



**Marion County
Board of County Commissioners**

Growth Services

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

P&ZC Date: 02/24/2025	BCC Date: 03/17/2025
Case Number:	250302SU
CDP-AR:	32326
Type of Case:	Special Use Permit for a transportation services business related solely to the transport of horses and livestock in a General Agriculture (A-1) zoning.
Owner	Ashley Castrenze and Brian Pedroza
Applicant	James T. Hartley – Gooding & Batsel, PLLC.
Street Address	5152 W. Hwy 326 Ocala, FL, 34482
Parcel Number	13091-000-00
Property Size	±10 acres
Future Land Use	Low Residential (LR)
Zoning Classification	General Agriculture (A-1)
Overlay Zone/Scenic Area	Urban Growth Boundary (UGB), Secondary Springs Protection Overlay Zone (SSPOZ)
Staff Recommendation	Approve with conditions
P&ZC Recommendation	TBD
Project Planner	Kathleen Brugnoli, Planner II
Related Case(s)	None

I. ITEM SUMMARY

James T. Hartley, on behalf of Ashley Castrenze & Briana Pedroza, has filed an application for a special use permit to allow for a transportation services business related solely to the transport of horses and livestock in a General Agriculture (A-1) zoning classification (see Attachment A). Figure 1 is an aerial photograph showing the location of the subject property. The Property Identification Number associated with the property is 13091-000-00, the site address is 5152 W. Hwy 326, Ocala, FL 34482, and the legal description is displayed on the deed included as part of the application. The subject property is located within the Silver Springs Secondary Protection Overlay Zone (SSSPOZ) and also within the Urban Growth Boundary (UGB).

Figure 1
Aerial Photograph of Subject Property



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS** due to the request being consistent with the Marion County Comprehensive Plan, compatible with the surrounding area, and will not adversely affect the public interest specified in Section VI.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in LDC Sections 2.8.2.D and 2.8.3.B.

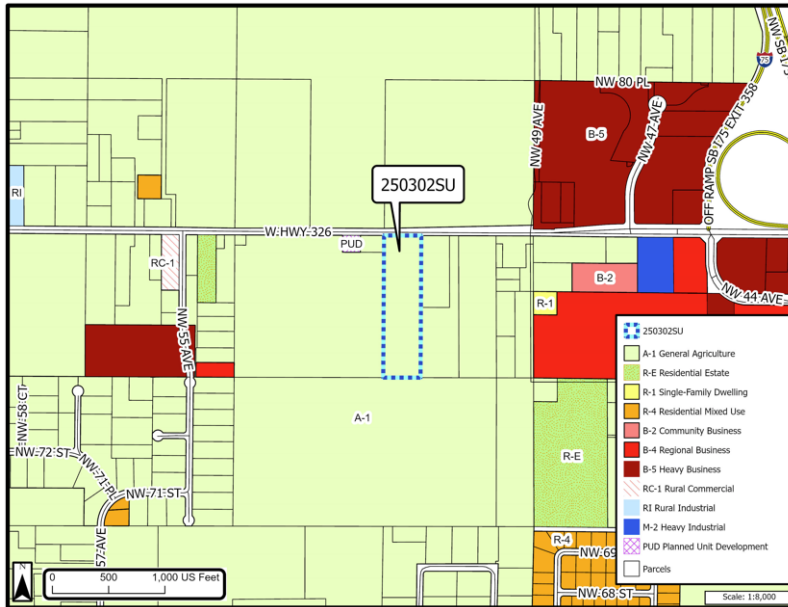
III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C and 2.7.3.B to apply to SUP applications. LDC Section 2.7.3.C requires notice of public hearing be mailed to all property owners within 300 feet of the subject property and notice was mailed to eight (8) property owners on February 15, 2025. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on February 5, 2025 and consistent with LDC Section 2.8.3.E. due public notice was published in the Ocala Star-Banner on February 19, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

- A. *Existing site conditions.* Figure 2 provides zoning classification information while Figure 3 shows the FLUMS designation for the area. Table 1 outlines the existing uses of the surrounding area, while Figure 4 illustrates those uses in relation to the subject property. As illustrated, the subject property is currently listed as Agriculture Production by the MCPA's office. The surrounding area is a mix of agriculture, residential. A site visit was conducted on February 5, 2025 to post public notice and photograph the property (Attachment B). The site is currently developed with a home, and outbuilding, and a horse barn. The property is fenced along the property boundary line and fenced again to create separate paddock areas for the horses. The southern portion of the property is undeveloped and looked to be used for riding horses and practicing jumps with horses. Towards the roadway, a stand of trees on either side of the driveway have been retained to keep with the natural look of the area and are fenced off from the horse paddocks.
- B. *Zoning district map.* Figure 2 shows the subject property designated as General Agriculture (A-1), with all surrounding properties also being A-1. Less than a quarter mile to the east is a commercial node including a Loves Travel Stop, Pilot Travel Center, and various convenience stores, restaurants, etc.

