



**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: 07/29/2024	BCC Date: 08/20/2024
Case Number:	240703SU
CDP-AR:	31467
Type of Case:	Special Use Permit: For the establishment of a Dude Ranch.
Owner	Viola M. Pinuccia
Agent	Viola M. Pinuccia
Street Address	15021 S Hwy 25, Weirsdale, FL, 32195
Parcel Number	49448-001-00
Property Size	±8.83-acres
Future Land Use	Rural Land (RL)
Zoning Classification	General Agriculture (A-1)
Overlay Zone/Scenic Area	Secondary Springs Protection Overlay Zone
Staff Recommendation	APPROVAL WITH CONDITIONS
P&ZC Recommendation	APPROVAL WITH CONDITIONS (CONSENT)
Project Planner	Kenneth Odom, Transportation Planner
Related Case(s)	N/A

I. ITEM SUMMARY

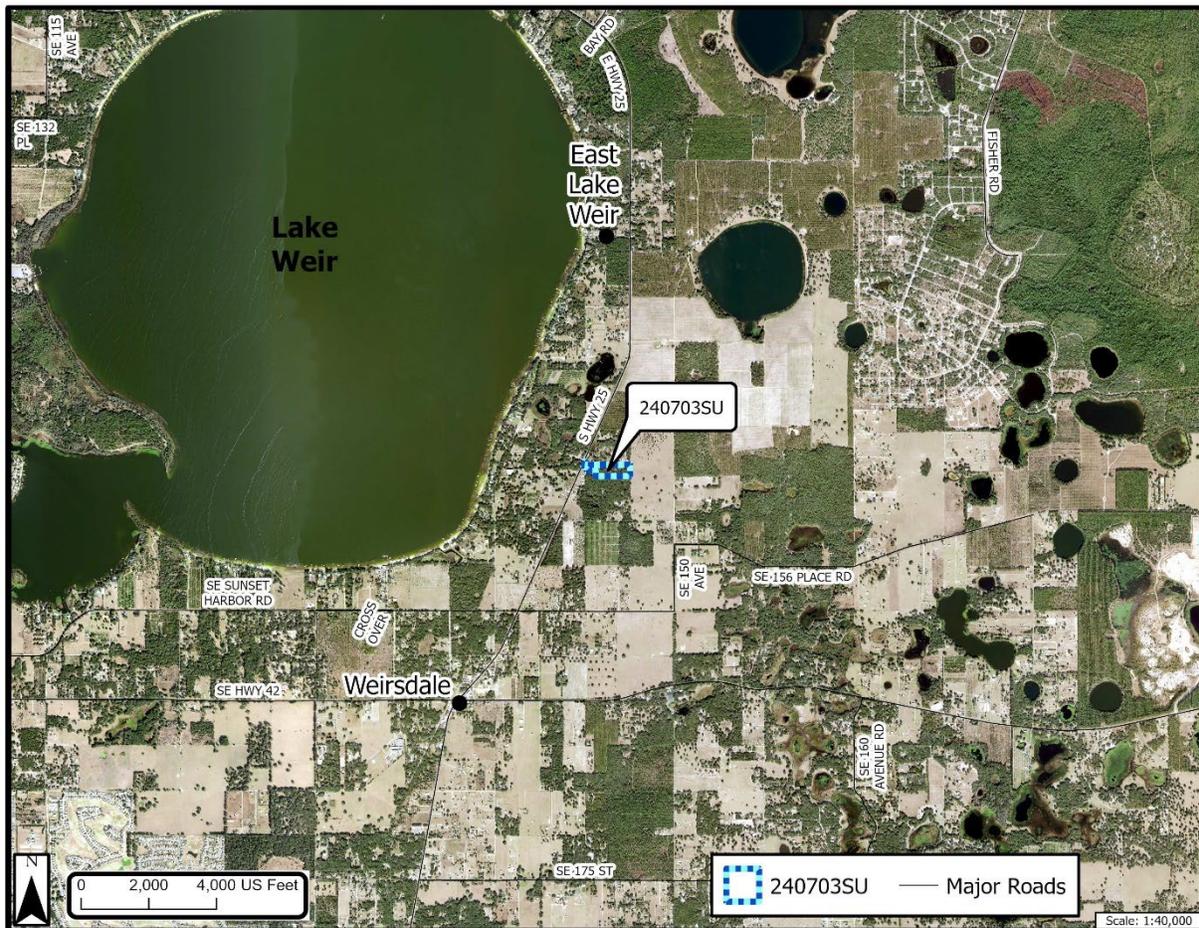
Viola Pinuccia, owner of the subject parcel, is requesting a Special Use Permit (SUP) in order to establish a Dude Ranch in collaboration with the Florida Department of Vocational Rehabilitation. The proposed development is generally located on Lake Weir's southeast side at 15021 S Hwy 25, and north of the Weirsdale community. This site is approximately 8.83 acres of General Agriculture (A-1) land with a Rural Land use as designated on the Future Land Use map. The site is outside the Farm Land Preservation Area and within the Secondary Springs Protection Zone. The site proposes to allow for corrals (some existing), non-recreational vehicle trailer parking, barns, training area, a bath house, a ranch office (existing) and seven cabins (three in the first iteration of the SUP which will accommodate up to four individuals each) as demonstrated in Figure 5. The use will allow for a limited number of overnight guests to stay on the property. Within the first three years, a maximum of twelve overnight guests will be permitted on any given day. This number may be exceeded for day visitors, which will allow daily educational and vocational activities to occur on-site upon the commencement of operations. The first renewal of the SUP will be required prior to August 20, 2027. The application may be considered for administrative renewal assuming that the applicant has not met the following conditions:

- i. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,
- ii. Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit or
- iii. The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through SUP process.

After the first three years, if renewal is recommended for the SUP, part of that consideration will also address increasing the number of permitted cabins from three to seven which would allow for a maximum number of twenty-eight individuals per night.

The surrounding area is designated as Rural Land on the Future Land Use map and consists of agriculture uses and primarily large lot residential/agricultural development. The zoning in this area is A-1 General Agriculture. No concurrency issues have been identified and no adverse impacts to the public have been identified. The proposed use is compatible with the uses in the surrounding area.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL with Conditions** 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

Consistent with LDC Section 2.7.3.C., notice of public hearing was mailed to all property owners (10 owners) within 300 feet of the subject property on July 12th, 2024. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on July 12th, 2024, and consistent with LDC Section 2.7.3.E. due public notice was published in the Ocala Star-Banner on July 15th, 2024. 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 initial distribution of the staff report, no letters of opposition or support have been received.

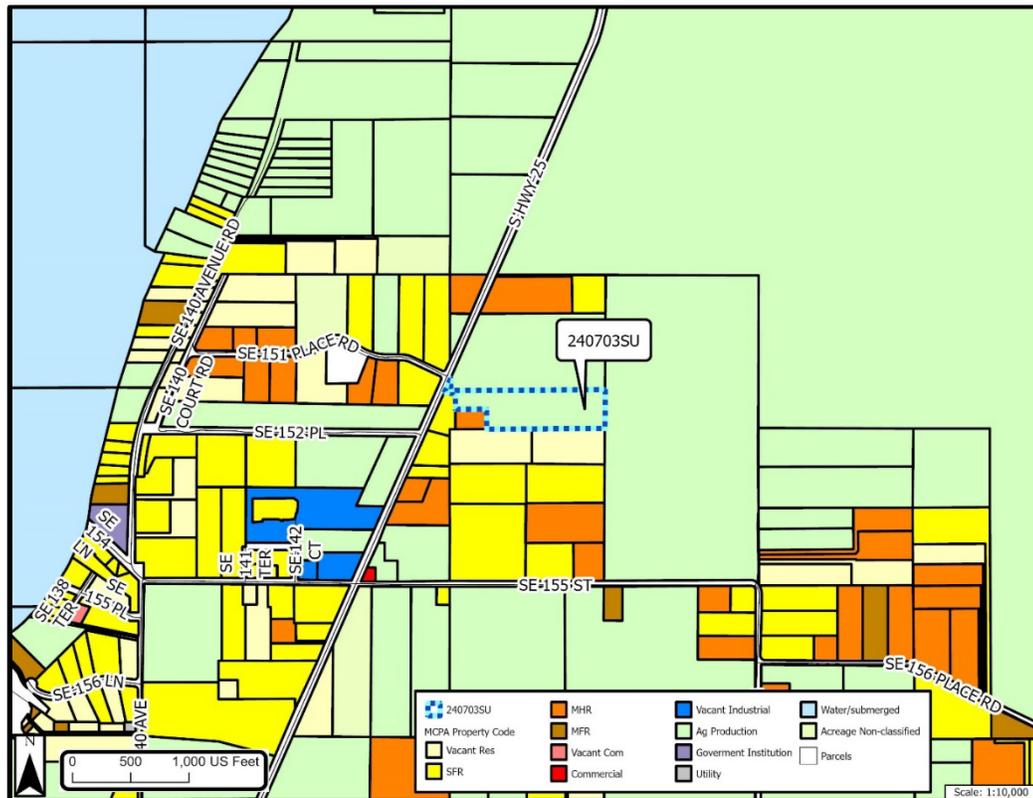
IV. BACKGROUND/CHARACTER OF THE AREA

A. *Existing site conditions.* Steadfast Dude Ranch is proposed to be a small-scale dude ranch dedicated to preserving Florida's Cracker history. In collaboration with the Florida Department of Vocational Rehabilitation, this facility is intended to be a low impact, livestock-centered experience in order to educate people of all ages on horsemanship and raising of livestock.

In 2018 the Cracker Cattle breed was made the official heritage breed of Florida. Today the conservation status of Cracker Cattle is listed as 'threatened' by the Livestock Conservancy. Steadfast Ranch currently has seven head of Cracker Cattle and is planning on breeding more. Steadfast Ranch will be dedicated to preserving Florida's rich history in agriculture by allowing the public to work with this breed in a ranch setting.

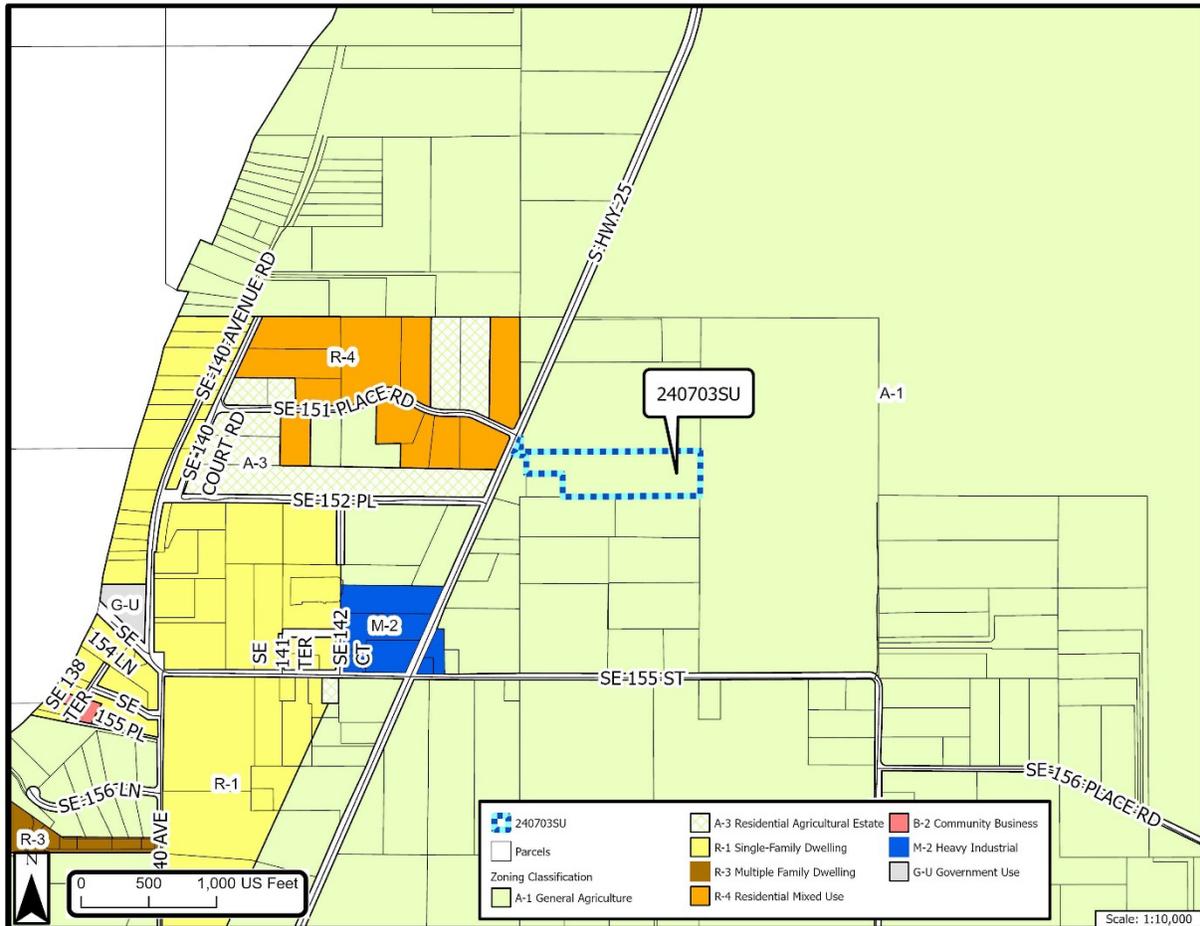
Guests will be able to bring their own horses, or enjoy the company of rescue horses and stay in a cracker style mini cabin. Guests will have the opportunity to learn the history of the Florida Cracker lifestyle, Florida Cracker Cattle, general horsemanship, tending to cattle, and tending to goats as well as full size and miniature horses. There will be old fashioned games like horse shoes and roping. Guests will be able to ride in an arena, work in a round pen, or take perimeter trail rides.

