



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&Z Date: 5/27/2026	BCC Date: 6/16/2025
Case Number	260607ZC
CDP-AR	000455-2026
Type of Case	Rezoning from General Agriculture (A-1) and Residential Agricultural Estate (A-3) to Single-Family Dwelling (R-1).
Owner	Backhoe Boys LLC
Applicant	Tillman & Associates
Street Address/Site Location	No Address Signed
Parcel Number(s)	39278-003-00
Property Size	±36.73 Acres (Rezoning- 31.13 Acres)
Future Land Use	Medium Residential (MR) & Commercial (COM)
Existing Zoning Classification	Community Business (B-2), Residential Agricultural Estate (A-3) & General Agriculture (A-1)
Overlays Zones/Special Areas	Secondary Springs Protection Zone Urban Growth Boundary
Staff Recommendation	Approval
P&Z Recommendation	Approval (4-0)
Project Planner	Kenneth Odom, Senior Planner/Transportation Planner
Related Cases	230206SU – Borrow Pit: (Withdrawn) 200505Z – Rezone from (A-3) to (R-1): (Withdrawn)

I. ITEM SUMMARY

Tillman & Associates LLC, on behalf of Backhoe Boys LLC, has filed a rezoning application to rezone approximately ±31.13 acres from Residential Agricultural Estate (A-3) & General Agriculture (A-1) to Single-Family Dwelling (R-1). (see Attachment A). The Parcel Identification Number for the subject parcel is 39278-003-00, there is no assigned address as the subject parcel is unimproved at this time. The legal description is provided within the application (see Attachment A). The site is located within the Secondary Springs Protection Zone and within the Urban Growth Boundary. The application proposes rezoning a portion of ±36.73-acres to Single-Family Dwelling (R-1) for all uses permitted within the proposed zoning classification.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the rezoning application.

III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (53 owners) within 300 feet of the subject property on May 8, 2026. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on May 11, 2026, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on May 11, 2026. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

IV. ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff's analysis of compliance with these three criteria are addressed below.

A. *How is the request compatible with surrounding uses?*

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 a general location aerial displaying existing and surrounding site conditions.

Figure 2 illustrates the subject property as Medium Residential (MR) with a minority portion being designated as Commercial (COM). This Medium Residential designation is intended to provide for residential uses with densities from one to four homes per acre. Nearby properties are designated as Medium Residential (MR) as well as Rural Land (RL) with some Commercial (COM) present on the southwest and southeast side of the intersection of SE 92nd Loop and CR 25.

