

PLANNING AND ZONING COMMISSION MEETING

September 27, 2021

MINUTES

The Marion County Planning and Zoning Commission met on September 27, 2021 at 5:30 pm in the Board of County Commissioners Auditorium, 601 SE 25th Avenue, Ocala, Florida.

The following members were present: Chairman-Greg Lord, Danny Gaekwad, Jerry Lourenco, Andy Bonner and Alternate members Michael Behar and Thomas Fisher.

The following staff members were present: County Attorney, Guy Minter. Director of Growth Services Mary Elizabeth Burgess. Planners- Ken Weyrauch, Chris Rison and Ken Odom. Administrative Staff Assistant-Stephanie Soucey, Staff Assistant IV- Darlene Pocock and Staff Assistant IV-Teresa Brown. Elton Holland, County Engineer. Tracy Straub, Assistant County Administrator.

Chairman Greg Lord called the meeting to order at 5:30pm., Director, Mary Elizabeth Burgess read the Proof of Publication and the Affidavit of Mailing and Posting of Notice, and advised that the meeting was properly advertised. Michael Behar led the Invocation and the Pledge of Allegiance. Stephanie Soucey called the roll and a quorum was confirmed.

All records pertaining to notice to property owners, all correspondence and other related information pertaining to individual Zoning Change and Special Use Permit requests are located in the Zoning Department files for record purposes.

The following items were recommended by staff for approval with conditions, there were no opposition letters within 300 feet and no opposition at the Planning and Zoning Commission meeting.

	ITEM	OWNER	FROM-TO	ACREAGE
1	21-L04	MC Property Rights Amendment	Text Amendment	na
2	211002SU	Ismael Morejon Gonzalez	Special Use Permit in A-1	1.07
3	211005Z	Bruce Denson, Bradley Denson and Donna Heilman	B-5 to M-1	5.11
4	211011Z	Aldana Contracting LLC	B-4 to RR-1	0.92
5	211015Z	Elmer Wayne Cates Trust	A-1 and B-2 to A-1	8.5

Motion was made by Danny Gaekwad and seconded by Jerry Lourenco to agree with staff’s findings and recommendation, and recommend approval of the following Consent Agenda items (21-L04, 211002SU, 211005Z, 211011Z and 211015Z) based on the following findings of fact:

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

CONTINUED UNTIL OCTOBER 25, 2021:

ITEM **211016Z**-Maria E. Ramirez Family Rev. Trust, B-2 and B-4 to B-4, 0.49 Acres

ITEM **210903Z**-BJW Property Services, LLC. Brian and Erica Walton, R-4 to B-5, 4.28 Acres

CONTINUED INDEFINITELY:

ITEM **21-L02**-Horse Farms Forever, Inc. Future Land Use Test Amendment

PULLED FROM THE CONSENT AGENDA THE DAY OF THE MEETING:

ITEM **211004SU**- Evangelical Bible Mission, Inc., Gerald Bustin, Special Use Permit in R-3, 3.0 Acres

ITEM **211007Z**- D32 Invest, LLC. Werner Macedo, PUD to PUD (Carissa Oaks), 16 Acres

6. 211004SU- Evangelical Bible Mission, Inc., Gerald T. Bustin, 5200 SE 145th Street, Summerfield, FL 34491, request a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow the keeping of 3 Horses and a proposed 30'x20' Pole Barn Shelter, in an R-3 (Multiple Family Dwelling) zone, on an approximate 3.0 Acre portion of a 10.14 Acre Parcel, on Parcel Account Number 4170-019-001.
WRITTEN OPPOSITION WITHIN 300 FEET 1 of 50= 2%

Ken Weyrauch, Growth Services, presented this request:

- Location- 5200 SE 145th Street
- Size- 3 acre portion of 10.14 acres
- Special Use Permit to keep 3 horses and associated structures in R-3
- Current Zoning – R-3; Current Land Use Rural Land
 - General Requirements for Livestock in Agricultural Zoning Classifications:
 - (6) On legal non-conforming lots or parcels of one acre or less in size or lots up to nine and nine-tenths acres in size, the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, beefalo and other large farm animals is as follows:
 - (a) The minimum square footage of contiguous open pasture area, not including the dwelling and garage (either attached or detached) shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal.
 - (b) The total number of such animals that may be kept shall not exceed four per acre except offspring, which may be kept until weaned.
 - (7) Requirements of the Storage of Manure:
 - (a) Manure shall not be allowed to accumulate causing a nuisance or hazard to the health, welfare, or safety of humans or animals.
 - (b) The outside storage of manure in piles (two cubic yards or greater) shall not be permitted within 100 feet of any lot line and/or any residence.

-Relation to Surrounding Area- Residential neighborhood to the west of the subject area. Mostly agriculture to the east and southeast.

- Staff recommends approval with conditions for this request
- Granting this request will not adversely affect the public interest
- The proposed amendment is consistent with the Comprehensive Plan. Land Use is Rural which is consistent with livestock.
- The proposed amendment is compatible with the land uses in the surrounding area.

