



**Marion County  
Board of County Commissioners**

**Growth Services**

2710 E. Silver Springs Blvd.  
Ocala, FL 34470  
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**PLANNING & ZONING SECTION  
STAFF REPORT**

|                                       |  |
|---------------------------------------|--|
| <b>P&amp;Z Date: 5/28/2025</b>        | <b>BCC Date: 6/16/2025</b>   |
| <b>Case Number</b>                    | 250603ZC   |
| <b>CDP-AR</b>                         | 32619  |
| <b>Type of Case</b>                   | <b>Rezoning</b> from General Agriculture (A-1) to Single-Family Dwelling (R-1) |
| <b>Owner</b>                          | George Scott & Lisa Scott  |
| <b>Applicant</b>                      | N/A  |
| <b>Street Address/Site Location</b>   | 6270 SE 88th Street, Ocala FL 34472  |
| <b>Parcel Number(s)</b>               | 3752-015-005   |
| <b>Property Size</b>                  | ±1.00 acres  |
| <b>Future Land Use</b>                | Medium Residential (MR)  |
| <b>Existing Zoning Classification</b> | General Agriculture (A-1)  |
| <b>Overlays Zones/Special Areas</b>   | Urban Growth Boundary (UGB), Primary Springs Protection Zone (PSPZ)            |
| <b>Staff Recommendation</b>           | <b>APPROVAL</b>  |
| <b>P&amp;Z Recommendation</b>         | <b>TBD</b>   |
| <b>Project Planner</b>                | Jared Rivera-Cayetano  |
| <b>Related Cases</b>                  | Code Case No. 977188   |

## I. ITEM SUMMARY

George and Lisa Scott filed a rezoning application to change the zoning of a  $\pm 1$ -acre property at 6270 SE 88th Street, Ocala FL from General Agriculture (A-1) to Single-Family Residential (R-1). The Parcel Identification Numbers for the subject property is 3752-015-005. Located within the Silver Springs Estate subdivision, the legal descriptions are provided within the application (see Attachment A). The site is located within the Urban Growth Boundary (UGB) and the Primary Springs Protection Zone (PSPZ). The intention of this zoning change is to correct an existing zoning violation. An accessory pole barn, which had been under construction, did not meet A-1 setback requirements of 25 feet from the side and rear. After a work-stop order was issued by the Marion County Building Safety Department for constructing an accessory structure—specifically a garage for trailers and small motor vehicles—without a building permit, it was determined during permit review that a zoning classification of R-1 would be needed for the existing structure to be in compliance with the Land Development Code (LDC). The enclosed storage of these vehicles for personal uses would be allowed. An R-1 zoning classification would better reflect the residential character of the area. The applicant does not currently plan to construction any additional residential structure (i.e. guest home) on this property.

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



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning application. Staff believes Single-Family Dwelling (R-1) zoning would be more appropriate for the area than General Agriculture (A-1) zoning because the Future Land Use designation is Medium Residential (MR). Approving this request would give the property a zoning classification that will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and 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 (14 property owners) within 300 feet of the subject property on May 9, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on May 21, 2025, and consistent with LDC Section 2.7.3.E. due public notice was published in the Ocala Star-Banner on May 12, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

## 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 criteria are addressed below.

### A. *Compatibility with Surrounding Area*

"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 2, below, is an aerial photograph identifying the site and surrounding residential area. The surrounding properties are all within the Urban Growth Boundary (UGB), outside the Farmland Preservation Area (FPA), and inside the Primary Springs Protection Overlay Zone (PSPOZ).