Figure 2
FLUMS Designation

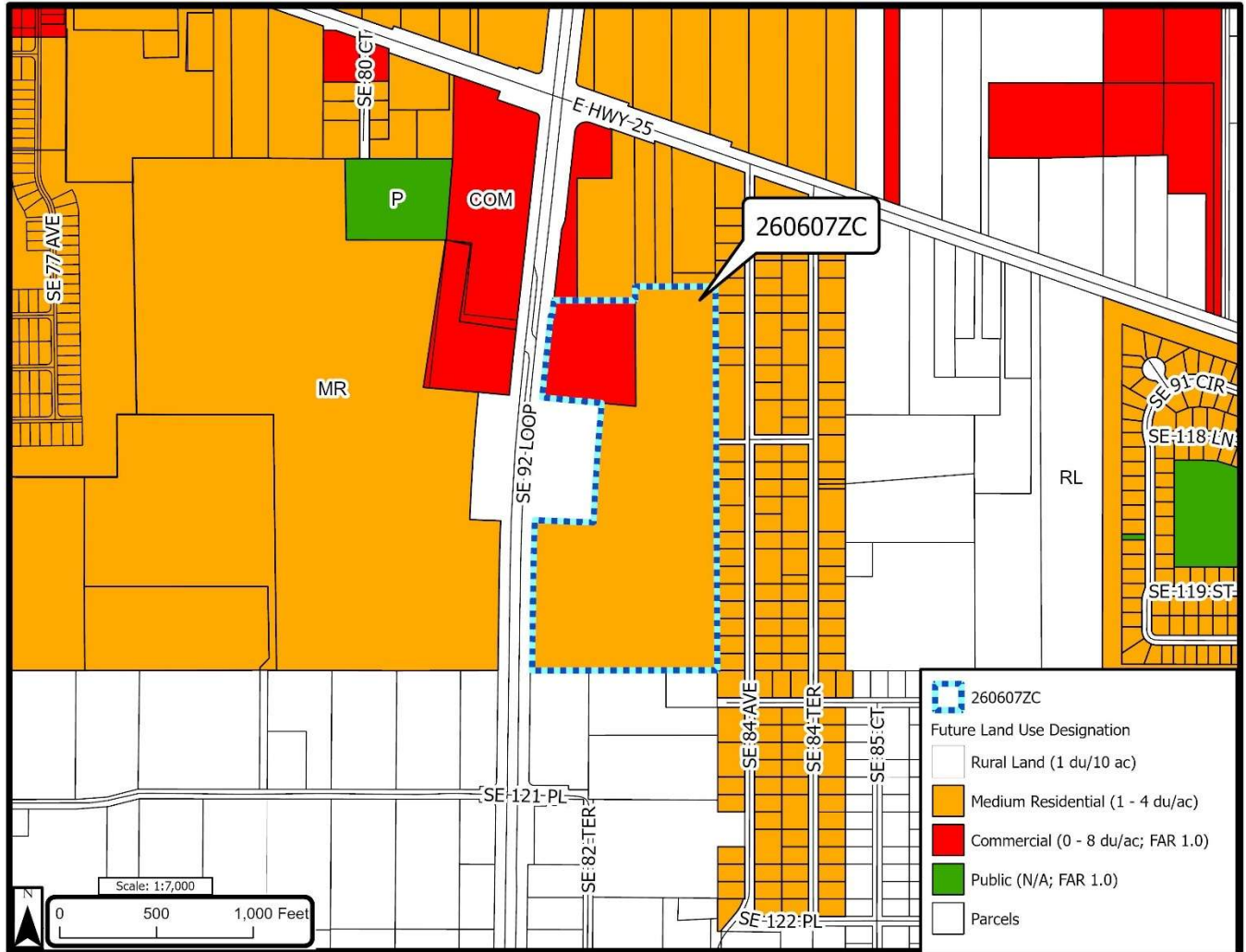


Figure 3 display the subject property in relation to the existing zoning of the surrounding properties and Figure 4 shows the proposed zoning. The subject parcel is predominantly agriculturally zoned being split between General Agriculture (A-1) and Residential Agricultural Estate (A-3), with a small portion to the northwest of the subject parcel having a zoning classification of Community Business (B-2). Surrounding properties have zoning classification of B-2, R-1, A-1, A-3 and two parcels also feature P-MH classification.

