



**Marion County
Board of County Commissioners**

Growth Services

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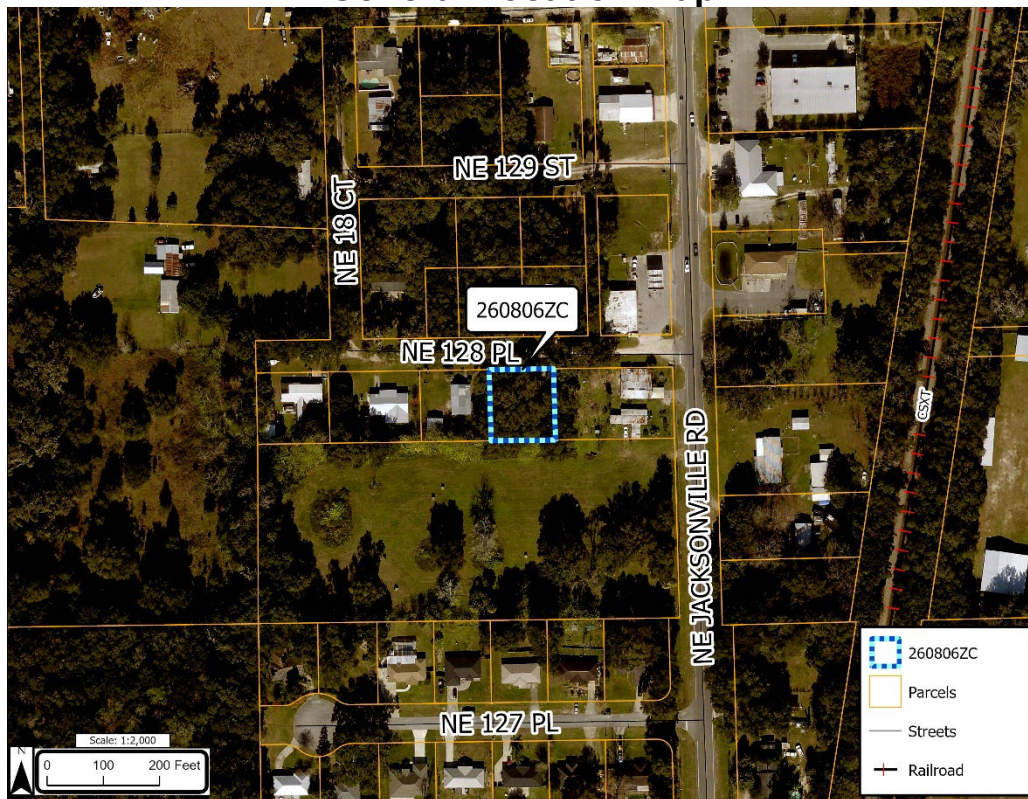
**PLANNING & ZONING SECTION
STAFF REPORT**

P&Z Date: 07/27/2026	BCC Date: 08/18/2026
Case Number	260806ZC
Plan Number	ZoneChg-000814-2026
Type of Case	Rezoning from Regional Business (B-4) to Mixed Residential (R-4)
Owner	Donald R Pierson II
Applicant	Robin Earnest
Street Address/Site Location	1898 NE 128 th Pl., Anthony, FL., 32617
Parcel Number(s)	08370-001-00
Property Size	±0.25 acres
Future Land Use	Commercial (COM)
Existing Zoning Classification	Regional Business (R-4)
Overlays Zones/Special Areas	Primary Springs Protection Overlay Zone (P-SPOZ) Farmand Preservation Area
Staff Recommendation	Approval
P&Z Recommendation	Approval (on consent 5-0)
Project Planner	Sarah D. Wells, Planner II, and Emma Sheridan
Related Cases	None

I. ITEM SUMMARY

Robin Earnest, on behalf of Donald R Pierson II, has filed a rezoning application to change from Regional Business (B-4) to Mixed Residential (R-4) for a ± 0.25 -acre parcel with a Parcel Identification Number of 08370-001-00, addressed 1898 NE 128th Pl., Anthony, FL., 32617. The application proposes rezoning the parcel so that a new manufactured home can be installed. The legal descriptions and deeds are contained within the application (Attachment A). The subject property is located just off NE Jacksonville Rd. on NE 128th Pl. and is located within the historic Broadway Subdivision. The parcel is located within the Farmland Preservation Area (FPA) and is also in the Primary Springs Protection Overlay Zone (P-SPOZ).

