is located inside the Secondary Springs Protection Zone. The legal description is included as Attachment A.

Staff is recommending **Approval with Conditions** of this request, as under LDC Sec 4.3.21(1), for parking of commercial vehicles on an agricultural property five acres or less, several conditions must be met, which are addressed in the conditional requirement listed below.

Figure 1
Aerial Photograph of Subject Property



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** due to the analysis provided throughout this report. If approved, the staff has provided recommended conditions to be imposed to address compliance with the requirements in Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B, and 4.2.6(f).

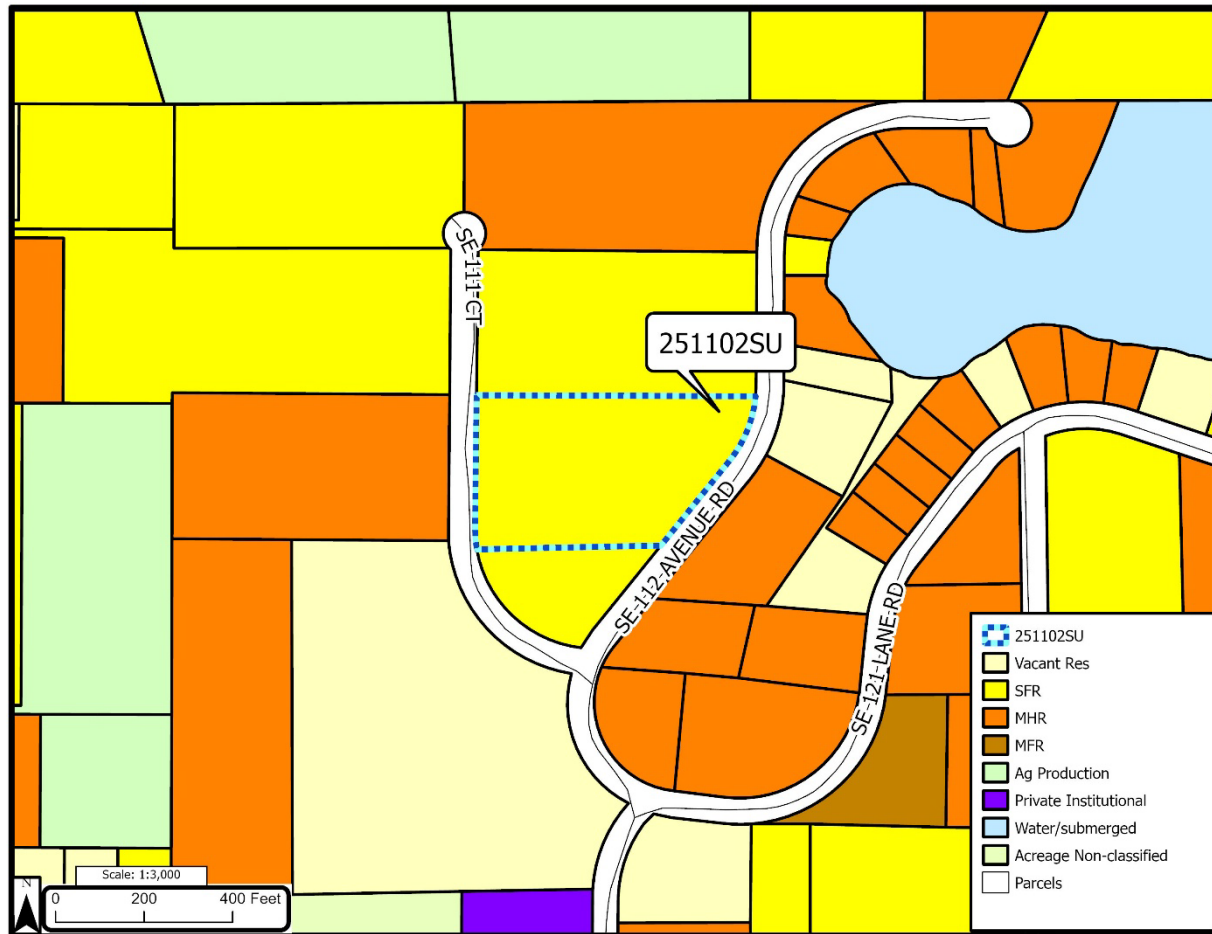
III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C, notice of public hearing was mailed to all property owners (14 property owners) within 300 feet of the subject property on October 10th, 2025. Consistent with LDC Section 2.7.3.B, public notice was posted on the subject property on October 15th, 2025, where site photos were also collected (Attachment B), and consistent with LDC Section 2.7.3.E due public notice was published in the Ocala Star-Banner on October 13th, 2025. As of the date of the initial distribution of this staff report, no letters of opposition have been received. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