Figure 2
Zoning Classification



C. *FLUMS designation.* Figure 3 is the FLUMS and shows the subject property as Low Residential (LR) land use (0-1 DU/AC) with similar land use surrounding. The purple area to the east is the commercial node discussed previously in the report; this is Commerce District land use (FAR 2.0).

Figure 3
Future Land Use Map Series

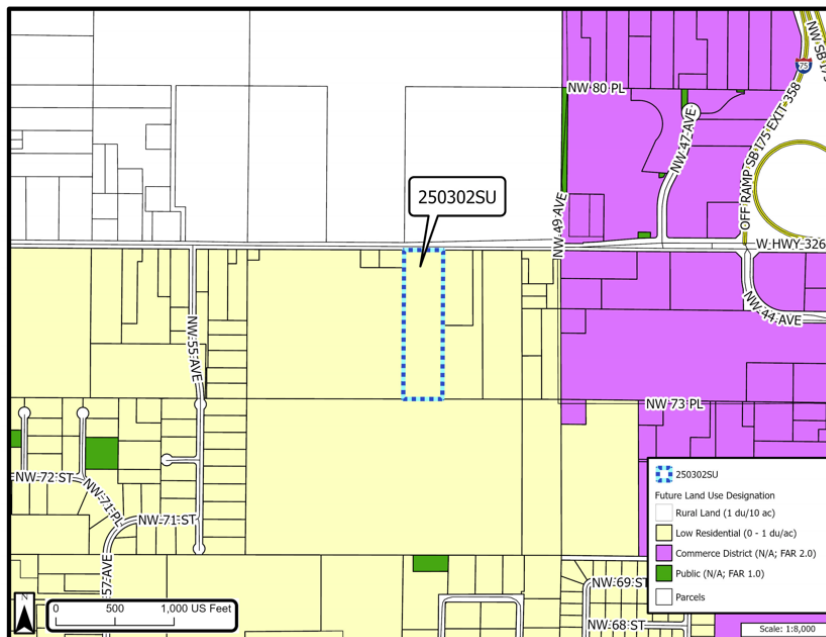


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use
Site	Low Residential (LR)	General Agriculture (A-1)	Grazing Land
North	Rural Land (RL)	General Agriculture (A-1)	Grazing Land
South	Low Residential (LR)	General Agriculture (A-1)	Grazing Land
East	Low Residential (LR)	General Agriculture (A-1)	Improved Residential Improved Mobile Home
West	Low Residential (LR)	General Agriculture (A-1)	Grazing Land Vacant Residential