**Figure 3.
Zoning Classification**

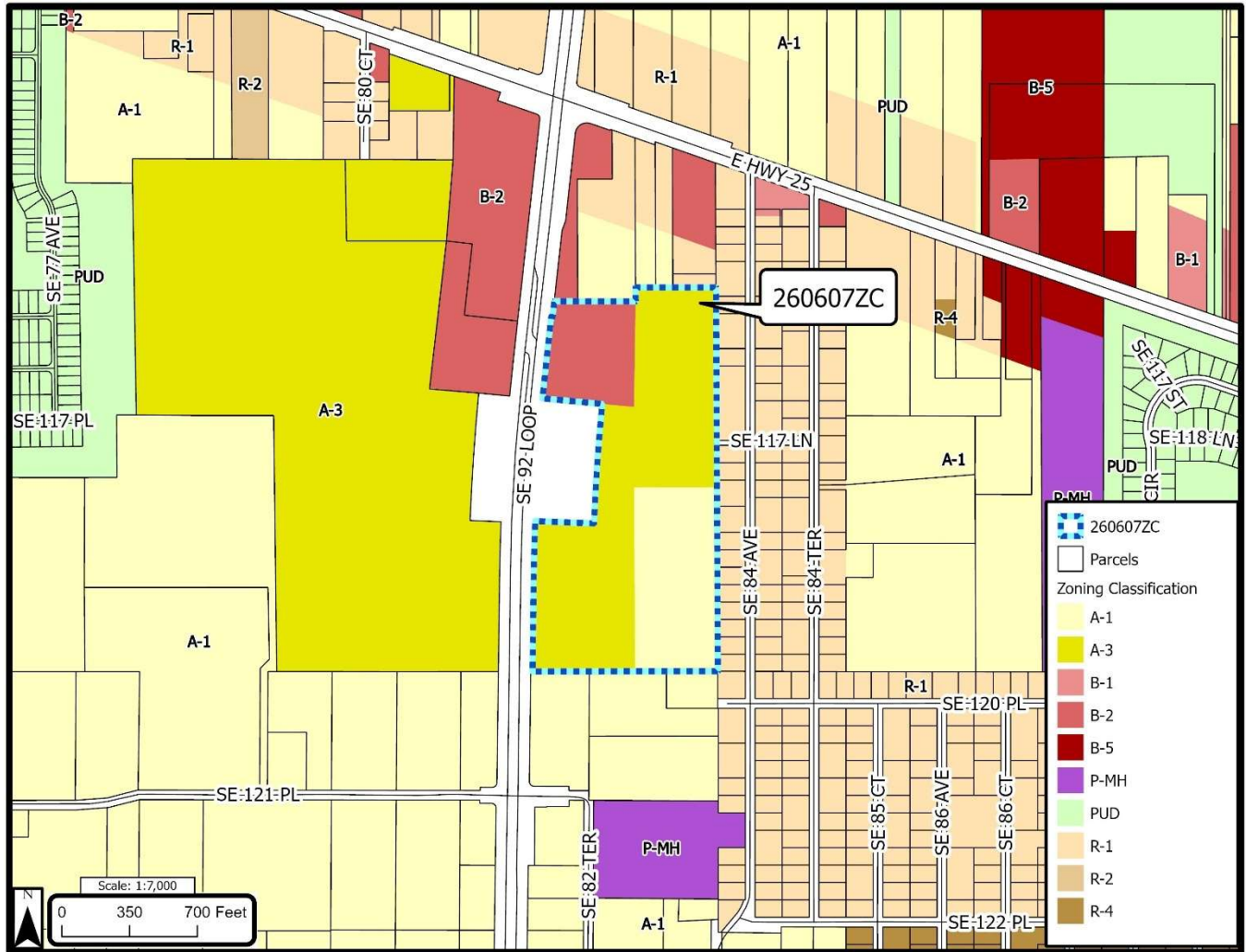


Figure 5 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

Table A displays the information of Figures 2, 3, and 5 in tabular form. Consistent with LDC Section 2.7.3.D, staff conducted a site visit and find the subject parcel is currently unimproved. The primary uses of surrounding properties is residential in the form of site built homes, manufactured homes and residential agricultural uses. Commercial uses are also in place along the CR 25 corridor, mostly to the east of SE 92nd Loop.

