



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 145th 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.

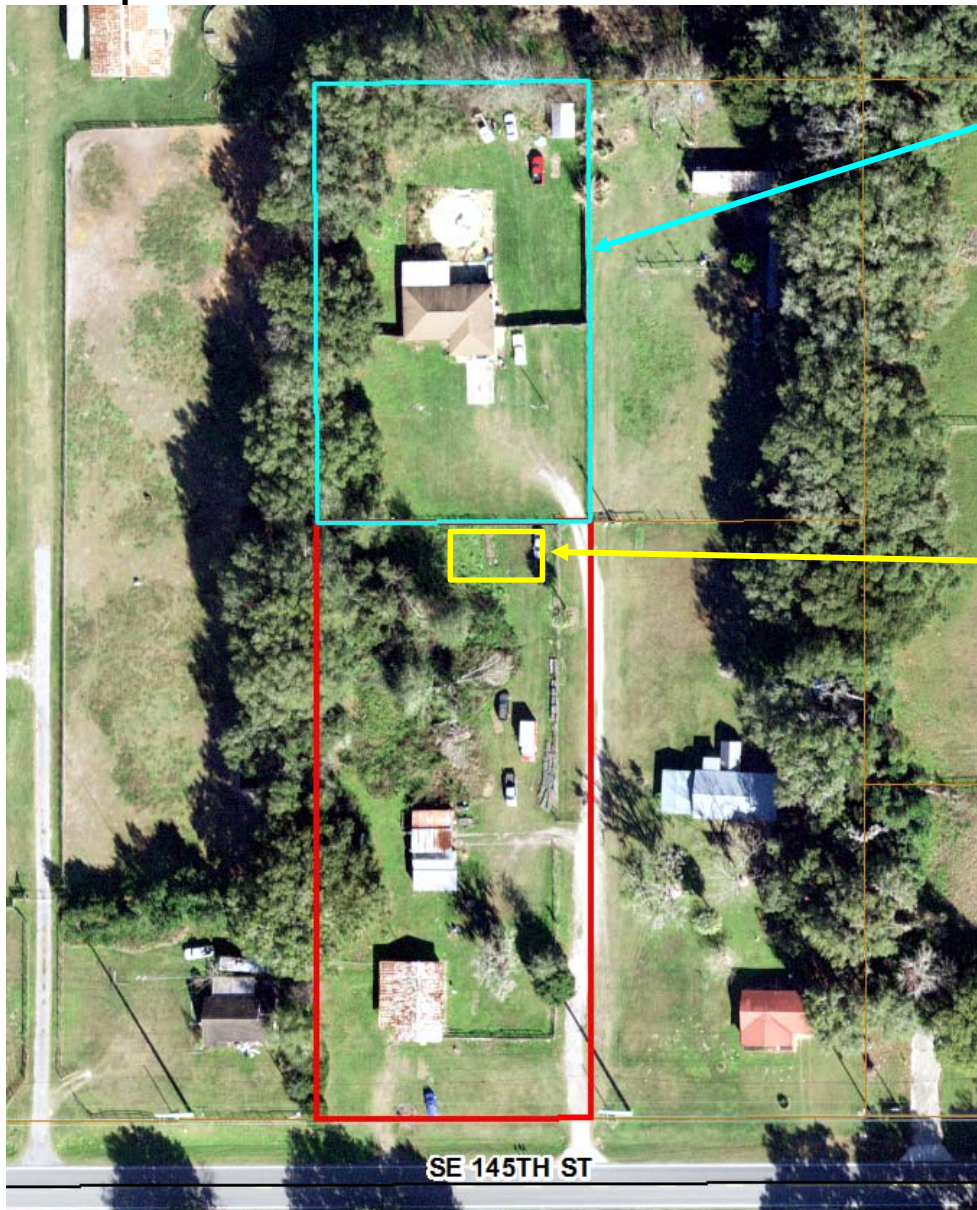
Public Notice

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

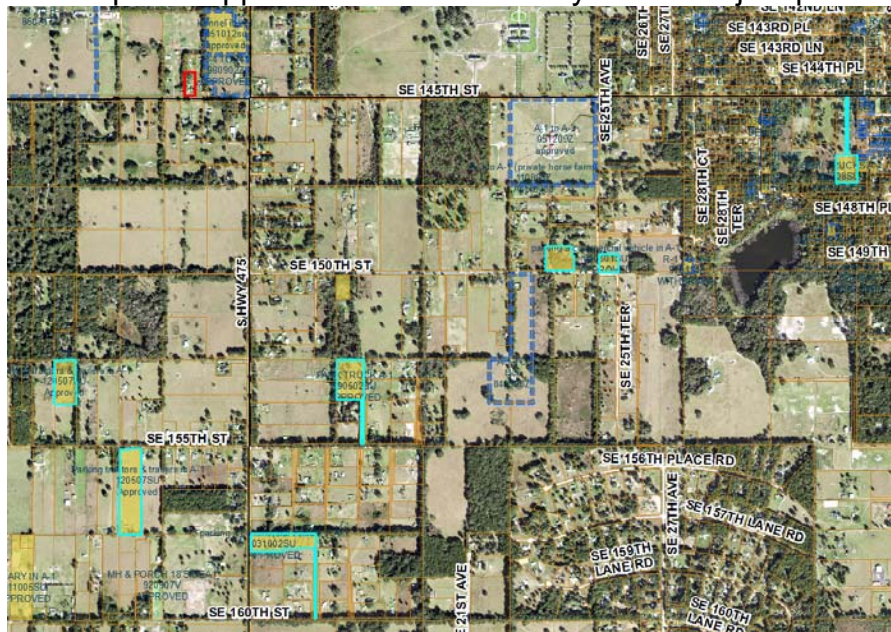


Analysis

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.

