



# Marion County Board of County Commissioners

Date: 7/28/2021

P&Z: 7/26/2021 BCC: 8/17/2021

**Item Number**  
210710SU

**Type of Application**  
Special Use Permit

**Request**  
Parking two tow trucks  
on the property.

**Owner/Applicant**  
Norman Brown/ William  
Valentin Jr.

**Location**  
1155 SE 145<sup>th</sup> Street

**Parcel #/Acreage**  
44603-001-00/1.35 acres

**Future Land Use**  
Rural Land

**Existing Zoning**  
A-1 General Agriculture

**Recommendation**  
Approval With Conditions

**P&Z Recommendation:**  
Approval with Conditions  
(ON CONSENT)

**Project Planner**  
Ken Weyrauch, Senior  
Planner

Additional Information

**MSTU:** No

**Code Enforcement Action:**  
835879- Tow truck  
business on the property



## Summary

Staff is recommending **Approval With Conditions** of a special use permit to park two commercial tow trucks on 1.35 acres of A-1 (General Agriculture) zoned land. Staff is recommending approval based on the proposed use being compatible with the surrounding area and the tow trucks requested are comparable in size to a standard heavy duty pickup truck.

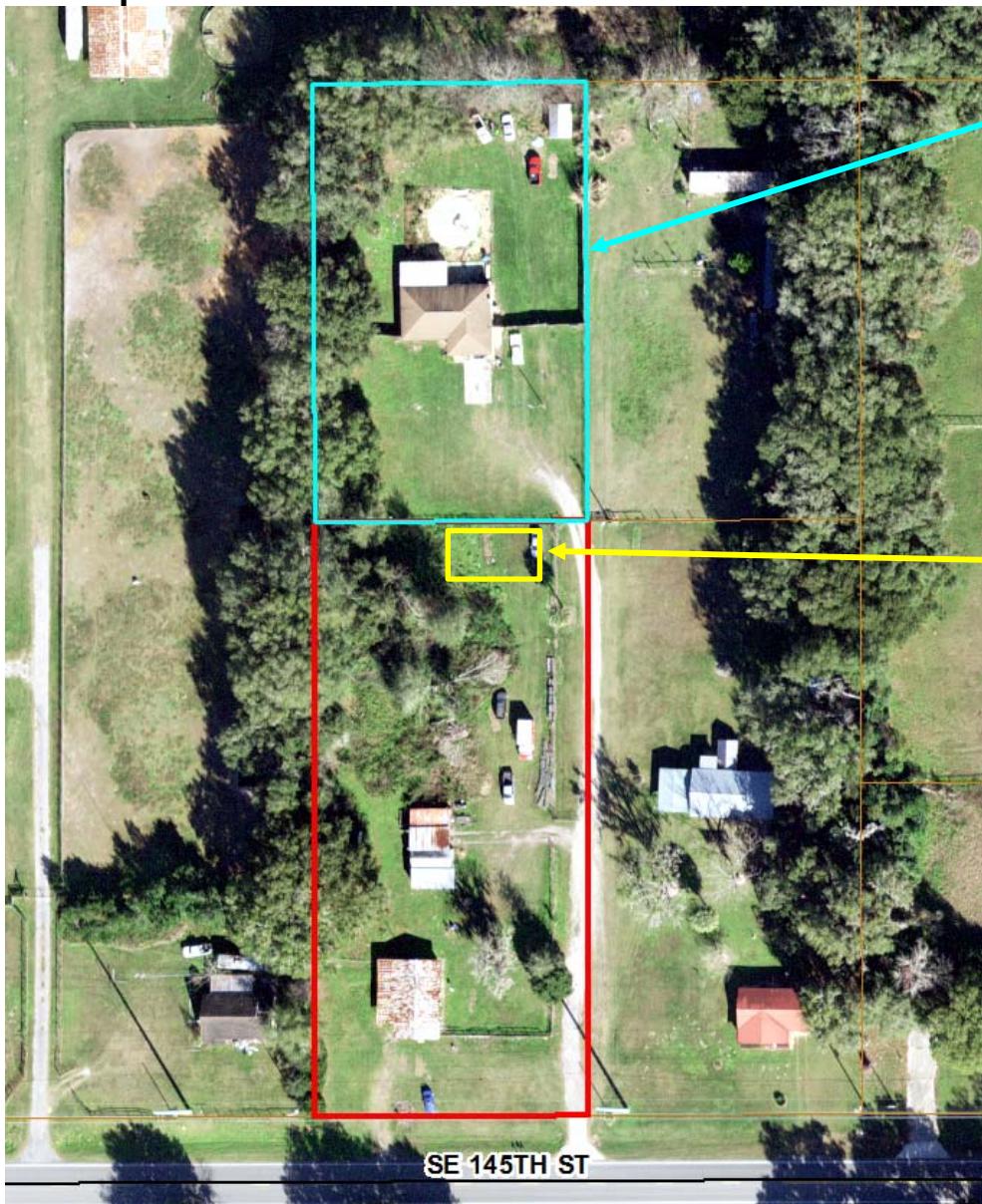
## Public Notice

Notice of the public hearing was mailed to 9 property owners within 300 feet of the subject property. No oral or written comments in opposition have been received at the time of this report's distribution.

## Request

The applicant requests a special use permit to allow the parking of two tow trucks. One truck is a flatbed tow truck and the other is a Chevy 3500 Snatch Truck. The applicant is an owner/operator who lives on the property adjacent and to the north of the subject property. The property, where the trucks are proposed to be parked, belongs to a family member who currently resides out of state. The applicant responds to roadside service calls on I-75 and does not store the towed vehicles on this property.

