



**Marion County  
Board of County Commissioners**

**Growth Services**

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Ocala, FL 34470  
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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>Public Hearing Dates</b>	<b>P&amp;Z: 4/28/2025</b>	<b>BCC: 5/19/2025</b>
<b>Case Number</b>	250504ZC	
<b>CDP-AR</b>	32477	
<b>Type of Case: Rezoning</b>	<b>From:</b> Community Business (B-2) <b>To:</b> Single Family Dwelling (R-1)	
<b>Owner</b>	Billie L. Armstrong	
<b>Applicant</b>	Billie L. Armstrong/ Tyler Armstrong (Agent)	
<b>Street Address/Site Location</b>	No address listed, General location is at the intersection of NE 64 <sup>th</sup> Avenue Road and Pine Road, located in the Silver Springs Shores Community.	
<b>Parcel Number(s)</b>	9019-0000-05	
<b>Property Size</b>	±1.43 acres	
<b>Future Land Use</b>	Commercial (COM)	
<b>Existing Zoning Classification</b>	Community Business (B-2)	
<b>Overlays Zones/Special Areas</b>	Outside Urban Growth Boundary (UGB), Primary Springs Protection Zone (PSPZ), Marion County Utilities	
<b>Staff Recommendation</b>	<b>APPROVAL</b>	
<b>P&amp;Z Recommendation</b>	<b>TBD</b>	
<b>Project Planner</b>	Sarah D. Wells, Planner	
<b>Related Cases</b>	<b>25-S02:</b> Small-Scale Land Use Amendment to EC; <b>97-L13:</b> Large-Scale Land Use Amendment to COM; <b>890906Z:</b> Rezoning to <b>B-2</b> ( <i>B-4 requested</i> ).	
<b>Code Cases</b>	No code cases associated with this parcel	

## I. ITEM SUMMARY

Billie L. Armstrong filed a rezoning to change a  $\pm 1.43$  acre site from Community Business (B-2) to Single Family Dwelling (R-1). The Parcel Identification Number for the property is 9019-0000-05; the site is not associated with an address, and the legal description is provided within the application. The subject property Tract UU, Silver Springs Shores Unit 19, and forms the northwest corner of the 64<sup>th</sup> Ave. Road and Pine Road intersection. The site is located outside the Urban Growth Boundary (UGB), and in the County-wide Primary Springs Protection Zone (PS-SPOZ), and within Marion County Utilities Service Area. The application proposes rezoning the subject property for all uses permitted. *The site does not have any code-violations associated with it.*

**Figure 1**  
**Aerial Map (Fall 2023)**



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the rezoning application. Staff finds the requested zoning does conform to LDC Section 2.7.3.E(2) as it would not adversely affect the public interest, is compatible with the Marion County Comprehensive Plan, and is compatible with the surrounding area.

## III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (21) within 300 feet of the subject property on April 11, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property the week of April 15, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on April 8, 2025. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

#### **IV. ANALYSIS**

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

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

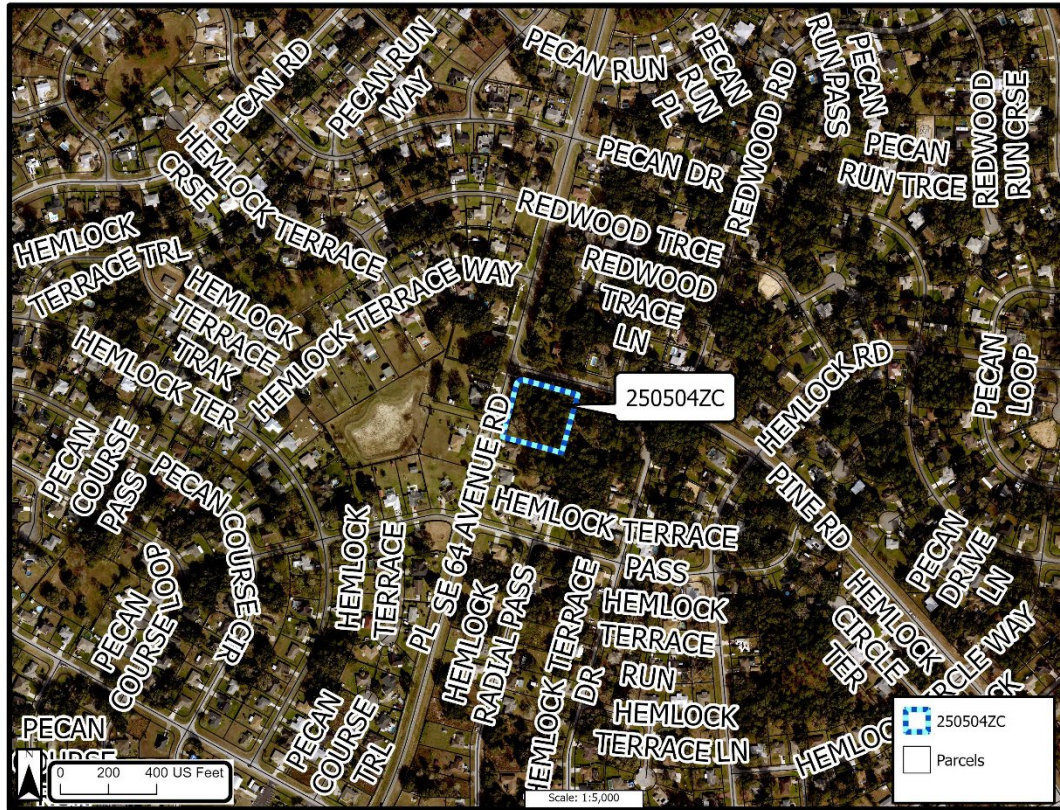
Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time, such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