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the applicant's request because it is consistent with Land Development Code Section 2.7.3.E.2, which requires that granting a rezoning will not adversely affect the public interest, that the rezoning is consistent with the Marion County Comprehensive Plan, and that the rezoning is compatible with land uses in 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 (22 owners) within 300 feet of the subject property on July 10, 2026. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on June 24, 2026, and consistent with LDC Section 2.7.3.E., due public notice was published online on Marion County's website under Legal Notices on July 13, 2026. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

IV. ANALYSIS

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

Figure 2
Close up of parcel



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

Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Figure 1 is a general location aerial displaying existing and surrounding site conditions.

Figure 3 shows that directly to the north of the subject parcel, across NE 128th Pl., two parcels were approved for the same zoning change of B-4 to R-4 (Attachments D and E). These parcels both have an existing use of manufactured home residential, matching the applicants proposed use for the subject parcel.

Figure 3
Parcels with Same Zoning Change Approved

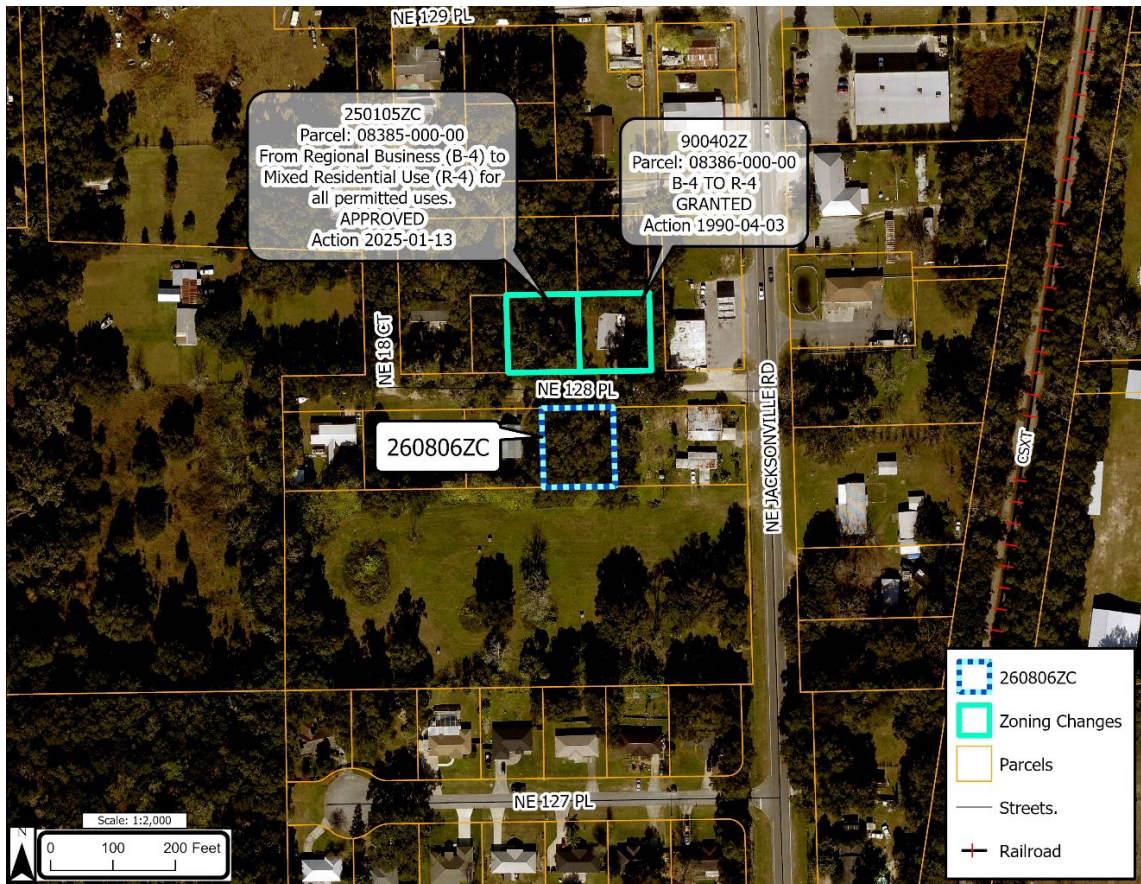


Figure 4 shows the subject property to be designated as Commercial (COM), along with parcels to the north, east, and south of the subject property. To the west is Medium Residential (MR) and one parcel to the north is High Residential (HR). Commercial land use allows up to 8 dwelling units per acre.