Figure 4.
Proposed Zoning Classification

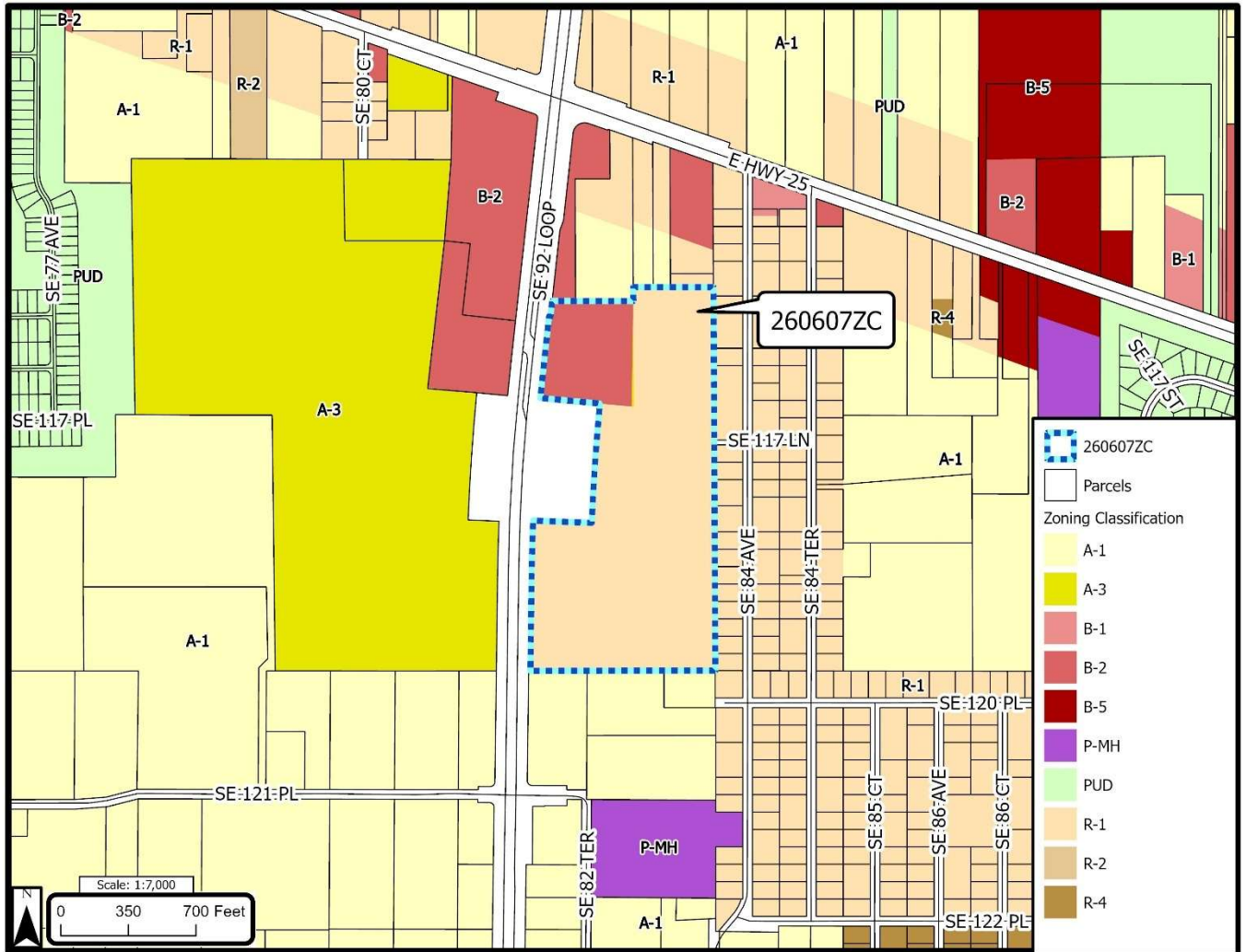


Figure 5.
Existing Use per Property Appraiser Property Code

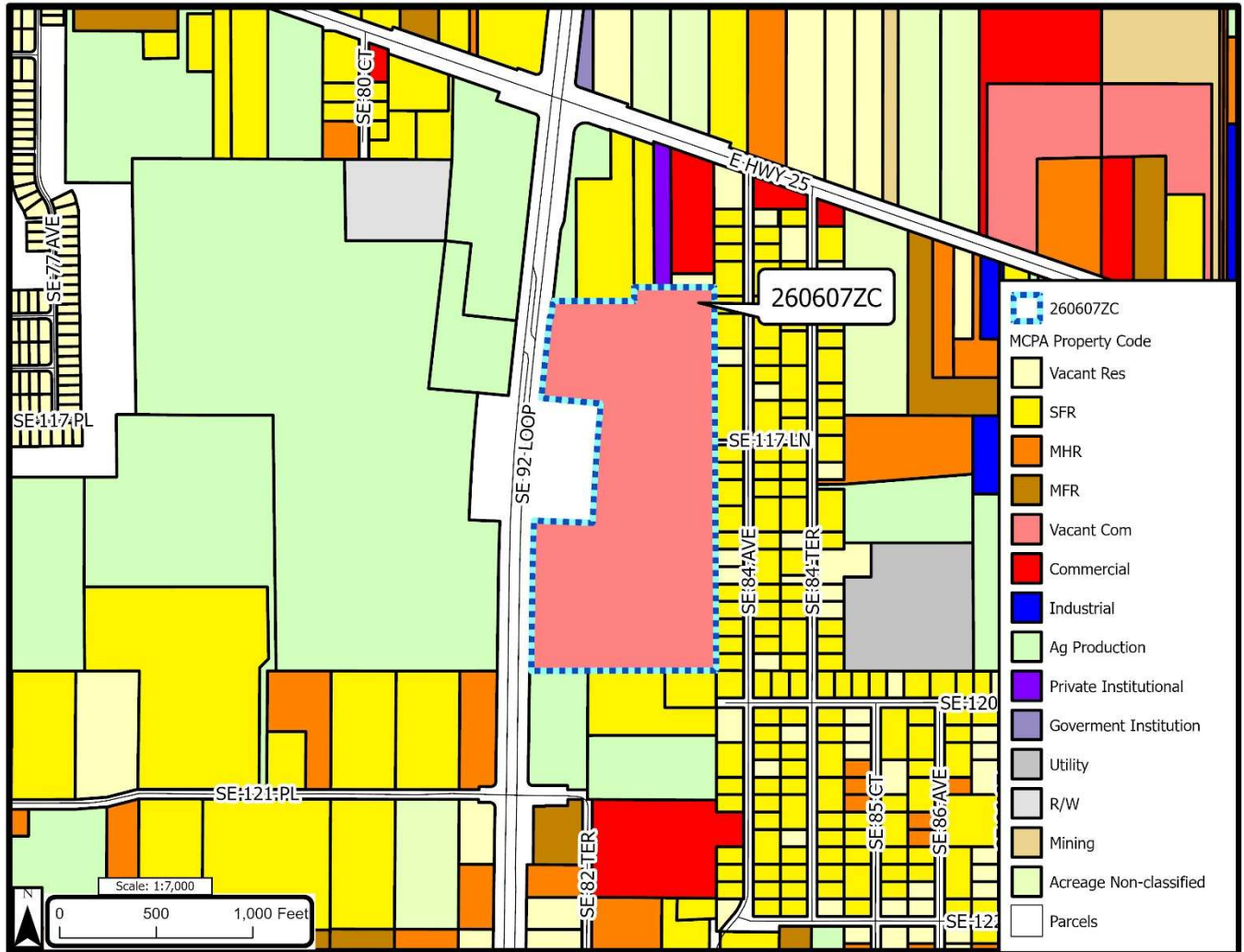


TABLE A. Adjacent Property Characteristics			
Direction	FLUM Designation	Zoning Classification	Existing Use per Property Appraiser Code
North	Medium Residential (MR)	General Agriculture (A-1) Single Family Dwelling (R-1) Community Business (B-2)	One Story Store (11) Club/Lodge (77) Improved Residential (01)
South	Rural Land (RL)	General Agriculture (A-1)	Improved Residential (01)
East	Medium Residential (MR)	Single Family Dwelling (A-1)	Improved Residential (01)
West	Medium Residential (MR) Commercial (COM)	Residential Agricultural Estate (A-3) Community Business (B-2)	Grazing Class IV (63)

Figure 5 provided by the Marion Property Appraiser’s Office

Based on the above findings, the proposed rezoning application **is compatible** with the existing and future surrounding land uses. This area has been residential and commercial uses.

How does the request affect the public interest?

1. Transportation impacts. These include roadways, public transit, and other mobility features.
 - a. Roadways. The subject parcel is located near the southeast quadrant of the intersection of SE 92nd Loop and CR 25. Access will be provided by SE 92nd Loop only.
 - b. Public transit. There are no fixed route services in the area.
 - c. Other mobility features. Sidewalks currently exist on SE 92nd Loop as well as five-foot wide bicycle path.

Based on the above findings, the rezoning of the subject property **would not adversely affect the public interest.**

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand. Based on the commercial calculation, the proposed rezoning would result in a usage of approximately 34,400 gallons per day.