Wendy Gallegos, 5200 SE 145th Street, Summerfield FL 34491, the applicant:

- Her grandfather purchased the property back in the 50's. It was a cow pasture. They thought they were grandfathered in because it was agriculture. That is the reason that they did not apply for a Special Use Permit sooner.
- A gentlemen from the church donated the horses to the church. They wanted to use them for pet therapy.

PUBLIC COMMENT:

No one was in attendance to speak for or against this item.

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Danny Gaekwad seconded by Michael Behar to agree with staff's findings and recommendation, and recommend approval of the requested Special Use Permit 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 6-0 The P&Z Board recommending to delete condition 6:

6. Pastures will need to be seeded as needed to maintain a healthy amount of grass cover.

7. 211007Z – D32 Invest, LLC. Werner Macedo, 7988 Via Dellagio Way, Suite 206, Orlando, FL 32819, request a Modification of Zoning Change (090405Z), Articles 2 and 4, of the Marion County Land Development Code, from an expired PUD (Planned Unit Development) to PUD (Planned Unit Development), for a proposed 43-unit Single Family Residential Development (Carissa Oaks), on an approximate 16.00 Acre Parcel, on Parcel Account Number 45446-002-00.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 16= 0%

Ken Odom, Growth Services, presented this request:

- Rezoning From PUD (Expired) to PUD (Active)
- Parcel Characteristics:
 - o Located on the north side of SE 135th street, approximately one-half mile west of US 441.
 - o 16 acres
- Adjacent Properties:
 - o North – Land Use Employment Center; Zoning PUD
 - o South – Land Use Rural Land; Zoning A-1
 - o East- Land Use Employment Center; Zoning A-1
 - o West- Land Use Rural Land; A-1
- The applicant is requesting that the property be rezoned from PUD (Expired) to PUD (Active) in order to develop forty-three (43) single-family residential homes. The applicant proposes to develop twenty-five (25) of those parcels as 70' x 120' lots and the remaining eighteen (18) parcels as 60' x 120' lots. Minimum setbacks for all lots will be Front: 20', Rear: 15', Side: 5' and building heights shall not exceed 40' and the applicant is proposing a total of 4.57 acres of open space, part of which will be a dog park as an added amenity which exceeds the required 3.2 acres.
- Staff Recommends approval with development conditions for this request
 - o Will not adversely affect the public interest
 - o Is consistent with the comprehensive plan
 - o Is compatible with the surround area

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- The last request was for 168 units in quads. They are now asking for 43 single family homes with larger buffers.

PUBLIC COMMENT:

Sherry Thoresen, 7240 SE 135th Street, Summerfield FL 34491:

- Not in conformity
- Canopied road
- 2 lane narrow street
- No sidewalks
- The road cannot handle more growth in this little area

Amanda Martin, 6919 SE 135th Street, Summerfield FL 34491:

- Schools are overcrowded
- No parks
- No bike lane

Marianne Lopez, 7390 SE 135th Street, Summerfield FL 34491:

- Lived there for 47 years
- Agrees with everyone else
- Has difficulty pulling out of her driveway
- School buses are crowded
- Want to keep peace and quiet

Carlos Francis, 7583 SE 135th Street, Summerfield FL 34491:

- He bought in the neighborhood for peace and quiet
- Wants to retire there

REBUTTAL:

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471:

- It is only 2.7 units per acres
- We sent information to the neighborhood
- This low of density on this property will not impact the area

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Jerry Lourenco seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested 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 tied 3-3 with Thomas Fisher, Greg Lord and Michael Behar dissenting

8. 21-S08– B&W Land Holding, LLC. Bradford L. Dinkins, 101 NE 16th Avenue, Ocala, FL 34470, requests a Land Use Change, Articles 1, 2 and 3 of the Marion County Land Development Code, from Medium Residential to High Residential, on an approximate .98 Acre Tract, on Parcel Account Numbers 2301-005-010, 2301-005-057, 2301-005-062 and 2301-006-057.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 53= 0%

Ken Weyrauch, Growth Services, presented this request:

- Request a Small Scale Land Use Change from Medium Residential (1-4 du/ac) to High Residential (4-8 du/ac)
- Location: The subject properties are in Ocala Ridge, Unit 1, on NW 2nd Street and NW 2nd Place
- Size: 0.98 Acres
- Zoning: R-2 (one and two-family dwelling)
- Access and Traffic:
 - o Due to the current zoning and size of the subject properties, the maximum development potential is very limited. (SFR/Duplex)
 - o Currently the properties would generate a max of 3-4 peak hour trips.
 - o If approved, the properties could generate up to 6-7 peak hour trips.
 - o Change in traffic us not significant

- Relationship to Surrounding Area:
 - o Residential neighborhood built in 1981.
 - o Neighborhood is split in half, north half is High Residential while the southern half is Medium Residential
 - o Adjacent block to the south has 4 duplexes that are historic non-conforming (with land use)
- Staff Recommendation –Denial
 - o 1. The granting of the amendment will not adversely affect the public interest
 - o 2. The proposed amendment is not compatible with the land uses in the surrounding area.
 - o 3. The proposed amendment is consistent with Chapter 163, Florida Statutes, and the Marion County Comprehensive Plan.