## Concept Plan



Applicant's Property

Parking area

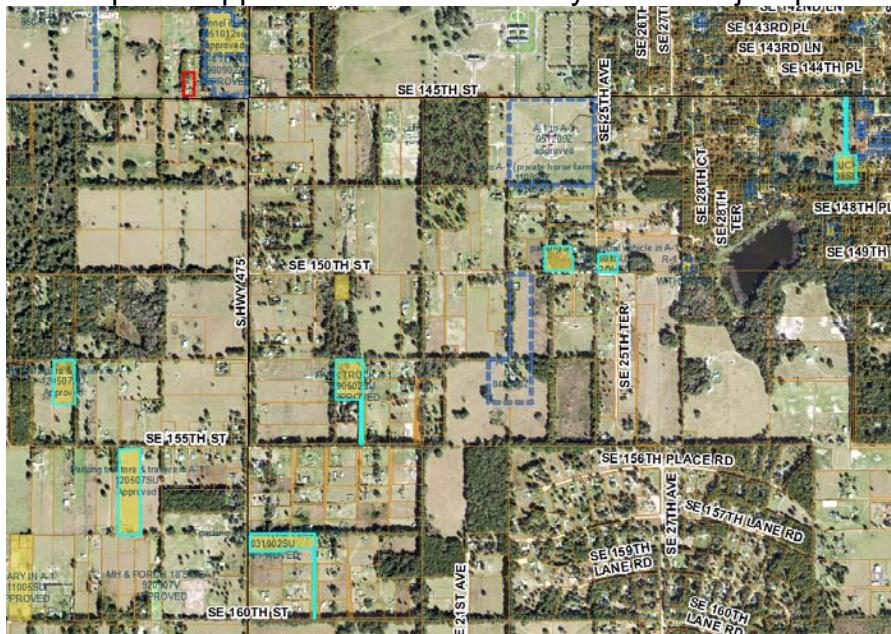


## Analysis

Section 4.3.21 of the Marion County Land Development Code (LDC) states that all commercial vehicles in excess of 16,000 pounds (GVW) shall be prohibited from parking or being stored in any residential or agriculturally zoned classifications without a Special Use Permit or Temporary Use Permit. The proposed request does not meet the criteria of Temporary Use Permits due to the limited size of the subject property. The two commercial vehicles proposed within the request are Light to Medium Duty tow trucks. The Chevy 3500 Snatch Truck

In reaching its decision, the Board of County Commissioners shall note the following findings:

- 1. Granting the proposed Special Use Permit and conditions will not adversely affect the public interest.** The subject property is buffered and the immediate neighbors are related to the applicant and land owner. The two trucks in the request are minimum size for commercial vehicles under the LDC.
- 2. The proposed Special Use Permit request is consistent with the current Comprehensive Plan.** The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates this property as Rural Land. Rural Land is intended to be used primarily for agricultural uses, low-density residential units on large lots, and associated housing related to farms or other agricultural-related commercial and industrial uses. However, with an approved SUP, this use would be considered consistent with the Comprehensive Plan.
- 3. The proposed Special Use Permit request is compatible with land uses in the surrounding area.** The subject property is surrounded by large lot residential uses mixed with agricultural uses. There have been several similar requests approved within the vicinity of the subject parcel.