**Figure 2**  
**Aerial with Surrounding Area.**

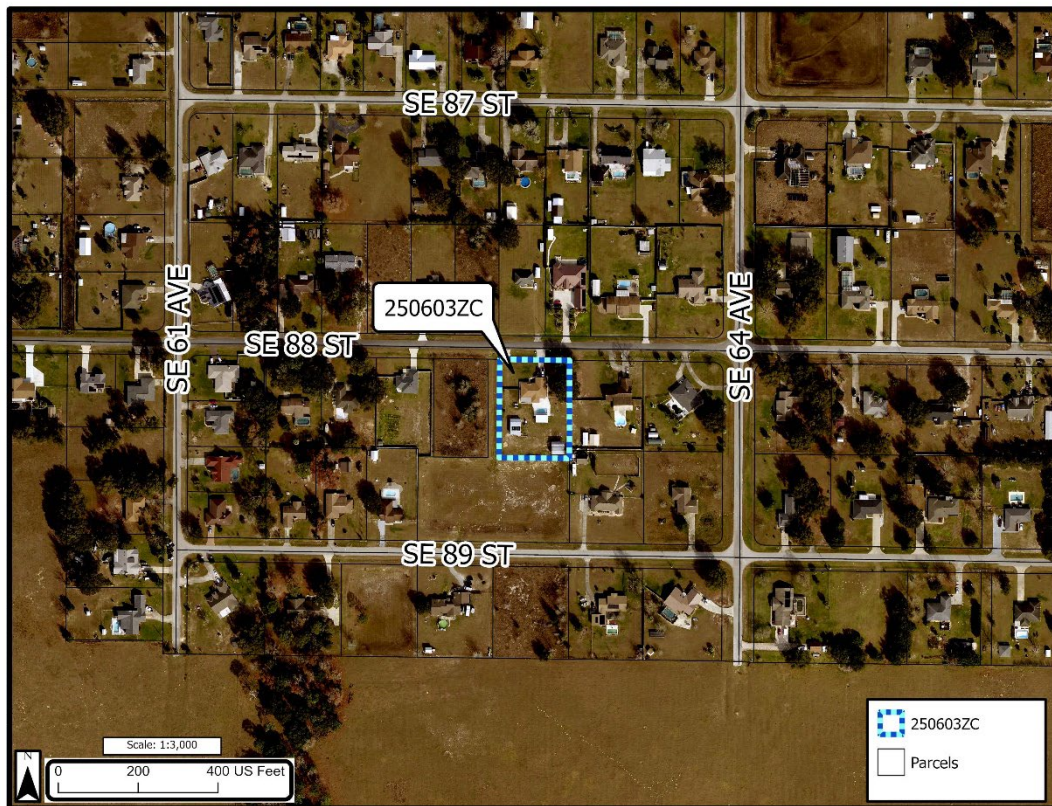


Figure 3, below, shows the Future Land Use (FLU) designation of the subject property, designated as Medium Residential (MR), along with most properties in the surrounding area. The Marion County Comprehensive Plan indicates that such a designation is “primarily suited for single-family development within the UGB, PSAs, and Urban Area.” The density shall range between one (1) dwelling unit per one (1) acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. The current General Agriculture (A-1) zoning allows for one (1) dwelling unit per ten (10) acres. The proposed Single-Family Dwelling (R-1) would allow for one (1) dwelling unit per one (1) acre.

