

**Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS**

June 16, 2025

CALL TO ORDER:

The Marion County Board of County Commissioners met in regular session in Commission Chambers at 1:01 p.m. on Monday, June 16, 2025 at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The meeting opened with the Pledge of Allegiance to the Flag of our Country.

1:00 PM ROLL CALL:

Upon roll call the following members were present: Chairman Kathy Bryant, District 2; Vice-Chairman Carl Zalak, III, District 4; Commissioner Craig Curry, District 1; Commissioner Matthew McClain, District 3; and Commissioner Michelle Stone, District 5.

Also present were: Growth Services Director Chuck Varadin, Deputy Director Ken Weyrauch, Transportation Planner Ken Odom, Senior Planner Chris Rison, Staff Assistants Autumn Williams and Kim Lamb, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes and Assistant County Administrator (ACA) Tracy Straub.

1. PLANNING & ZONING AND DRC WAIVER REQUESTS - REQUEST PROOF OF PUBLICATION (AT 9:00 AM):

Deputy Clerk Mills-McAllister presented proof of publication of Legal ad No. 11350486 entitled, "Notice of Intention to Consider Adoption of an Ordinance" published in the Star Banner newspaper on June 2, 2025. The Notice stated the Board will consider adopting an Ordinance approving Comprehensive Plan Amendments, zoning changes and Special Use Permits.

County Attorney Matthew G. Minter provided a brief overview of the process for today's zoning and Special Use Permit (SUP) hearings.

Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

1.1. Planning and Zoning Consent Items:

Growth Services Director Chuck Varadin advised that the four (4) petitions listed on the Consent Agenda are recommended for approval by both the Planning Division and the P&Z Commission.

P&Z PUBLIC HEARING ON MAY 28, 2025

Motion was made by Mr. Gaekwad and seconded by Mr. Bonner, to agree with staff's findings and recommendation and recommend approval of the Consent Agenda items.

1. Will not adversely affect the public interest
2. Are consistent with the Marion County Comprehensive Plan
3. Are compatible with the surrounding land uses

The Motion passed 6-0.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed. It was noted that Agenda Item 1.1.4 was pulled from the Consent Agenda.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve Consent Agenda Items 1.1.1 through 1.1.3, agreeing with Growth Services Department staff and the P&Z Commission recommendations, based on findings that the proposed uses are compatible with the surrounding land uses, are consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

The motion approved the Consent Agenda items as follows:

1.1.1. 250601ZC - Patricia D. Walter, Zoning Change from General Agriculture (A-1), Community Business (B-2), and Heavy Business (B-5) to Rural Activity Center (RAC), 16.36 Acre Parcel, Parcel Account Number 31717-000-01, No Address Assigned

The Board granted a petition by Patricia D. Walter, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1), Community Business (B-2), and Heavy Business (B-5) to Rural Activity Center (RAC), for all permitted uses, on an approximate 16.36 Acre Parcel, on Parcel Account Number 31717-000-01, No Address Assigned

1.1.2. 250602ZC - Javier Rodriguez and Zuleika Arizmendi, Zoning Change from Community Business (B-2) to Rural Residential (RR-1), 1.30 Acre Parcel, Parcel Account Number 14570-000-00, Site Address 8748 & 8750 NE Jacksonville Road, Anthony, FL 32617

The Board granted a petition by Javier Rodriguez and Zuleika Arizmendi, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from Community Business (B-2) to Rural Residential (RR-1), for all permitted uses, on an approximate 1.30 Acre Parcel, on Parcel Account Number 14570-000-00, Site Addresses 8748 and 8750 NE Jacksonville Road, Anthony, FL 32617

1.1.3. 250603ZC - George and Lisa Scott, Zoning Change from General Agriculture (A-1) to Single-Family Dwelling (R-1), 1.0 Acre Parcel, Parcel Account Number 3752-015-005, Site Address 6270 SE 88th Street, Ocala, FL 34472

The Board granted a petition by George W. Scott and Lisa Scott, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Single-Family Dwelling (R-1), for all permitted uses, on an approximate 1.0 Acre Parcel, on Parcel Account Number 3752-015-005, Site Address 6270 SE 88th Street, Ocala, FL 34472

1.1.4. 250604ZC - Belleview Property Holdings LLC, Zoning Change from General Agriculture (A-1) to Community Business (B-2), 1.59 Acre Tract, Parcel Account Numbers 45418-000-00 and 45415-000-00, Site Addresses 13210, 13214, and 13170 S US Highway 301, Belleview, FL 34420

The Board considered a petition by Belleview Property Holdings LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Community Business (B-2), for all permitted uses, on an approximate 1.59 Acre Tract, on Parcel Account Numbers 45418-000-00 and 45415-000-00, Site Addresses 13210, 13214, and 13170 S US Highway 301, Belleview, FL 34420

Planner Erik Kramer, Growth Services, provided a brief overview of the zoning change request from A-1 to B-2. He noted the property has a Policy 120 Letter, which upon the 1st adoption of the Comprehensive Plan contained existing uses that would not be considered conforming today. Those uses were grandfathered in and are now considered to be conforming; however, if this is rezoned that letter will be revoked.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the zoning change.

Chairman Bryant opened the floor to public comment.

Ashley Yates, SE 55th Avenue Road, Belleview, expressed concern relating to the impacts of the project relating to her farm and livestock and the value of her property.

Commissioner McClain questioned how long Ms. Yates had lived on the property and whether she was aware there were 3 other B-2 properties. Ms. Yates advised she has lived there for almost 4 years. She advised of offices on the side of her property, noting that operation is very quiet.

Mr. Minter commented on the applicant's absence today and requested staff provide additional information relating to the criteria of compatibility and whether the project is adverse to the public interest.

Chairman Bryant stated the same holding company that holds these 2 parcels also owns the parcel on the corner.

Mr. Kramer advised that the 3 properties to the north and south are compatible with the commercial designation and B-2 zoning. The A-1 is not particularly compatible; however, the Code does provide for a 15 foot buffer with a 6 foot high masonry wall. He stated staff would seek to ensure the trees are preserved to mitigate light and sound.

Mr. Minter questioned whether staff has any response to Ms. Yates' testimony. Deputy Growth Services Director Ken Weyrauch advised that the land use is commercial and has some commercial entitlements to it. He stated the B-2 zoning is intended for day-to-day community uses intended to serve residential uses in the surrounding area. Mr. Weyrauch advised that the Land Development Code (LDC) provides for buffers that will help mitigate adverse impacts when B-2 is adjacent to Residential.

Commissioner Stone questioned whether the existing tree line is located on Ms. Yates' property or the applicant's parcel. Mr. Weyrauch stated staff is unsure; however, if the change is approved and the applicant were to develop the property, they would have to provide a survey showing what trees are on that property. He advised that if the trees in the aerial picture were on the applicant's property, staff would look for those trees to be preserved and kept for the buffer requirements. Mr. Weyrauch advised that if the trees are on the adjacent property, the applicant would not be able to use them as part of their existing buffer. He stated the buffer requirement if the project is approved would be a Type D (15 feet wide with a 6 foot concrete wall, 2 shade trees and 2 understory trees). Mr. Weyrauch advised that the wall will be on the applicant's side, and the trees will be on the outside between the wall and Ms. Yates' property line.

In response to Commissioner Curry, Mr. Weyrauch stated the applicant was not present at the P&Z Commission meeting, noting they had not been able to contact him. He advised that staff informs individuals when they apply that it is important to attend these meetings.

Herb Green, Cadjazz Engineering, East Monument Avenue, Kissimmee, on behalf of the applicant, commented on concern relating to compatibility. He stated the tree survey has been completed, and it is understood that the applicant will be maintaining all the trees along the buffer.

In response to Chairman Bryant, Mr. Green advised that many of the trees are on the applicant's property, and they propose to maintain all of them, noting they are building up towards the street. Mr. Green opined that the uses are compatible based on the location, zoning, and for the intersection. He stated the proposed project will be a Circle K gas station with a modern market. Mr. Green advised that there are always concerns relating to noise and pollution; however, the modern gas stations have all the safety upgrades and special tanks. He stated there are no renderings of the project to present today, noting the Item was on the Consent Agenda after there were no objections at the P&Z Commission meeting. Mr. Green advised that there is no proposed truck parking, the building will be between 5,000 and 6,000 square feet (sq ft), and there will be 6 multi-pump dispensers. He stated the combined size of the parcels is between 3 and 4 acres, noting the entire project will likely be 80 feet off of the west property line. The only outside audio will come from a drive-thru relating to an unknown quick service restaurant. Mr. Green stated the process will begin once the applicant receives the Board's approval. He advised that currently the conceptual layouts and certain types of site plans have been completed in addition to the buffer and preservation plans.