Generally, the subject site and surroundings are located outside of the Urban Growth Boundary (UGB) and outside the Farmland Preservation Area (FPA). The site and surroundings are located in the county-wide Primary Springs Protection Zone (PSPZ) and within the Marion County Utilities Service Area. The site is unit 19 of the Silver Springs Shores Subdivision.

Prior Figure 1 is an aerial of the site from Fall 2023, while the following Figure 2 is a 2024 Aerial of the site and surroundings.

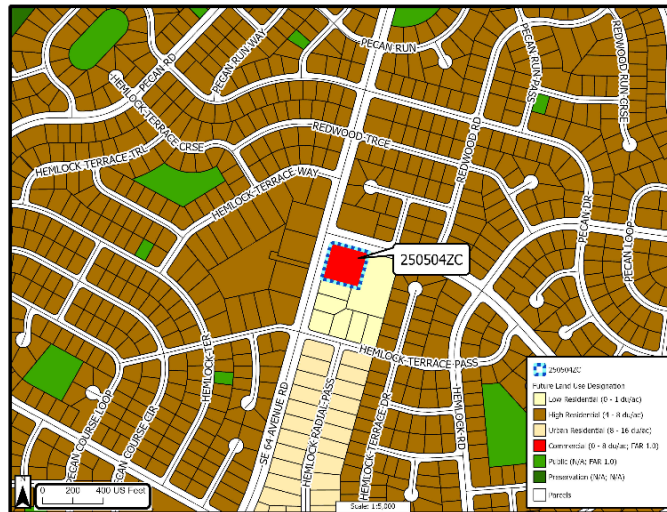
**Figure 2  
Aerial Map (Fall 2024)**





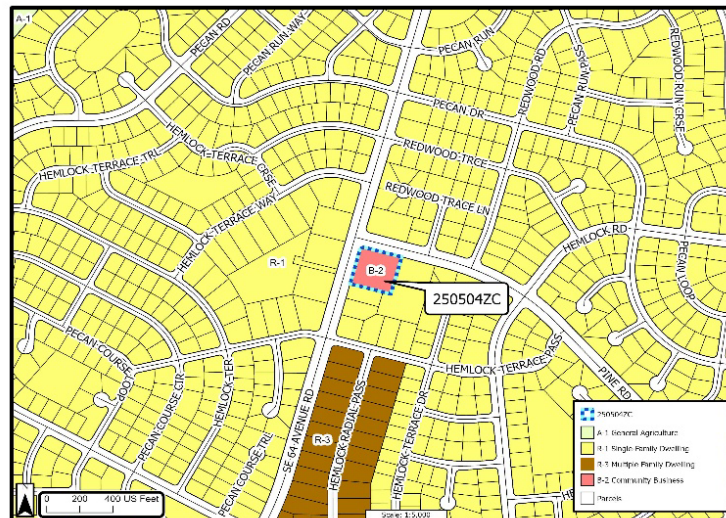
The following Figure 3 identifies the site and surroundings' current land use designation. The property's current land use designation is Commercial, which allows up to eight dwelling units per acre per policy 2.1.22. Historically, this land was to be used as a small commercial node for retail businesses in the Silver Springs Shores community. For this reason, the parcel is larger than the surrounding parcels. The applicant has future intentions to split the parcel into two separate 0.75-acre lots. Properties to the east, southeast, and south are designated Low Residential, with a density range of one parcel per acre per policy 2.1.17. Lands to the north and west have the high residential designation, with a density range between four dwelling units to eight dwelling units per acre, per policy 2.1.19 of the FLUE.