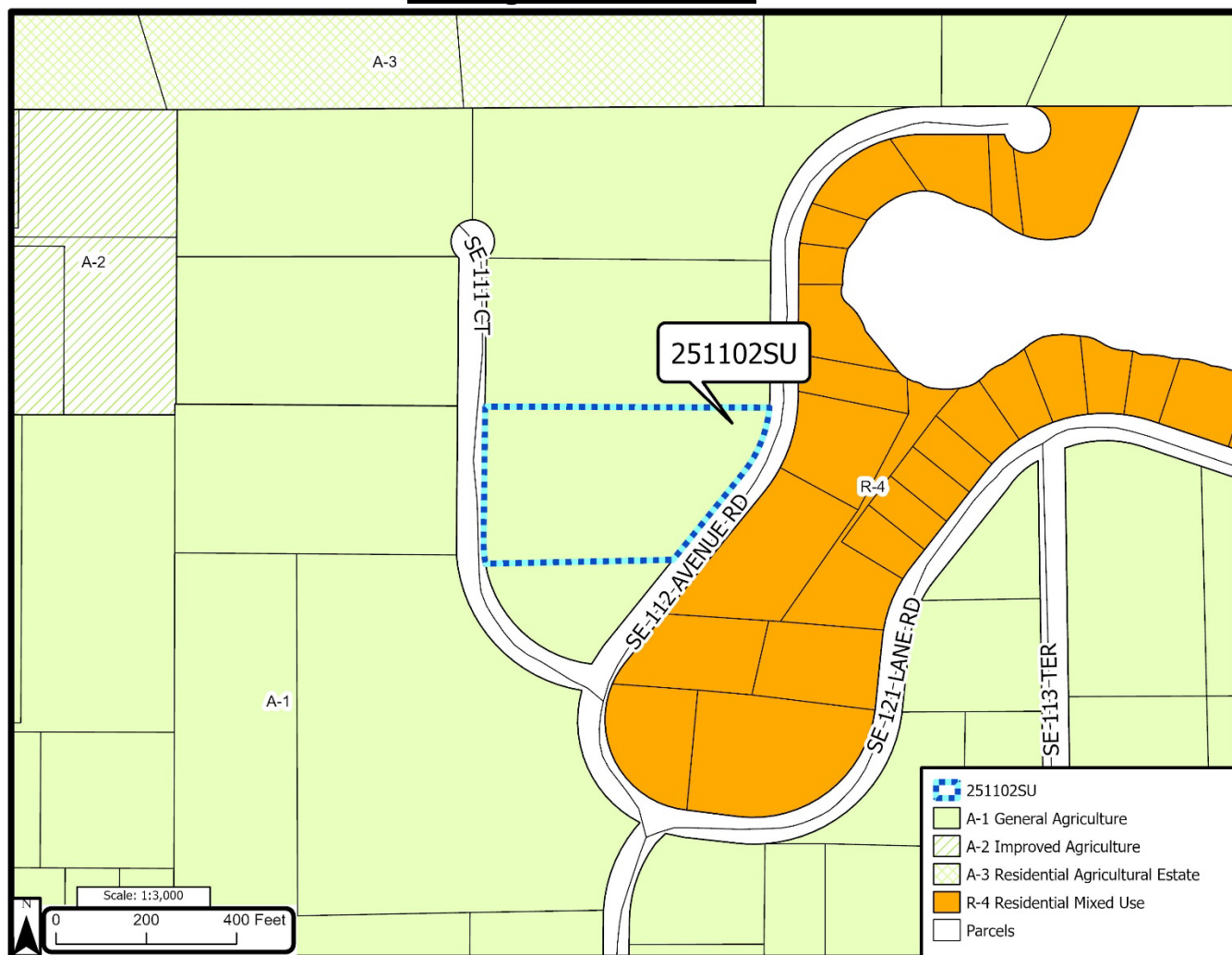
A. *Existing site conditions.* The property card shows that the site is classified as General Agriculture (A-1). Figure 2 shows that the property is currently listed as General Agriculture by the Marion County Property Appraiser's Office. Larger residential and agricultural properties comprise the uses within the immediate area.