Brad Dinkins, 801 SE 52nd Street, Ocala FL 34480:

- He wants to build affordable housing
- They are exceeding side setbacks

Pete Whirle, 101 NE 16th Avenue, Ocala FL 34470:

- They are improving the neighborhood

PUBLIC COMMENT:

No one was in attendance to speak for or against this item.

PUBLIC COMMENT CLOSED

Motion was made by Michael Behar seconded by Jerry Lourenco to disagree with staff’s findings and recommendation, and recommend approval of the requested small scale 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 6-0

9. 21-S09– Kapildeo Shamnarine, 13722 101st Avenue, Jamaica, NY 11435, requests a Land Use Change, Articles 1, 2 and 3 of the Marion County Land Development Code, from Rural Land to Commercial, on an approximate 3.0 Acre Parcel, on Parcel Account Number 44617-001-00.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 5= 0%

Ken Weyrauch, Growth Services, presented this request:

- Request a Small Scale Land Use Change from Rural Land (1du/10 ac) to Commercial (0-8 du.ac 1.0 FAR)
- Location: SE Hwy 484
- Size: 3 Acres
- Zoning: B-5 (Heavy Business)
- Access and Traffic:
 - o Maximum Development could generate 5,462 daily trips/ 2,504 PM peak hour trips.
 - o An existing driveway located next to the parcel
 - o A driveway spacing of less than 200 feet
 - o Would require 660 feet driveway spacing for this roadway
- Relationship to Surrounding Area:
 - o A few preexisting parcels along HWY 484 on the west side of the subject property that are zoned B-5 with Commercial Future Land Use designation
 - o Surrounded by large tracks of General Agriculture (A-1) with Rural Land Future Land Use designation on its north and direct south

- Comprehensive Plan Policy 1.1.7. state the County shall discourage scattered and highway strip commercial development
- Not compatible with land uses in the surrounding area
- The subject property is about 2.15 miles away from the nearest Urban Growth Boundary
- The proposed Commercial designation is considered Urban Area land use, which is not consistent with the Comprehensive Plan Policy 2.1.7 and Policy 2.1.22.
- The proposed land use amendment is not consistent with the Marion County Comprehensive Plan, and it could potentially encourage urban sprawl.
- Staff Recommendation –Denial
 - 1. The granting of the amendment will not adversely affect the public interest
 - 2. The proposed amendment is not compatible with the land uses in the surrounding area.
 - 3. The proposed amendment is not consistent with Chapter 163, Florida Statutes, and the Marion County Comprehensive Plan.

Travis Aldana, 3002 SE 1st Avenue, Bldg. 300, Ocala FL 34471:

- Doesn't believe this is scattered development
- 5 out of the 9 lots have been sold and are businesses
- Wants to put up a metal building and have and for his construction company

PUBLIC COMMENT:

Rodney Rogers, 14060 S. Highway 475, Summerfield FL 34491:

- His property is behind this property; he has lived out there for 40 years
- There has not been a house built on 484 since the road is what it is now and there will not be.
- There is not even anymore agriculture on this road
- This is not spot zoning

Loretta Lucas, 665 SW 91st Place, Ocala FL 34476:

- Her and her brother own the adjacent parcel and the parcel on the other side of the church
- Several years ago the church asked for a zoning change to be able to go in there and they were assured at the time that it would not affect our potential use in the future.
- Her father was the one who divided the parcels

PUBLIC COMMENT CLOSED

Elton Holland, County Engineer:

- They have access
- This can be modified through the DRC process

Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Jerry Lourenco to disagree with staff's findings and recommendation, and recommend approval of the requested Small Scale 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 4-2 with Thomas Fisher and Danny Gaekwad dissenting

10. 210906Z– Flying Eagle Resources, LLC. Ursula Henning- Manager, 150 SE 2nd Avenue, suite 304, Miami, FL 33131-1507, request a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-1 (Single Family Dwelling) to PUD (Planned Unit Development), for a proposed 61 lot/122 unit residential development (Fountain Villas), on an approximate 35.07 Acre Parcel, on Parcel Account Number 37515-000-11. WRITTEN OPPOSITION WITHIN 300 FEET 6 of 32= 19% (Petition with 90 signatures)

Ken Odom, Growth Services, presented this request:

- Rezone from R-1 to PUD
- Parcel Characteristics:
 - o 35.01 acres
 - o Zoning- R-1 (Single Family Residential)
 - o Land Use (Medium Density Residential)
- The applicant is proposing to rezone the subject parcel in order to develop work force housing with 61 two-family duplex style homes for a total of 122 units. Most lots are approximately 0.29 acres. Staff have discussed the additional considerations that are necessary when constructing two-family homes with the agent for the applicant.
- Staff Recommends Denial
 - o The proposed zoning change will adversely affect the public interest
 - o Is Consistent with the comprehensive plan
 - o Is not compatible with land uses in the surrounding area

Jerry Pionessa, 5711 Richard Street, Suite 4, Jacksonville FL 32216:

- Talked about surrounding land uses
- By right can do 94 residential homes
- The duplexes could be private owned or rentals
- Bigger than adjacent lots
- Willing to gate this community

David MacKay, 2801 SW College Road, Suite 9, Ocala FL 34474:

- Southern Impressions development intends for the design of the residents to be similar to those of surrounding homes.
- There will be a professional management company under contract to manage affairs of the association
- There will be established assessments to provide or :
 - o Community wide landscape maintenance
 - o Street lighting
 - o Maintenance of all common areas
- Storage sheds and other accessory structures will be prohibited.
- No vehicle parking on yards will be allowed.
- Only vehicles licensed and used for personal transportation shall be allowed

Daniel Blanchard, President of Southern Impressions Development, 5711 Richard Street, Suite 3, Jacksonville FL 32216:

- All Structures will be:
 - o Limited to single-story
 - o Have a minimum of a single car garage and concrete driveway capable of at least in additional vehicle.
 - o Have foundation planting around at least the front and both sides of the structure.
- A mailbox cluster will be landscaped and maintained by the POA. No individual mailboxes.
- Buffers shall be established at the rear lot line of any lot that abuts the perimeter of the development, in accordance with buffering approved by Marion County and the buffer area will be defined by an easement in favor of the POA and shall be kept and maintained by the POA as part of the overall landscaping maintenance of the development.
- Any fencing will be limited to white vinyl no greater than 6 feet tall, of design and quality to complement community perimeter fencing. Fencing shall be regularly cleaned as necessary to maintain neat appearance.

PUBLIC COMMENT:

Dennis Durkin, 9890 SE 64th Avenue, Belleview FL 34420:

- The Vice-President of the HOA Golf Park Estates
- Spoke of the history in the area
- Opposed-not compatible with the area

Todd Basso, 9628 SE 61st Terrace, Belleview FL 34420:

- President of the Fountains of Golf Park
- 29 people opposed
- Not compatible- no rentals

Kat Tuck, 6730 SE 99th Place, Belleview FL 34420:

- President of Golf Park HOA
- Not compatible

Pam Grahling, 6870 SE 99th Place, Belleview FL 34420:

- Concerned about traffic impact

Neva Wise, 6670 SE 96th Place Road, Belleview FL 34420:

- Concerned about property values

Bert Ritter, 6386 SE 96th Place Road, Belleview FL 34420:

- Concerned about traffic

Wendy Mazzuocolo, 6244 SE 96th Street, Belleview FL 34420:

- Lived in the Fountains for 14 years
- Worried about home values

Charles White, 6926 SE 99th Place, Belleview FL 34420:

- Density is not compatible with surrounding area

REBUTTAL:

David MacKay, 2801 SW College Road, Suite 9, Ocala FL 34474:

- Density has been granted by Marion County; We are not changing that
- As for sharing the road, the county can set up an MSTU and they all will share equally on the cost of the road
- The access is where the access was intended to be
- Traffic generated will not be any more than if it was a single-family subdivision

Daniel Blanchard, 5711 Richard Street, Suite 3, Jacksonville FL 32216:

- Just be clear. This property already has a residential designation. At R-1 which it is today, I can come in and put 94 mobile homes (Stephanie Soucey- Growth Services: This is a false statement: modular homes and sight built homes only in R-1) by right on 70 foot lots in this community and I don't even have to ask permission.

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Thomas Fisher to agree with staff's findings and recommendation, and recommend denial of the requested Zoning Change based on the following findings of fact:

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

The Motion passed 6-0

11. 211001SU– Jennifer and Antonio Tuggerson, 2640 NE 135th Street, Anthony, FL 32617, request a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for a proposed Kennel – Dog Boarding with 18 indoor runs and outside play yards, in an A-1 (General Agriculture) zone, on an approximate 3.0 Acre Parcel, on Parcel Account Number 07901-000-06.

WRITTEN OPPOSITION WITHIN 300 FEET 2 of 14= 14%

Ken Odom, Growth Services, presented this request:

- Requesting a Special Use Permit for a dog boarding facility
- This is not a code case
- Location- 2640 NE 135th Street, Anthony
- Size- 3 acres
- Zoning – A-1; Land Use – Rural
- Adjacent Property Characteristics:
 - o North- Rural land – A-1
 - o South- Public – G-U (school)
 - o East – Rural land – A-1
 - o West- Rural land- A-1
- The applicant is proposing to have a 20 ft. standard size shipping container as an office. Two additional shipping containers, each with a size of 40 ft. by 10 ft., will be divided into 4 ft. by 4 ft. rooms or 6 ft. by 6 ft. rooms for a total of 18 rooms for 18 dogs. The dogs will be kenneled on the south of the property and have about two (2) acres of fenced-in property to roam around when the dogs are allowed outside. On a typical day, the dogs will be closed indoors no later than 10PM and will not be let them out until 7 AM for the purposes of noise reduction and safety. Kennel business hours will be from 9AM to 7PM. Waste removal will be completed by the property owners at least twice a week.
- On the subject property, there is a house, a storage shipping container, a chicken coop, a goat shed and a barn. According to the applicant, there are 10 goats, 20 chickens and 6 dogs on the property. These dogs are the applicant’s personal animals and are not included in the boarding proposal.
- Staff Recommends Approval with Conditions
 - o Will not adversely affect the public interest
 - o Is consistent with the comprehensive plan
 - o Is compatible with the surrounding area

Jennifer Tuggerson, 2640 NE 135th Street, Anthony FL 32617, the applicant:

- We will be framing out shipping containers and build a roof over with a lien to in the front.
- They will be insulated on the inside with air conditioning.
- She agrees with all of the approval conditions

PUBLIC COMMENT:

No one was in attendance to speak for or against this item.