Jason Yates, SE 55th Avenue Road, stated he owns the farm next to the project. He commented on the buffer, traffic volume and speeds in the area, Florida Department of Transportation (FDOT) requirements relating to the proximity of the gas station to the road and farm animals, impacts from a drive-thru restaurant, and the well-being of his animals. Mr. Yates advised that there was a business there, but it was basically an office.

In response to Chairman Bryant, Mr. Yates stated his family enters his property from both sides (Highway 484 and SE 55th Avenue Road). He clarified that there is no access to his property off of US Highway 301. Mr. Yates advised that a developer, possibly Boyd Construction, sent him a letter a couple years ago trying to purchase his front paddock where he currently keeps his horses and cattle. He stated that the party indicated they would need the property to build a gas station at the location.

Commissioner Zalak questioned if the row of trees seen on the aerial photograph were located on his property. Mr. Yates advised that some are on his parcel. He stated the trees are not inside of the paddocks.

Chairman Bryant advised that public comment is now closed.

Mr. Green stated that he is from Kissimmee and there are cows immediate to the gas stations near his neighborhood. He advised that staff have informed the applicant that they will be responsible for maintaining all of the trees along the buffer line all along the western boundary, noting they have stipulated a wall is required by Code. Mr. Green stated he questioned if the applicant could install a polyvinyl chloride (PVC) or timber wall that would allow him to maintain all the trees without interrupting existing trees. He opined that the applicant could work around having a solid wall by having piling supported walls. In response to Commissioner Zalak, Mr. Weyrauch stated there is not an existing Developer's Agreement. He advised that he has not seen the tree survey the applicant mentioned.

Commissioner Zalak opined that the trees appear to be on the applicant's side for the most part. He questioned if the applicant proffered an agreement stating they will keep the trees and put a concrete wall out and around it, would staff be satisfied. Mr. Weyrauch advised that if the applicant wished to provide a Developer's Agreement it would help with a long-term solution for keeping the trees along that boundary line. He stated the panel walls can include footers to protect the trees.

Mr. Green advised that he is unsure an agreement is necessary, noting the Board can

make that a Condition of the approval.

Chairman Bryant opined that this application is incomplete, and she wants to know what it is she is approving. She noted the impact may not seem like a big one to the applicant; however, to the surrounding property owners it is a big deal.

Commissioner Stone stated she is willing to allow the applicant 30 to 60 days to provide a site plan to see how the neighbors would be impacted. She clarified she is willing to table this Item to a date certain.

Mr. Minter advised that anyone is entitled to come in and request a zoning with no particular use and if they get it, they are permitted by right to use whatever can be used in that zoning category. He stated conditional zoning is sometimes proposed but must be requested by the applicant. The Board cannot require it of the applicant.

Commissioner Stone advised that this may not be the time for this project.

Commissioner McClain stated he disagrees, noting the Yates' bought 3 years ago across 3 parcels touching their property that are already B-2 and commercial. He advised that he is satisfied with the buffer requirements in the County Code.

Mr. Minter stated the applicant has a commercial land use and is entitled to something compatible with his land use.

In response to Chairman Bryant, Mr. Weyrauch advised that A-1 is allowed to be used as A-1 until it is rezoned, but it is not consistent with the land use.

Chairman Bryant stated she is unsure what it would hurt for the applicant to bring back a more complete plan, so the Board knows what they are approving, and the neighbors know what to expect.

In response to Commissioner Stone, Commissioner Curry advised that he would be in favor of having a site plan or Developer's Agreement to see the impact to the area. He commented on the staff report indicating that the subject property is part of an area designated to be a commercial node at the intersection of South US Highway 301 and SE 132nd Street Road with residential uses intended to develop north of SE 132nd Street Road. He requested additional time for staff to react and the Board to get more information relating to the project, noting he hopes the applicant will be agreeable.

Mr. Green stated staff obtained the required items necessary for the zoning change request. He advised that typically within 1,500 feet from any major intersection is all commercial nodes, so in that regard it should be straight forward. Mr. Green stated the applicant will not have an objection to sharing the conceptual plan to show the intended buffer location. He questioned if there is a formal process to stipulate a conceptual plan with zoning. Mr. Minter noted the Staff Report and P&Z Commission decision are just recommendations. He advised that as far as a Developer's Agreement or the site plan, it is not generally required for a straight rezoning. Mr. Minter stated there was a special act enacted in Marion County years ago that allows for conditional zoning at the applicant's request. He advised that the Board cannot make an applicant enter into a Developer's Agreement, noting the applicant has to decide if they are content with the straight rezoning application to move forward for a decision by the Board.

Mr. Green stated he is willing to share the conceptual plan to provide the Board with a level of comfort that what he is saying is factual. He requested the matter be continued to a date certain.

In response to Commissioner Stone, Mr. Weyrauch advised that staff is requesting 60 days for this continuance, noting the traffic methodology was just submitted last month and this will allow time for it to be approved. He stated when straight zoning is approved, the plan for the project can change due to the list of permitted uses in a particular zoning

classification. Mr. Weyrauch clarified that staff does not bring the conceptual plans to the Board for straight zoning due to the likelihood the property could end up with a different use.

Commissioner Zalak advised that if the applicant wants to provide the Board with information relating to the tree buffer and how the wall is going to go in it would help due to this being the greatest impact on their neighbor.

Mr. Weyrauch stated the Board will be provided with the requested information.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to continue this matter to Monday, August 18, 2025 at 1:30 p.m. The motion was unanimously approved by the Board (5-0).

1.2. Planning and Zoning Items for Individual Consideration:

1.2.1. 250203ZC - Sumter Electric Cooperative, Inc., Zoning Change from General Agriculture (A-1) to Community Business (B-2), ±39.20 Acres, Parcel Account Number 41200-012-00, Site Address 12644 SW 16th Avenue (CR Hwy 475A), Ocala, FL 34473
The Board considered a petition by Sumter Electric Cooperative Inc., for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Community Business (B-2), for all permitted uses, on an approximate 39.20 Acre Parcel, on Parcel Account Number 41200-012-00, Site Address 12644 SW 16th Avenue, Ocala, FL 34473

P&Z PUBLIC HEARING ON MAY 28, 2025

250203ZC Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Fisher, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously 6-0.

Senior Planner Chris Rison, Growth Services, advised that Agenda Items 1.2.1 and 1.2.2 (250204SU) are concurring items and requested they be heard at one time.

Mr. Rison provided a brief overview of the request for a zoning change from A-1 to B-2 and the SUP request to allow for a utility company service yard including office building, warehouse, and outdoor equipment and material storage "lay-down yard," in a B-2 Zone. Commissioner Stone commented on a previous approval for General RV and questioned if there were restrictions relating to maintaining the tree line. Mr. Rison stated there is a buffer required on Interstate 75 (I-75) and the limitation is that it is just for display with no buildings proposed for that area. He advised that he could obtain the information relating to any requirements associated with the tree line on that property, noting at this time General RV had not provided any plans to move into that area.

Commissioner Curry requested additional information relating to the proposed berm.

Mr. Rison referred to the illustration provided by the applicant as seen on the overhead screens. He stated the berm is located along County Road (CR) 475A, noting the applicant has their three foot berm in this location, then that would be topped with the shrubs of their required buffering and then their plantings on top of that berm or integrated within. Mr. Rison advised the applicant is proposing the 8 foot tall opaque security fence on the interior side of the buffer, which is typical of staff's requirements.

Chairman Bryant questioned the anticipated height relating to the stacking of the product in the laydown yard and the buildings. Mr. Rison stated the applicant has not provided a specific height requirement. He referred to the illustration on the overhead screens, noting the warehouse would likely be a little taller than the proposed office. Mr. Rison advised that most of the materials would be located in the rear of that activity area.

Chairman Bryant stated the storage area is adjacent to CR 475A. Mr. Rison concurred.

Commissioner Curry commented on the proposed security fence and questioned if it will be around the entire perimeter. Mr. Rison advised that it was the initial proposal; however, the applicant has since made a request relating to the I-75 frontage.

In response to Commissioner Curry, Mr. Rison stated the applicant's proposal for the buffer along the frontage does include the 3-board fencing. He advised that having the berm and buffer behind that meets the Type C modified buffer for the gateway overlay and there is the 8 foot opaque fence on the interior side behind those things.