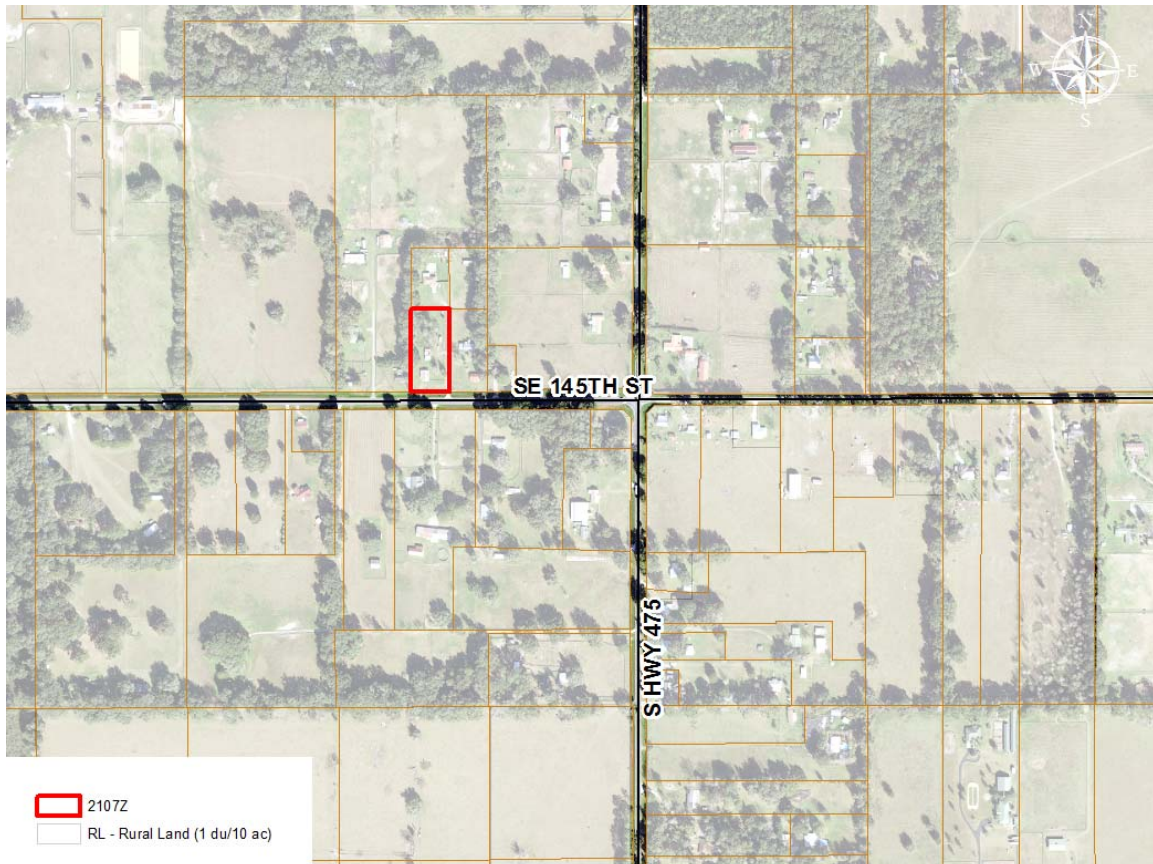


Parcels outlined in light blue have SUPs for commercial vehicles in A-1.

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 th 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 145th St