Figure 2
Existing Conditions Map



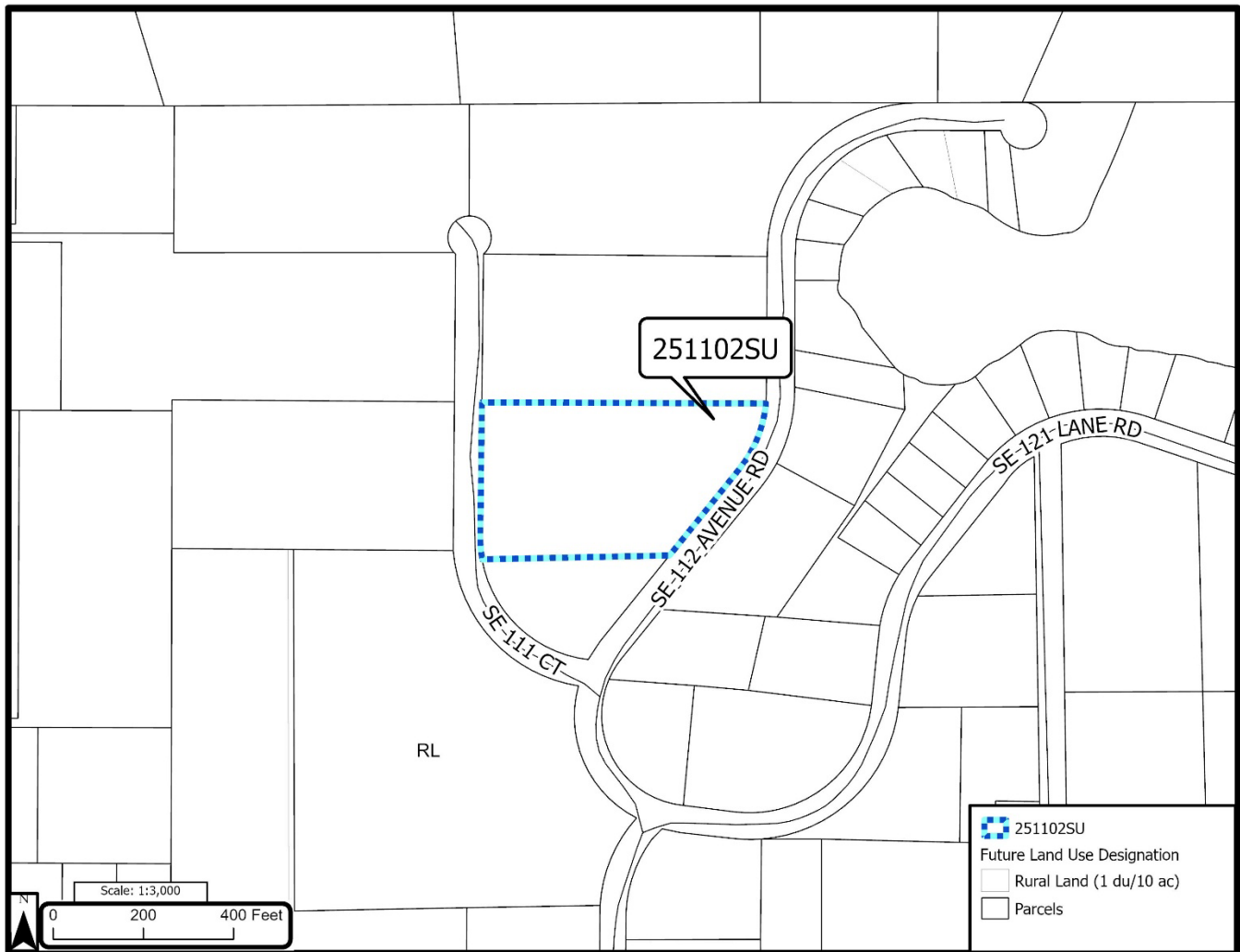
B. *Zoning district map.* Figure 3 shows that the subject property is classified as General Agriculture (A-1). This is the property's initial zoning classification.