**Figure 3**  
**Current FLUMS Designation**



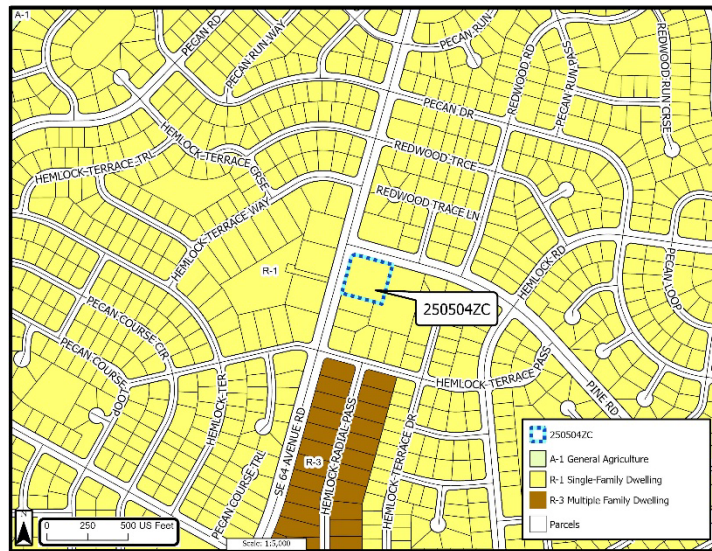
Figures 4a and 4b display the current and requested zoning district classifications for the site and surrounding properties. The site's current zoning is Commercial Business (B-2). East, west, and south of the site, the lands are zoned Single Family Residential (R-1), and, like the site, are lots in the Silver Springs Shores Subdivision.

**Figure 4a**  
**Current Zoning Classification**

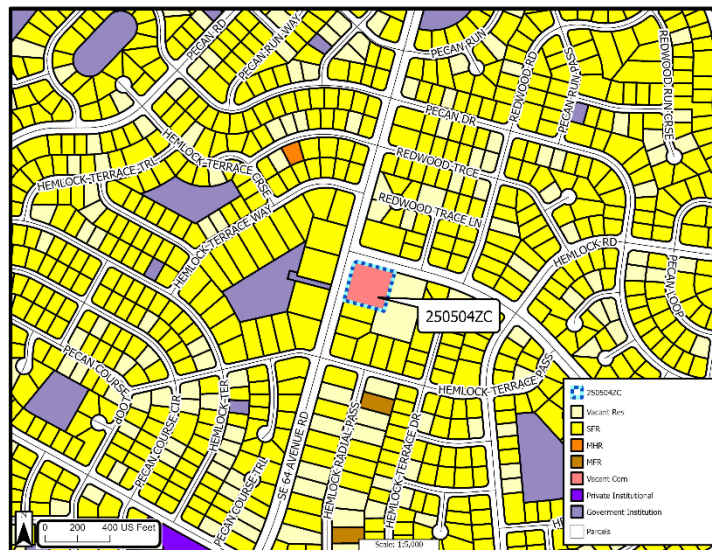


**Figure 4b**  
**Requested Zoning Classification**  
(This application Single Family Dwelling (R-1))





**Figure 5**  
**Existing Use per Property Appraiser Property Code**



Prior Figure 5 displays the site and surrounding properties' existing uses as identified by the Marion County Property Appraiser's Office's Property Code (PC). The parcel is surrounded by single-family residential lots and one vacant residential lot. Figure 6 displays a broader aerial image of the site and surrounding properties, with the surrounding subdivisions noted, including the Silver Springs Shores Subdivision. Table A displays the information from Figures 3 and 4 in tabular form.

**Figure 6**  
**Aerial Map (Fall 2023) with Surrounding Subdivisions**



TABLE A. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	Existing Use Per MCPA Property Code
<b>Subject Property</b>	Commercial (COM)	Community Business (B-2)	Vacant Commercial
<b>North</b>	High Residential (HR)	Single Family Dwelling (R-1)	Single-family Residence (1992)
<b>South</b>	Low Residential (RL)	Single Family Dwelling (R-1)	Single-family Residence (2001) Vacant Residential
<b>East</b>	Low Residential (RL)	Single Family Dwelling (R-1)	Vacant Residential
<b>West</b>	High Residential (HR)	Single Family Dwelling (R-1)	Single-family Residence (1993)

Based on the above findings, the proposed rezoning application is **compatible** with the existing and future surrounding land uses because the proposed rezoning would allow a reduction in density and intensity (alternatively referred to as downzoning) outside of the UGB, and inside the Primary Springs Protection Zone, which furthers the future land use and the long-term intent for the area.

B. *How does the request affect the public interest?*

1. Transportation impacts. These include roadways, public transit, and other mobility features.
  - a. Roadways.

- N- Pine Road – Paved Public 2-lane roadway, classified as major local, and maintained by Marion County.
  - W- SE 64<sup>th</sup> Avenue Road. Paved Public 2-lane roadway, classified as major local, and maintained by Marion County.
- A change from B-2 to R-1 **will not adversely affect** the public interest.

