



**Marion County  
Board of County Commissioners**

**Growth Services**

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**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>P&amp;Z Date: 12/29/2025</b>	<b>BCC Date: 1/6/2025</b>
<b>Case Number</b>	260106ZC
<b>CDP-AR</b>	33509
<b>Type of Case:</b>	<b>Rezoning</b> from Single-Family Dwelling (R-1) to Agriculture Estate (A-3)
<b>Owner</b>	LJP & Company LLC & LouAnn & Joseph R. Papp II
<b>Applicant</b>	N/A
<b>Street Address</b>	No Assigned Address
<b>Parcel Number</b>	17325-000-01; 17325-000-02
<b>Property Size</b>	20 acres total (two 10-acre parcels)
<b>Future Land Use</b>	Rural Land (RL)
<b>Zoning Classifications</b>	Single-Family Dwelling (R-1)
<b>Overlay Zone/Scenic Area</b>	Secondary Springs Protection Overlay Zone
<b>Staff Recommendation</b>	<b>APPROVAL</b>
<b>P&amp;ZC Recommendation</b>	<b>TBD</b>
<b>Project Planner</b>	Sarah Wells <i>Planner</i> & Antony Alva <i>GIS Tech Analyst</i>
<b>Related Case(s)</b>	None

## I. ITEM SUMMARY

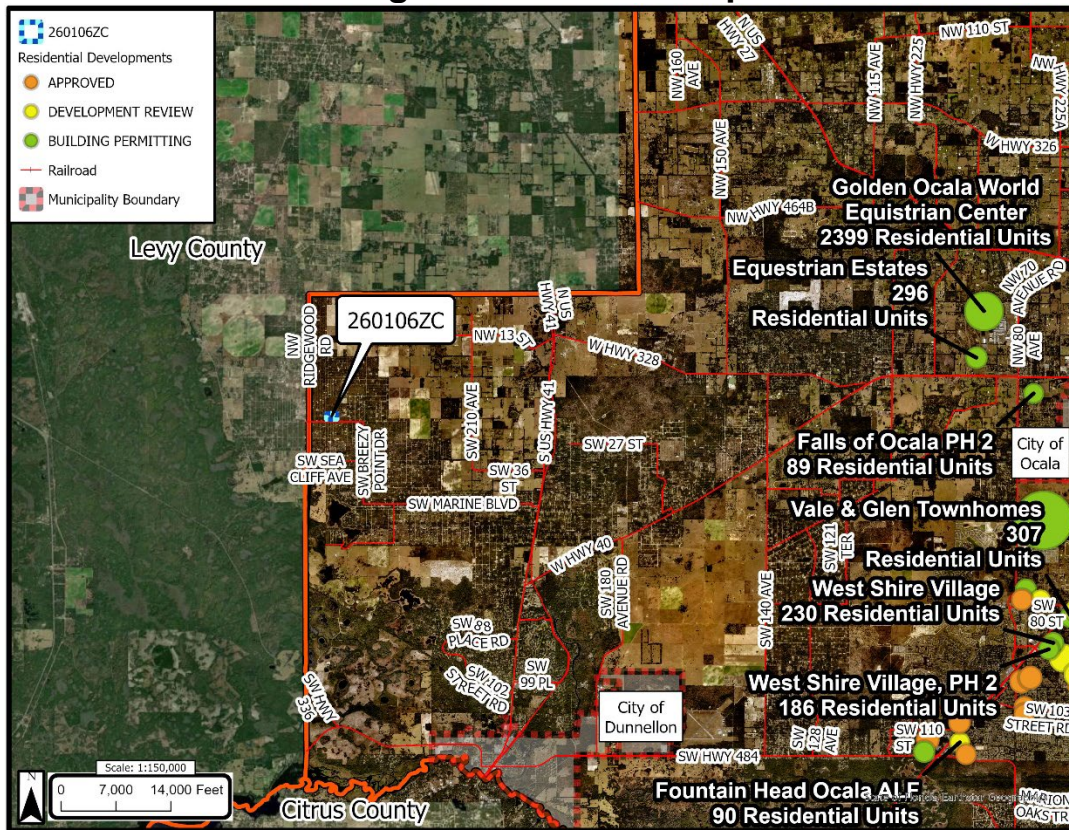
LJP & Company LLC have filed an application for a zoning change from Single-Family Dwelling (R-1) to Agriculture Estate (A-3). Figure 1 is an aerial photograph showing the location of the two subject properties. The Parcel Identification Number(s) associated with the properties are 17325-000-01 and 17325-000-02 and the legal description is displayed in the deed included as part of the application. The subject properties are outside the Urban Growth Boundary Area in an unrecorded subdivision known as Piney Hills and is in the Secondary Springs Protection Overlay Zone (**Figure 1**).