Looking west on SE 145th 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
-



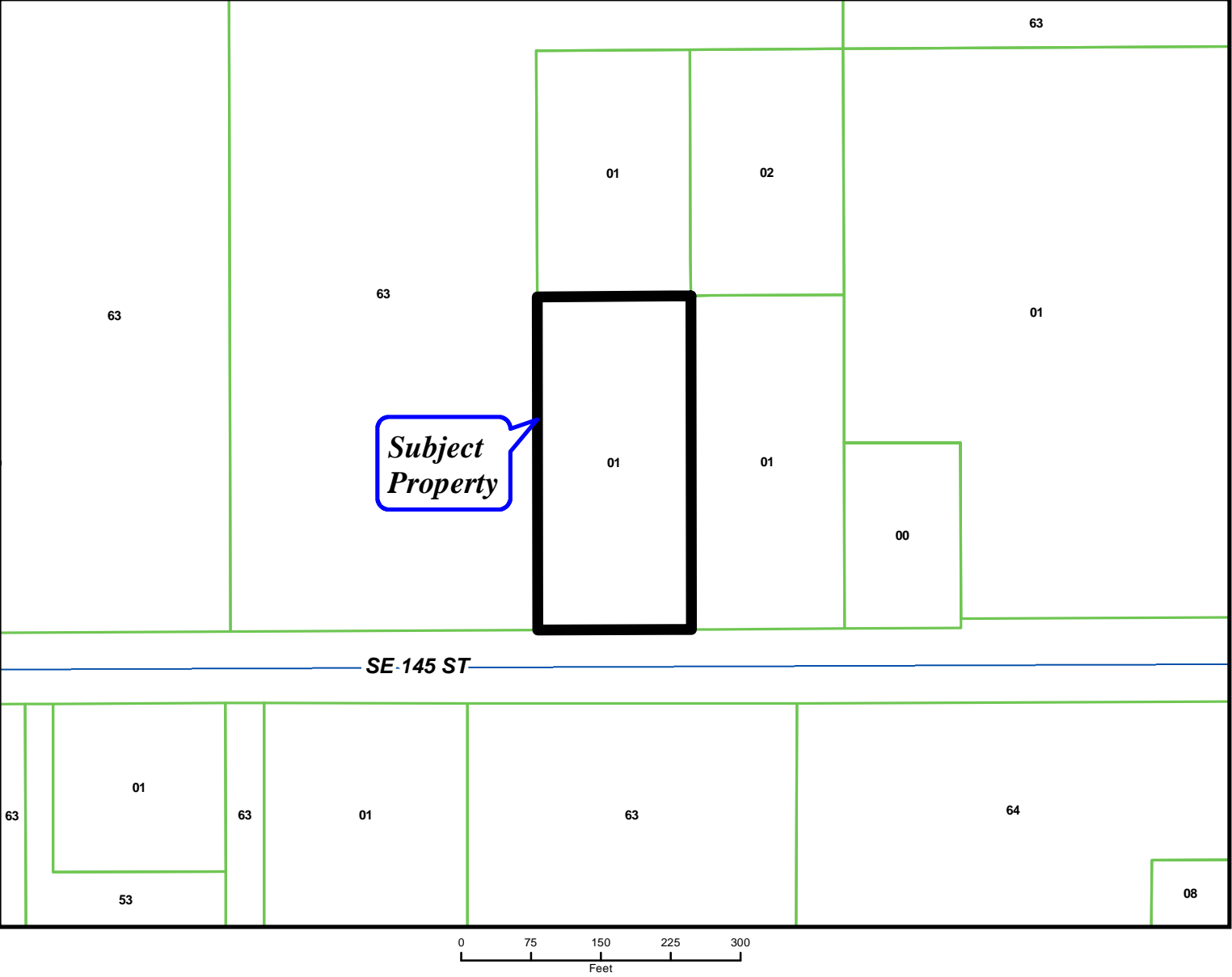
SE 145 ST





0 100 200 300 400
Feet



Existing Land Use Designation 210710SU



Use per MC Property Appraiser		OWNER(S): Norman W. & Maureen R. Brown	
01	Single Family Res	AGENT: William Valentin, Jr.	
50-69/99	Agricultural		
00/10/40/70	Vacant	PARCEL(S): 44603-001-00	
71	Church		
02	Mobile Home	<div><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></div> <div></div>	
06-07/11-39	Commercial		
41-49	Industrial		
83-98	Public		
82	Recreation		
03-05/08	Multi-Family		
77	Club/Lodge/Union Hall		

Legend

• All Amendments

Policy 1.20

☆

Rural Land (1 du/10 ac)	Low Residential (0 - 1 du/ac)	Medium Residential (1 - 4 du/ac)	High Residential (4 - 8 du/ac)	Farmland Preservation Area
Urban Residential (8 - 16 du/ac)	Rural Activity Center (0 - 2 du/ac; FAR 0.35)	Rural Community (0 - 3 du/ac; FAR 0.70)	Commercial (0 - 6 du/ac; FAR 1.0)	Environmentally Sensitive Overlay Zone (ESOZ)
Employment Center (0 - 12 du/ac; FAR 2.0)	Commerce District (N/A; FAR 2.0)	Public (N/A; FAR 1.0)	Preservation (N/A; N/A)	Municipality



Marion County
Board of County Commissioners

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

210710SU
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 1104.36 FT L 358.24 FT Total acreage: 1.358 ✓

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.

Property Owner name (please print) Norman W. Brown and Maureen R. Brown Applicant or agent name (please print) William Valentin JR.
120 Terry Hair Rd C/O: MUGGSUGGS Towing & Recovery, LLC
1155 SE 145th St ✓

Mailing Address
Adamsville, TN, 38310

City, State, Zip code
352-454-0346

Phone number (include area code)
Mosers 007@gmail.com

E-mail address
Norman Brown

Signature

Mailing Address
Summerfield, FL, 34491

City, State, Zip code
352-875-0258

Phone number (include area code)
William@muggsuggstowing.com

E-mail address
[Signature]

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 835879</u>	Application No.: <u>26689</u>	
Rev'd by: <u>KW</u>	Rev'd Date: <u>04/30/2021</u>	FLUM: <u>Rural</u>	Zoning Map No.: <u>185</u> Rev: 07/1/2019

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 changes other than parking for trucks
meets requirement