Commissioner McClain questioned where the access for the neighboring residential properties is located. Mr. Rison stated those properties have access via SW 130th Street Road, which turns north and dead ends at one of those residences.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the zoning change. Growth Services Department staff recommended denial of the SUP; however, the P&Z Commission recommends approval. If the Board grants the SUP, staff recommend the following Alternate Approval Conditions:

1. The site shall be operated consistent with this Special Use Permit approval wherein any Master Plan, Site Plan, or use and enjoyment of the Property referenced herein (the "Property") shall be consistent with the preliminary site plan, landscape plan and exhibits depicting signage, fences or other improvements described on the attached Exhibit A ("SUP Conceptual Plan Set") and the conditions set forth herein.
2. This Special Use Permit shall run with the ownership and occupancy of SECO and not the property. Thus, conveyance, lease or license of the Property or any portion thereof, except
 - (a) to an entity in which a majority of the voting interests (in the form of stock, membership interests, partnership interests or other similar interest thereof) is owned or controlled, directly or indirectly, by Sumter electric Cooperative, Inc.;
 - (b) any grant of easement rights on or over the property; or (c) to any governmental entity, shall terminate and nullify this Special Use Permit as it relates to the subject property conveyed, leased, or licensed, which shall thereafter be used in a manner consistent with the site's underlying future land use designation, zoning classification, and applicable sections of the Comprehensive Plan and Land Development Code, including but not limited to regulations concerning the Marion County CR 475A Visual Enhancement Gateway Development Overlay ("CR 475A Overlay").
3. The site's three parcels shall be combined into, and maintained as, a single ±79-acre parcel owned and controlled by Sumter Electric Cooperative, Inc.
4. All buffers and boundaries shall include those improvements depicted or noted on the SUP Conceptual Plan Set and accompanying documents and complying with the following:

- (a) The site shall include the 8-foot opaque security fencing and gates, as shown in the SUP Conceptual Plan Set, that shall be provided around the entire property as indicated,
- (b) B-Type Buffers shall consist of a 20-foot landscaped strip and an eight foot (8') opaque security fence. The landscaped strip shall contain at least three shade trees and five accent / ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer area and shall form a layered landscape screen with a minimum height of three feet within one year of planting.
- (c) The B-Type Buffer along the west side of subject property's two southern parcels, adjoining off-site PID#s 41200-011-00, 41200-023-00, and 41200-024-00, shall be provided as indicated, subject to the following:
 - 1. At the time of planting/installation, a minimum of 1/3 of the shade trees and 1/5 of the accent/ornamental trees shall be increased in size at the time of planting to be 25% above the minimum planting size as specified by the LDC.
 - 2. The 8-foot opaque fencing along this west boundary shall be installed at the outer perimeter of the outdoor storage "lay-down" yard areas as indicated in the SUP Conceptual Plan Set, and the minimum fencing height shall be based on, and measured from, the finished grade elevation of the adjoining outdoor storage "lay-down" yard areas, to screen those areas when their finished grades have been elevated in relation to the site's adjoining property lines.
- (d) D-Type Buffers shall consist of a 15-foot landscaped strip and an eight foot (8') opaque security fence. The landscaped strip shall contain at least three shade trees and five accent / ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer area and shall form a layered landscape screen with a minimum height of three feet within one year of planting.
- (e) CR 475A (modified C-Type) Buffer shall consist of a 20-foot landscaped strip and an eight-foot (8') opaque security fence. The landscaped strip shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer area and shall form a layered landscape screen with a minimum height of three feet within one year of planting. In addition to the foregoing and as depicted on the SUP Conceptual Plan Set, the eastern boundary shall also include a three-foot (3') berm and decorative 3-board fence, pursuant to LDC Section 5.8.A, Figure 5.8.5-1.
- (f) All berms and landscaping shall be constructed and maintained in a manner compliant with the Land Development Code, preventing materials stored outdoors on the Property or any portion thereof used as a laydown yard from the viewshed of adjacent properties.

- (g) All buffers, including berm(s) and landscaping, shall be constructed or installed prior to receipt of a final inspection for any building improvements constructed on the Property, and shall be maintained consistent with LDC requirements in perpetuity.
 - (h) All landscaping shall be served by an irrigation system installed, maintained, and operated in perpetuity by SECO.
 - (i) SECO shall install six-foot (6') opaque construction fencing around the entire Property during construction.
- 5. Except for (a) the pole bunk area on the Property (which shall have a stone base) and (b) the portion of the existing access road identified as SW 130th Street Road shared by neighboring property owners lying west of the "turn-to the north" to enter the site's interior storage area, all internal site vehicle driving aisles, including personnel and vehicle parking areas and access aisles throughout the outdoor materials storage "lay-down" yard, shall be paved and maintained with a permanent asphalt or concrete surface in order to limit onsite dust generation that could become airborne and prevent dust or debris from vehicles exiting the site.
- 6. Along the north boundary of the northern 300-foot wide stabilized staging area (grass pave), a physical barrier (e.g., curbing, bollards, vertical/horizontal poles, chain-link fencing, etc.) shall be provided to clearly delineate the limits of the area and ensure vehicles, equipment, and material storage do not encroach into the 312-foot wide open space area that extends east-to-west along the property's north boundary line. Only vehicles/equipment maintaining the open space may access that area (e.g., mowers, etc.).
- 7. The proposed office, warehouse, and covered vehicle parking shall be placed consistent with the SUP Conceptual Plan Set wherein the office aligns with the site's central access aligning with SE 128th Lane (identified as "Employee and Visitor/Vendor Access") and shall be designed and constructed in a manner consistent with the following standards:
 - (a) The office and warehouse shall be a single structure with varied vertical elevations consistent with the Community Business (B-2) Zoning height standards, and present visually as a fully enclosed structure with no bay doors or loading docks visible to CR 475A; and
 - (b) The office and warehouse shall not be a metal/corrugated siding or similar industrial appearance and shall present a façade varied in depth and finish in to avoid presenting a uniform monolithic appearance to CR 475A.
- 8. Outdoor lighting shall fully comply with DarkSky certification requirements and Marion County LDC Division 6.19 – Outdoor Lighting and the project shall not be eligible for LDC Waivers in regards that division. Further, no outdoor lighting shall exceed 20-feet in height (rather than the 30-feet in height listed in LDC Section 6.19.6.E(4)).
- 9. Any failure to satisfy or comply with the conditions set forth herein or the concept plan approved simultaneously herewith shall constitute a violation of this Special Use Permit, which shall be cause for revocation of this Special Use Permit by the Marion County Board of County Commissioners

following reasonable notice of violation to SECO Energy and reasonable opportunity to cure.

Tara Tedrow, Lowndes Law, North Eola Drive, Orlando, on behalf of the applicant, advised that an individual from Sumter Electric Cooperative (SECO) will provide a quick overview of the operations and then she will get into the bulk of the presentation after that.

Vice President of Communications, Community and Member Experience Kathy Judkins, SECO, South US Highway 301, Sumterville, stated she is present to share SECO's vision for the new operations center in Marion County. She advised that SECO is a not-for-profit electric cooperative serving over 250,000 homes and businesses in 7 Counties, noting roughly 76,000 of those are located in Marion County. Ms. Judkins stated 108 of SECO's 460 employees reside in Marion County. She provided an overview of SECO's economic impact for Marion County in 2024, which includes \$1,970,000.00 Sales Tax collected; \$2,990,000.00 in property taxes; and \$7,270,000.00 plant investments.

Ms. Judkins advised that SECO is building for the future with a state-of-the-art service center located in Marion County. This is a long-term commitment to the community. She stated this is a new model for operating moving forward, noting the project is about service not profit. Ms. Judkins advised that the project represents essential infrastructure, not a commercial venue and is a need driven by reality. She stated the region is one of the fastest growing in the State and the Country, noting new homes and businesses make demands on reliable power especially during severe weather. Ms. Judkins advised that SECO's existing infrastructure, built decades ago, was not designed for this scale of growth. She stated this new facility will serve as a central base for approximately 45 of SECO's frontline employees, line workers, dispatchers and support staff.