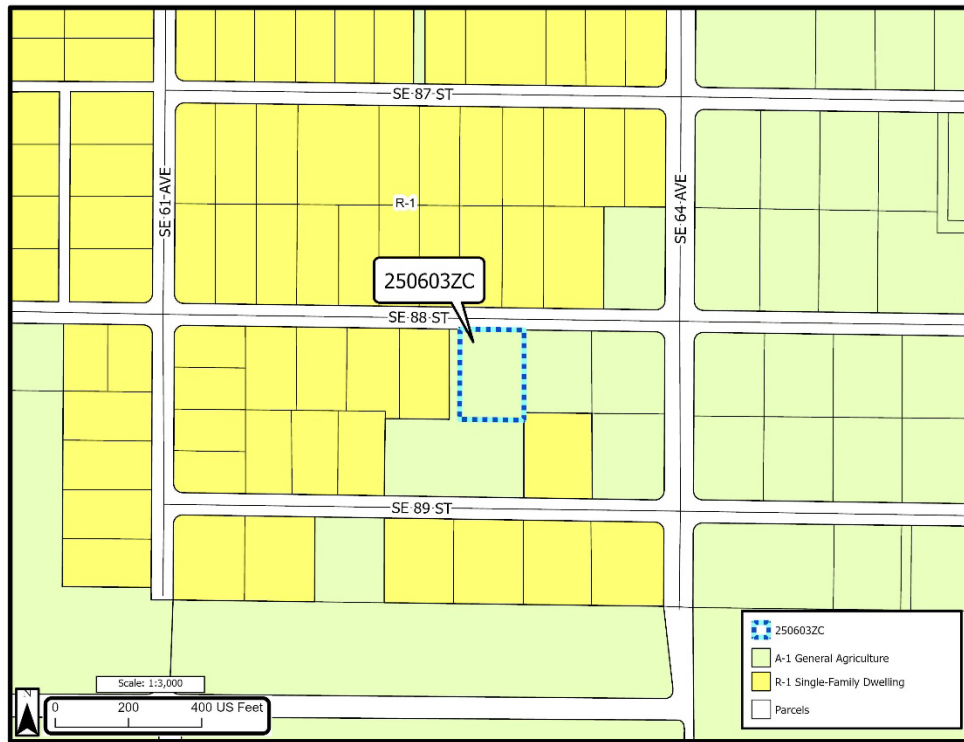


**Figure 3**  
**FLUMS Classification**



Figure 4, below, displays the existing zoning classifications for the subject properties in relation to the existing zoning classifications of the surrounding properties, and Figure 5 shows the zoning classification proposed by the applicant. Areas directly to the North and West of the subject site are primarily zoned Single Family Dwelling (R-1). During this process, a local government must conduct at least two (2) public hearings on the comprehensive plan amendment, in accordance with procedures in F.S. 166 and F.S. 360.3184(11). Areas to the East and South of the subject site are primarily zoned for agricultural use; however, there are still some properties zoned R-1.

**Figure 4.  
Zoning Classification**



**Figure 5.  
Proposed Zoning Classification**

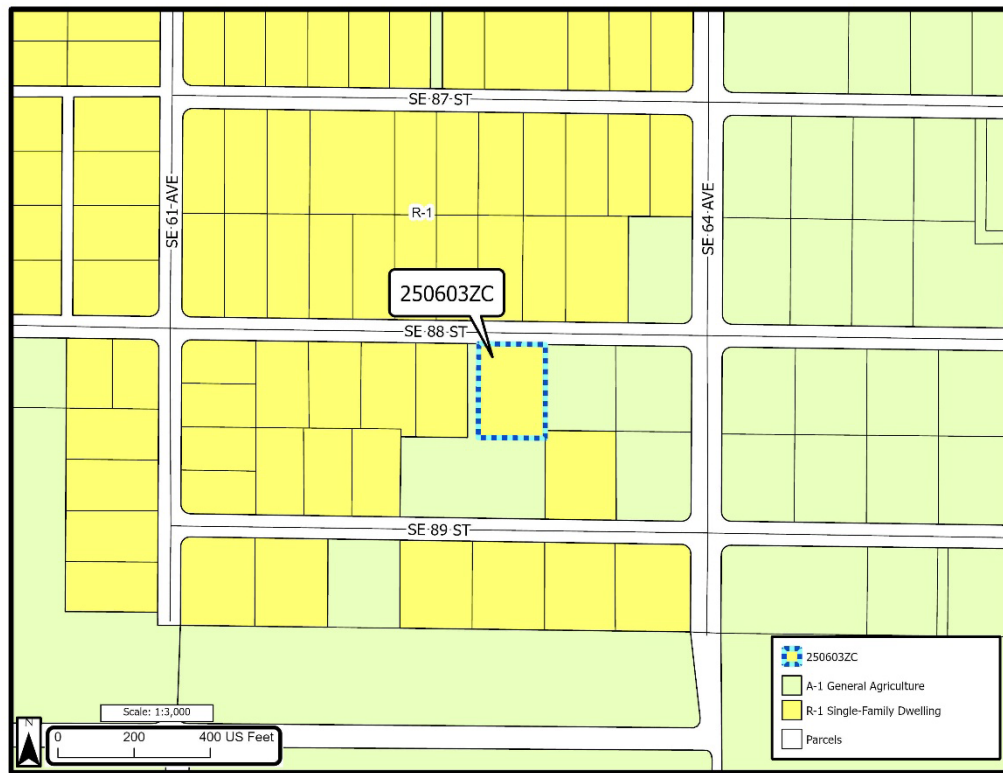


Figure 6, below, displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC). Currently, the subject property is designated as single-family residential. Indeed, consistent with LDC Section 2.7.3.D, staff conducted a site visit on May 21, 2025 and found that the subject property contains a primary single-family house, along with a small number of accessory structures, including the unfinished garage for trailers and small motor vehicles.