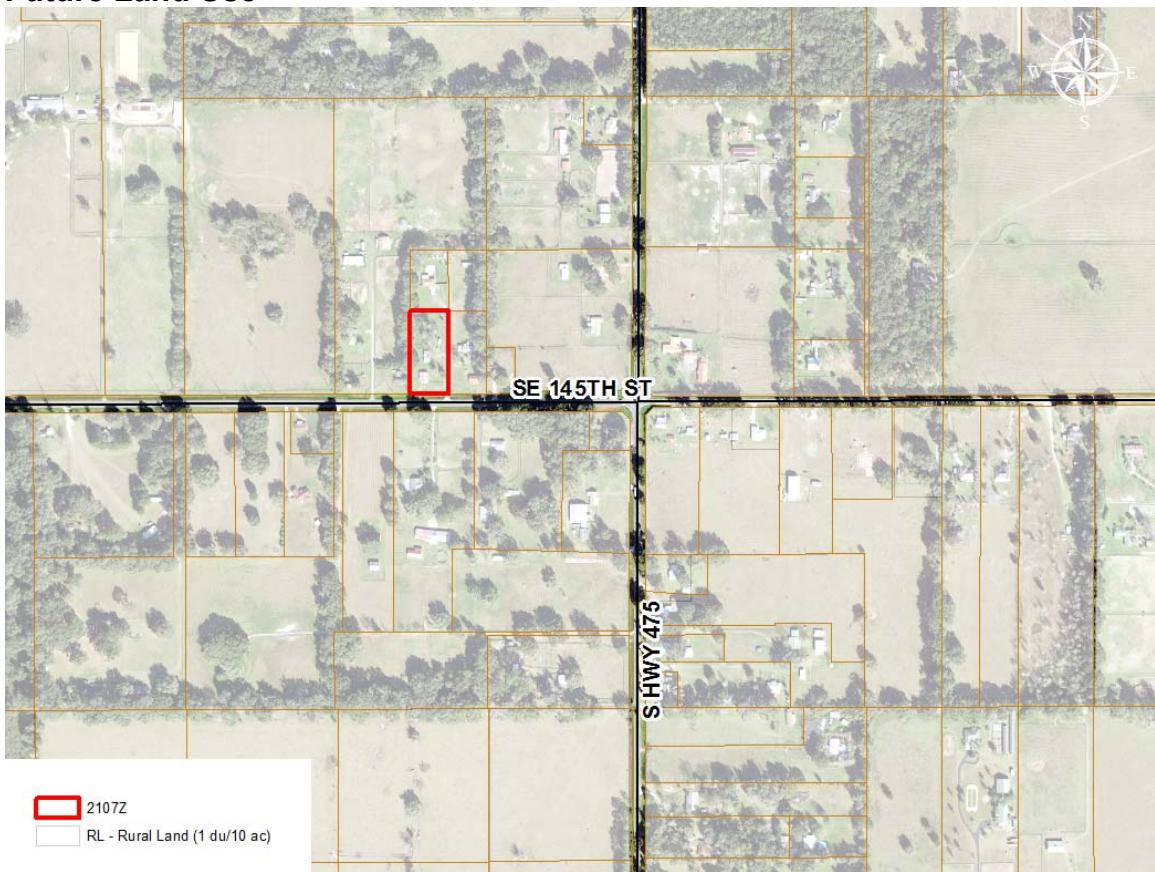


Parcels outlined in light blue have SUPs for commercial vehicles in A-1.

## Current Zoning



## Future Land Use



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	A-1 General Agriculture	(01) Improved Residential
South	Rural Land	A-1 General Agriculture	(01) Improved Residential
East	Rural Land	A-1 General Agriculture	(01) Improved Residential
West	Rural Land	A-1 General Agriculture	(60-65) Grazing

### Infrastructure

Access to the property is from SE 145th Street.