Ms. Tedrow commented on the requests to rezone 39.2 acres to B-2 and the SUP to allow SECO's operations office, related warehouse and service yard, noting the Future Land Use (FLU) designation for all 79.2 acres for the project is employment center (EC). This designation contemplates a mix of business, enterprise, research and development, light industrial, etc. She advised that the requests are consistent with what was contemplated in the County's Comprehensive Plan. Ms. Tedrow commented on language in the Land Development Code (LDC) relating to the B-2 classification, which states, "...All commercial activity involving retail sales or rentals shall take place in a completely enclosed building." She advised that SECO is not building a destination facility for anyone in the public to come to for sales or services. Ms. Tedrow provided an overview of types of retail sales and services that can occur outdoors in B-2 by right today, noting SECO is not proposing that type of intense B-2 activity. She advised that in terms of the EC standards relating to the types of intensity of use permitted, the FLU allows a floor area ratio (FAR) of 2; however, the zoning would restrict that to a 1. Ms. Tedrow clarified that under the FLU that would equate to roughly 6,000,000 square feet (sq. ft.) of commercial activity under the zoning that is constrained down to approximately 3,000,000 sq ft of potential commercial uses on the site. She commented on the reaction at the P&Z Commission meeting when individuals found out that across from the horse parks leading up to the Florida Horse Park and the trailhead could be that intense of development. Ms. Tedrow stated the P&Z Commission was supportive of SECO's project because places like the Florida Horse Park did not want that type of development and the intensity that it could bring, especially with the potential impacts to the roadways. She noted the SECO project is just 79,100 sq. ft. on those 79.2 acres, which is a 96% reduction in the intensity of development that could otherwise occur by right today on that property based on the

FLU designation that is in place. Ms. Tedrow stated there are very small setbacks under the County's B-2 zoning designation today. She advised that there have been conversations with neighboring property owners, noting there were community Zoom meetings where neighbors did not attend due to being satisfied with the project plans, enhanced setbacks and buffers that would be adjacent to those properties.

Ms. Tedrow commented on the CR 475A visual enhancement gateway development overlay, noting it has 2 functions in the County's Code. She stated it talks about the types of uses that the County is limited to and it addresses the types of modifications to the County's landscape buffering along CR 475A that would have to be put in place for an individual to develop.

Ms. Tedrow stated as it relates to the attractiveness, all the Code really says is an individual needs to have a 3 board fence, a 20 foot landscape buffer, sidewalks all along CR 475A and more rural signage that would meet the Code. She advised that there is a whole list of uses that are incredibly intense. Ms. Tedrow commented on having drive-thru restaurants, a liquor store, bar and nightclub and saying it fits in with the community simply by adding a rustic sign. She opined that she does not believe it fits, noting the neighbors agreed. Ms. Tedrow stated the overlay was intended to support a presentation and host facilities that support the Florida Horse Park, noting the Florida Horse Park indicated they liked what SECO was doing to support their efforts in that area as opposed to what could otherwise be done. She advised that the use intensity regulation portion of that overlay district talks about B-2 uses and anything that would be industrial in nature requires that SUP approval, which is why SECO is here today. The office portion of the project is permitted by right and it is the ancillary portions of the operations for SECO that require the SUP. Ms. Tedrow stated SECO does not want commercial frontage on their property; however, General RV does have that type of allotment on their frontage. She advised that the vacant, undeveloped area there is for future commercial parcels.

Ms. Tedrow stated SECO has revised its concept plan and either meets or greatly exceeds every required buffer under the County's Code. She advised that there is a modification relating to the type of grass to be used, noting she is requesting the applicant be allowed to use Bahia grass due to the cost of the alternative. Ms. Tedrow commented on the buffer along I-75. She stated the applicant currently has 1.7 miles of fencing they are installing. It is all 8 foot high opaque fencing, which was a request from staff. Ms. Tedrow advised that using a different type of fencing along I-75 would be a \$500,000.00 cost reduction.

In response to Chairman Bryant, Ms. Tedrow stated the modification request relating to the fencing would be to utilize the current 3 board fence, a 15 foot landscape buffer with shrubs, canopy and understory trees and then a chain link fence. She advised that there is a significant amount of tree preservation on the property, especially along the north border, southeast corner and along I-75.

Ms. Tedrow provided an aerial view of the property, noting the significant amount of sodded open space, tree preservation and the setbacks.

In response to Chairman Bryant, Ms. Tedrow stated the north line has a 955 foot setback from the property line to SECO's closest building instead of the required 10 feet. Along CR 475A the setback requirement is 40 feet and the SECO building is 65 feet back. To the south there is another required 10 foot setback; however, SECO has provided a 625 foot setback. There are 2 western points to consider, with one of them being off of I-75. The western setback adjacent to the neighbors has 820 feet in place of the required 25 feet setback. She advised that the berm is relative to the frontage of the property and has

been increased to 3 feet from the 2 feet required by Code. Ms. Tedrow stated there will be a 3 and a half foot decorative 3 board fence, then a berm with the plantings on top of it, the canopy trees are 14 to 16 feet high at the time of planting and behind that there is another fence.

Chairman Bryant questioned what canopy trees will be planted. Ms. Tedrow advised that the information will be provided later. She stated all of the fencing has been increased to 8 feet with the exception of the I-75 modification. The decorative fencing has been provided relating to CR 475A, which was listed as optional in the Code. The FAR is a 0.02 rather than the FLU of a 2.0. The open space requirement is 20%; however, the applicant provides 71%. SECO has agreed to dark sky lighting, the office height is only 25.5 feet, and the storage portion is still under the permitted 50 feet at just over 40 feet.

Ms. Tedrow provided an overview relating to the anticipated trip generation from commercial uses. She stated the trip generation statistics were based on a reasonable highest and best use of the property, assuming mixed-use with 150,000 square feet of office space, a 200 room hotel and 490,000 square feet of retail on the site. Based on these uses the potential trip generation would be roughly 13,000 new net daily trips and approximately 1,500 new evening peak hour trips. Ms. Tedrow advised that SECO's plan has an anticipated trip generation of less than 6% of the highest potential daily trip generation and roughly 130 evening peak hour trips or approximately 9% of what would otherwise come. She stated the P&Z Commission was supportive of this request due to their desire to prevent the increase in traffic on CR 475A.

Ms. Tedrow addressed the 955 ft. setback on the north, which staff has requested contain enhanced planting. She advised that the neighbors requested additional plantings on top of the enhanced offerings the County requested and SECO has agreed.

Ms. Tedrow stated staff recommended approval of the rezoning and the P&Z Commission recommendation was unanimous. She advised that staff recommended denial relating to the SUP request. Ms. Tedrow addressed the language in the Code relating to ensuring that there are not going to be adverse off site impacts, whether that's noise, glare, odor, etc. on adjacent properties. She stated all traffic areas on the site are going to be paved, so the idea that there is going to be dust kicked up would not exist. In terms of noise, SECO is subject to the same County noise standards as anybody else. Ms. Tedrow advised that she is hard pressed to believe that SECO operating its district office here is going to create more noise than tourism related uses. She commented on the staff report, noting one of the main things it covers relates to why the project does not meet the overlay due to the belief that the overlay is for tourism uses. Ms. Tedrow stated she went back to the minutes that were in the staff report for when that was adopted in 2016 and did not see the word tourism. She advised that she went to the Code, and the word tourism is nowhere to be found in that overlay district, noting she does not believe that it was meant to have true tourism related uses.

Ms. Tedrow stated the next item staff cited was screening and buffering, but the site has significant buffering, significant landscaping. She opined that enhancements the applicant has provided are a net positive on every level.

Erik Juliano, Bowman Consulting, West Eau Gallie Boulevard, Melbourne, advised that the canopy trees that will be used on the projects are southern magnolia, southern live oak, winged elm, American holly and American hornbeam. The understory trees are white fringe tree, flowering dogwood and yaupon holly.

Ms. Tedrow commented on the approximate \$4,100,000.00 investment in landscaping, which will all be installed prior to any onsite operations occurring. She provided an

overview of staff's Conditions, noting they are good with all of them except for the modifications relating to the fencing and grass.

In response to Commissioner Curry, Ms. Tedrow provided an overview relating to DarkSky lightings.

In response to Chairman Bryant, General Counsel Tracy de Lemos, SECO, South US 301, Sumterville, stated there will be no outdoor intercom systems, noting there will be limited activity on the site. She clarified that the warehouse component will provide storage for anything SECO needs to construct, maintain and restore power and will not be a distribution warehouse. Ms. de Lemos advised that there will be back up notifications for the forklifts and some of SECO's larger vehicles. She noted the neighbors are aware. Ms. de Lemos stated the poles are all on the pole bunk and are shorter than the buildings. Commissioner Zalak requested information relating to staff's recommended denial of the SUP. Mr. Rison stated the concern relates back to the CR 475A overlay, noting originally this area was established as the Equine Commercial Support District, intended to provide support for equine activities in the area. He advised that those property owners were not cooperative with each other and came forward to undo the district. The County then established the EC land use designation on the property. Mr. Rison noted the concern of the Board at the time was about the appearance going into the Florida Horse Park. He stated the Horse Park is trying to revitalize itself and grow and continue and has been doing that and by focusing on that activity, it can keep in that gateway effect and then potentially support those kinds of activities. Mr. Rison advised that is why, for instance, the trail is not a 5 foot sidewalk, it is an 8 foot path. He stated the concept was to possibly have hotels or restaurants where people would be able to come and they would walk up to the facility at the Horse Park and not have to drive a car. Mr. Rison questioned where individuals will stay in this area when attending events at the Florida Horse Park.