The area surrounding the subject property is primarily residential, with some properties designated as vacant residential. There are also some properties used as drainage basins (designated as Government Institution on Figure 6).

**Figure 6.  
Existing Uses**

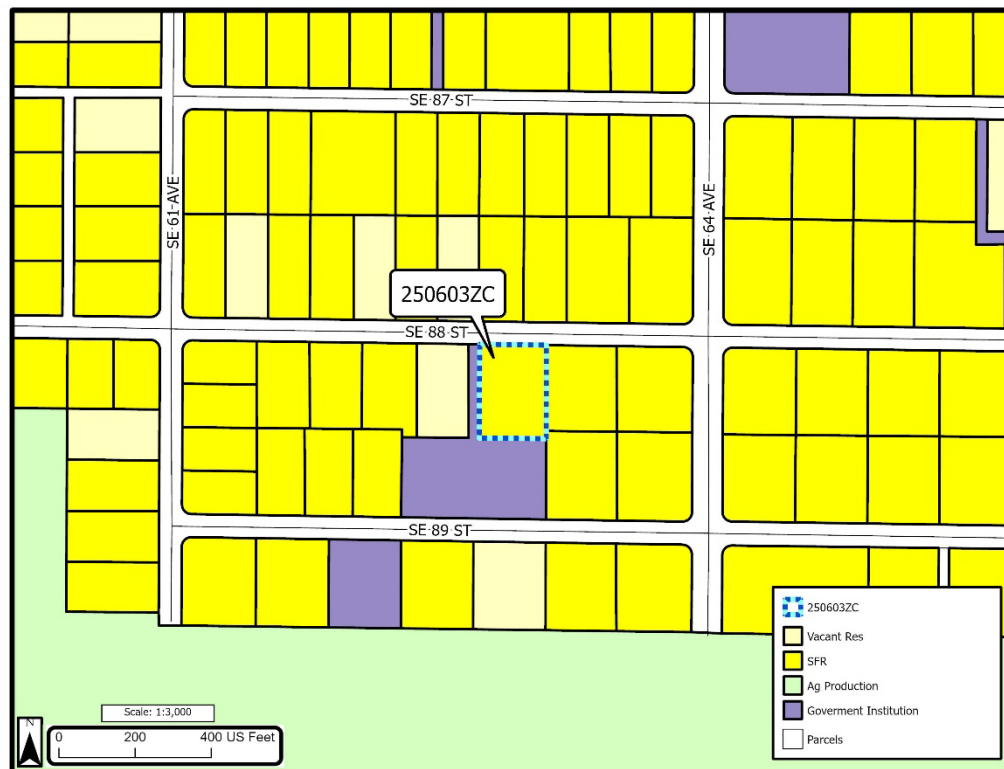


Figure 7, below, identifies nearby under-review, DRC-approved, or permitted residential developments. Given the subject property's location within the Urban Growth Boundary (UGB)—between the City of Ocala, City of Belleview, and Silver Springs Shores—there are several large residential developments nearby. There is one (1) pending residential development, BaseDev Land Trust with a proposed 260 residential units, within 4,000 feet of the subject property.