Road	Classification	Maintenance	Existing Conditions			
			Surface	No. Lanes	R/W Min. Width	R/W Deficiency
SE 145 <sup>th</sup> ST	Major Local	County	Paved	2	80'	20'

Water/Sewer services are to be provided on site by Applicant.

Utility	Service Area
Water	Marion County
Sewer	Marion County

### Staff Recommendation: Approval with Conditions

In the event the Planning & Zoning Commission and/or the Board of County Commission chooses to approve the application, the following conditions would be suggested by staff:

1. The site shall be operated consistent with the submitted conceptual plan and conditions as provided with this approval.
2. This Special Use Permit shall run with the applicant (William Valentine) and not the property.
3. The Special Use Permit is limited to a maximum of two (s) commercial vehicles, (VIN #1GB3K0CL4CF115204 & 1HTSAZRKOLH279134). The applicant may trade out a tow truck for a newer one of similar size if the applicant submits the new VIN to the Planning and Zoning Staff for records.
4. No mechanical repairs/maintenance on the commercial vehicle shall take place on-site.

5. The ingress/egress shall be from SE 145th Street. A driveway apron and other related improvements required by the Marion County Transportation Department, pursuant to this condition, shall be completed within ninety (90) days of notification that improvements must be made.
6. The tow trucks shall be parked on a concrete pad connected to a paved driveway that connects to the driveway apron.
7. The Special Use Permit shall expire on January 19, 2025; however it may be renewed administratively for up to 3 consecutive times by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
  - a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,
  - b. 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
  - c. 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).

#### Photos



Location where trucks will be parked



Current apron that will need to be modified.



Looking east on SE 145<sup>th</sup> St



Looking west on SE 145<sup>th</sup> ST.

**SUBJECT: STAFF REVIEW COMMENTS LETTER**

**PROJECT NAME: NORMAN BROWN SUP**

**PROJECT #2019100421**

**APPLICATION: SPECIAL USE PERMIT #26689**

1. DEPARTMENT: ENGDRN - STORMWATER REVIEW  
REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: INFO. Stormwater is not opposed to parking on grass. A Major Site Plan or waiver is needed when the existing and proposed impervious coverage exceeds 9,000sf.
2. DEPARTMENT: ENGTRF - TRAFFIC REVIEW  
REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: SE 145th Street is a paved County maintained collector roadway with a 45 mph speed limit. Collector roads are intended to be used by all modes of traffic including trucks. There is an existing paved residential driveway that is approximately 10 feet wide which is shared by several other residential properties. Routine heavy vehicle use of a residential driveway can cause traffic issues as the heavy vehicle would have to come to a near stop on the roadway to turn into it. The applicant should also be reminded that the residential driveway may not hold up to the routine heavy vehicle traffic and the County is not responsible for maintaining the turnout. It is recommended that the applicant be required to reconstruct the driveway to meet commercial driveway standards.
3. DEPARTMENT: ENRAA - ACQ AGENT ENG ROW  
REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: no comments
4. DEPARTMENT: 911 - 911 MANAGEMENT  
REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: APPROVED
5. DEPARTMENT: DOH - ENVIRONMENTAL HEALTH  
REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: n/a
6. DEPARTMENT: FRMSH - FIRE MARSHAL REVIEW  
REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: N/A
7. DEPARTMENT: LSCAPE - LANDSCAPE DESIGN AND IRRIGATION

REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: n/a

8. DEPARTMENT: ZONE - ZONING DEPARTMENT

REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO  
REMARKS: Property part of approved family division. Owner may need commercial driveway apron. Parking area should be screened from neighbors. This should be for parking the tow trucks only, not bringing in towed vehicles for any amount of time. Site plan should be more specific as to where the trucks will be parked and screened. The Findings of Fact should be more detailed with complete sentence wording so we can match the Findings with the application and site plan.