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Andy Bonner seconded by Thomas Fisher to agree with staff’s findings and recommendation, and recommend denial of the requested Special Use Permit based on the following findings of fact:

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

The Motion passed 6-0

12. 211006Z– Armstrong Land, LLC, 4600 W Cypress Street, Suite 200, Tampa, FL 33607, requests a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-1 (Single Family Dwelling) to PUD (Planned Unit Development), for a proposed 82-unit Townhome Development (Whisper Woods), on an approximate 10.33 Acre Parcel, on Parcel Account Number 9007-0000-12.

WRITTEN OPPOSITION WITHIN 300 FEET 4 of 64= 6%

Chris Rison, Growth Services, presented this request:

- Location: East of Pine Road and south of Bahia Road; Approximately half a mile northeast of SE Maricamp
- Size: 10.33 Acres
- Current zoning – R-1; Current Land Use is High Residential
- Request is a zoning change from R-1 to PUD (82 units)
- Adjacent Property Characteristics:
 - o North- Public and High Density – R-1
 - o South- High Density – R-1
 - o East – High Density – R-1
 - o West- High Density- R-1
- The site is located within the Primary Springs Protection Zone
- The site is outside of the Urban Growth boundary
- Comprehensive plan policy 2.1.19
 - o High Residential (HR), the density range shall be four (4) dwelling units to eight (8) dwelling units per one (1) gross acre. The site is 10.33 acres, which allows for a maximum of 82.64 units thus meeting the maximum density allowed for HR designation.
- Staff Recommends Approval with Development Conditions
 - o Will not adversely affect the public interest
 - o Is consistent with the comprehensive plan
 - o Is compatible with the surrounding area

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- Main point- These are for sale units

PUBLIC COMMENT:

Rebecca Brinkley, 9 Fir Trail Court, Ocala FL 34472:

- She understands that this land will be developed but she wants single family homes
- Concerned about excessive traffic
- Safety is her biggest concern

Robert Sbranti, 10 Hemlock Circle Road, Ocala FL 34472:

- Concerned about not being quality constructed
- Concerned about added traffic

Stephen Chappellie, 10 Hemlock Circle Road, Ocala FL 34472:

- Doesn't fit in with all the single family homes
- Concerned about traffic safety

REBUTTAL:

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471:

- Feels that this does fit in with the area

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested 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 6-0

13. 211008Z – Enrique Suarez, 12359 SW 132nd Court, Miami, FL 33186, requests a Modification of Zoning Change (130407Z), Articles 2 and 4, of the Marion County Land Development Code, from an expired PUD (Planned Unit Development) to PUD (Planned Unit Development), for a proposed 210-unit (222-units allowable) Single Family Residential Development (West), on an approximate 55.72 Acre Parcel, on Parcel Account Number 35695-011-01.

WRITTEN OPPOSITION WITHIN 300 FEET 7 of 119= 6% (Petition with 107 signatures)

14. 211009Z– Coba Homes Corporation, c/o: George D. Coba, 19441 SW 134th Court, Miami, FL 33177, request a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-1 (General Agriculture) to PUD (Planned Unit Development), for a proposed 175-unit (180-units allowable) Single Family Residential Development (East), on an approximate 45.12 Acre Parcel, on Parcel Account Number 35695-033-00.

WRITTEN OPPOSITION WITHIN 300 FEET 9 of 86= 10% (Petition with 107 signatures)

Chris Rison, Growth Services, presented this request:

- West PUD is located on the south side of SW 100th Street, between Cherrywood Estates Phase 8 and Woods and Meadows East.
- West PUD zoning request is for up to 222 single-family detached residential units on 55.72 acres
- The land use is medium residential (1-4 du/ac)
- The site is within the Urban Area/urban Growth Boundary with Medium Residential (1-4 du/ac); proposes formal maximum of 222 dwelling units on 55.72 acres
- Represents an “infill” development within Urban Area/Urban Growth Boundary- surrounded by existing subdivisions:
 - o North- Meadow Glenn Unit 3A
 - o South- Alejandria Estates
 - o East- Woods and Meadows East
 - o West- Cherrywood Estates Phase 8 and 10B/11
- Must be served by central water and central sewer as are Cherrywood Estates and Meadow Glenn; other are served by central water with on-site wastewater disposal (septic tank/drainfield).
- Design will allow connection of neighborhoods, while functionally “completing” a street network among publicly dedicated roadways and providing for connection to a new subdivision collector increasing access opportunities for all neighborhoods (FLUE Policy 10.4.3; TE Policy 2.3.4.)
- East PUD is located on the south side of SW 100th Street, between Woods and Meadows East and Churchill Farms unrecorded subdivision.
- East PUD zoning request is for up to 180 single single-family detached residential units on 45.12 acres
- The land use is medium residential (1-4 du/ac)
- The site is within the Urban Area/urban Growth Boundary with Medium Residential (1-4 du/ac); proposes formal maximum of 180 dwelling units on 45.12 acres
- Represents an “infill” development within Urban Area/Urban Growth Boundary- surrounded by existing subdivisions:
 - o North- Meadow Glenn Unit 3B
 - o South- Emerald Point