**Figure 1**  
**General Location Map**

*Figure 1 shows an aerial view of the subject property as well as neighboring properties.*



**Figure 1.2  
Regional 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 (MCCP), 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 (33 property owners) within 300 feet of the subject property on December 12<sup>th</sup>, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on December 5, 2025, and consistent with LDC Section 2.7.3.E. due public notice was published in the Ocala Star-Banner on December 15<sup>th</sup>, 2025. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference.

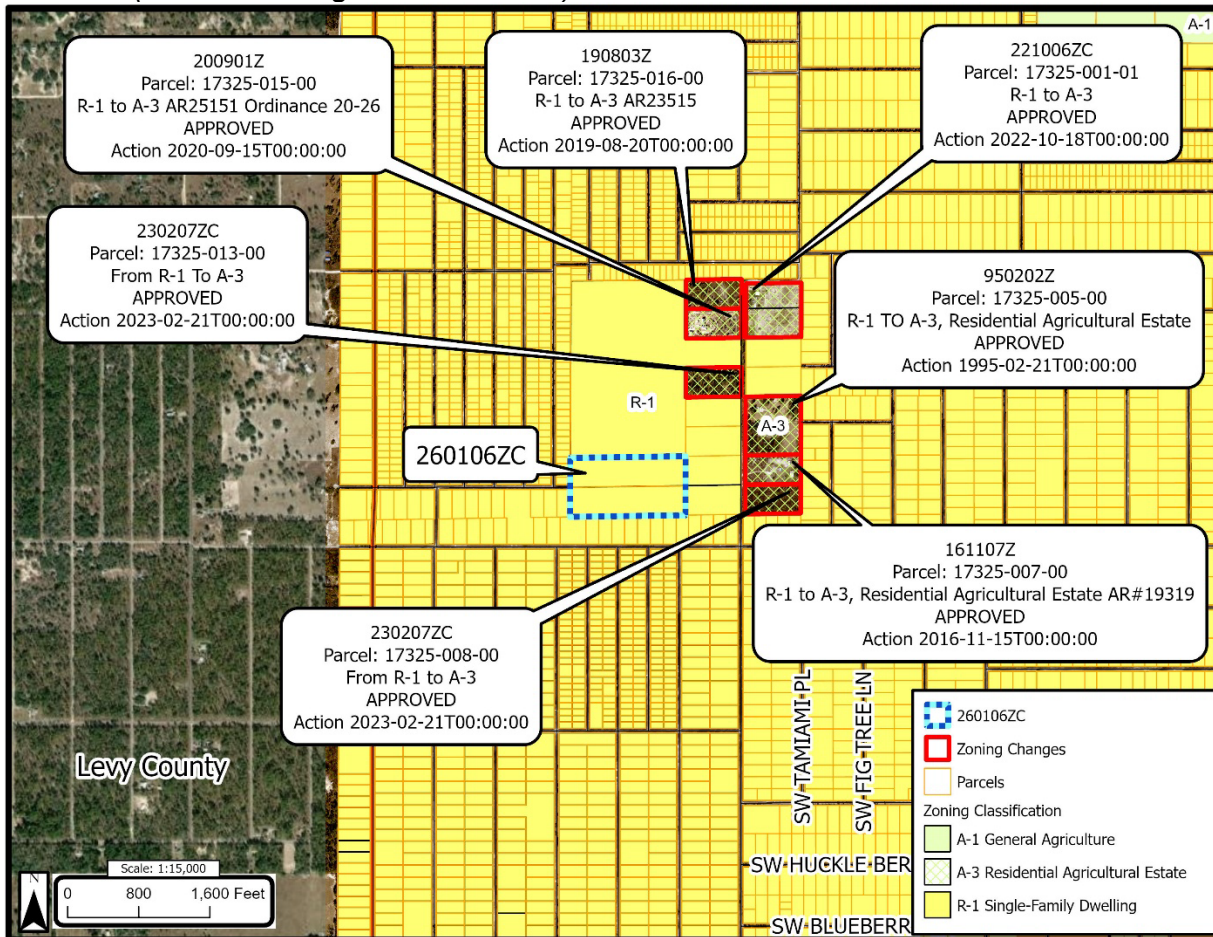
## IV. ANALYSIS

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 are addressed below.

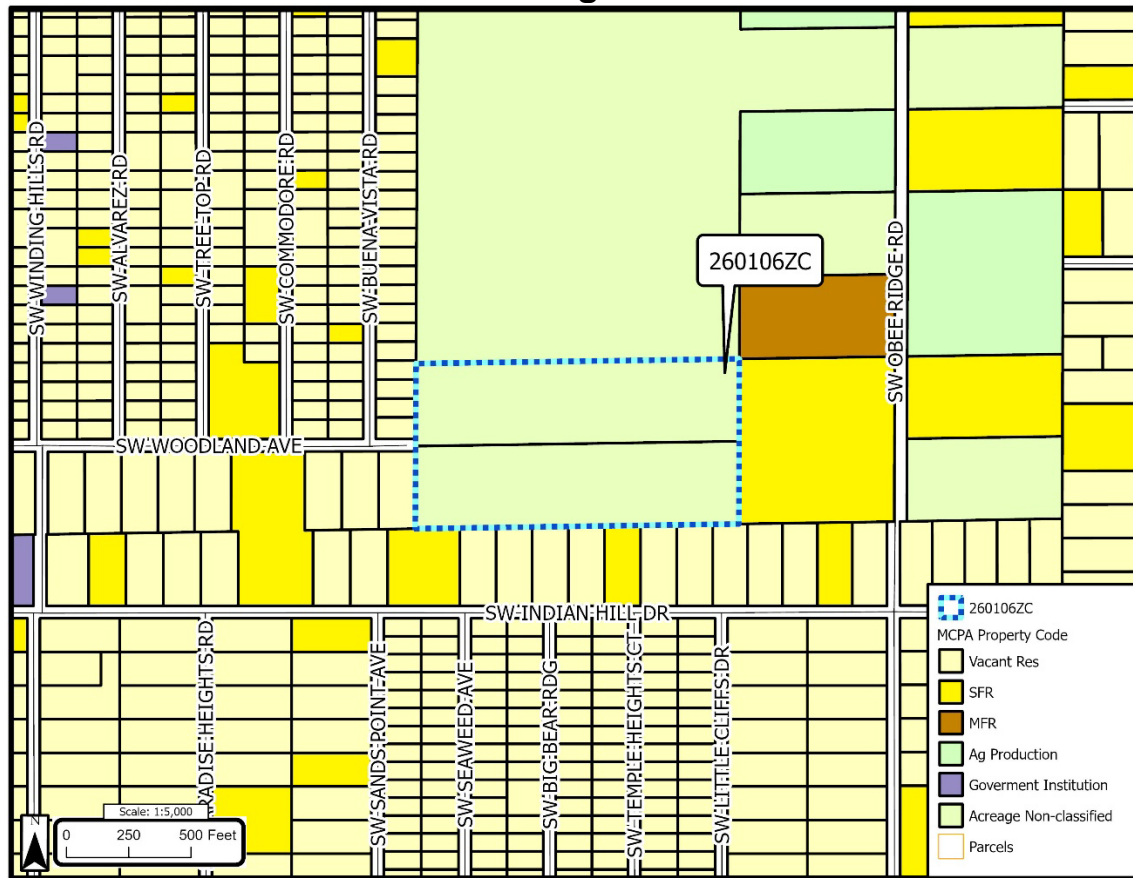
- A. *Compatibility with surrounding uses.* Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition. Figure 1 is an aerial photograph displaying existing and surrounding site conditions, **Figure 1.2** is a Regional Aerial showing the Rural Character outside the Urban Growth Boundary and the Farmland Preservation Area, while **Figure 2** displays such conditions based on the Marion County Property Appraiser's records. These figures show the subject property is located west of US Hwy 41 in an area with a mix of residential uses (sections of Rainbow Lakes Estates subdivision) and agricultural uses. Consistent with LDC Section 2.7.3.D., staff conducted a site visit and found the properties surrounding the subject property are a mix of residential and agriculturally zoned properties with some larger tracts of land and much of the area being *undeveloped*. Some of the surrounding lots similar in size to the subject properties have applied for, and been granted, a rezoning to A-3 as well (**Figure 1.3**).