9. DEPARTMENT: LUCURR - LAND USE CURRENT REVIEW

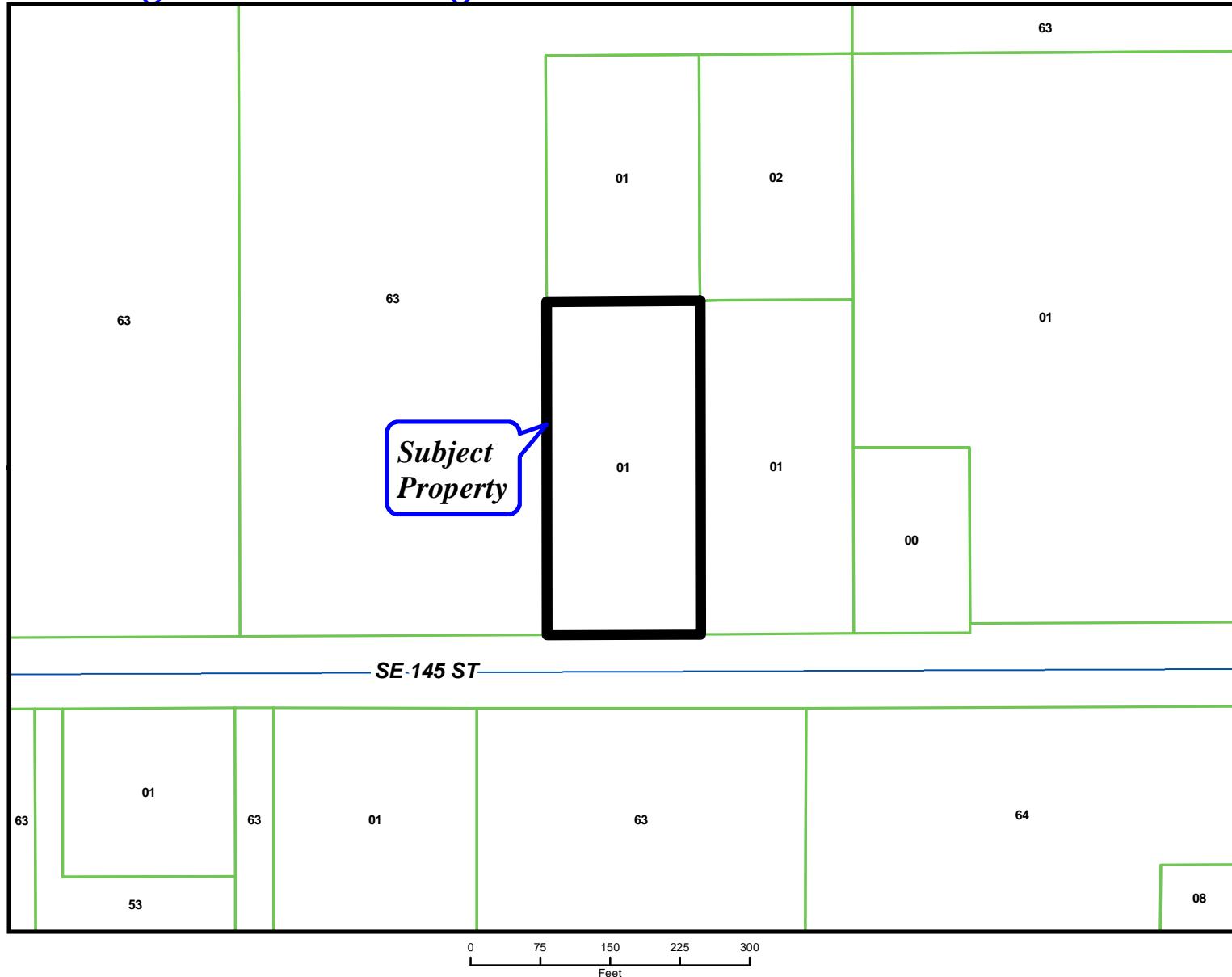
REVIEW ITEM: Special Use Permit  
STATUS OF REVIEW: INFO

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Aerial: 210710SU



## **Existing Land Use Designation 210710SU**



<b>Use per MC Property Appraiser</b>		<b>OWNER(S):</b> Norman W. & Maureen R. Brown
01	Single Family Res	
50-69/99	Agricultural	
00/10/40/70	Vacant	
71	Church	
02	Mobile Home	
06-07/11-39	Commercial	
41-49	Industrial	
83-98	Public	
82	Recreation	
03-05/08	Multi-Family	
77	Club/Lodge/Union Hall	
		<b>AGENT:</b> William Valentin, Jr.
		<b>PARCEL(S): 44603-001-00</b>
		<p>All provided GIS data is to be considered a generalized spatial representation, which is subject to revisions. The feature boundaries are not to be used to establish legal boundaries. For specific visual information, contact the appropriate county department or agency. The information is provided visual representation only and is not intended to be used as legal or official representation of legal boundaries.</p>
		