- East- Churchill Farms Unrecorded Subdivision
- West- Woods and Meadows East
- Must be served by central water and central sewer as is Meadow Glenn; other are served by central water with on-site wastewater disposal (septic tank/drainfield).
- Design will allow connection of neighborhoods, while functionally “completing” a street network among publicly dedicated roadways and providing for connection to a new subdivision collector increasing access opportunities for all neighborhoods (FLUE Policy 10.4.3; TE Policy 2.3.4.)
- Staff Recommends Approval with Development Conditions
 - Will not adversely affect the public interest
 - Is consistent with the comprehensive plan
 - Is compatible with the surrounding area

Jimmy Gooding III, 1531 SE 36th Avenue, Ocala FL 34471:

- Showed the significant requirement required on this project to construct 100th Street. This road does not currently exist.
- They are also being required to build an intersection.

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- This is an infill project
- They are surrounded by single family houses and are building single family houses. The buffer required – Type A – is excessive and burdensome. They think that should be reduced.

PUBLIC COMMENT:

Reanie Garitta, 10425 SW 52nd Court, Ocala FL 34476:

- Lives in Emerald Point
- Concerned about deteriorating roads
- Concerned about noise and lights

Gary Cockman, 5912 SW 103rd Loop, Ocala FL 34476:

- Lives in Cherrywood
- Not compatible with the area

Sandra Brown, 5832 SW 100th Lane, Ocala FL 34476:

- Not wanted
- Concerned about traffic

Michael Santana, 5984 SW 103rd Loop, Ocala FL 34476:

- Opposed to the basketball court; it should be inside the development not outside.

John Thelan, 10105 SW 54th Court, Ocala FL 34476:

- Concerned about traffic
- Concerned about home values

Heidi Curlman, 10445 SW 52nd Court, Ocala FL 34476:

- Concerned about traffic cutting through neighborhood
- Not compatible
- Concerned about property values

Betty Kramer, 5401 SW 101 Place, Ocala FL 34476:

- Lives in Woods and Meadows
- Wants to know the plans for the infrastructure

Elizabeth Broccio, 10448 SW 52nd Court, Ocala FL 34476:

- Concerned about the size of the lots and homes
- Concerned about traffic
- Concerned about schools

Terry Overlock, 5241 SW 103rd Loop, Ocala FL 34476:

- These wooded areas are an important part of their environment
- Concerned about property values

Jim Shovey, 10445 SW 52nd Court, Ocala FL 34476:

- Agrees with others
- Developers are being greedy

Annamarie Klusman, 5273 SW 103rd Loop, Ocala FL 34476:

- From New Jersey
- Lives in Woods and Meadows
- Concerned about schools, teachers, buses and nurses
- Concerned about higher taxes

Virginia Rodolewicz, 10000 SW 54th Court, Ocala FL 34476:

- Agrees with everything said

Albert King, 10465 SW 52nd Court, Ocala FL 34476:

- Agrees with everybody else
- The area is just shrinking
- Concerned about traffic issues

Kenneth Waldeck, 10000 SW 54th Court, Ocala FL 34476:

- Lives at the end of 54th court
- Will affect him directly

Paul Wright, 10500 SW 52nd Court, Ocala FL 34476:

- Worried about the safety of his community – people walk at night
- I will remember you all and I want you to deny this request

Kathleen Belculfine, 5720 SW 104th Street, Ocala FL 34476:

- Is her road going to be affected?

Dustyn Himus, 10500 SW 52nd Court, Ocala FL 34476:

- Agrees with the others

Leticia Hardy, 5690 SW 104th Street, Ocala FL 34476:

- Retired teacher from Miami Dade
- Came up here for peace and quiet

David Ruggles, 9958 SW 55th Avenue Road, Ocala FL 34476:

- Concerned about foot traffic
- Will they take property when they construct the road?

Danny Rosado, 5705 SW 104th Street, Ocala FL 34476:

- Agrees with others

Michael Dauphin, 10079 SW 54th Court, Ocala FL 34476:

- Agrees with others

Charlotte Scruggs, 10120 SW 49th Avenue, Ocala FL 34476:

- Her A-1 property will be abutting the soccer field

Randall Daigle, 5401 SW 101st Place, Ocala FL 34476:

- Will have 2 homes in his backyard
- Agrees with others

Bruce Campora, 10438 SW 52nd Court, Ocala FL 34476:

- Agrees with others

Michelle Moore, 5912 SW 103rd Loop, Ocala FL 34476:

- Lives in Cherrywood
- Walks in the neighborhood all the time
- Does not want a soccer field in her back yard
- Not compatible with the area

Kathleen Mcvean, 5225 SW 103rd Loop, Ocala FL 34476:

- Concerned about the animals
- Dianne Ruggles, 9958 SW 55th Avenue Road, Ocala FL 34476:
- Schools are full already
 - Buffer on the north side?
 - Sidewalks?

