



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: 1/26/2026	BCC Date: 2/17/2026
Case Number:	260201SU
CDP-AR:	PL SUP 000016-2025
Type of Case:	Special Use Permit to allow for five commercial trailers to store hay products, an exterior propane refilling site, and a farmer's market on Saturdays.
Owner	C&K 9A LLC
Applicant	Christina Sanders/Charles Kent Wall
Street Address	4880 US 41
Parcel Number	1801-000-001
Property Size	±8.58-acres
Future Land Use	Commercial
Zoning Classification	Community Business (B-2)
Overlay Zone/Scenic Area	Primary Springs Protection Overlay Zone (SSPOZ)
Staff Recommendation	APPROVAL WITH CONDITIONS
P&ZC Recommendation	APPROVAL WITH CONDITIONS (On Consent 6-0)
Project Planner	Kenneth Odom, Transportation Planner
Related Case(s)	Code Case:982983 – Commercial vehicles, commercial containers, parked/stored in an improper zone, outdoor sales in an improper zone and accumulation of junk.

I. ITEM SUMMARY

Property owners, Christina Sanders and Charles Kent Wall, have filed an application for a special use permit (1) to allow for outdoor storage and sales of propane, (2) to allow for up to five fifty-three foot trailers to store hay and (3) to allow for a Saturday farmer's market from 8:00 AM to 2:00 PM at 4880 South US Hwy 41. The PID of the subject parcel is 1801-000-001 and the legal description on the deed that is included as a part of this application. The subject parcel is located in the Secondary Springs Protection Overlay Zone (SSPOZ) and outside of the Urban Growth Boundary.

A 1,000-gallon propane tank has been delivered to the site, but it is not fully permitted or installed correctly according to building code, as it is only strapped down to concrete blocks that are sitting on the ground. It is required that this apparatus be securely anchored to the ground either by being secured to a concrete pad or anchored to installed footers.

- The propane tank shall be fully permitted and installed according to the requirements of the Marion County Building Code. This shall include proper anchoring and full permitting for installation of the propane dispensing system, including electricity.

The applicant currently has five fifty-three-foot trailers on site, which are utilized for the storage of hay products. At any given time, four of these trailers are used for storage while the fifth trailer is a backup for any additional deliveries or special orders. All five trailers are rotated out for deliveries to the site. Four storage trailers are, at any given time, stored in a revetment that serves as an outdoor loading area for vehicles picking up hay products. (See Attachment B – Photos). The applicant is requesting permission to allow for five trailers on the property at any given time, only for the use of hay storage.

- The applicant is required to immediately install a vegetative buffer on the south side of the parcel on the interior of the existing three-board fence. This buffer shall consist of a viburnum or ligustrum hedge to block the line-of-sight from the existing single-family dwelling to the five hay storage trailers. This hedge shall be at least one hundred and fifty feet in length as depicted in Figure 5.
- Commercial vehicles that are not owned by and used specifically for the operations to support this business are not permitted to be stored on site.

According to the applicants, a Saturday farmer's market has been in operation for approximately two years at this location. It typically operates from 8:00 AM to 2:00 PM with approximately twenty vendors participating on a regular basis. The purveyors' inventory only includes hand-made crafts and farm/home-grown items, including some small livestock such as chickens and ducks. One or two food trucks are also set up each Saturday as well. The food trucks are permitted on site with their own roadside vendor permit.

- The farmers' market shall be limited to a maximum of twenty-five vending positions on any given Saturday.

- The vendors at this location shall be limited to farm/home-grown products or handcrafted items, to include small livestock such as chickens, ducks, baby goats, baby pigs, etc. Larger animals such as donkeys, cows, horses, or mature goats are not permitted. The intent of this is to maintain the actual use as a farmer's market, not allow it to evolve into a flea market or community yard sale.

Figure 1
Aerial Photograph of Subject Property



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS** due to the request being consistent with the Marion County Comprehensive Plan and F.S. 559.955, compatible with the surrounding area, and will not adversely affect the public interest 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 in case the recommendation of approval is given.