The property is within the UGB and the City of Belleview's utility service area. Connection distance requirements will be determined during the site plan review process. Development of the subject parcel will rely on water services being provided by a private well. Based on the above findings, the rezoning's **potable water impacts would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. Based on the commercial calculation, the proposed rezoning would result in the potential production of 29,040 gallons per day.

The property is within the UGB and the City of Belleview's utility service area. Final connection distance requirements will be determined during the site plan review process. Based on the above findings, the rezoning's **sanitary sewer impacts would not adversely affect the public interest.**

4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand, which would generate approximately 1,339 pounds of solid waste per day. A commercial/industrial level of service standard is not currently in place for Marion County as such operations are required to provide for individual commercial collection wherein disposal within Marion County is alternatively addressed. Based on the above, the rezoning **solid waste impacts would not adversely affect the public interest.**

5. Recreation. Recreation Element Policy 1.1.1. adopts a level of service standard of two (2) acres per 1,000 persons. Residential requirements would indicate that approximately 0.43 acres of recreational space would be needed to accommodate the residential component of this development. The rezoning **recreation impacts would not adversely affect the public interest.**

6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site does not include any FEMA identified flood plain area or County flood prone area. Additionally, any new development resulting in

additional impervious features on the site will be required to comply with a 100-year frequency 24-hour duration design storm as the site development proceeds through Marion County's site development review processes. Based on the above, the rezoning **stormwater/drainage impacts would not adversely affect the public interest.**