- b. Public transit. The Suntran Red Route is available in this area, and there is a stop less than a mile from the subject property. The development of single-family homes on this parcel **will not adversely affect** the public interest.
- c. Other mobility features. Sidewalks currently exist along Pine Road and SE 64<sup>th</sup> Avenue Road. The development of single-family homes on this parcel **will not adversely affect** the public interest.

Based on the above findings, the rezoning roadway **impacts would not adversely affect the public interest.**

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand. Based on the residential calculation and the intent for two single-family homes on the property, residential use of the site could result in a potential demand of 720 gallons per day.

The property is not within Marion County Utilities' Service Area. Based on the above findings, the rezoning's **potable water impacts would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. Based on the residential calculation, the proposed rezoning would result in a potential increase in demand of 528 gallons.

The property is not within Marion County Utilities' service. Based on the above findings, the rezoning's **sanitary sewer impacts would not adversely affect the public interest.**

4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand. Residential use of the site could result in a potential demand of 29.8 pounds of solid waste per day. Based on the above, the rezoning **solid waste impacts would not adversely affect the public interest.**



5. Recreation. Recreation Element Policy 1.1.1. adopts a level of service standard of two (2) acres per 1,000 persons. Based on the residential calculation, for one single-family residence, the proposed rezoning would result in a potential need of 0.0098 acres or 418 square feet. As a residential use under the R-1 zoning, a general minimum of open space square feet will be provided through compliance with the site's required setbacks of 25 feet in the front and the back, plus an additional 8 feet setback for the sides of all yards. Based on the above, the rezoning **recreation impacts would not adversely affect the public interest.**
6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site does not include any Flood Zone or Flood Prone Areas. Development of the site will be required to comply with a 100-year frequency 24-hour duration design storm as the site development proceeds through Marion County's site development review processes. Based on the above, the rezoning **stormwater/drainage impacts would not adversely affect the public interest.**
7. Fire rescue/emergency services. MCFR Silver Springs Shores Station 17, located at 2122 Pine Rd. Ocala, FL, 34472, is  $\pm 2.7$  miles southeast of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Still, Marion County has established a 5-mile drive distance from the subject property as evidence of the availability of such services. Based on the above, the rezoning fire rescue/emergency impacts would not adversely affect the public interest, and the application is **consistent** with this section.
8. Law enforcement. The Sheriff's Silver Springs Shores District Office, located at 501 Water Rd. Ocala, FL, 34472, is  $\pm 3.45$  miles southeast of the subject property. The Comprehensive Plan does not establish a level of service standard for law enforcement/sheriff services. Based on the above, the application's **law enforcement impacts would not adversely affect the public interest.**
9. Public schools. The proposed rezoning is within the following listed schools with their 2024-2025 enrollment: Greenway Elementary (89.95%), Fort King Middle (72.2%), and Forest High (103.76%). Therefore, the application's public-school impacts **would not adversely affect** the public interest.

In summation, the staff concludes **the proposed rezoning would not adversely affect the public interest.**

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

1. FLUE Policy 2.1.22: Commercial (COM) This land use designation is intended to provide for mixed use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas; and allows for mixed residential development as a primary use or commercial uses with or without residential uses. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVPs).

**Analysis:** The subject site is located within Commercial land use and will be within the density range of zero (0) to eight (8) dwelling units per one (1) gross acre. As such, the request would be consistent with FLUE Policy 2.1.22.

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

**Analysis:** The site is within the Countywide Secondary Springs Protection Overlay Zone (SSPOZ). The site is not in a Flood Zone or Flood Prone Area. Staff notes that limited stormwater management facilities are provided within the Silver Springs Shores Subdivision, and further, all site development is required to comply with the LDC, including addressing stormwater management for single-family homes. As such, the request would be consistent with FLUE Policy 7.4.3.

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

**Analysis:** The proposed zoning change is scheduled for the April 28<sup>th</sup>, 2025, Planning and Zoning Commission and, therefore, the application is **consistent** with this FLUE Policy 5.1.3.

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

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

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

## **V. ALTERNATIVE ACTIONS**

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the requested rezoning.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to **APPROVE** the requested rezoning.
- C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation and make a recommendation to **TABLE** the application for up to two months in order for the applicant to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.



## VI. STAFF RECOMMENDATION

Staff recommends that the Board enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE** the proposed rezoning because the application:

- A. **Will not adversely** affect the public interest.
- B. **Is consistent** with the Comprehensive Plan provisions because it is in conformance with:
  - 1. FLUE Policies 2.1.22 and 7.4.3.
- C. **Is compatible** with the surrounding uses.

## VII. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined.

## VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

## IX. LIST OF ATTACHMENTS

- A. Rezoning Application, received February 10, 2025
- B. DRC Staff Comments
- C. Site Photographs