



## Marion County Board of County Commissioners

### Growth Services • Planning & Zoning

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

## VARIANCE APPLICATION – 2025

The undersigned hereby requests a Variance in accordance with the Marion County Land Development Code, Article 2, for the purpose of: keeping an accessory aluminum carport over existing driveway

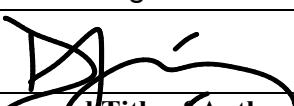
**Section(s) of Code request variance from:** Article 4, Division 2, Zoning Classification, Section 4.2.6  
**Parcel Account Number(s):** 3578-011-024

**Property/Site Address:** 4321 SW 106th Pl, Ocala, FL 34476

**Property Dimensions:** 102.0 x 241.0

**Total Acreage:** 0.56      **Zoning Designation:** 0.56      **Current Use(s):** 0100 Primary Hom

Each property owner(s) **MUST** sign this application or provide written authorization naming an Applicant or Agent below to act on his/her behalf. Please **print** all information, except for the Owner and Applicant/Agent signature. If multiple Owners or Applicants/Agents, please use additional pages.

<b>Property Owner Name (print)</b> Dennicel Jimenez	<b>Applicant or Agent Name (print)</b>
<b>Mailing Address</b> 4321 SW 106th Pl	<b>Mailing Address</b>
<b>City, State, Zip</b> Ocala, FL 34476	<b>City, State, Zip</b>
<b>Phone Number (include area code)</b> 407-925-7208	<b>Phone Number (include area code)</b>
<b>E-Mail Address</b> dennicel.jimenez@gmail.com	<b>E-Mail Address</b>
<b>Signature*</b> 	<b>Signature*</b>
<b>Printed Name and Title of Authorized Signer (for corporate, trust &amp; other entities)</b>	<b>Printed Name and Title of Authorized Signer (for corporate, trust &amp; other entities)</b>

\*By signing this application, the Owner, Applicant, and/or Agent hereby authorizes Growth Services to enter onto, inspect, and traverse the property indicated above, to the extent Growth Services deems necessary, for the purposes of assessing this application and inspecting for compliance with County ordinances and any applicable permits.

### STAFF/OFFICE USE ONLY

<b>Project No.:</b>	<b>Application Request No.:</b>	<b>Code Case No.:</b>
<b>Rcvd by:</b>	<b>Rcvd Date:</b> / /	<b>Time:</b>
		<b>PZ Case No.:</b>

Please note: The Variance Permit will not become effective until after a final decision is made by the Marion County Board of Adjustment and any applicable appeal period concludes. The Owner, Applicant or Agent must be present at all pertinent public hearings to represent this application. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the Applicant or Agent must be correct and legible to be processed. The filing fee is non-refundable. For more information, please contact the Growth Services Zoning Division at 352-438-2675.

## Variance Application

### Document Completeness Checklist – 2025

The County will not review a Variance application unless the Applicant provides a signed and complete application, application fee payment, and all other required materials. All required materials and payment must be included with the application at the time of submission. Documents can be submitted on various page sizes, but must be legible on 8.5"x11" Letter paper with no font size less than 12pt.

By signing this application on the first page, you acknowledge that **all** required materials and payments must be submitted in full and in accordance with the specified guidelines. Incomplete or inaccurate submissions may result in rejection and return without further review.

A Variance application is complete and sufficient for Growth Services review when an Applicant provides the following materials:

1.  A signed and complete application form accompanied by payment of the application fee.
  - a. Note: To confirm the appropriate payment amount, see the fee schedule available on the Marion County Growth Services webpage. **Cash, check, or credit card<sup>1</sup>. Make checks payable to: Marion County Board of County Commissioners.**
  - b. Note: Ensure the application is signed by the Owner(s) and Applicant/Agent or provide written authorization naming the Applicant/Agent to act on behalf of the Owner(s).
2.  A copy of the most recent **warranty deed** conveying the property to the current owner.
3.  A copy of the Corporation or Trust document showing the person signing as "Owner" is a manager/registered agent of the company, if the property is owned by a Corporation or Trust
4.  A survey with legal description, setbacks, and existing structures signed by a Florida Licensed Professional Surveyor.
5.  A proposed Site Plan, at a minimum, including:
  - a. Required setbacks and proposed setbacks
  - b. Location of proposed structures
6.  A written petition of all six criteria per LDC Sec. 2.9.2 (see pages 3, 4, & 5 of this application packet)
7.  (Optional) Any additional media or documents that support the written petition, including a written, itemized list detailing all supplemental attachments.
  - a. For example, court documents, photographs, expert testimony, etc.

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<sup>1</sup> Payments using a credit card are subject to a surcharge service fee.

## Written Petition for Variance

A variance from the terms of these regulations shall not be granted by the Board of Adjustment unless the written petition for a variance submitted demonstrates all six criteria per LDC Sec. 2.9.2. Write your answers in the space provided after each statement. Complete all replies using a sentence form to provide your justification of hardship:

**A.** LDC Sec. 2.9.2.C.(1) - Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.

*Applicant's justification:*

First, we have no other feasible location for the carport because of the location of our septic tank on the west side, the proximity of our house to the property line on the east side (see attached survey), and the severe gradient in our back yard that required us to have a retention wall build to stop the continuous erosion (see attached picture #1, #2). Second, the carport is a safe area (not wet/slippery) where I can get out of my truck, and off load items in a safe manner that will not increase the injuries incurred in a combat zone while serving in the military. Third, the size of our garage (see attached picture # 4, #5) 17ft 2in due to the water heater's location or 19ft 2in in the other side do not accommodate our RAM truck. And fourth, no routine nor emergency maintenance to the city utilities would be affected due to the distance from the carport versus the location of the utilities junction boxes (see email Sunshine 811). Our water line comes from our east through our neighbors west side of their front yard, while our power line comes from a junction box located 8ft 3 5/8in (see attached picture #3) to the east of the carport's location, and no new digging will take place since all surrounding lots have been built.

**B.** LDC Sec. 2.9.2.C.(2) - The special conditions and circumstances do not result from the actions of the applicant.

*Applicant's justification:*

During the permit request, we utilized our survey (see attached survey) to determine that we could install a carport inside our property line. Furthermore, our contractor submitted for a permit from the beginning in 2022 (see attached permit #2022083659). Our carport went through the process of inspections in 2022 without anyone mentioning any issues. The permit was canceled after two 90 day extensions that ended in Jan 2024. In Jan 2024 our contractor was directed to resubmit a new permit (see attached permit #2024010665), carport was reinspected under permit #2024010671, but this permit request was voided and dropped from our view without our knowledge. We didn't hear anything and saw that the carport is in our property card (see attached property card) which led us to believe that our permit was approved.

C. LDC Sec. 2.9.2.C.(3) - Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

*Applicant's justification:*

Granting this variance is necessary for the reasonable use of our driveway in the most safe manner when the weather conditions are wet/slippery causing a potential for a fall or a slip which will worsen injuries and medical conditions inflicted during our military service in a combat zone.

D. LDC Sec. 2.9.2.C.(4) - The Variance, if granted, is the minimum Variance that will allow the reasonable use of the land, building or structure.

*Applicant's justification:*

~~We humbly request a variance of: 24ft x 24ft~~

We humbly request a variance of: 7 ft (on the west) x 3ft (on the east)

Please see attached site plan for the carport.

A handwritten signature in black ink, appearing to read "D. J. O'".

**E.** LDC Sec. 2.9.2.C.(5) - Granting the Variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.

*Applicant's justification:*

This is correct.

**F.** LDC Sec. 2.9.2.C.(6) - The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

*Applicant's justification:*

This statement is correct and on the contrary, it is helpful, inoffensive, and visually appealing - appears to be part of the house (see attached picture #6).