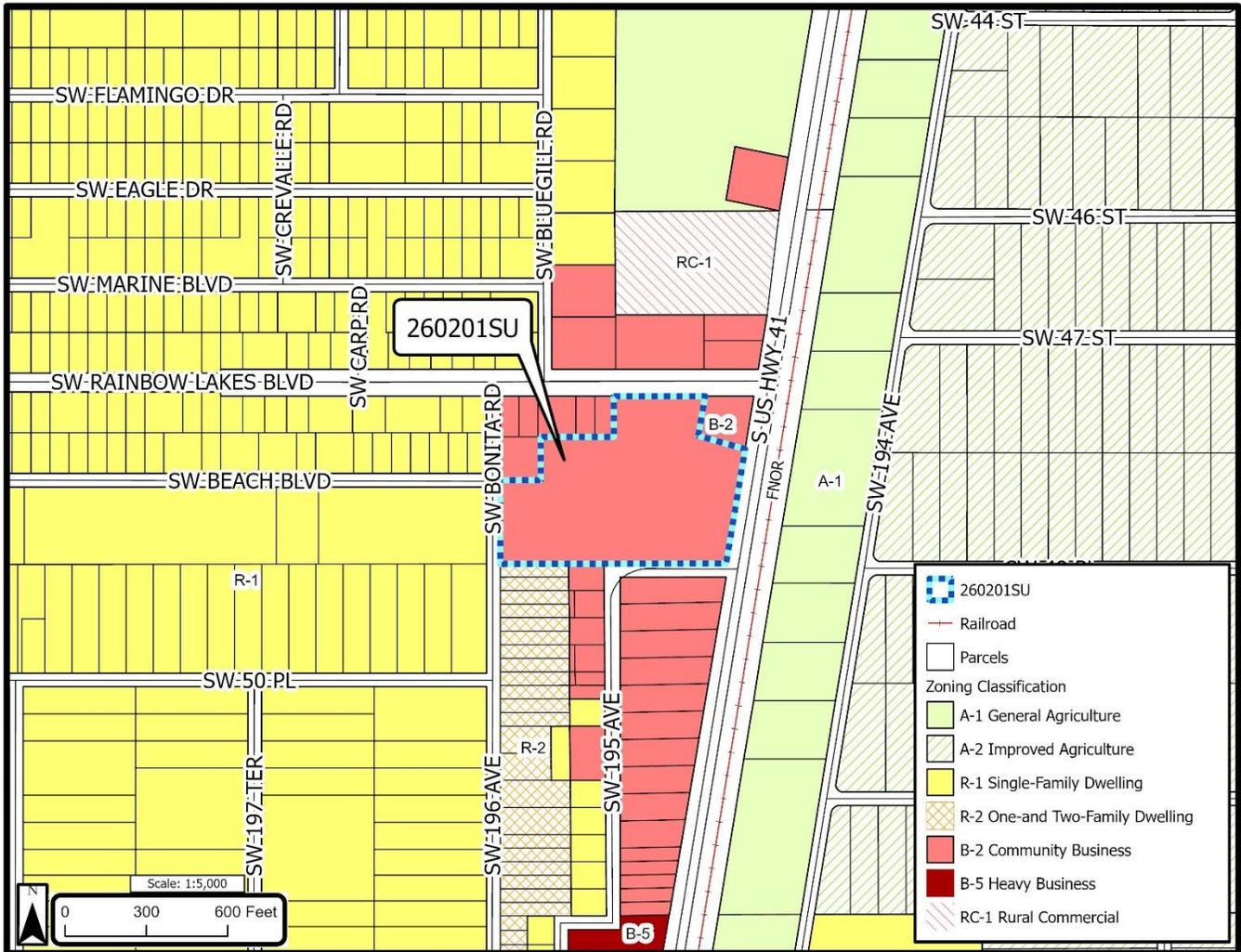
III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C and 2.7.3.B to apply to SUP applications. LDC Section 2.7.3.C requires notice of public hearing to be mailed to all property owners within 300 feet of the subject property, and notice was mailed to (39) property owners on January 9th, 2026. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on December 17th, 2025, and consistent with LDC Section 2.8.3.E., due public notice was published in the Ocala Star-Banner on January 12th, 2025. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