### Figure 1.3 Zoning Change Map

Figure 1.3 provides an aerial view of the subject property with its current zoning classifications, along with the surrounding properties that have received Board of County Commissioners (BCC) approval for rezoning from R-1 (Single-Family Dwelling) to A-3 (Residential Agriculture Estate).

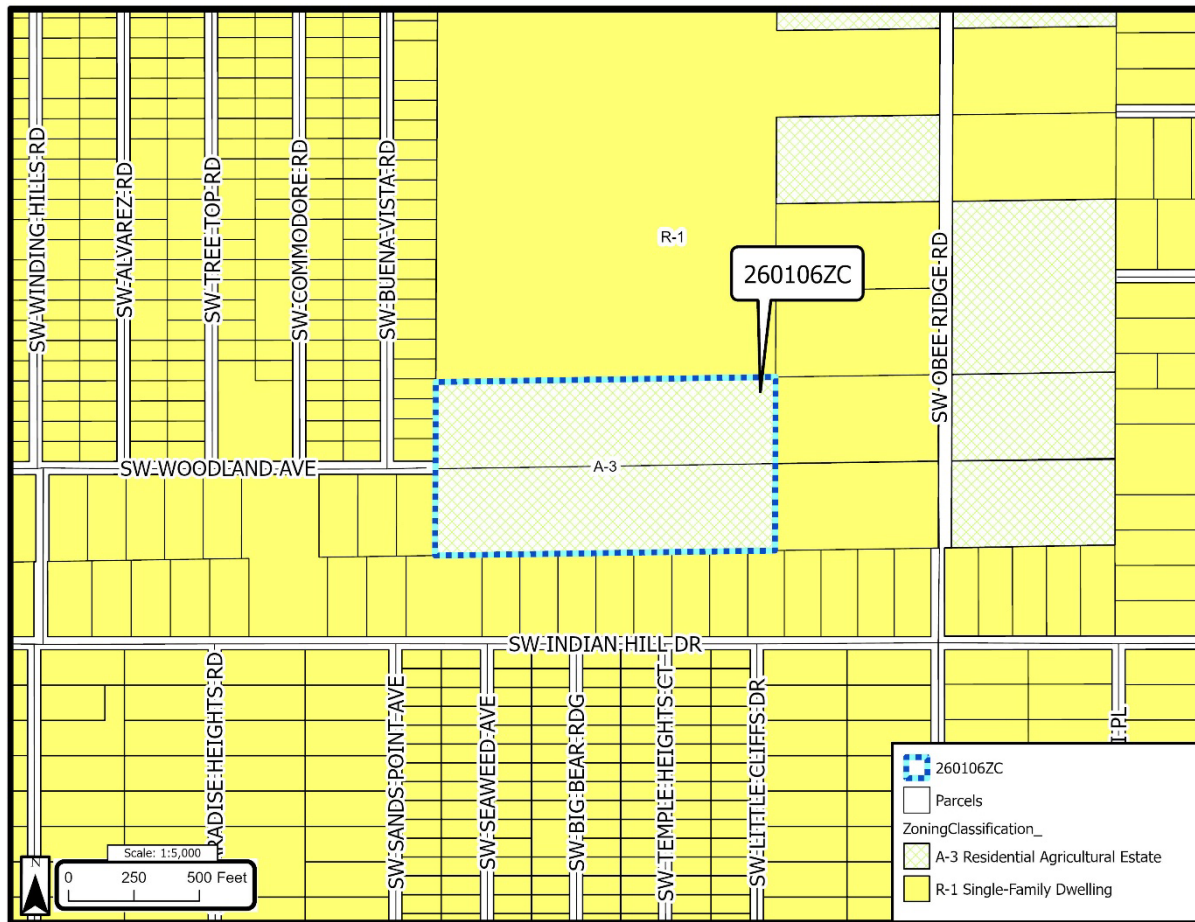


**Figure 2**  
**Existing Uses**



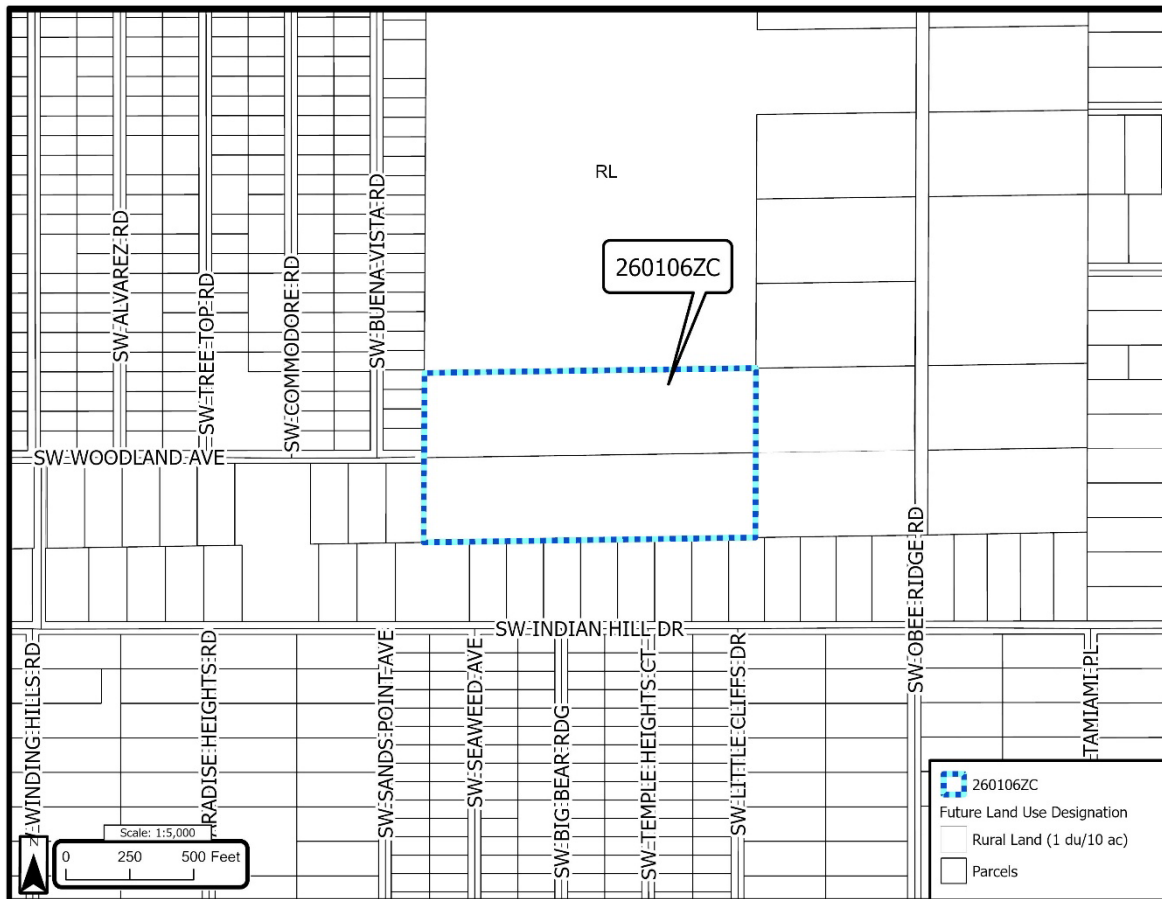
**Figure 3** reflects the proposed rezoning classification from R-1 (Single-Family Dwelling) to A-3 (Residential Agriculture Estate) in relation to the surrounding zoning Classifications. The subject properties are part of an unrecorded subdivision, **Piney Hills Farm**. To the north-east and east of the subject parcels are rezoned properties that are A-3 (Residential Agriculture Estate) with the remaining properties surrounding zoned R-1 (Single-Family Dwelling).