Figure 2
Existing Use Per Marion County Property Appraiser Map



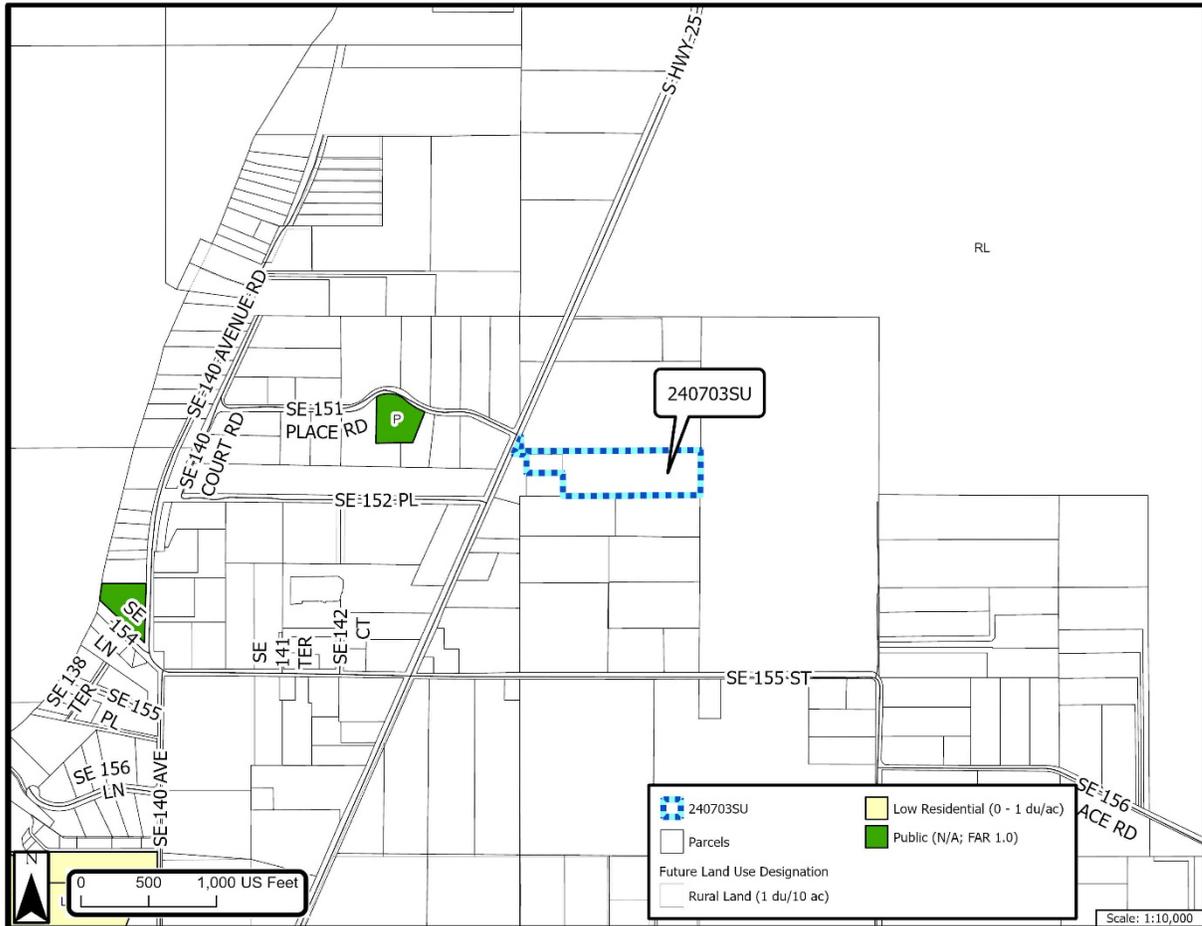
- B. *Zoning district map.* Figure 3 shows the subject property is General Agriculture (A-1). Properties to the east, south and north are all zoned General Agriculture (A-1). Parcel to the west are zoned Mixed Residential (R-4) and Residential Agricultural Estate (A-3).

Figure 3
Zoning District Map