- A. *Existing site conditions.* Figure 2 provides zoning classification information, while Figure 3 shows the FLUMS designation for the area. Table 1 outlines the existing uses of the surrounding area, while Figure 4 illustrates those uses in relation to the subject property. As illustrated, the subject property is currently listed as a commercial property, but it does have a Policy 1.20 attached to it, which permits the two residential dwellings on site. These dwellings are also owned by the applicants, but they are in no way associated with the business operations of the feed store.
- B. *Zoning district map.* Figure 2 shows the subject property designated as Community Business (B-2), with surrounding properties being of residential uses in R-1 and R-2, and other commercial uses in B-2 also.

Figure 2
Zoning Classification



C. *FLUMS designation.* Figure 3 is the FLUMS and shows the subject property as one of only a few Commercial (COM) land use assigned parcels in the entire area. The overall majority of the other parcels are all designated as Rural Land (RL). This land use designation is intended to provide for mixed-use development focused on retail, office, and community business opportunities to meet the daily needs of the surrounding residential areas, and allows for mixed residential development as a primary use or commercial uses with or without residential uses.

Figure 3
Future Land Use Map Series

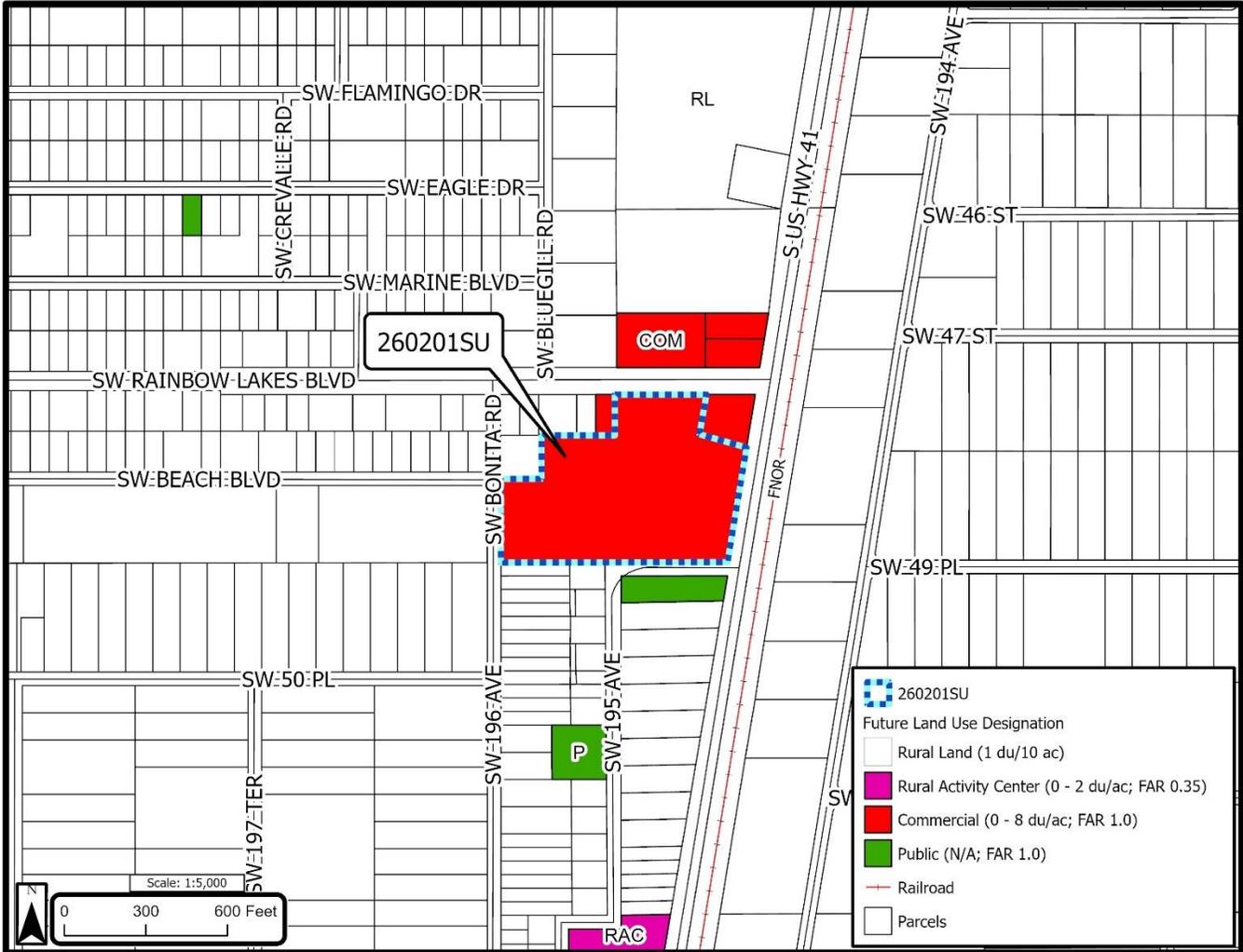
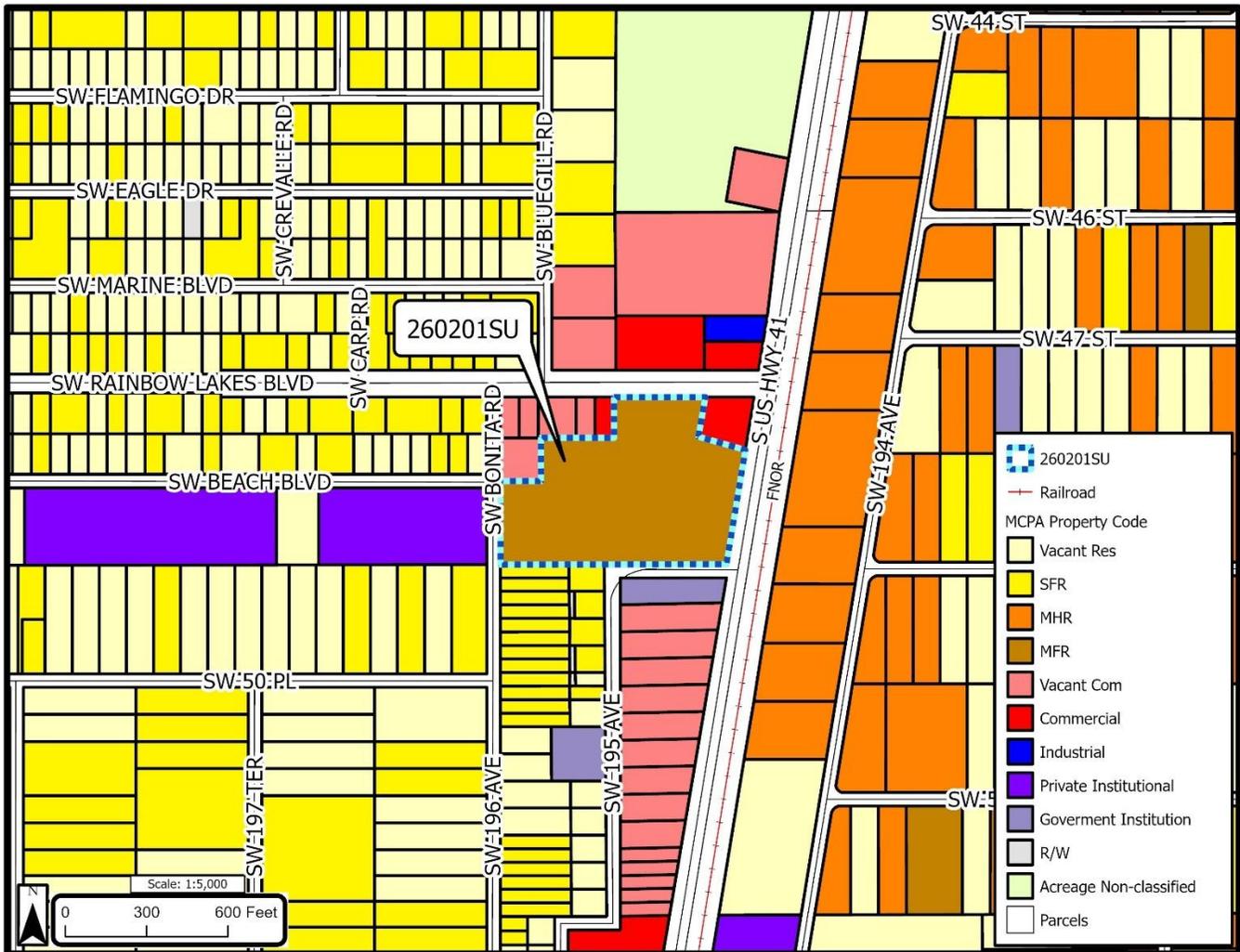