Figure 4
FLUMS Designation

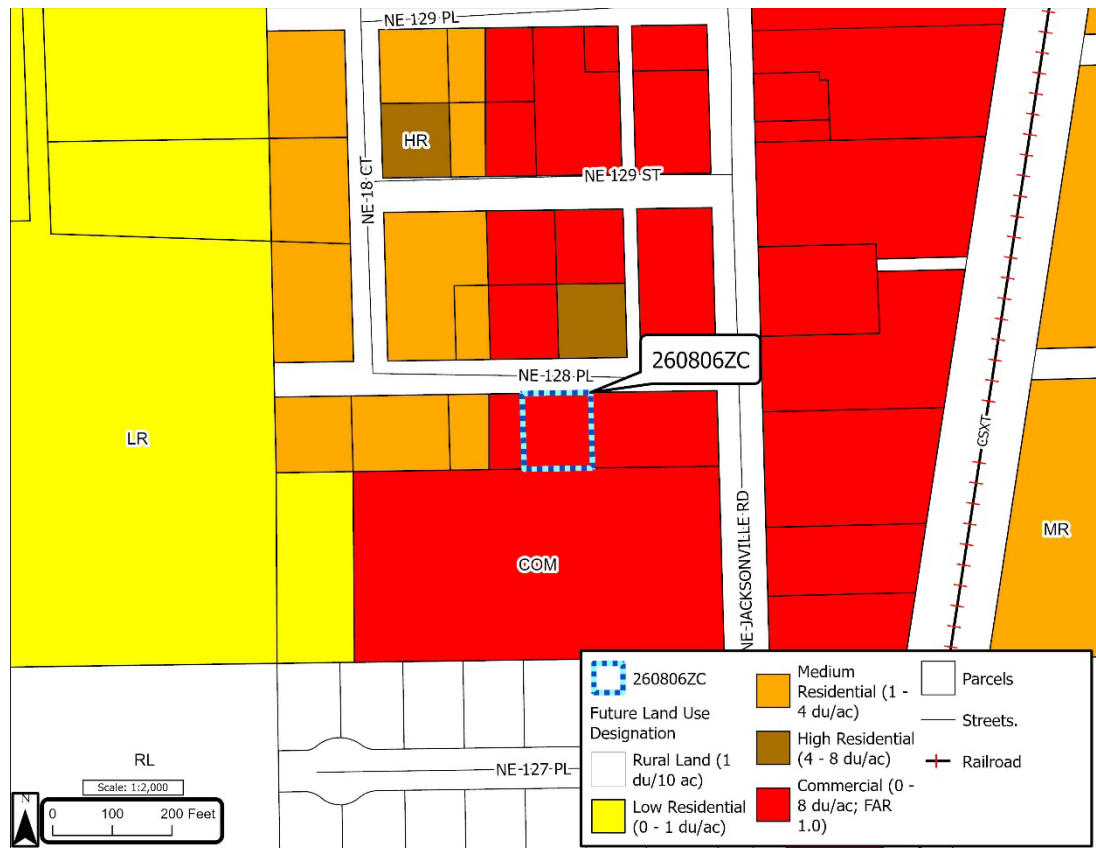


Figure 5 displays the current zoning for the subject properties and the existing zonings of the surrounding properties. The subject parcel is zoned Regional Business (B-4), along with parcels to the east and south. Parcels to the north are zoned Mixed Residential (R-4) and Single-Family Dwelling (R-1) to the west.