9. Yes

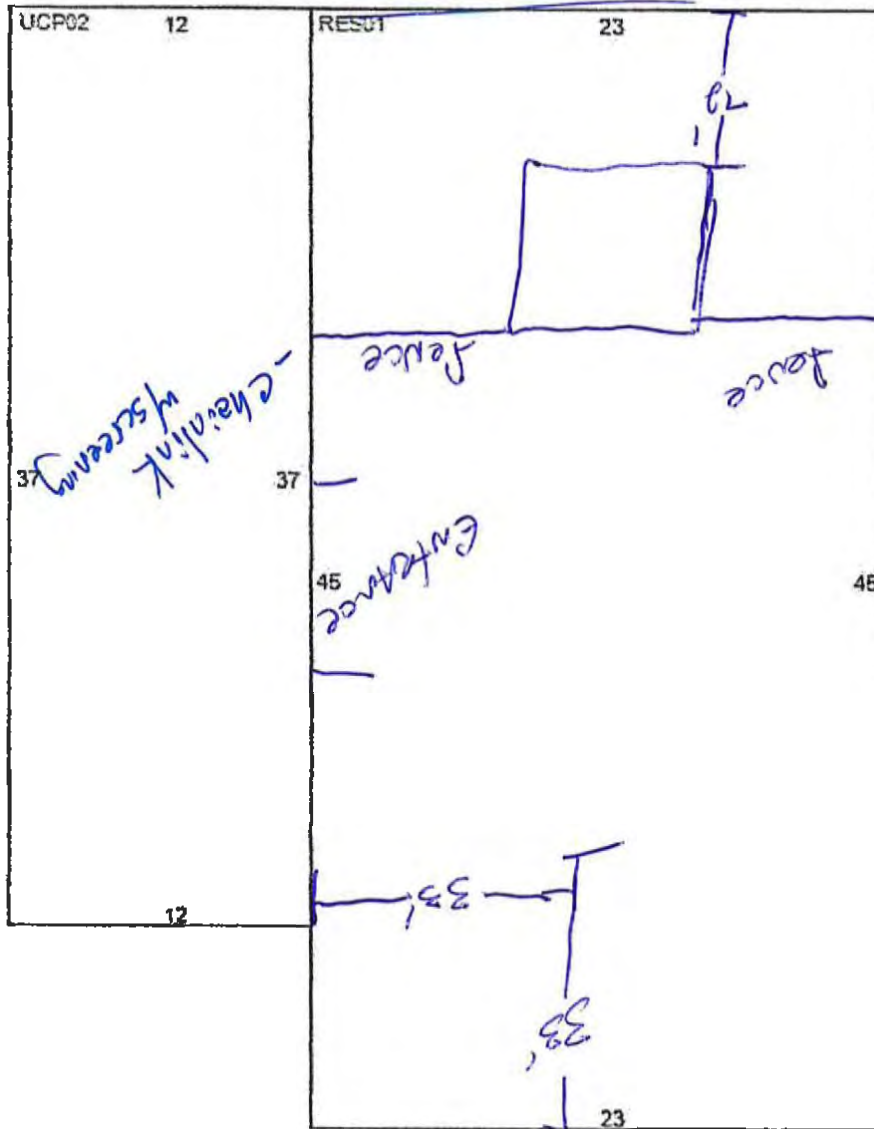
Use	CUse	Front	Depth	Zoning	Units	Type	Rate	Loc	Shp	Phy	Class Value	Just Value
0100		165.0	358.0	A1	1.35	AC	12,500.0000	1.00	1.51	1.00	25,481	25,481
Neighborhood 9476 - CR 475A											Total Land - Class \$25,481	
Mkt: 10 70											Total Land - Just \$25,481	

TraverseBuilding 1 of 1

RES01=L23D45R23U45.L23

UCP02=L12D37R12U37.