Chairman Bryant stated now they can stay in the campground at the Florida Horse Park, which was not there then, but was a great concept at the time that the Board discussed the matter.

Mr. Rison questioned where the alternative location is for the Horse Park related activities to occur if this area becomes occupied by other uses. He advised that the EC designation on the eastern side of the Interstate, this area, and the southern side where the Don Garlitt's complex is located is the more limited area and the larger area is on the west side of the Interstate. Mr. Rison stated if individuals stay on the west side of the Interstate the ability to walk over to the Horse Park is not likely to happen and there will be more traffic.

Chairman Bryant opined that the concept was great; however, there is still a lot of residential development along that corridor. She commented on the cost associated with laying sidewalk, noting she cannot imagine the County laying sidewalk all the way to the Horse Park.

Mr. Rison advised that General RV built their 8 foot path.

Ms. Tedrow stated she is unaware of the exact height relating to the stacking of materials however, she requested to add a Condition that says it will not be visible from external property boundaries.

Chairman Bryant expressed support for increasing the proposed berm from 3 to 4 feet.

Mr. Juliano advised that it would be cost prohibitive to add another foot to the berm. He stated there is a 20 foot buffer area, a 3 board fence, the berm, trees and at the very back of the buffer area is where the fence is located. Mr. Juliano advised that the fence is green, and it will all blend in together and look nice.

Chairman Bryant commented on the 20 foot right-of-way (ROW) dedication and questioned if it is sufficient for any future widening that may occur on CR 475A.

Mr. Bouyounes stated he is unsure how much existing ROW the County has at the location and questioned if the applicant is showing another 20 feet of ROW. Mr. Rison stated the applicant's plan does show an additional 20 feet of ROW. He advised that from the geographic information system (GIS) the current width of CR 475A is an 80 foot wide ROW, noting the applicant is providing 20 feet, presumably there would be 20 feet on the others side and that would provide for the 120 feet required.

In response to Chairman Bryant Ms. de Lemos advised that SECO has not decided on a color for the chain link fencing but will be happy to make it a color if that is necessary.

Commissioner Zalak questioned how SECO decided on a location like this rather than one of the industrial sites on the other side of I-75. Ms. de Lemos advised that she was a real estate attorney for SECO for 15 years prior to coming in-house. She stated SECO talked to her about this parcel in this corridor 14 years ago as their project destiny. Ms. de Lemos advised that SECO does not consider itself to be heavy industrial at all, so industrial can be limiting to the linemen relating to getting in and out of the property. She stated she was asked to stay on the east side of I-75 due to traffic limitation on the west side. Ms. de Lemos advised that SECO needed a larger parcel for staging in the event of a major storm. She stated the 45 employees includes the office and field employees.

In response to Chairman Bryant, Ms. de Lemos advised that the site would most likely be utilized to run SECO's northern operations in the event of a big storm. She stated this applies when there is an emergency order from Governor Ron DeSantis and SECO is required to operate for emergency restoration purposes. Ms. de Lemos advised that the number of individuals that are brought in from other states to assist in restoration depends on the storm. She clarified that the staging area is large enough to accommodate vehicles so they can be fueled and loaded overnight and leave at first light the following morning. Ms. de Lemos advised that SECO has not staged at Florida Horse Park in the past; however, they have staged at General RV due to the open space on their property.

Commissioner Zalak commented on a rendering relating to the CR 475A east boundary, noting the buffer and building are visible. He stated there was earlier testimony that individuals could not see the facilities from the view shed.

Ms. Tedrow advised that it is her belief the rendering Commissioner Zalak is looking at was done prior to receiving staff's requirements for increased height size at planting.

Mr. Rison stated there are multiple renderings that represent the heights at planting, 3 years and at maturity.

In response to Commissioner Zalak, Mr. Rison stated maturity is approximately 10 years. Commissioner Zalak advised that the attorney testified that from the view shed based on the reports she had and the illustrations she showed, individuals would not be able to see pretty much anything from the road. He stated the illustration from Gensler shows that the building and other things are visible.

Charles Berg, Water Street, Tampa, advised that the comments relating to visibility related to covered materials and fleet parking rather than the buildings. He stated the storage building will be 40 to 42 feet in height, so the landscaping even when fully mature will not completely obstruct the building. Mr. Berg advised that the applicant is trying to use the blend of the additional buffer landscaping and as many of the existing trees as possible along CR 475A. He stated the office building is substantially shorter and there is a good chance that the fully mature landscaping will completely obstruct that portion of the facility.

In response to Commissioner Zalak, Mr. Berg advised that the elevation is intended to show the level of the landscaping, noting the angle on the sections are a better representation for what individuals will see. He stated the buffer will obstruct a lot more of the building due to the eye level view being below the fence and landscaping that is all installed on day one. Mr. Berg noted the proposed structures will be between 18 and 20 feet tall to provide for trucks to drive underneath. He advised that structure to the left is a maintenance building, the structures behind the buildings are the covered material area and would be approximately the same height as the covered parking structures. Mr. Berg stated the center building will be the office building and the storage building to the right being the tallest building. He advised that the applicant does not anticipate individuals will see any structures other than the warehouse. Mr. Berg stated based on the view section studies relating to a person walking by the facility at eye level he would not anticipate they would see anything but the warehouse.

In response to Commissioner Stone, Chairman Bryant advised that the first planting of trees will range from 14 to 16 feet high.

In response to Chairman Bryant, Mr. Juliano stated the planting heights will be between 14 and 16 feet relating to the canopy trees from the ground. He clarified that what the project is providing is above the Code requirements.

Chairman Bryant directed Ms. Straub to reach out to Parks and Recreation Director Jim Couillard to see if he can provide additional information relating to the plantings.

Chairman Bryant opened the floor to public comment.

Executive Director Jason Reynolds, Florida Horse Park, Highway 475, advised that he supports the project, noting the applicant spent a lot of time reaching out to himself and neighbors. He commented on the Emergency Management operations that occur at the Horse Park and the critical role SECO has played when needed.

Director of Conservation Busy Shires, Horse Farms Forever (HFF), NW 90th Avenue, expressed appreciation towards the leadership at SECO for listening to the concerns of members, noting they have gone above and beyond making significant investments to exceed the Code requirements.

Annette Kenny, SW 16th Avenue, stated she was among a group of neighbors that hired an attorney due to their concerns relating to this project. She advised that today she is in support of the project subject to all of Staff's Conditions, noting SECO has gone above and beyond communicating and taking concerns into consideration.

Chairman Bryant advised that public comment is now closed.

Commissioner Zalak commented on the 45 individuals that will work at the facility and questioned how many individuals the project has the capacity to house. Ms. de Lemos stated the 10 year estimated growth for this site is 89 employees.

In response to Commissioner Zalak, Ms. de Lemos advised that the figure represents the anticipated growth over the next 10 to 15 years. Ms. Tedrow indicated that based on the traffic study 90% of individuals will come south down Highway 475 to the I-75 intersection. Commissioner McClain expressed appreciation towards SECO for the work they put into the project and the way they have accommodated their neighbors.

Commissioner Curry stated the project will be a huge asset to the community and commended SECO for the way they have approached it and worked with surrounding neighbors.

In response to Commissioner Zalak, Mr. Rison stated the SUP will only run in the name of SECO. He clarified that there are no color requirements relating to the fencing, and no increase in the berm height.

A motion was made by Commissioner Stone, seconded by Commissioner Zalak, to approve the zoning change from A-1 to B-2, agreeing with Growth Services staff and the P&Z Commission, based on findings and recommendations that the proposed use will not adversely affect the public interest, is consistent with the Comprehensive Plan and is compatible with the surrounding land uses. The motion was unanimously approved by the Board (5-0).