Figure 4
MCPA Property Uses

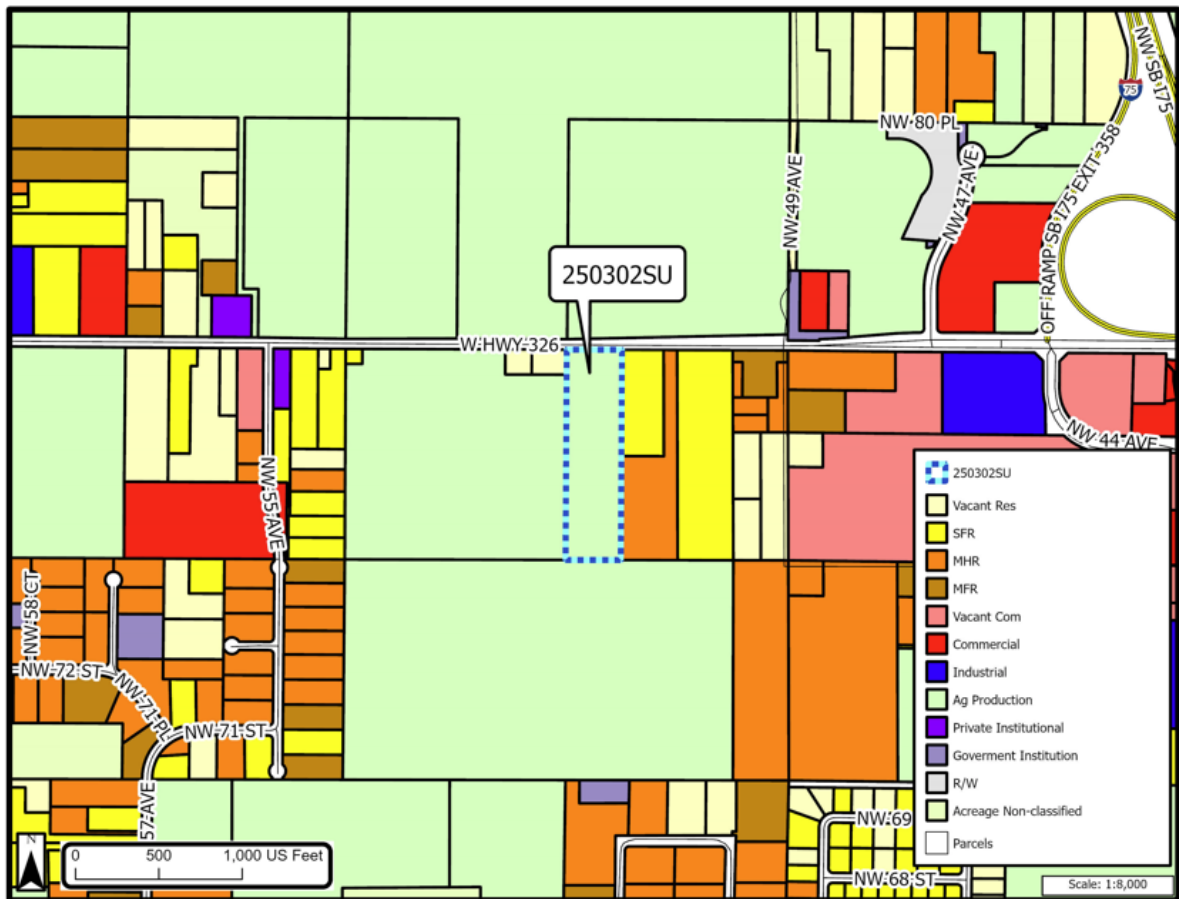
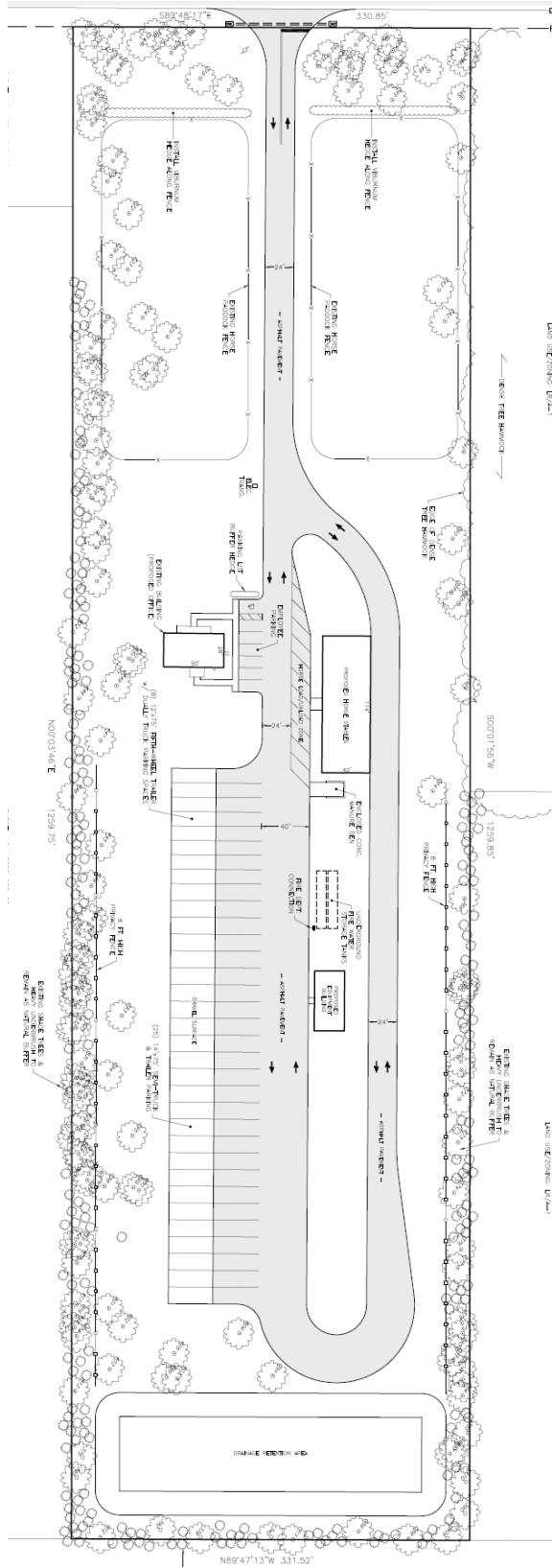