C. *FLUMS designation.* Figure 4 shows the FLUMS of the subject property as Rural Land, the same classification as all surrounding properties.

Figure 4
FLUMS Designation



SITE PLAN

ALT. U.S.
HWY 441-27
HWY 25

ALL BUILDINGS A
MINIMUM 25FT
SETBACK FROM
NEIGHBORING
PROPERTIES

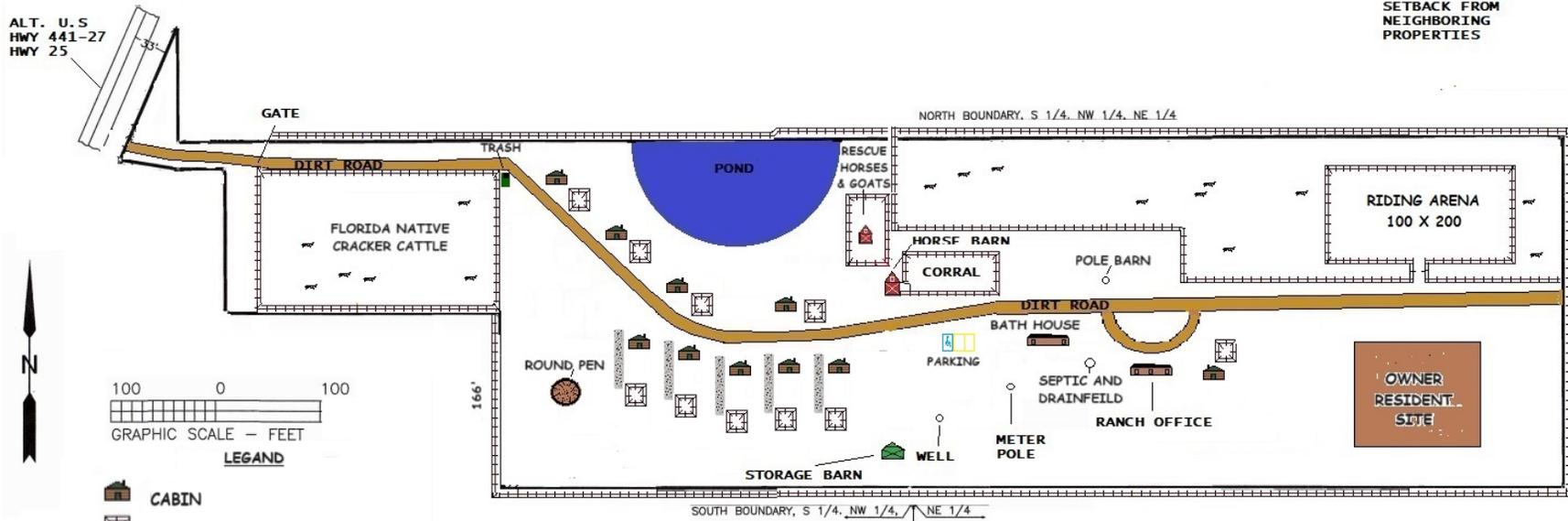
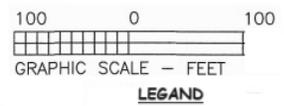
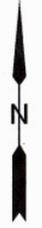