Figure 3
Zoning Classification



- C. *FLUMS designation.* Figure 54 is the FLUMS, and it shows that the subject property is designated Rural Land (RL), allowing a maximum development of 1 dwelling unit per 10 acres. This is the property's initial land use designation.

Figure 4
FLUMS Designations



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements is addressed below.

- A. *Provision for **ingress and egress** to property and proposed structures thereon with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Analysis: Ingress/egress will be from and to CR 25 via SE 112th Avenue Road and SE 121st Avenue Road. Both of the smaller roads are privately maintained,

but are dedicated public rights-of-way. CR 25 is a Marion County-maintained Rural Collector roadway.

The Office of the County Engineer – Traffic Engineering Division recommends DENIAL based on the fact that the subdivision streets that provide access to the subject property are all unpaved non-County non-County-maintained roadways. Semi trucks cause significantly more damage to roadways than typical residential traffic, especially on unpaved roads. These roads are non-County-maintained, so the burden of the additional maintenance would fall on the adjacent homeowners.

- SE 112th and SE 121st Avenue Roads shall be the only route of ingress/egress.
- The commercial vehicles shall be parked near the home and barn located at the rear of the property, as illustrated in the conceptual plan

- B. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area.*

Analysis: The property owner has installed millings to stabilize the parking area as was conditioned under the previous SUP.

- *No loading of materials or loaded vehicles shall be permitted on site.*

- C. *Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above.*

Analysis: The only garbage generated on site is from the residential use of the property and not a result of any commercial operations. That trash is removed weekly, by the owners, and taken to the Davis Recycling Center located at 11307 SE 128th Place Road, Ocklawaha, FL 32179.

- *No mechanical repairs, washing, or maintenance of the commercial vehicle(s) shall take place on-site.*

- D. *Provision for **utilities**, with reference to locations, availability, and compatibility.*

Analysis: The property currently is connected to a well and septic, and the requested special use would not conceivably impose a burden that would require any additional water or power generation. Electrical services are provided by Duke Energy Inc.

- E. *Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary.*

Analysis: The applicant has indicated that the truck parking area will be located in the rear of the property, and there is a large amount of natural vegetative screening in most of the bordering areas. While there are a significant number of mature trees on site, they do not provide for ground-level buffering of the tractor-trailer combination. If approved, the following condition is imposed:

- *The commercial vehicle shall be parked behind the home towards the rear of the property as illustrated in the conceptual plan. This plan allows for the permitted storage trailers to be used as buffers for the operational tractor/trailer combination. A hedgerow on the north side of the northern storage trailer and a hedgerow on the south side of the southern storage trailer shall also be required.*

F. *Provision for **signs**, if any, and **exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area.*

Analysis: The application makes no reference to signs being placed on the property. However, multiple lighting sources have been identified around the perimeter of the home and at the entrance of the property.

- *All lighting shall be pointed inward and downward and will be shielded if necessary in order to keep light from bleeding onto adjacent properties.*

G. *Provision for **required yards and other green space**.*

Analysis: The special use permit will not trigger any need to increase additional green space at this time.