1.2.2. 250204SU - Sumter Electric Cooperative, Inc., Special Use Permit to Allow for Utility Company Service Yard Including Office Building, Warehouse, and Outdoor Equipment and Material Storage "Lay-down Yard," in a Community Business (B-2) Zone, 79.20 Acre Tract, Parcel Account Numbers 41200-012-00, 41200-020-00, and 41200-020-01, Site Addresses 12644, 12830, and 12940 SW 16th Avenue, Ocala, FL 34473

The Board considered a petition by Sumter Electric Cooperative Inc., for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow utility company offices and service yard, including office building, warehouse, and outdoor equipment and material storage "lay-down yard", in a Community Business (B-2) zone, on an approximate 79.20 Acre Tract, on Parcel Account Numbers 41200-012-00, 41200-020-00, and 41200-020-01, Site Addresses 12644, 12830, and 12940 SW 16th Avenue, Ocala, FL 34473

This matter was addressed with Agenda Item 1.2.1.

A motion was made by Commissioner Stone, seconded by Commissioner Zalak, to adopt Resolution 25-R-180 approving the SUP request with Conditions 1 through 9, as amended below, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

Resolution 25-R-180 contains the following Conditions:

1. The site shall be operated consistent with this Special Use Permit approval wherein any Master Plan, Site Plan, or use and enjoyment of the Property referenced herein (the "Property") shall be consistent with the preliminary site plan, landscape plan and exhibits depicting signage, fences or other improvements described on the attached Exhibit A ("SUP Conceptual Plan Set," as revised) and the conditions set forth herein.
2. This Special Use Permit shall run with the ownership and occupancy of SECO and not the property. Thus, conveyance, lease, or license of the Property or any portion thereof, except (a) to an entity in which a majority of the voting interests (in the form of stock, membership interests, partnership interests or other similar interest thereof) is owned or controlled, directly or indirectly, by Sumter Electric Cooperative, Inc.; (b) any grant of easement rights on or over the property; or (c) to any governmental entity, shall terminate and nullify this Special Use Permit as it relates to the subject property conveyed, leased, or licensed, which shall thereafter be used in a manner consistent with the site's underlying future land use designation, zoning classification, and applicable sections of the Comprehensive Plan and Land Development Code, including but not limited to regulations concerning the Marion County CR 475A Visual Enhancement Gateway Development Overlay ("CR 475A Overlay").

3. The site's three parcels shall be combined into, and maintained as, a single ±79-acre parcel owned and controlled by Sumter Electric Cooperative, Inc.
4. All buffers and boundaries shall include those improvements depicted or noted on the SUP Conceptual Plan Set and accompanying documents and complying with the following:
 - a. The site shall include the 8-foot opaque security fencing and gates, as shown in the SUP Conceptual Plan Set, that shall be provided around the entire property as indicated, except for the alternative fencing permitted adjacent to 1-75;
 - b. B-Type Buffers shall consist of a 20-foot landscaped strip and an eight-foot (8') opaque security fence. The landscaped strip shall contain at least three shade trees and five accent / ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer area and shall form a layered landscape screen with a minimum height of three feet within one year of planting;
 - c. The B-Type Buffer along the west side of subject property's two southern parcels, adjoining off-site PID#s 41200-011-00, 41200-023-00, and 41200-024-00, shall be provided as indicated, subject to the following:
 1. At the time of planting/installation, a minimum of 1/3 of the shade trees and 1/5 of the accent/ornamental trees shall be increased in size to be 25% above the minimum planting size as specified by the LDC.
 2. The 8-foot opaque fencing along this west boundary shall be installed at the outer perimeter of the outdoor storage "lay-down" yard areas as indicated in the SUP Conceptual Plan Set, and the minimum fencing height shall be based on, and measured from, the finished grade elevation of the adjoining outdoor storage "lay-down" yard areas, to screen those areas when their finished grades have been elevated in relation to the site's adjoining property lines;
 - d. The buffer extending south from the northwestern corner of the property, lying along and directly adjacent to 1-75 shall be a C-Type buffer and shall consist of a preserved three-board fence, a 15-foot landscaped strip and up to an eight-foot (8') chain-link security fence. The landscaped strip shall contain at least three shade trees and five accent / ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer area and shall form a layered landscape screen with a minimum height of three feet within one year of planting.
 - e. CR 475A (modified C-Type) Buffer shall consist of a 20-foot landscaped strip and an eight-foot (8') opaque security fence. The landscaped strip shall contain at least two shade trees and three accent / ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer area and shall

- form a layered landscape screen with a minimum height of three feet within one year of planting. In addition to the foregoing and as depicted on the SUP Conceptual Plan Set, the eastern boundary shall also include a three-foot (3') berm and decorative 3-board fence, pursuant to LDC Section 5.8 .A, Figure 5.8.5-1.
- f. All berms and landscaping shall be constructed and maintained in a manner compliant with the Land Development Code, preventing materials stored outdoors on the Property or any portion thereof used as a laydown yard from the viewshed of adjacent properties.
 - g. All buffers, including berm(s) and landscaping, shall be constructed or installed prior to receipt of a final inspection for any building improvements constructed on the Property, and shall be maintained consistent with LDC requirements in perpetuity.
 - h. All landscaping shall be served by an irrigation system installed, maintained, and operated in perpetuity by SECO.
 - i. SECO shall install six-foot (6 ') opaque construction fencing around the entire Property during construction.
 - j. No laydown yard materials, including stacked storage items such as pole bunks, shall be visible to surrounding external off-site properties.
5. Except for (a) the pole bunk area on the Property (which shall have a stone base) and (b) the portion of the existing access road identified as SW 130th Street Road shared by neighboring property owners lying west of the "turn-to the north" to enter the site's interior storage area, all internal site vehicle driving aisles, including personnel and vehicle parking areas and access aisles throughout the outdoor materials storage "lay-down" yard, shall be paved and maintained with a permanent asphalt or concrete surface in order to limit on-site dust generation that could become airborne and prevent dust or debris from vehicles exiting the site.
 6. Along the north boundary of the northern 300-foot wide "stabilized staging area (grass pave)" shown on Exhibit "A" Page 1, a physical barrier (e.g., curbing, bollards, vertical/horizontal poles, chain-link fencing, etc.) shall be provided to clearly delineate the limits of the area and ensure vehicles, equipment, and material storage do not encroach into the 312-foot wide open space area that extends east-to-west along the property's north boundary line. Only vehicles/equipment maintaining the open space may access that area (e.g., mowers, etc.).
 7. The proposed office, warehouse, and covered vehicle parking shall be placed consistent with the SUP Conceptual Plan Set wherein the office aligns with the site's central access aligning with SE 128th Lane (identified as "Employee and Visitor/Vendor Access") and shall be designed and constructed in a manner consistent with the following standards:
 - a. The office and warehouse shall be a single structure with varied vertical elevations consistent with the Community Business (B-2) Zoning height standards, and present visually as a fully enclosed structure with no bay doors or loading docks visible to CR 475A; and
 - b. The office and warehouse shall not be a metal/corrugated siding or similar industrial appearance and shall present a façade varied in

depth and finish in to avoid presenting a uniform monolithic appearance to CR 475A.

8. Outdoor lighting shall fully comply with DarkSky certification requirements and Marion County LDC Division 6.19 - Outdoor Lighting and the project shall not be eligible for LDC Waivers in regards that division. Further, no outdoor lighting shall exceed 20-feet in height (rather than the 30-feet in height listed in LDC Section 6.19.6.E(4)).
9. Any failure to satisfy or comply with the conditions set forth herein or the concept plan approved simultaneously herewith shall constitute a violation of this Special Use Permit, which shall be cause for revocation of this Special Use Permit by the Marion County Board of County Commissioners following reasonable notice of violation to SECO Energy and reasonable opportunity to cure.

Chairman Bryant expressed appreciation towards the SECO representatives for their well thought out plan and taking into consideration the corridor the County is trying to create. She commented on their plan, noting it diminishes what could have been there. Chairman Bryant opined that this is a win-win for SECO and the surrounding property owners on CR 475A.

There was a recess at 3:37 p.m.

The meeting reconvened at 3:45 p.m. with all members present

1.2.3. 25-S06 - Gary W. Smallridge and 4 C Family Trust, LLC, Small-Scale Land Use Amendment from Rural Land (RL) to Commerce District (CD), 30.21 Acre Tract, Parcel Account Numbers 41520-001-04 and 41520-101-04, No Addresses Assigned

The Board considered a petition by Gary W Smallridge and 4 C Family Trust, LLC, for a Land Use Change, Articles 2 and 3, of the Marion County Land Development Code, from Rural Land (RL) to Commerce District (CD), on an approximate 30.21 Acre Tract, on Parcel Account Numbers 41520-001-04 and 41520-101-04, No Addresses Assigned

P&Z PUBLIC HEARING ON MAY 28, 2025

25-S06 Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Johnson, to disagree with staff's findings and recommendation, and recommend approval of the land use change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 5-1 with Mr. Fisher dissenting.