Figure 5
Current Zoning Classification

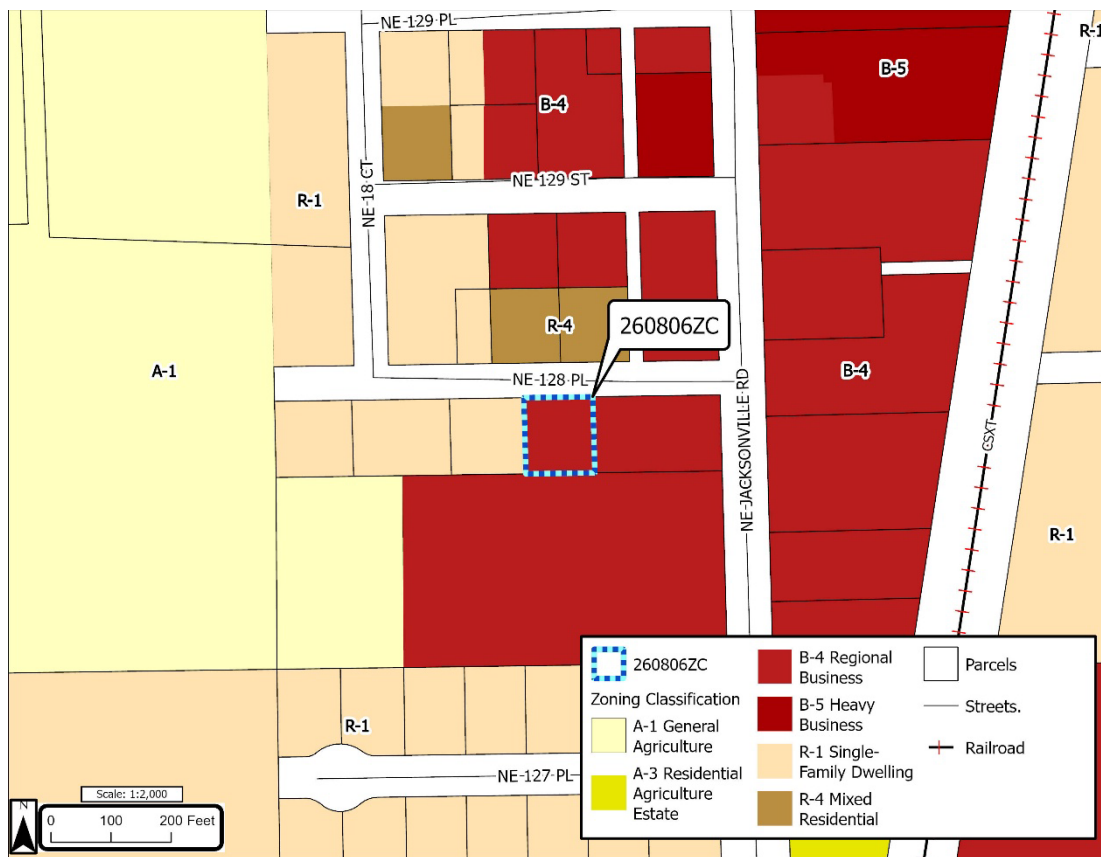


Figure 6 reflects the proposed rezoning request to change the site's zoning classification from B-4 (Regional Business) to R-4 (Mixed Residential) in relation to the surrounding zoning districts. This is compatible with the current trend toward a residential character in the area.