2107105U

Building Characteristics

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

(Applicant)
 Williams,
 house

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

Type	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



Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Parcels
- Municipalities
- Marion County

1: 2,906

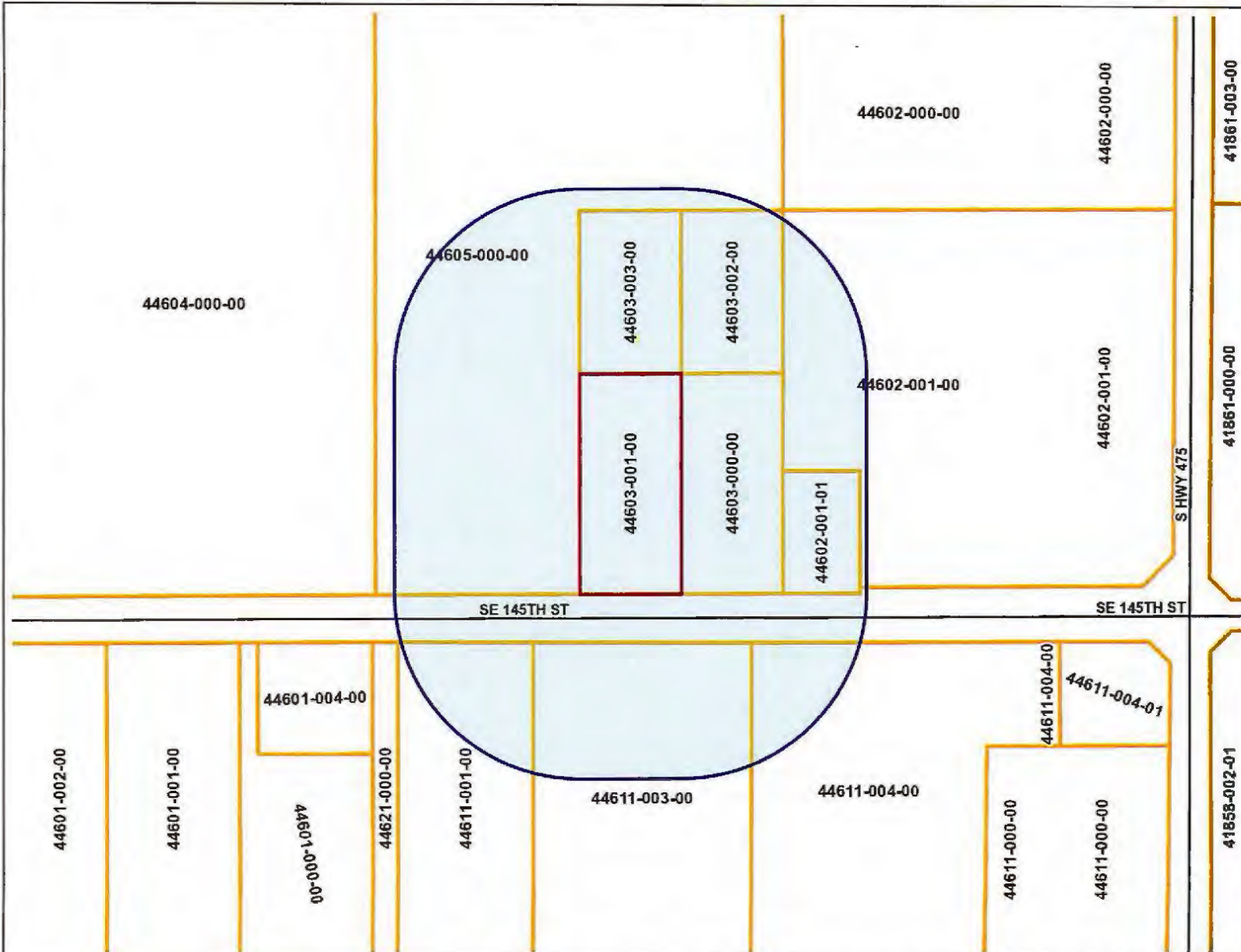
1 in = 0.05 Miles



Notes

AGENT: VALENTIN, JR

Creation Date: 5/13/2021



0.1 0 0.05 0.1 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By: dp

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.

#210710SU

2nd will be similar or
smaller