Transportation Planner Ken Odom, Growth Services, advised that Agenda Items 1.2.3 and 1.2.4 (250406ZC) are companion items and requested they be heard at one time. He provided a brief overview of the request for a land use change from RL to CD and the zoning change from A-1 to Light Industrial (M-1), 30.21 Acre Tract. Mr. Odom advised that the project is roughly 3.25 miles east of I-75, noting there is an established industrial area nearby.

In response to Chairman Bryant, Mr. Odom stated on the south side of this project is the site where a different individual burned up their own air curtain and incinerator when preparing the property to sell. He advised that there is currently no burning there; however, it is still being used as a vegetative debris site. Mr. Odom stated the applicant

June 16, 2025

in that case set his field on fire, setting the machine on fire and prompting the Fire Department to respond.

Mr. Odom advised that the predominant land uses in the area are rural land (RL) and Medium Residential (MR). He stated the RL accompanies most of the A-1 zonings while MR has R-4 on the majority, noting most account for manufactured homes as well as site built homes.

In response to Chairman Bryant, Mr. Odom advised that there is residential to the south and east. The request is for CD. Mr. Odom stated the land uses are on opposite ends of the spectrum with RL being the least intense land use and CD, which is the most intense. Mr. Odom commented on the conceptual plan submitted by the applicant, noting at the P&Z Commission hearing the applicant indicated this is probably not the format they will utilize. He advised that Mr. Smallridge commented on trying to have a welding shop for his son on the site; however, Mr. Conrad, who owns the piece to the south, did not indicate what he intends for the site. Mr. Odom stated the plan is what staff was provided, and what part of their analysis was based upon. He noted it looks like a plat and basically like an industrial park. He provided an overview relating to the site photos as seen on the overhead screens. Mr. Odom commented on the availability of facilities, noting there is no water or sewer at this location despite being located across the street from the Urban Growth Boundary (UGB). He advised that staff consider in their analytics the type of industrial uses that will be taking place at the location and whether they are suitable for a septic system or do they need separate containment facilities. Mr. Odom stated the City of Bellevue has sewer and water services to the east; however, there is a City boundary where they stop.

Commissioner Stone out at 3:51 p.m.

Mr. Odom commented on issues with CR 484 at I-75, noting currently it is an operationally deficient intersection. There is work being done by the Department of Transportation (DOT) and SW 49th Avenue will help to mitigate that once it is completed due to it being basically a frontage facility for Marion Oaks all the way to SR 326. He advised that the Marion Oaks flyover going all the way to CR 42 will help in addition to an auxiliary lane project on I-75 that will begin very soon. Mr. Odom stated this project does not increase capacity under the bridge, noting the only project doing that is what is there now. He commented on the bottleneck that occurs at the location. There are operational failures during peak hours multiple times during the day. Mr. Odom advised that the auxiliary lanes when built will add a lane between the interchanges but will not widen the decks; therefore, the capacity will not increase. He stated this location might be suitable to house this type of use at a later date when services are available.

Commissioner Stone returned at 3:54 p.m.

Mr. Odom provided an overview relating to the potential traffic generation. He commented on the rural neighborhoods that are next to this location, even though there is industrial in the area. Mr. Odom advised that this is the highest intensity the County allows (M-1 and M-2). The applicant is only requesting M-1, which requires most things to occur inside; however, staff still do not know what is going in at the location and there will be a lot of heavy vehicles. He stated the water systems available at this location are unknown and reiterated that water and sewer are not available. Mr. Odom commented on the volume-to-capacity ratio (v/c ratio), basically the percentage of the capacity of the roadway that is available. He clarified that 98% off the capacity is currently used on CR 484 west of I-75 and 95% of the capacity is currently used up on the east side, noting those figures are during the peak hours.

It was noted that Growth Services staff is recommending denial and the P&Z Commission recommends approval of the small scale land use amendment and requested zoning change.

Randall Alvord, RNB Realty, East Fort King, on behalf of the applicant, provided a brief overview of the history of Mr. Smallridge's family, noting his grandfather was a Marion County Commissioner. He commented on the rural properties to the west, which are also owned by the Smallridge family. Mr. Alvord advised that when the applicant applied originally, Growth Services staff recommended the request be changed from Heavy Industrial (M-2) to Heavy Business (B-5), noting once they learned staff would not support the B-5 request they opted for Light Industrial (M-1). He stated the applicant is still trying to work with the County and provide a stepdown in this location. Mr. Alvord addressed the traffic impacts from growth on the CR 484 corridor, noting the I-75 exchange is a nightmare. He stated the adjoining 40 acres that was identified as rural land belongs to the Smallridge family. Mr. Alvord advised that the project is roughly 4 miles to I-75 and within that stretch there are commercial uses including a hardware store, Southeast Milk, car sales, heavy equipment repair, steel fabrication, etc.

Mr. Alvord opined that all of CR 484 should somehow be included in the UGB. He addressed the Transportation Planning Organization's (TPO) public comment map <https://storymaps.arcgis.com/stories/c88b20f1d8e74c5f96dd7fdc9f98a5c3>, noting there were no concerns addressed from that map for this particular area. Mr. Alvord advised that the 95% peak hour trips are only to CR 475A. He stated CR 484 corridor is nowhere on the TPO List of Priority Projects (LOPP). He stated the applicant has not received any opposition but does have letters of support from the other 2 Smallridge brothers who own the property to the west.

Mr. Alvord commented on the Evaluation and Appraisal Report (EAR) that the County has been working on, noting it defines CR 484 as a Community Service Area (CSA). He advised that there is a letter from the former Ocala/Marion County Chamber and Economic Partnership (CEP) Chief Executive Officer (CEO) Kevin Sheilley pointing out that growing ECs in that portion of the community have been a priority for both the County and the CEP. This development will lead to the creation of dozens of jobs and complement the existing industrial developments to the east. Mr. Alvord stated Bellevue Heights Estates has approximately 1,075 parcels in the portion using the Marion County Property Appraiser identifier (4217); however, this project does not adjoin that subdivision.

In response to Chairman Bryant, Gary Smallridge, SE CR 484, Bellevue, advised that he wants to keep this property and not sell it, noting the way he can keep it is to build a self-storage facility with a covered area for outside storage. He stated there is another portion he wants to use for a welding company for his son, as well as constructing metal buildings with office and warehouse space he can use as rentals. Mr. Smallridge advised that he likely would divide the property to separate the different uses he has proposed. He stated 5 to 6 acres will be dedicated to the storage facility, a few acres for the welding business and then cut a few more parcels. Mr. Smallridge clarified that in addition to his brothers owning the property to the west, the property to the south is also a brother's property. He stated a house shown in the picture belongs to his brother and across the street is where he and his 2 brothers live, making his family the surrounding rural property. Chairman Bryant commented on the access Mr. Smallridge has that goes into Bellevue Heights and questioned what his intentions are in that location. Mr. Smallridge advised that he could deed part of that to his brothers and not go into the residential area. He

June 16, 2025

stated the access would be from CR 484. Mr. Smallridge stated his 20 acres would likely be divided into 5 or 6 parcels.

In response to Chairman Bryant, Mr. Odom advised that there is no minimum size requirement relating to subdividing the property. He clarified that part of what Mr. Smallridge is requesting can be accomplished under B-2 zoning and all of it can be done in a Regional Business (B-4) zone.

Mr. Smallridge stated he chose M-1 due to the CEP request for more of that in the area. Chairman Bryant questioned whether Mr. Smallridge would still consider B-4. Mr. Smallridge advised that B-4 would work for his family's needs.

In response to Commissioner Stone, Mr. Smallridge stated there will not be cross-access to the property next door.

Thomas Conrad, SE 24th Terrace, advised that the B-4 zoning would be acceptable. He stated he also wants to pass his property down through his family. Mr. Conrad advised that the applicants were trying to mimic Hilltop Commerce Park on Pine Avenue, which has flex space and covered storage.

Commissioner Zalak questioned how the applicants will address the water and sewer issue. Mr. Conrad stated he can build out anything the Board wants, noting he can have a water and sewer plant constructed and complete the infrastructure in advance and hook up when the facilities are available in that area.

Chairman Bryant commented on a dental office on State Road (SR) 200, which allowed the applicant to build what was necessary prior to requiring them to connect within a year once water and sewer became available.