**Figure 3**  
**Proposed Zoning Classification**



**Figure 4** displays the subject properties and surrounding properties Future Land Use Map Series (FLUMS) designation, and it shows all properties are designated Rural Land. This land use designation is intended to be used primarily for agricultural uses, associated housing related to farms, and agricultural related commercial and industrial uses.

**Figure 4**  
**FLUMS Designation**



**Table A** summarizes the existing site and adjacent property characteristics.

TABLE A. Adjacent Property Characteristics			
Direction	FLUM Designation	Zoning Classification	Existing Use per Property Appraiser Code
<b>Site(s)</b>	Rural Land	Single-Family Dwelling (R-1)	Vacant Residential
<b>North</b>	Rural Land	Single-Family Dwelling (R-1)	Vacant Residential
<b>South</b>	Rural Land	Single-Family Dwelling (R-1)	Vacant Residential & Developed Residential
<b>East</b>	Rural Land	Single-Family Dwelling (R-1)	Vacant Residential
<b>West</b>	Rural Land	Single-Family Dwelling (R-1)	Vacant Residential

B. *Will not adversely affect the public interest.*

1. Transportation impacts. These include roadways, public transit, and other mobility features.
  - a. Roadways. The subject properties are located on SW Woodland Ave., a paved OCE maintained local road from the intersection of SW Buena Vista Rd. The proposed zoning change will not result in a change of expected traffic from the subject properties as both the current zoning of R-1 (Single-Family Dwelling) and the proposed zoning of A-3 (Residential Agriculture Estate) both allow the same number of residences.
  - b. Public transit. The property is not along or within one quarter of 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 SW Woodland Ave.

Based on the above, it is concluded that **transportation impacts would not adversely impact 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.

The property is not within the Marion County Utility Service Area. LDC Section 6.14.2.C addresses the provision of utility services for areas lacking central services wherein on-site services may be provided. Since the proposed zoning change would not change the allowed development of a primary and guest residence, 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 non-residential calculation, the proposed rezoning would result in an increase of 1,890 gallons per day.

The property is not within the Marion County Utility Service Area. LDC Section 6.14.2.C addresses the provision of utility services for areas lacking central services wherein on-site services may be provided. Since the proposed zoning change would not change the allowed development of a primary and guest residence, it is

concluded that **sanitary sewer impacts would not adversely affect 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. Since the proposed zoning change would not change the allowed development of a primary and guest residence, 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.

Since the proposed zoning change would not change the allowed development of a primary and guest residence, 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 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 would not adversely affect the public interest.**
7. Fire rescue/emergency services. The site is within the Rainbow Lakes Estates Station #2 district, located  $\pm 2$  miles to the southwest at 24600 SW Shorewood Drive N Dunnellon. 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 **fire rescue/emergency impacts would not adversely affect the public interest.**
8. Law enforcement. The Sheriff's Rainbow Springs District Office, located at 19995 SW 86<sup>th</sup> St., is roughly  $\pm 12$  miles southeast 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. Although the site is not within the required distance, the rezoning does not increase the allowable density and, therefore **law enforcement impacts would not adversely affect the public interest.**

9. Public schools. The proposed rezoning will maintain a residential zoning. The nearest schools will be Romeo Elementary, 19550 SW 36<sup>th</sup> St., Dunnellon Middle, 21005 Chestnut St., and Dunnellon High School, 10055 SW 180<sup>th</sup> Avenue Rd. Overall, capacity is available in Marion County Public Schools. It is concluded the application's public-school impacts **would not adversely affect the public interest.**

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

C. *Comprehensive Plan consistency.*

1. **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:** The location of the subject properties is in an area of sparse development near the county line and outside the urban growth boundary. The rezoning of these parcels from a residential zoning to an agricultural zoning will not change the character in the area and is compatible with the Rural land use designation.