H. *Provision for general **compatibility** with adjacent properties and other properties in the surrounding area.*

Analysis: Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time, such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Figure 1 is an aerial photograph displaying existing and surrounding properties. Notwithstanding, if the requested SUP is approved, the following conditions will be imposed:

- *This special use permit runs with the operator of the commercial vehicles, who resides on-site (Krystal Rodriguez De Leon & Kemuel Rodriguez Rivera) and not with the property.*
- *The property owners (Krystal Rodriguez De Leon & Kemuel Rodriguez Rivera) shall also reside on-site.*

- *Operating Hours shall be limited to 5:00 AM to 7:30 PM, Monday through Saturday.*

- I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved.*

Analysis: Staff notes that, unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Staff has recommended a condition that will void the SUP if the property changes hands. To ensure that the SUP stays in compliance and has a system of periodic reviews, Staff recommends a list of conditions provided at the end of this report to mitigate the possibility of any negative impacts from this special use. Notwithstanding, staff imposes the following condition if approved:

- J. *Consistency with the Comprehensive Plan.*

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

Analysis: LDC Section 4.2.31 requires a Special Use Permit for parking of commercial vehicles over 16,000 pounds on A-1 zoned properties less than 5 acres. Thus, the application is consistent with FLUE Policy 2.3.21.

Based on the above findings, staff concludes the SUP is **consistent** with LDC Sections 2.8.2.D and 2.8.3.B, even with conditions to address the ten (10) requirements imposed.

VI. ALTERNATIVE RECOMMENDATIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **DENY** the special use permit.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.
- C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Board of County Commissioners to **TABLE** the application for up to two months in order to

provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

- A. Staff recommends that the Planning and Zoning Commission enter into the record the Staff Report and all other competent, substantial evidence presented at the hearing and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH CONDITIONS** the special use permit.
- B. In the event the Board chooses to approve the application, the following conditions are the staff's recommendation:
1. *SE 112th and SE 121st Avenue Roads shall be the only route of ingress/egress.*
 2. *The commercial vehicle shall be parked behind the home towards the rear of the property as illustrated in the conceptual plan. This plan allows for the permitted storage trailers to be used as buffers for the operational tractor/trailer combination. A hedgerow on the north side of the northern storage trailer and a hedgerow on the south side of the southern storage trailer shall also be required.*
 3. *No loading of materials or loaded vehicles shall be permitted on the site.*
 4. *No mechanical repairs, washing, or maintenance on the commercial vehicle(s) shall take place on-site.*
 5. *This special use permit runs with the operator of the commercial vehicles, who resides on-site (Krystal Rodriguez De Leon & Kemuel Rodriguez Rivera) and not with the property.*
 6. *The property owners (Krystal Rodriguez De Leon & Kemuel Rodriguez Rivera) shall also reside on-site.*
 7. *Operating Hours shall be limited to 5:00 AM to 7:30 PM, Monday through Saturday.*
 8. *Commercial vehicles permitted to operate from this site shall be limited to:*
 - *1989 Peterbilt -1XP5DB9XXKD268523*
 - *Trailer – 2TVTP4852XPD000456*

If either the tractor or trailer is replaced, the applicant shall contact the Marion Growth Services department immediately to change the VIN numbers permitted on site.
 9. *Operating Hours shall be limited to 5:00 AM to 7:30 PM, Monday through Saturday.*
 10. *The Special Use Permit shall expire on November 17th, 2030, and will not be eligible for administrative renewal, and a new application will need to be submitted*

at that time. However, any violations of these conditions will be the basis for a revocation of this SUP initiated by the Growth Services Director, additionally the following items may result in the potential revocation of this SUP:

- a) There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the permit.*
- b) Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit.*

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval With Conditions (3-1)

IX. BOARD OF COUNTY COMMISSIONERS' ACTION

TBD

X. LIST OF ATTACHMENTS

- A. SUP application filed on August 26, 2025.
- B. Site Photos
- C. DRC Comments.
- D. Code Violation #991048
- E. Site Plan