Figure 5
Site Plan



- LEGEND**
-  CABIN
 -  CORRAL
 -  HORSE TRAILER PARKING
 -  GENERAL PARKING

The following table summarizes adjacent future land use designation, zoning districts, and existing uses:

ADJACENT PROPERTY CHARACTERISTICS			
Direction of Adjacency	Future Land Use Designation	Zoning	Existing Use MCPA Property Class
North	Rural Land (RL)	General Agriculture (A-1)	Timber Class 4 (57)
South	Rural Land (RL)	General Agriculture(A-1)	Vacant Residential (00)
East	Rural Land (RL)	General Agriculture (A-1)	Grazing – Class 4 (63)
West	Rural Land (RL)	Mixed Residential (R-4) Residential Agricultural Estate (A-3)	Improved Residential (01) Grazing – Class 4 (63)

V. ANALYSIS

LDC Section 2.8.2.D requires that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding the SUP addresses ten (10) 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.

Ingress and egress to the ranch will be from CR 25. The internal road will be wide and tall enough for horse trailers and emergency vehicles to enter and navigate with ease (Exact widths to be determined during the site plan process). All proposed structures will maintain frontage to the interior road in order to be accessible to emergency responders. Guests will drive past the front one acre where cattle reside which leads to parking including ADA compliant facilities.

- 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.

All parking will be internal to the site. Off street parking will not be available. The property is heavily wooded so all parking areas will be concealed from CR 25. Parking areas will have a firm, stable, and slip resistant surface, following all ADA guidelines.

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

Waste removal will be provided by Do. Cleanup One LLC. The storage area for the trash collection will be concealed by natural landscape from neighboring properties. Animal manure will be composted and recycled using the Best Management Practices for Water Resource Protection outlined by the Florida Department of Environmental Protection for small scale horse operations.

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

Electrical services are provided by Duke Energy Inc. Water and sewer services will be provided through well and septic systems.

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

The subject parcel is heavily wooded and will remain so after development. Type 'E' buffers would normally be required around the adjacent boundaries to the single-family homes on the west side of the subject parcel. However, those residents are immediately adjacent to the Florida Cracker cattle pasture and have indicated that they would prefer no vegetative buffer be installed at these locations.

- 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.

A sign will be located at the front of the property, visible on CR 25. The sign is intended to be illuminated and will adhere to all Land Development Code provisions for commercial signage. Motion lights are placed around the front gate, but they are focused down and away from CR 25. There are existing lights on the internal areas of the subject parcel to serve as protection against predators near horse barns and livestock areas. The subject parcel is heavily wooded which buffers on-site lighting from CR 25 and neighboring properties.

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

The property will be kept as close to its "old Florida" natural state as possible for the habitat of the Florida Cracker Cattle. The grounds include natural heavily wooded sections and indigenous landscapes. Livestock fencing will

border the entire property boundary, keeping animals in and deterring guests from entering neighboring properties.