## Legend

- All Amendments  Rural Land (1 du/10 ac)

## Policy 1.20



The legend is organized into three columns. The first column contains six items: 'Rural Land (1 du/10 ac)' with a light blue square, 'Low Residential (0 - 1 du/ac)' with a light green square, 'Medium Residential (1 - 4 du/ac)' with a light orange square, 'High Residential (4 - 8 du/ac)' with a light red square, 'Farmland Preservation Area' with a light purple square, and an empty square. The second column contains five items: 'Urban Residential (8 - 16 du/ac)' with a light blue square, 'Rural Activity Center (0 - 2 du/ac; FAR 0.35)' with a light green square, 'Rural Community (0 - 3 du/ac; FAR 0.70)' with a light orange square, 'Commercial (0 - 6 du/ac; FAR 1.0)' with a light red square, and 'Environmentally Sensitive Overlay Zone (ESOZ)' with a light purple square. The third column contains five items: 'Employment Center (0 - 12 du/ac; FAR 2.0)' with a light blue square, 'Commerce District (N/A; FAR 2.0)' with a light green square, 'Public (N/A; FAR 1.0)' with a light orange square, 'Preservation (N/A; N/A)' with a light red square, and 'Municipality' with a light purple square.



Marion County  
Board of County Commissioners

Growth Services  
2710 E. Silver Springs  
Blvd. Ocala, FL 34470  
Phone: 352-438-2600 Fax:  
352-438-2601

# 210710 SU

AR 26689  
PID 44603-001-00

**SPECIAL USE PERMIT APPLICATION - REGULAR - \$1,000.00**

The undersigned hereby requests a Special Use Permit in accordance with Marion County Land Development Code, Articles 2 and 4, for the purpose of: Parking for Tow Trucks (2)

We respond to Highway incident so being close is important

Legal Description: (Please attach a copy of the deed and location map.) Parcel Zoning: R4 A-1 ✓

Parcel account number(s): R 44603-001-00 R 44603-001-00

Property dimensions: W 104.36 FT L 358.24 FT Total acreage: 1.350 ✓

Directions: From CR 484 head South on 475, turn Right on 145th St, Destination is 2nd house on Right.

Each property owner(s) MUST sign this application or provide written authorization naming an applicant or agent to act on his behalf. Please print all information, except for the Owner and Applicant/Agent signature.

Norman W. Brown

Maureen R. Brown

Property Owner name (please print)

120 Terry Hair Rd

Mailing Address

Adamsville, TN, 38310

City, State, Zip code

352-454-0346

Phone number (include area code)

Mosers007@gmail.com

E-mail address

NormanBrown

Signature

PLEASE NOTE: A representative is strongly encouraged to attend the public hearings when this application will be discussed. If no representative is present, the request may be postponed or denied. Hearing notices will be mailed to the address(es) listed above. All information submitted must be correct and legible to process the Application. Contact Growth Services Planning & Zoning at (352) 438-2675 for more information.

STAFF/OFFICE USE ONLY					
Project No.: <u>2019100 421</u>	Code Case No.: <u>868263</u>	<u>835879</u>	Application No.: <u>26689</u>		
Rcvd by: <u>KW</u>	Rcvd Date: <u>09/30/2021</u>	FLUM: <u>R12A1</u>	Zoning Map No.: <u>185</u>	Rev: <u>07/1/2019</u>	

SEC 17 TWP 17 RGE 22 ✓

1. Yes

# 210710SU

2. Yes in front of house

3. Yes

4. Yes fence with screen

5. Yes fence with screen

6. A sign meeting requirement

7. Yes

8. No charges other than parking for trucks  
meets requirement

9. Yes

Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
0100		165.0	358.0	A1	1.35	AC	12,500.0000	1.00	1.51	1.00	25,481	25,481
Neighborhood 9476 - CR 475A												
Mkt: 10 70												
Total Land - Class \$25,481												
Total Land - Just \$25,481												