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS

Direction	FLUMS	Zoning	Existing Use
Site	Commercial (COM)	Community Business (B-2)	Multi-Family (08) Commercial (Policy 1.20)
North	Commercial (COM) Rural Land (RL)	Community Business (B-2)	Community Shopping Center (16) Improved Residential (01)
South	Rural Land (RL) Public (P)	Community Business (B-2)	Improved Residential (01) Water Retention Area (86)
East	Rural Land (RL)	General Agriculture (A-1)	Improved Mobile Home (02) Improved Residential (01)
West	Rural Land (RL)	Single Family Dwelling (R-1)	Improved Residential (01)

Figure 4
MCPA Property Uses



Analysis: Access to the subject parcel will remain on SE 62nd Avenue Road, but will be moved from its current location at parcel 37056-000-00 to 37052-000-00. This will be a commercial access ingress/egress that meets all requirements per the Office of the County Engineer. (See Figure 5) With the aforementioned provisions, staff concludes that the application **is consistent** with provisions for ingress and egress.

- A commercial driveway that meets the requirements of the Office of the County Engineer will be required to access Rainbow Lakes Blvd.

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.*

A parking area exists in front of the business for general in-store purposes. Additional parking and loading areas are also located behind the store for propane and hay sales, as well as designated parking areas for the Saturday farmer's market. These areas are illustrated in Figure 5. Staff conclude that the provision for parking and loading areas is **consistent**

- All loading and unloading of hay bales shall be confined to the southern area of the property as depicted in the conceptual site plan (Figure 5).

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

Analysis: This business currently does not utilize a commercial waste collection service. All recyclable materials and garbage are transported to the Dunnellon transfer station for proper processing. Staff concludes the application **is consistent** with the provision of refuse and service areas.

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

Analysis: Electric services are currently provided by SECO Energy. Marion County Utilities currently provides municipal water services, but municipal sewer services are not available, and the site utilizes a septic system. Staff concludes the application **is consistent** with the provision of utilities.

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

Analysis: The subject parcel is commercially zoned with three board fencing on the east and south sides. A ligustrum or viburnum hedge shall be installed on the interior of the three-board fence line along the southwestern portion of the fenceline.

- SW 49th Place is a Subdivision Local road and shall not be used for commercial access of any type. The fenceline shall be restored to its original state.
- The applicant is required to immediately install a vegetative buffer on the south side of the parcel on the interior of the existing three-board fence. This buffer shall consist of a viburnum or ligustrum hedge to block the line-of-sight from the existing single-family dwelling to the five hay storage trailers. This hedge shall be at least one hundred and fifty feet in length as depicted in Figure 5.