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

The immediately adjacent parcels are all General Agriculture (A-1) with only two located to the west being residentially improved. The other parcels are timber or grazing areas. The proposed use will have little to no impact on the nearby parcels as the activities proposed will be centered around traditional agricultural endeavours.

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

The applicants have indicated that they are willing to comply with special conditions in order to obtain and maintain the requested SUP. Compliance with assigned special conditions will be consistent with the Comprehensive Plan.

- 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.
 - a. **Analysis:** Dude Ranch facilities are an allowable use under the Special Use Permit in the A-1 zoning designation. The proposed use **is consistent** with the comprehensive plan.

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

1. 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 Public Hearing is scheduled for the July 29th, 2024 Planning and Zoning Commission and, therefore, the application is **consistent** with this FLUE Policy 5.1.3.

2. 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: Staff finds public notice has been provided as required by the LDC and Florida Statutes and, therefore, concludes the application is being processed consistent with FLUE Policy 5.1.4.

Based on above the findings, staff concludes the SUP is **consistent** with the LDC Section 2.8.2 E conditions to address the requirements imposed.

Analysis

In reaching its decision, the Board shall find that the following exist:

1. **Granting the proposed Special Use Permit will not adversely affect the public interest.** Impacts arising from the proposed use are anticipated to be relatively minimal. The number of visitors to the site will be limited based on the number and capacity of the cabins that will be permitted on the property.
2. **The proposed Special Use Permit request is consistent with the current Comprehensive Plan.** The Marion County 2045 Future Land Use Map indicates that the subject property is ‘Rural Land’, and is zoned A-1. The proposed special use is consistent with the current Comprehensive Plan as it is an agriculturally related use allowable by Special Use Permit in the designated zoning which is compatible with ‘Rural Land’.
3. **The proposed Special Use Permit request is compatible with land uses in the surrounding area.** The proposed use is agriculturally related and agriculture uses currently exist in the immediate area. The SUP request will remain compatible with the other land uses in the surrounding area.

VI. ALTERNATIVE ACTION

- 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 the Board of County Commissioners to **DENY** the special use permit amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** the special use permit.
- C. 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 Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.
- D. 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 Board of County Commissioners 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 Planning and Zoning Commission enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** the special use permit.

B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed:

1. The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
2. Access to the subject property shall only be from CR 25.
3. One single-family dwelling shall be permitted on the subject parcel, while the Steadfast Dude Ranch is in operation, only Pinuccia Viola, and her family, shall reside on premises. The single-family dwelling shall not be permitted to be utilized as a rental facility at any time while the SUP is active on the subject parcel.
4. Prior to the commencement of any tourism activities occurring on site, a commercial driveway apron shall be required to be installed, with sufficient radii to accommodate livestock trailers.
5. A single sign shall be permitted at the CR 25 entrance. Any signage shall be required to adhere to all requirements under the Marion County Land Development Code.
6. A Campground permit shall be required to be obtained from the DOH prior to any guests utilizing the property for overnight stays.
7. A maximum of three cabins shall be permitted (twelve guests maximum) under the first three years of the SUP. If all conditions have been met at the time of the first renewal, the Director of Growth Services shall have the right to increase the number of cabins to seven (maximum of twenty-eight individuals).
8. The SUP shall terminate upon the sale or transfer of the property to another person or entity not controlled by the applicant.
9. If the SUP is terminated, for any reason, all of the cabins that are located on site shall be removed, or modified to agricultural uses (not dwelling), in order to realign the compatibility of the property with established Marion County Comprehensive Plan policies and any applicable Land Development Code.
10. The SUP shall run with the applicant and not the property. The SUP shall expire on August 20, 2027; however, it may be renewed administratively by a written instrument signed and issued by the Growth Services Director for two additional periods of five years each (or position equivalent to the Growth Services Director at that time), unless:
 - i. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,

- ii. Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
- iii. The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

APPROVAL (Consent)

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. SUP application and all supporting materials.
- B. Site photographs.
- C. Development Review Committee Comments.