Traverse

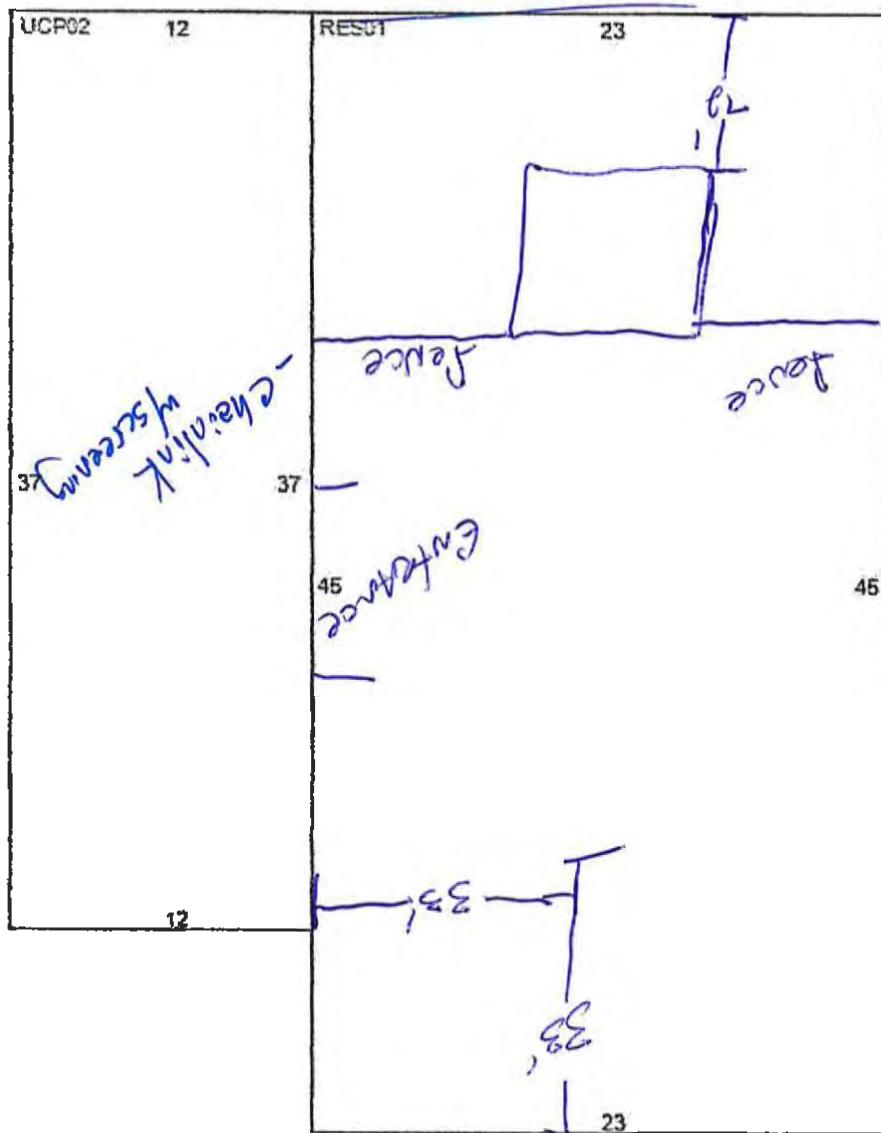
# 2107105U

Building 1 of 1

RES01=L23D45R23U45.L23

UCP02=LI2D37R12U37.