7. Fire rescue/emergency services. The site is officially located in the service district for Marion County's Spruce Creek District Fire Station #30, located at 7900 SE 135th Street, approximately 1.80 miles south of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the statements above, the rezoning **fire rescue/emergency impacts would not adversely affect the public interest.**
8. Law enforcement. The Marion County Sheriff's Department South Multi-District Substation is located approximately 6.50 miles southeast of the subject property at 3260 SE 80th Street. The Comprehensive Plan does not establish a level of service standard for law enforcement services but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. The area from the substation to the proposed residential area is largely rural with four-lane corridors providing the majority of the roadway. Based on the above, the application's **law enforcement impacts would not adversely affect the public interest.**
9. Public schools. Marion County Public Schools has overall capacity within the district. Belleview-Santos Elementary is located approximately 5.6 miles to the northwest. Belleview Middle School is located approximately 5.0 miles west and Belleview High School is located approximately 5.25 miles west. Therefore, the application's **public-school impacts would not adversely affect the public interest.**

In summation, when weighing the totality of the circumstances, **the public interest is not adversely affected.**

B. *How is this request consistent with the Comprehensive Plan?*

FLUE Policy 1.1.6: Buffering of Uses, requires new development or substantial redevelopment to provide buffering to address compatibility concerns and reduce potential adverse impacts to surrounding properties as defined in the LDC.

Analysis: The subject parcel is currently undeveloped but will be subject to all buffering requirements per the Marion County Land Development Code. All buffer requirements will be reviewed and approved through the site

development process and subject to approval by the Development Review Committee.

Policy 2.1.18: Medium Residential (MR) This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and Urban Area. However, the designation allows for multifamily residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use.

Analysis: The proposed rezoning will align the proposed zoning designations into single Single-Family Dwelling (R-1) designation to be compatible with the existing Medium Residential (MR) future land use designation. The proposed rezoning is consistent with FLUE Policy 2.1.18.

FLUE Policy 5.1.3 on Planning and Zoning Commission provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

Analysis: The proposed zoning change is scheduled for the May 27, 2026, Planning and Zoning Commission and, therefore, the application is consistent with this FLUE Policy 5.1.3.

FLUE Policy 5.1.4 on Notice of Hearing provides, "The County shall provide notice consistent with Florida Statutes and as further defined in the LDC."

Analysis: Public notice has been provided as required by the LDC and Florida Statutes and, therefore, the application is being processed consistent with FLUE Policy 5.1.4.

FLUE Policy 7.4.3 (P/SSPZ) Permitted Uses provides that the County shall implement and maintain an LDC to identify permitted and special uses to ensure that the function of a protected natural feature will not be materially impaired, diminished, or harmed by development activities and that the

quality of the surface waters or groundwater will not be adversely impacted by the development activities.

Analysis: Approval of the requested R-1 zoning for the subject property will control the range of uses for the site, while remaining eligible uses will require implementation of SPZ design standards, particularly depending on soil and subsurface characteristics and/or FDEP requirements. Compliance with the LDC's site and development standards to stormwater impacts for the site under the R-1 zoning would be consistent with FLUE Policy 7.4.3.

Transportation Element (TE) Policy 2.1.4 on determination of impact provides in part "All proposed development shall be evaluated to determine impacts to adopted LOS standards."

Analysis: The rezoning site is currently unimproved and will be required to submit a traffic methodology to determine the appropriate level of analysis that will necessary for the development of the subject parcels. Staff concludes the proposed rezoning will be consistent with TE Policy 2.1.4..

Based on the above findings, the proposed rezoning **is consistent with the Comprehensive Plan.**

V. ALTERNATIVE ACTIONS

- 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 **DENY** the rezoning amendment.
- 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 a recommendation for the approval of the Ordinance, and make a recommendation to adopt a proposed Ordinance to **APPROVE** the rezoning amendment.
- 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 **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.

VI. STAFF RECOMMENDATION

Staff recommends the Board 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 **APPROVE** the proposed rezoning because the application:

- A. Will not adversely affect the public interest as the impacts to public utilities and infrastructure would be minimal.
- B. Is consistent with the Comprehensive Plan provisions because it in compliance will all considered elements of the comprehensive plan and land development codes.
- C. Is compatible with the surrounding uses because the proposed zoning would allow rezoning of a parcel to a more intense use that is still consistent with adjacent uses.

VII. PLANNING & ZONING COMMISSION RECOMMENDATION

Approval (4-0)

VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

IX. LIST OF ATTACHMENTS

- A. Rezoning application filed
- B. Site and Area Photographs
- C. DRC Comments