Figure 6
Proposed Zoning Classification

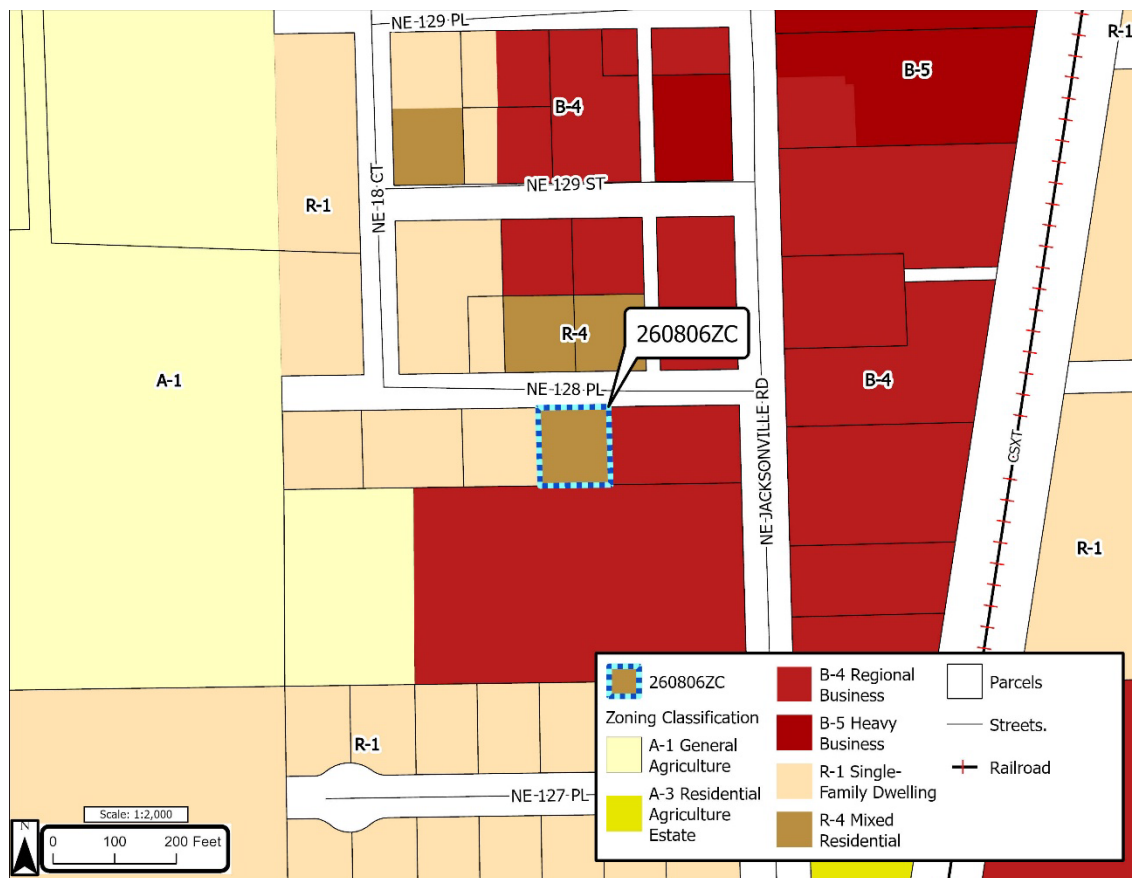


Figure 7 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC). The subject parcel is classified as Vacant Residential, surrounded by Manufactured Home Residential (MHR) to the north, Commercial to the east, Vacant Commercial to the south, and Single-Family Residential (SFR) to the west.