Figure 5 Conceptual Plan



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

- A. *Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Analysis: Ingress/egress to the location is provided by an existing gated and paved driveway off of W Hwy 326. While the driveway apron is currently meeting requirements for residential use, the findings of facts state that change in use will result in an upgrade for a commercial driveway apron to accommodate the proposed truck traffic in and out of the property (Attachment A Page 5). Staff concludes that the application is **consistent** with provisions for ingress and egress.

- A commercial driveway apron on to the property, that meets OCE's standards of development, shall be required as part of the Major Site Plan process.

- B. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area.*

Analysis: Off street parking and loading is provided per the conceptual plan provided (Attachment A Page 4) and will be paved for the tractor parking portion and gravel for the trailer portion. A separate area in front of the office will be provided for employee/customer parking. The proposed horse stables will include a horse loading & unloading area on the western side of the stalls. To alleviate noise concerns, backup beepers are prohibited from use on the property. Additionally, significant mechanical repairs are prohibited from taking place on-site. The application is **consistent** with provisions for off-street parking and loading areas as well as noise.

- No backup beepers may be utilized on the property.
- No significant mechanical repairs may take place on-site.
- Parking of Trucks is restricted to impervious surfaces.
- This site will be limited to the parking of thirty (30) semi-truck and trailer combinations and eight (8) fifth wheel and trailer combinations.
- The renting out of parking spaces is not allowed. Only Sallee Horse Vans, Inc. tractors and trailers shall be allowed on—site to conduct the proposed transportation service.

- C. *Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above.*

Analysis: The findings of facts state Sallee Horse Vans will contract with a professional refuse collection service for regular removal and disposal of all refuse. The application is **consistent** with this provision.

- D. *Provision for **utilities**, with reference to locations, availability, and compatibility.*

Analysis: There are existing utilities on-site serving the home and barn and will remain unless changes are needed. Utilities provided in DRC comments (Attachment C), "The closest water main is approximately 1000 feet and the closest sewer main is approximately 1230 feet. Connection (by developer-funded extension) may be required. MCU strongly recommends working with its Development Review division to calculate the proposed combined connection distance between the office, existing house, and stable before pursuing this concept plan. Make no presumption of remaining on existing well and septic if approved without MCU confirmation of water and wastewater conditions." Staff concludes the application **is consistent** with the provision of utilities provided requirements put in place by MCU are met.

- Requirements put in place by Marion County Utilities must be met.

- E. *Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary.*

Analysis: Upon site visit, it appears there are areas along the property boundary with almost no buffering and the neighboring home to the east, the closest residence, can clearly be seen from the subject site. Staff's main concern is the parking area for trucks and the driveways where they will be pulling in and out of parking spaces. To mitigate the potential for impacts, staff recommends the conditions provided below. Provided the conditions below are met, the application is consistent with the provision of screening and buffering.

- A B-Type buffer along the eastern property boundary line, running the length of the parking area and including the turnaround at the southern end of the property, shall be provided.
 - B-Type buffer shall consist of a 20' wide landscape strip (with an 8' opaque privacy fence in lieu of a wall) containing 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. (with an 8' high opaque privacy fence in lieu of wall)

- 8' opaque privacy fence shall also be included along the western property boundary line, running the length of the parking area and including the turnaround at the southern end of the property.
- Applicant shall maintain existing vegetative buffering along the perimeter of the subject property.

F. *Provision for **signs**, if any, **and exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area.*

Analysis: Findings of facts indicate a non-electrical sign will be installed at the entrance of the subject property and in compliance with the Land Development Code (LDC). Lighting is not proposed, but if it is found that lighting needs to be added, a photometric plan will be provided in accordance with the LDC. It is concluded that the application is **consistent** with the signs and exterior lighting requirements of this section.