2. **FLUE Policy 2.1.13: Protection of Rural Neighborhoods.** Marion County shall recognize "rural neighborhoods" that occur within or outside of the UGB deserve special protection from the intrusion of urban uses, densities and intensities where new development occurs within the immediate vicinity. For this policy, a rural neighborhood is an existing recorded or unrecorded subdivision where the overall density does not exceed one unit per three acres, and the subdivision has a predominant Future Land Use Designation of Rural Land or Low Residential.

**Analysis:** This area is a mix of residential and agricultural uses. The proposed rezoning would be kept with the rural character of the area and is **consistent** with Policy 2.1.13

3. **FLUE Policy 2.1.16: Rural Land.** This land use designation is intended to be used primarily for agricultural uses, associated housing related to farms and agricultural-related commercial and industrial uses. The base density shall be (1) dwelling unit per ten (10) gross acres, and the designation is a Rural Area land use.

**Analysis:** The subject properties are 5 acres each within an unrecorded subdivision "Piney Hills Farm." Historically, this has always been a more rural area so the rezoning to A-3 (Residential Agriculture Estate) is compatible with the existing land use. Staff concludes the proposed rezoning **is consistent** with FLUE Policy 2.1.16.

4. **FLUE Policy 3.1.4: Rural Area Outside of UGB.** The land outside of the UGB shall generally be referred to as the Rural Area and development in this area shall be guided by the following principles and as further defined in the LDC:
- i. Protect the existing rural and equestrian character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting.
  - ii. Promote and foster the continued operation of agricultural activities, farms, and other related uses that generate employment opportunities in the Rural Area.
  - iii. Establish a framework for appropriate future opportunities and development options including standards that address the timing of future development.
  - iv. Create a focused strategy for the regulation of mining and resource extraction activity.
  - v. Allow for new Rural Land and Rural Activity Center Future Land Use designations with a Comprehensive Plan Amendment (CPA), as further allowed in this Plan and as further defined in the LDC.

**Analysis:** The rezoning proposed is supporting items *i.* and *ii.* by requesting a change from R-1 (Single-Family Dwelling) to A-3 (Residential Agriculture Estate) zoning. The intent of the property is to use it both agriculturally and residentially and to maintain the rural nature of the area. Staff concludes the proposed rezoning **consistent** with FLUE Policy 3.1.4.

6. **TE Policy 2.1.4** on determination of impact provides in part "All proposed development shall be evaluated to determine impacts to adopted LOS standards."

**Analysis:** Staff finds potential traffic impacts of the proposed rezoning will be consistent with the site's established Rural Land

future land use. Staff concludes the proposed rezoning will be consistent with TE Policy 2.1.4.

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. ALTERNATIVE RECOMMENDATIONS

- 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 rezoning amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein so as to support the approval of the Ordinance, and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE** the rezoning amendment.
- 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 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.

## VI. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) 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 **APPROVE** the proposed rezoning because the application:

- A. Will not adversely affect the public interest because public facility and services are available consistent with level of service standards.
- B. Is consistent with the Comprehensive Plan provisions because it is in conformance with:
  - 1. FLUE Policies 2.1.6, 2.1.13, 2.1.16, 3.1.4, and
  - 2. TE Policy 2.1.4
- C. Is compatible with the surrounding uses because the proposed rezoning would not change the maximum amount of density allowed on the property.

## **VII. PLANNING & ZONING COMMISSION RECOMMENDATION**

TBD

## **VIII. BOARD OF COUNTY COMMISSIONERS ACTION**

TBD

## **IX. LIST OF ATTACHMENTS**

- A. Rezoning application filed October 10th, 2025, with deed & legal
- B. Site and Area Photographs
- C. DRC Comments