Barbara Ward, 10344 SW 62nd Terrace Road, Ocala FL 34476:

- Lives in Cherrywood
- Wants a solid wall
- Does not want kids coming through
- Worried about coyotes
- Worried about noise and air quality

Margaret Konar, 5803 SW 100th Lane, Ocala FL 34476:

- Lives in Cherrywood
- Question about buffers

REBUTTAL:

Jimmy Gooding III, 1531 SE 36th Avenue, Ocala FL 34471:

- He is 65 years old. He lives a couple blocks from the auditorium. People walk by. People feel safe in their homes. Teenagers don't run rampant, killing people up and down the street. They don't have criminals everywhere. We have kids up and down the street. People have the right to live in 55+ communities, but to say that a neighboring community is going to ruin their community because it is going to have children is offensive.
- Lot size and connectivity
 - o Modern communities (because of the cost of construction and cost of land) are heading toward smaller lot sizes. That does not mean lower quality houses.
 - o They are not connecting to Cherrywood.
 - o All these roads are public dedicated streets
- They will have central water and sewer and amenities

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- The request for Alahandra Estates regarding construction traffic has been noted
- Soccer field is adjacent to the DRA
- They are only asking what is allowed in Medium Density

PUBLIC COMMENT CLOSED

211008Z Planning and Zoning Commission Recommendation

Motion was made by Jerry Lourenco seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested 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 tied 3-3 with Michael Behar, Andy Bonner and Thomas Fisher dissenting

211009Z Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Andy Bonner to disagree with staff's findings and recommendation, and recommend denial of the requested Zoning Change based on the following findings of fact:

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

The Motion tied 3-3 with Greg Lord, Danny Gaekwad and Jerry Lourenco dissenting

15. 211013Z– Longreen Farm Inc. David Hopper, 419 Leedsville Road, Amenia, NY 12501, request a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-1 (General Agriculture) to PUD (Planned Unit Development), for a proposed 280-unit Townhome Development (Ocala South Townhomes), on an approximate 36.09 Acre Tract, on Parcel Account Numbers 35369-027-01 and 35369-027-02. WRITTEN OPPOSITION WITHIN 300 FEET 1 of 18= 6%

Ken Odom, Growth Services, presented this request:

- The subject parcel is located on the east side of SW 60th Avenue and south of SW 52nd Street, approximately one mile north of SR 200
- Rezoning from A-1 to PUD (288 Cottage Style Economic Rental housing units)
- Parcel Characteristics
 - o 36.09 Acres
 - o A-1 General Agriculture; High Density Residential
- Staff is recommending Approval With development conditions
 - o Will not adversely affect the public interest
 - o Is consistent with the comprehensive plan
 - o Is compatible with land uses in the surrounding area

Austin Dailey, Esq., Klein & Klein LLC. 40 SE 11th Avenue, Ocala FL 34471:

- This is a high quality work force housing project
- They are townhomes
- This is an urgent need for the area

PUBLIC COMMENT:

Megan Bunting, 27777 Franklin Road, Southfield MI 48034:

- Represents the owners of Sun Saddle Oaks and Fairfield Village located 5610 SW 60th Street and 5583 SW 57th Court
- Concerned about the noise
- Want to know what the C type buffer will consist of
- Request a fence line with landscaping and a 50 foot buffer
- They have spoken to the developer's representative and they have assured us that they will accommodate their request of at least a 30 foot buffer and a fence line with landscaping but they felt it necessary to put it on record their request

REBUTTAL:

Austin Dailey, Esq., Klein & Klein LLC. 40 SE 11th Avenue, Ocala FL 34471:

- In their plans it shows a 30 foot buffer

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Danny Gaekwad seconded by Michael Behar to agree with staff's findings and recommendation, and recommend approval of the requested 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 6-0

16. 211017Z– Randall E. and Cheri Futch, PO Box 776, Ocala, FL 34478, request a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from PUD (Planned Unit Development) to A-1 (General Agriculture) or to R-E (Residential Estate), for all permitted uses, on an approximate 197.43 Acre Parcel, on Parcel Account Number 36243-000-00.

WRITTEN OPPOSITION WITHIN 300 FEET 1 of 23= 4%

Chris Rison, Growth Services, presented this request:

- Request to rezone from PUD to A-1 on 197.43 acres
- Location: 5280 SW 7th Avenue Road west side of the SW 7th Avenue Road and ZSW 52nd Street intersection
- Site is designated low residential (up to 1 DU/AC), an Urban Area designation, however majority of the property is located outside of the Urban Growth.
- Rezoning to A-1 would re-establish broad agricultural zoning classification not in character with the low residential land use designation
- With low residential, rezoning to higher intensity (e.g., R-E) could be sought for the site, or resulting large acreage parcels created.
- Immediately surrounded by mix of large agricultural tracts or historic residential estate-style tracts (e.g. Summit Downs, etc.)
- Current Developer's Agreement provides development requirements for the site given Low Residential urban designation, addressing utilities and transportation needs.
- Analysis of A-1, Denial recommended:
 - o Will adversely affect the public interest
 - o Is not consistent with the Current Comprehensive Plan
 - o Is compatible with the land uses in the surrounding area.
- Analysis if R-E, Approval recommended:
 - o Will not adversely affect the public interest
 - o Is consistent with the current Comprehensive Plan
 - o Is compatible with the land uses in the surrounding area

Randy Futch, 9995 SW 186th Avenue, Dunnellon FL 34432, the applicant:

- This property was bought to be a family compound
- They have always owned agricultural lots, but when they started to talk about how to subdivide they were told that the agriculture would not allow us to divide it 10 or 15 acre parcels. They want to go to R-E so that they can subdivide it among family members.