- Permits necessary for signage to be obtained through Building Safety.
- A photometric plan shall be provided during the Development Review Phase if additional lighting is proposed to be added to the site.

G. *Provision for **required yards and other green space**.*

Analysis: Open space as required by Land Development Code Section will be reviewed by DRC during formal site plan review.

H. *Provision for general **compatibility** with adjacent properties and other property in the surrounding area.*

Analysis: Compatibility is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, 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 an aerial photograph displaying existing and surrounding properties. Figure 4 displays the same properties based on their use code per Marion County Property Appraiser. The subject property is unique in that it's located within the urban growth boundary, but is only .75-miles east of the farmland preservation area boundary. The applicant pointed out the location provides for what might be considered a “higher intensity use” within the UGB but within proximity to the FPA and I-75, which is less than a mile to the east. If approved, a major site plan review will be required through Development Review Committee (DRC) to further ensure compatibility is being met by the proposed development. To assist in mitigating any sort of incompatibility, staff recommends the following conditions

- This site shall be developed consistent with the proposed conceptual plan.

- The Special Use Permit runs with Sallee Horse Vans, Inc.
- Any division of land or change in the acreage will result in nullification of the special use permit.
- Any expansion of building structures or impervious areas beyond that permitted by the conceptual plan will require obtaining a new/revised Special Use Permit.

I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved.*

Analysis: Staff notes that unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. The subject property will require a site plan review before additional development commences. The site plan will ensure that the development is consistent with the Land Development Code. Staff concludes that no special requirements are needed beyond the conditions provided in this report.

J. *Consistency with the Comprehensive Plan.*

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

Analysis: LDC Section 4.2.3(C) allows for Special Use Permits for transportation services solely related to the transport of horses and livestock. Thus, the application is **consistent** with FLUE Policy 2.1.5.

Based on the above findings, staff concludes the SUP is consistent with LDC Sections 2.8.2.D and 2.8.3.B, even with the provided conditions to attempt to address the ten (10) requirements imposed.

VI. ALTERNATIVE RECOMMENDATIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to the Commission to adopt a proposed Ordinance to **DENY** the special use permit.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.
- C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the

Commission to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VII. STAFF RECOMMENDATION

- A. Staff recommends the Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** the special use permit based on compatibility in the area, compliance with the Comprehensive Plan, and a lack of adverse impacts to the surrounding area.
- B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed in the event that the Board chooses to agree with staff recommendation and approve the special use with conditions:
1. A commercial driveway apron on to the property, that meets OCE's standards of development, shall be required as part of the Major Site Plan process.
 2. No backup beepers may be utilized on the property.
 3. No significant mechanical repairs may take place on-site.
 4. Parking of Trucks is restricted to impervious surfaces.
 5. This site will be limited to a maximum of thirty (30) semi-truck and trailer combinations and eight (8) fifth wheel and trailer combinations.
 6. The renting out of parking spaces is not allowed. Only Sallee Horse Vans, Inc. tractors and trailers shall be allowed on-site to conduct the proposed transportation service.
 7. Requirements put in place by Marion County Utilities must be met.
 8. A B-Type buffer along the eastern property boundary line, running the length of the parking area and including the turnaround at the southern end of the property, shall be provided.
 - a. B-Type buffer shall consist of a 20' wide landscape strip (with an 8' opaque privacy fence in lieu of a wall) containing 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. (with an 8' high opaque privacy fence in lieu of wall)
 9. 8' opaque privacy fence shall also be included along the western property boundary line, running the length of the parking area and including the turnaround at the southern end of the property.
 10. Applicant shall maintain existing vegetative buffering along the perimeter of the subject property.
 11. Permits necessary for signage to be obtained through Building Safety.
 12. A photometric plan shall be provided during the Development Review Phase if additional lighting is proposed to be added to the site.
 13. This site shall be developed consistent with the proposed conceptual plan.
 14. The Special Use Permit runs with Sallee Horse Vans, Inc.

15. Any division of land or change in the acreage will result in nullification of the special use permit.
16. Any expansion of building structures or impervious areas beyond that permitted by the conceptual plan will require obtaining a new/revised Special Use Permit.

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

To be determined.

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. SUP application.
- B. Site Photos.
- C. DRC Comments.
- D. Surrounding Property Owner Map