Commissioner Zalak advised that the SR 200 property was in a commercial area; however, this is agricultural. He stated this would add trips to the interchange at CR 484 that is already failing. Commissioner Zalak advised that once this property is entitled, the Board must give them some type of commercial element, noting there is no water or sewer, the project is not in the UGB and there is no plan.

Mr. Alvord stated this was addressed when the owners first started talking to Growth Services. He stated the applicant questioned how to work with the County's Utilities Department to determine what would eventually be needed; however, it was too far ahead of the curve for Utilities. He noted the owners are willing to set aside what is needed and make sure it is in writing.

Commissioner Zalak opined that the request should have come back as a Planned Unit Development (PUD) rather than M-1. He advised that there are too many unknowns for him to support the project.

Commissioner McClain questioned what would be required if the applicant came back with a request for B-4 instead of M-1. Mr. Odom advised that staff's concerns will be the same. He stated the change to B-4 does not diminish the potential intensity of the uses that would be available at this location in the future. Mr. Odom advised that what the applicant is proposing is available in B-4. The welding shop would still be an option if all of the work occurred indoors.

Chairman Bryant requested staff determine what the cost difference would be compared to coming in for the zoning change and applying for a PUD.

Commissioner Zalak stated there is no traffic study.

Mr. Alvord advised that the applicant provided what staff requested.

Mr. Weyrauch stated regular zoning changes cost \$1,000.00 to apply for and the PUD is \$1,000.00 plus \$5.00 per acre of commercial or industrial.

In response to Chairman Bryant, Mr. Weyrauch stated there are approximately 30 acres.

Chairman Bryant commented on the \$150.00 difference.

Mr. Weyrauch stated the requirements for the owners for the PUD application includes the conceptual plan, renderings and the traffic study/methodology.

Commissioner Stone questioned if there is a timeline relating to how soon the project may be developed. Mr. Smallwood advised that the welding shop and storage business would occur immediately and he would then phase in the others as he is able to afford those projects.

Mr. Conrad stated he is ready to begin immediately.

Chairman Bryant opened the floor to public comment.

There being none, Chairman Bryant advised that public comment is now closed.

Chairman Bryant stated there are concerns relating to connectivity to the water, lack of a plan, and concerns with M-1 zoning. She questioned if the applicant can be allowed to come back with a more comprehensive plan and apply what they have already paid to move this forward in a way that could be more palatable.

Commissioner McClain expressed concern relating to water and sewer connections and what could end up there if the applicants change their mind.

In response to Commissioner McClain, Mr. Alvord advised that the applicants offered anything that was needed (pump station, lift station, ROW for utility lines). He stated nothing is off the table at this point.

Commissioner McClain advised that if the applicant installed a water treatment facility, that would address most of his concerns. He stated he would have preferred this to come back as B-4 rather than M-1, noting it would be the best scenario.

Chairman Bryant commented on the project coming back as a PUD.

Commissioner Zalak opined that there are no analytics, noting there is no study stating the County needs the commercial other than a letter from the former CEP CEO.

Commissioner McClain advised that there is already a plan to address the issue at CR 484 and I-75, noting there hundreds of millions of dollars being invested in that project. He stated this is right next to a piece of property that is already doing what this applicant is asking to be allowed.

In response to Mr. Alvord, Mr. Odom stated the application would have to go back through the P&Z Commission process due to the requirement that it be advertised as a PUD.

Mr. Minter advised that the applicant could drop down to the lower zoning without having to go back through the process.

In response to Commissioner McClain, Mr. Odom stated the Board cannot ask the applicant for a Developer's Agreement, but the applicant can offer.

Mr. Alvord advised that the applicant has offered an agreement. He stated staff previously recommended he request B-5 and questioned why the applicant is now being asked to change to B-4. Commissioner McClain advised that both applicants indicated B-4 was acceptable.

Commissioner Zalak stated B-5 has outside storage and is a more intense use.

Mr. Odom clarified that staff did not recommend they come back with a request for B-4 or B-5: they indicated they would not support M-1, M-2 or the heavier business classes.

In response to Commissioner Stone, Mr. Smallridge advised the work is custom and includes farm gates, stainless railings, etc. He stated there would be materials stored outside but all of the work would take place indoors.

Commissioner McClain advised that if the applicant is offering to change the request to B-4 and proffer a Developer's Agreement for the water treatment plant (WTP) he would be in favor.

In response to Mr. Minter, Chairman Bryant stated utilities are not available; however, the City of Belleview is much closer, and the applicant would most likely connect to that utility provider. She advised that Utilities Director Tony Cunningham confirmed that is correct from the audience.

Mr. Bouyounes questioned what the Board wants addressed in the Developer's Agreement. Chairman Bryant stated that matter will be discussed after this Item.

Commissioner Curry commented on the existing Commercial that has been in that area for a considerable period of time and questioned the consequences of denying the application. Mr. Minter advised that a land use amendment is a policy decision, creating a new law for the future, which is allowable.

Commissioner McClain opined that it is a good policy decision.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to approve the land use change, disagreeing with Growth Services staff and agreeing with the P&Z Commission, based on findings and recommendations that the proposed use will not adversely affect the public interest, is consistent with the Comprehensive Plan and is compatible with the surrounding land uses. The motion was unanimously approved by the Board (5-0).

1.2.4. 250406ZC - Gary W. Smallridge and 4 C Family Trust, LLC, Zoning Change from General Agriculture (A-1) to Light Industrial (M-1), 30.21 Acre Tract, Parcel Account Numbers 41520-001-04 and 41520-101-04, No Addresses Assigned

The Board considered a petition by Gary W Smallridge and 4 C Family Trust, LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from General Agriculture (A-1) to Light Industrial (M-1), for all permitted uses, on an approximate 30.21 Acre Tract, on Parcel Account Numbers 41520-001-04 and 41520-101-04, No Addresses Assigned

P&Z PUBLIC HEARING ON MAY 28, 2025

250406ZC Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Johnson, to disagree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 5-1, with Mr. Fisher dissenting.

This matter was addressed with Agenda Item 1.2.3.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to approve the zoning change from A-1 to B-4 with the Developer's Agreement for the water treatment facility and to hook up to centralized water and sewer within 12 months of it becoming available.

Chairman Bryant advised that the applicant has proffered a Developer's Agreement; however, the Board is not sure what that will contain. The applicant will need to have a discussion with staff. She stated the zoning change portion of this hearing needs to be continued to a date certain.

Commissioner McClain withdrew his motion.

Commissioner Stone withdrew her second.

Chairman Bryant advised that the applicant has to request a continuance to come back and ask for the B-4 in addition to working with staff to clarify what will be in the Developer's Agreement prior to returning.

Mr. Smallridge requested the matter be continued.

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to continue this matter to Tuesday, August 19, 2025 at 10:00 a.m. The motion was unanimously approved by the Board (5-0).

1.3. Adoption of Ordinance

1.3.1. 25-S06

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Ordinance 25-21 adopting Small Scale Comprehensive Plan Amendment No. 25-S06, disagreeing with the Growth Services staff and agreeing the P&Z Commission recommendations, based on findings that the land use change will not adversely affect the public interest, is compatible with land uses in the surrounding area, is consistent with Chapter 163, FS and the Marion County Comprehensive Plan. The motion was unanimously approved by the Board (5-0).

Ordinance 25-21 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING SMALL-
SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF
THE MARION COUNTY COMPREHENSIVE PLAN:

25-S06, GARY W. SMALLRIDGE AND 4 C FAMILY TRUST, LLC
+/- 30.21 ACRES

PARCEL NO. 41520-001-04 & 41520-101-04
FROM RURAL LAND TO COMMERCE DISTRICT
PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR
FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN
EFFECTIVE DATE.

1.3.2. The Deputy Clerk presented Affidavits of Mailing and Posting of Notices received from Growth Services Director Charles Varadin and Deputy Clerk Lewter regarding petitions for rezoning and Special Use Permits heard earlier in the meeting.

A motion was made by Commissioner McClain, seconded by Commissioner Zalak, to adopt Ordinance 25-22 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (5-0).

Ordinance 25-22 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, FLORIDA, APPROVING REZONING AND SPECIAL
USE PERMIT APPLICATIONS AND AUTHORIZING IDENTIFICATION ON
THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

June 16, 2025

There being no further business to come before the Board, the meeting thereupon adjourned at 4:37 p.m.

Kathy Bryant, Chairman

Attest:

Gregory C. Harrell, Clerk

DRAFT