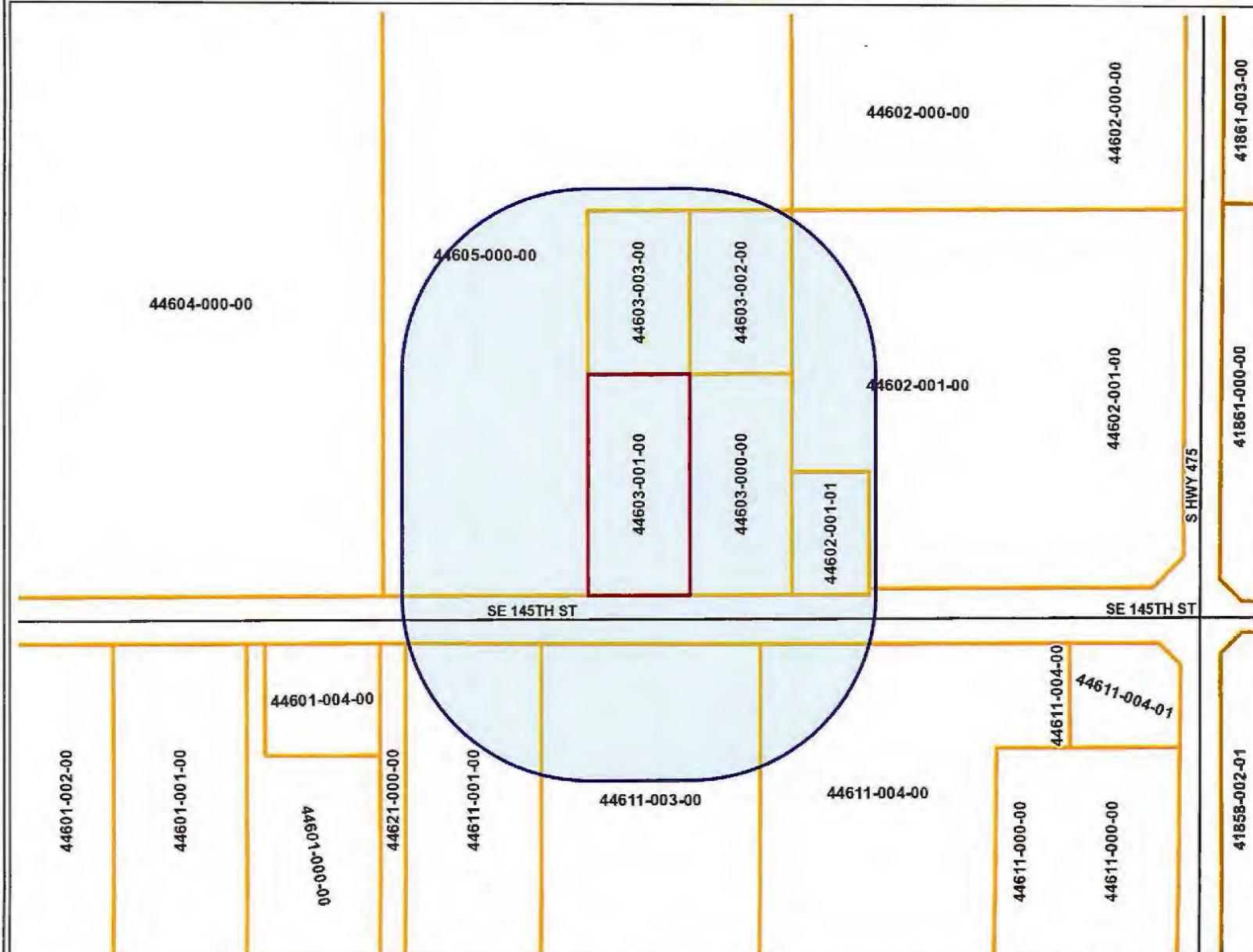
Road

Building Characteristics

Improvement 1F - SFR-01 FAMILY RESID  
 Effective Age 7 - 30-34 YRS  
 Condition 4  
 Quality Grade 400 - FAIR  
 Inspected on 7/22/2020 by 210

Year Built 1967  
 Physical Deterioration 0%  
 Obsolescence: Functional 0%  
 Obsolescence: Locational 0%  
 Architecture 0 - STANDARD SFR  
 Base Perimeter 136

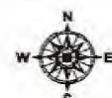
Type	ID	Exterior Walls	Stories	Year Built	Finished	Attic	Bsmt Area	Bsmt Finish	Ground Floor Area	Total Flr Area
RES 0124 - CONC	BLK-PAINT	1.00	1967	N	0 %	0 %			1,035	1,035



### Projected Coordinates

This map was produced by a Marion County employee using an online internal mapping viewer. All GIS features provided through the Marion County online internal mapping viewer are to be considered a generalized spatial representation which is subject to revisions. The GIS features shown hereon are not to be used as legal descriptions. For confirmation of details related to the GIS features, please contact the appropriate department or constitutional office.

Creation Date: 5/13/2021



## Notes

AGENT: VALENTIN 18

#210710SU



2nd will be similar or  
smaller