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.*

Analysis: No additional signage or lighting is proposed to be installed at this location in conjunction with this Special Use Permit application. If any additional signage or lighting is installed at a later date, the applicant shall be required to adhere to all requirements per the Marion County Land Development Code. It is concluded that the application is **consistent** with the signs and exterior lighting requirements of this section.

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

Analysis: No additional green space or yard is required. It is concluded that the application is **consistent** with LDC requirements.

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

Analysis: Compatibility is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, 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 properties. Figure 4 displays the same properties based on their use code per the Marion County Property Appraiser. The proposed use is a small feed store, but it is located adjacent to residential parcels to the west and south. Activities that normally occur within the store are of little to no impact on surrounding properties. The exterior uses that are being proposed are not typically permitted in Community Business (B-2) and could potentially impact the surrounding properties. The conditions that are recommended by staff should be able to effectively mitigate any impacts to the surrounding properties.

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

Analysis: Staff notes that, unlike a variance, which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Permitting any internal physical improvements will be required. Staff concludes that no special requirements are needed beyond the conditions provided in this report.

- J. *Consistency with the Comprehensive Plan.*

Code Section - Sec. 4.2.18.F(1)

All commercial activities involving retail sales or rentals shall take place in a completely enclosed building. Restaurant, garden center, plant nursery, boat, golf cart, LSV, bicycle, and lawnmower sales, rentals, and displays may take place outside, if any lawnmowers, golf carts, LSVs, and bicycles being displayed outside are stored inside the sales building after business hours.

Special Use Request:

Allow for outdoor storage and sales of propane and hay. Allow for Saturday farmer's market from 8:00 AM to 2:00 PM.

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

VI. ALTERNATIVE RECOMMENDATIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to the Commission to adopt a proposed Ordinance to **DENY** the special use permit.
- B. 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 Commission to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.
- 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 Commission 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 Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** the special use permit based on compatibility in the area, compliance with the Comprehensive Plan, and a lack of adverse impacts to the surrounding area.
- B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed in the event that the Board chooses to agree with staff recommendation and approve the special use with conditions:
1. The Special Use Permit shall run with the owners (Christina Sanders & Charles Kent Wall). Should the property be sold or the use changed, the Special Use Permit shall be terminated.
 2. The propane tank shall be fully permitted and installed according to the requirements of the Marion County Building Code. This shall include proper anchoring and full permitting for installation of the propane dispensing system, including electricity.
 3. Commercial vehicles that are not owned by and used specifically for the operations to support this business are not permitted to be stored on site.
 4. The applicant is required to immediately install a vegetative buffer on the south side of the parcel on the interior of the existing three-board fence. This buffer shall consist of a viburnum or ligustrum hedge to block the line-of-sight from the existing single-family dwelling to the five hay storage trailers. This hedge shall be at least one hundred and fifty feet in length as depicted in Figure 5.
 5. The farmers' market shall be limited to a maximum of twenty-five vending positions on any given Saturday.
 6. The vendors at this location shall be limited to farm/home-grown products or handcrafted items, to include small livestock such as chickens, ducks, baby goats, baby pigs, etc. Larger animals such as donkeys, cows, horses, or mature goats are not permitted. The intent of this is to maintain the actual use as a farmer's market, not allow it to evolve into a flea market or community yard sale.
 7. A commercial driveway that meets the requirements of the Office of the County Engineer will be required to access Rainbow Lakes Blvd.
 8. SW 49th Place is a Subdivision Local Road and shall not be used for commercial access of any type. The southern fenceline shall be restored to its original state.

9. The Special Use Permit shall expire February 17th, 2031; 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:
- There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit.
 - 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
 - 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 with conditions (On Consent 6-0).

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. SUP application.
- B. Site Photos
- C. Staff Comments
- D. Code Violation Letter