Kevin (unable to understand) Florida, family friend:

- They are in favor of the R-E

PUBLIC COMMENT:

Al Garri, 560 SW 57th Street, Ocala FL 34471:

- Would prefer A-1 it is more consistent with what is out there

Rob Boyer, 5460 SW 7th Avenue Road, Ocala FL 34471:

- In support of it being A-1 more consistent with the area

Ria Counts, 800 SW 57th Street, Ocala FL 34471:

- In support of it being A-1 more consistent with the area

REBUTTAL:

Randy Futch, 9995 SW 186th Avenue, Dunnellon FL 34432, the applicant:

- Fine with R-E does not want to spend \$5000 to change land use

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Andy Bonner to disagree with staff's findings and recommendation, and recommend approval of the requested 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 6-0

17. 211018Z– Marco Polo Builders, Inc., Katica Pavicic, 4926 SW 114th Street Road, Ocala, FL 34476, request a Modification of Zoning Change (190902Z), Articles 2 and 4, of the Marion County Land Development Code, from PUD (Planned Unit Development) to PUD (Planned Unit Development), for modification of proposed roads and permitted uses intended for the 320-unit Apartment Complex (Marco Polo Apartments), with a Commercial area included, on an approximate 69.15 Acre Tract, on Parcel Account Numbers 41200-061-00, 41200-062-00, 41200-063-00, 41200-063-01, 41200-063-02, 41200-064-00, 41200-064-01 and 41200-064-09.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 28= 0%

Chris Rison, Growth Services, presented this request:

- Request a PUD on 70.85 acres 1) add residential use option (320 apartments) and 2) update project roadway and access plan
- Land use is Employment Center (up to 16 DU/AC)
- Site is currently a non-residential PUD with Employment Center future land use designation in the generalized Urban Area outside the Urban Growth Boundary between Marion Oaks and I-75.
- Proposes to blend the site's land use allowances by adding residential use in the existing PUD sub-area "B" (concept example is for 320 dwelling unit apartment complex), while revising the PUD's non-residential Floor Area Ratio to 1.0 (in lieu of 2.0 as permitted by the Employment Center land use designation).
- Represents and "infill" development in an Urban Area designation that will increase housing opportunities in an area experiencing increased economic development [Florida Crossroads Commerce Park (McGinley) and Trailhead Logistic Center (north component of original PUD)].
- Surrounded by common land use designation north and east, Marion Oaks Commercial and Medium to the west, with existing Summerglenn and proposed Maro PUD projects to the south.
- Will maintain buffers standards and add additional buffer style along south boundary for apartment, and will be served by central water and central sewer.
- Revised proposed road and access plan will provide alternative routes and increased connectivity for the area while functionally "completing" a street network among publicly dedicated roadways and major thoroughfares (FLUE Policy 10.4.3; TE Policy 2.3.4).
- Staff Recommends approval with development conditions

- Will not adversely affect the public interest
- Is consistent with the Comprehensive Plan
- Is compatible with the land uses in the surrounding area

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- Everything they are doing is either a transportation improvement or a transportation reduction

PUBLIC COMMENT:

Robert Saltzman, 1481 SW 16th Lane, Ocala FL 34473:

- Summerglenn
- This will be at the busiest intersection
- Concerned about traffic

Paul Richmond, 15361 SW 14th Avenue Road, Ocala FL 34473:

- Summerglenn
- Wants a quality development

Bruce Halgren, 16394 SW 14th Court, Ocala FL 34473:

- Summerglenn
- Concerned about traffic problems

Tom Demarest, 1518 SW 160th Street, Ocala FL 34473:

- Summerglenn
- Too much traffic on 484

Barbara Gaynor, 1504 SW 160th Street, Ocala FL 34473:

- Purple Carrot?

Lou Farinella, 15338 SW 15th Terrace Road, Ocala FL 34473:

- Retired Fire Chaplin
- Concerned about response times

Ollie Theberge, 1465 SW 160th Street, Ocala FL 34473:

- When will the traffic study be done and when will it be available

REBUTTAL:

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16th Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- Flyover plan on the other side

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Jerry Lourenco seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested 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 Michael Behar dissenting

MINUTES:

Motion was made by Danny Gaekwad, seconded by Andy Bonner to approve the minutes of the August 23, 2021 Planning & Zoning Commission meeting.

The motion passed 6-0

ADJOURNMENT:

The meeting adjourned at 10:54 PM

Attest:

Greg Lord, Chairman

Stephanie Soucey
Administrative Staff Assistant