Figure 7
Existing Use per Property Appraiser Property Code

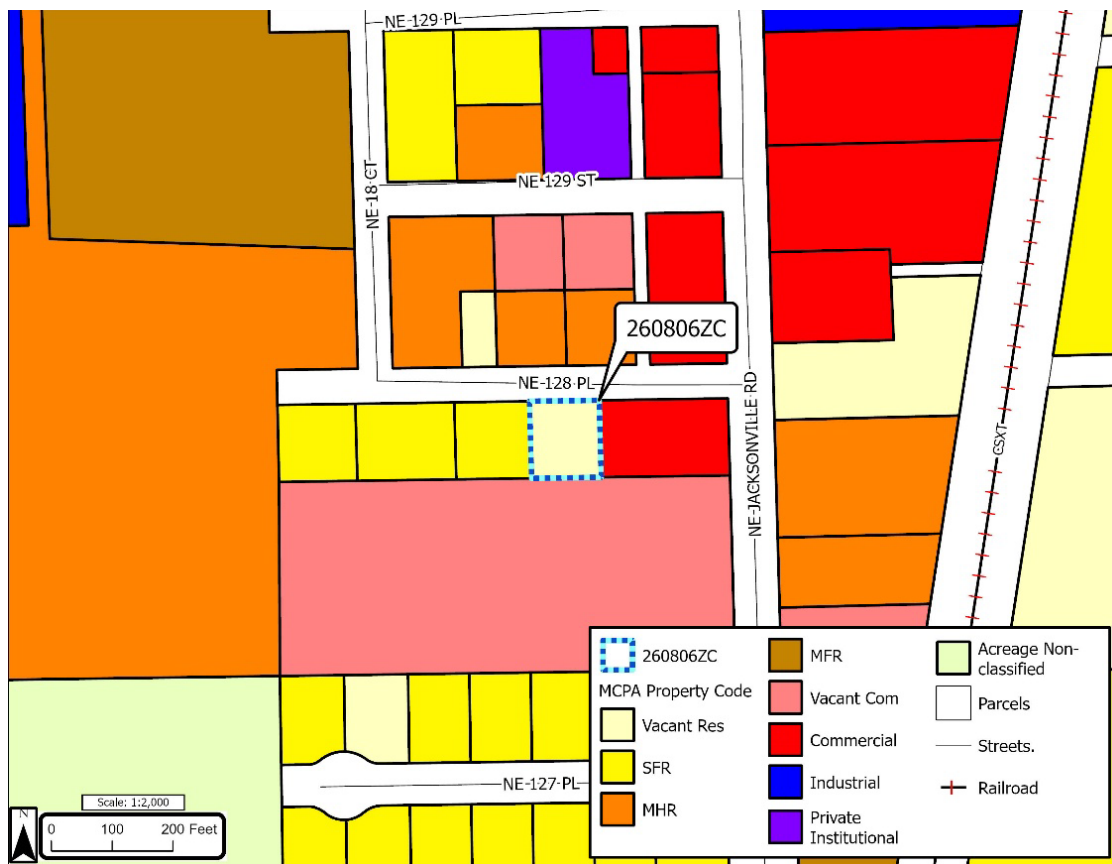


Table A summarizes the existing site and adjacent property characteristics as reflected in prior Figures 3, 4, 5, and 6.

TABLE A. Adjacent Property Characteristics			
Direction	FLUM Designation	Zoning Classification	Existing Use per MCPA Property Code
Site(s)	Commercial (COM)	Regional Business (B-4)	Vacant Residential
North	Commercial (COM) High Residential (HR)	Mixed Residential (R-4)	Manufactured Home Residential
South	Commercial (COM)	Regional Business (B-4)	Vacant Commercial
East	Commercial (COM)	Regional Business (B-4)	Commercial
West	Medium Residential (MR)	Single-Family Dwelling (R-1)	Single-Family Residential

Based on the above findings, the proposed rezoning application **is compatible with the existing and future surrounding land uses.**

B. How does the request affect the public interest?

1. Transportation impacts. These include roadways, public transit, and other mobility features.
 - a. Roadways. The subject property is located off NE Jacksonville Rd. on NE 128th Pl., an unimproved, private local subdivision road that the County does not maintain. The proposed zoning change will not result in an adverse impact.
 - b. Public transit. The property is not along any existing transit routes. No transit routes are currently projected to extend to the vicinity of the project.
 - c. Other mobility features. Sidewalks and multi-modal paths do not currently exist along the site's NE 128th Pl. frontage or along the closest major road, NE Jacksonville Rd.

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, the proposed rezoning would result in a potential demand of 360 gallons per day. Per DRC comments from Marion County Utilities staff, the parcel is within the Marion County Utilities service area but is currently outside connection distance to public water and sewer, with the closest public water infrastructure located approximately 690 feet from the parcel. R-4 does not allow additional dwelling units, so no additional structures with water demand can be added that may trigger required connection and extensions to the Marion County public water system. The rezoning will have no effect on Marion County Utilities; it is concluded that **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 proposed rezoning, the potential service demand would be 264 gallons per day. The property is located within Marion County Utilities service area, but outside of connection distance. The rezoning will have no effect on Marion County Utilities; it is concluded that **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. A commercial/industrial level of service standard is not currently in place for Marion County as such operations are required to provide for individual commercial collection wherein disposal within Marion County is alternatively addressed. The proposed zoning change would generate 14.88 pounds of solid waste per day; it is concluded that **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. Marion County features a variety of federal, state, and local recreation lands satisfying the general level of service standard; therefore, it is concluded that **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 plain 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, it is concluded **stormwater management effects would not adversely affect the public interest.**

7. Fire rescue/emergency services. The site is within MCFR Sparr Station 19 district, located approximately 0.5 miles to the north of the subject property at 13323 NE Jacksonville Rd. Citra, FL 32113. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services, but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, it is concluded that the rezoning's **fire rescue/emergency impacts would not adversely affect the public interest.**
8. Law enforcement. The Sheriff's North Multi District Substation, located at 8311 N Hwy 441, Ocala, FL 34475, is approximately 5 miles southwest of the subject property. The Comprehensive Plan does not establish a level of service standard for law enforcement services, but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, it is concluded the rezoning'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 2026-2027 enrollment: Sparr Elementary (102%), North Marion Middle (73%), and North Marion High (74%). Therefore, the application's public-school impacts **would not adversely affect** the public interest.

In summation, 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 1.1.5: Higher Density/Intensity Uses** - The County shall require higher densities and intensities of development to be located within the Urban Growth Boundaries and Planned Service Areas, where public or private facilities and services are required to be available.

Analysis: The subject site is located outside the Urban Growth Boundary (UGB) and public and/or private facilities and services are unavailable. Based on the subject property's location being within a platted rural residential subdivision, currently zoned commercial with a commercial land use designation, and remains undeveloped, the proposed rezoning for residential use would allow the property to develop according to the wishes of the landowner, while also allowing the future land use to remain commercial. Further, Commercial Land Use affords residential allowances, so rezoning this parcel from commercial to residential does not give the property a zoning classification which is inconsistent with its land use designation. It does, however, place a limit on the intensity of the development which can occur on-site.

If approved, this change would support the county's desire to encourage development with higher densities and intensities within the urban growth boundary and leave the Rural Land and lower density development for parcels outside the UGB. Therefore, the proposed rezoning would be **consistent** with FLUE Policy 1.1.5.

2. **FLUE Policy 2.1.6: Protection of Rural Areas** - Rural and agricultural areas shall be protected from premature urbanization and a vibrant rural economy shall be encouraged outside the UGB and Planned Service Areas. Urban and suburban uses incompatible with agricultural uses shall be directed toward areas appropriate for urban development such as within the UGB and PSAs.

Analysis: This application looks to encourage a vibrant rural economy while protecting the area from premature urbanization by limiting the density that can develop at this site. Although the surrounding area contains a substantial amount of Commercial future land use designations, only a small portion of those parcels have developed commercially, indicating that urbanization in the area is occurring at a slower pace than anticipated. If approved, this rezoning would protect the area from premature commercial development that might be more appropriate for a Rural Activity Center or within the UGB or PSA. So, approving this rezoning request is **consistent** with FLUE Policy 2.1.6.

3. **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 (RVP).

Analysis: While the proposed use is not mixed-use today, by leaving the future land use designation Commercial, both residential and commercial uses can occur on-site, leaving open the possibility of this development in the future. Commercial land use allows up to eight (8) dwelling units per acre, while the R-4 zoning classification allows a maximum density of 4 single-family dwelling units per acre, which makes the proposed zoning classification consistent with the existing land use designation. Therefore, this request is consistent with FLUE Policy 2.1.22.

4. **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 advisory board's purpose 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 consideration on July 31, 2026, by the Planning and Zoning Commission, and therefore, the application is consistent with FLUE Policy 5.1.3.

5. **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 consistent with FLUE Policy 5.1.4.

In summation, staff concludes the rezoning is consistent with the Comprehensive Plan, is compatible with the surrounding area, and will not adversely affect the public interest as listed in Land Development Code (LDC) Section 2.7.3.E.(2).

V. STAFF RECOMMENDATION

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

- A. Will not adversely affect the public interest because the proposed change does not increase the intensity or density of the subject parcel.
- B. Is consistent with the Comprehensive Plan provisions because it is in conformance with FLUE Policies 1.1.5, 2.1.6, 2.1.22, 5.1.3, and 5.1.4.
- C. Is compatible with the surrounding uses because the proposed rezoning would be compatible with the current trend toward a residential character in the area.

VI. PLANNING & ZONING COMMISSION RECOMMENDATION

Approval (on consent 5-0)

VII. BOARD OF COUNTY COMMISSIONERS ACTION

TBD

VIII. LIST OF ATTACHMENTS

- A. Application Package
- B. Site and Area Photographs
- C. DRC Comments
- D. Ordinance No. 25-01
- E. Ordinance No. 90-7