**Figure 7.  
Surrounding Residential Developments**

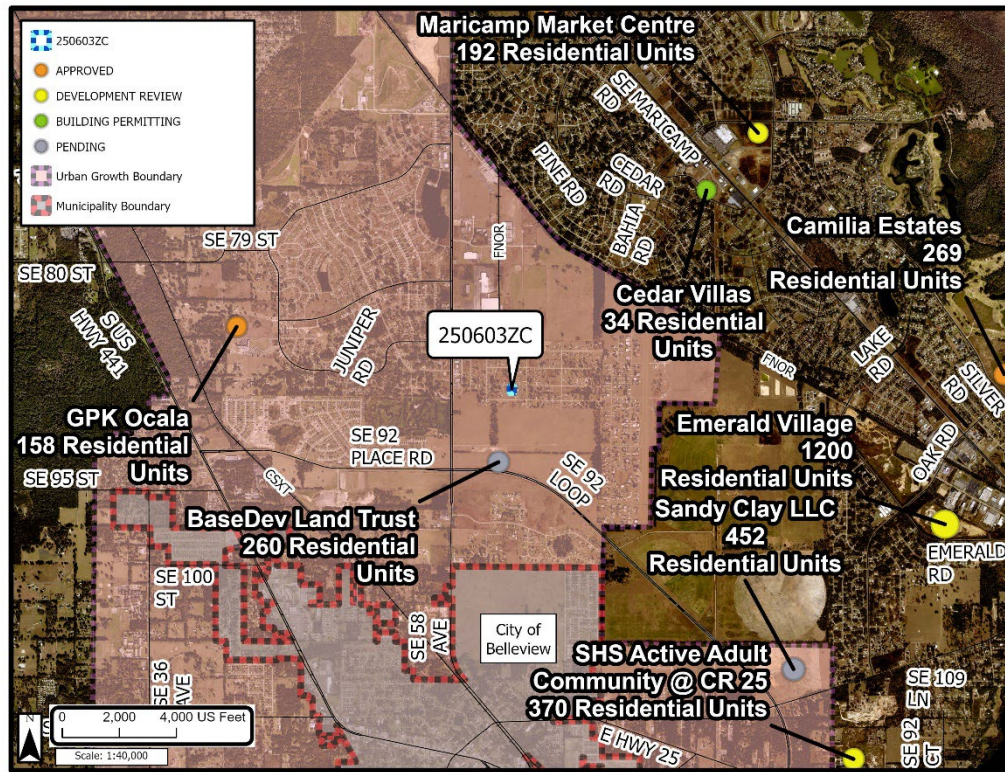


Table A, below, assembles the information in Figures 3, 4, and 6 in tabular form. Based on the above findings, the proposed rezoning application is compatible with the existing and future surrounding land uses.

| <b>TABLE 1.<br/>ADJACENT PROPERTY CHARACTERISTICS</b> |                         |   |                           |
|---|-------------------------|---|---------------------------|
| <b>Direction</b>                                      | <b>FLUM Designation</b> | <b>Zoning Classification</b>                            | <b>MCPA Existing Use</b>  |
| <b>Subject Property</b>                               | Medium Residential (MR) | General Agriculture (A-1)                               | Single Family Residential |
| <b>North</b>  | Medium Residential (MR) | Single Family Dwelling (R-1)                            | Single Family Residential |
| <b>South</b>  | Public (P)              | General Agriculture (A-1)                               | Government Institution    |
| <b>East</b>   | Medium Residential (MR) | General Agriculture (A-1), Single Family Dwelling (R-1) | Single Family Residential |

| TABLE 1.<br>ADJACENT PROPERTY CHARACTERISTICS |                  |   |  |
|---|------------------|---|--|
| Direction                                     | FLUM Designation | Zoning Classification                                   | MCPA Existing Use                          |
| West  | Public (P)       | General Agriculture (A-1), Single Family Dwelling (R-1) | Government Institution, Vacant Residential |

*B. Effect on Public Interest*

1. Transportation impacts. These include roadways, public transit, and other mobility features. No comments were received from the Office of the County Engineer.
  - a. Roadways. The subject parcel is located along SE 88th Street, a minor local road maintained by Marion County. Both the existing and proposed zoning change would theoretically allow a single residential unit and a single guest home, along with its associated trips; however, the applicant indicates no future plans of additional residential development aside from the existing single-family house.
  - b. Public transit. There are no fixed route services in the area. No transit routes are currently projected to extend to the area.
  - c. Other mobility features. No sidewalks exist along SE 88<sup>th</sup> Street. Neither sidewalks, nor a fee-in-lieu, would be required upon development. In any case, however, the subject site is already developed.

Based on the above findings, the transportation impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

| Zoning                                 | Units                          | Trip Rate (per unit)              | Estimated Daily Trips |
|--|--------------------------------|-----------------------------------|-----------------------|
| Existing: General Agriculture (A-1)    | 1 dwelling unit + 1 guest home | 9.44 trips/day (ITE code 210) x 2 | ± 20 trips/day        |
| Proposed: Single Family Dwelling (R-1) | 1 dwelling unit + 1 guest home | 9.44 trips/day (ITE code 210) x 2 | ± 20 trips/day        |

Source: ITE Trip Generation Manual, 10th Edition, LU Code 210-Single Family Detached Housing

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of approximately 150 gallons per person per day for residential demand and 2,750 gallons per acre per day for non-residential demand. Given that no additional residential development is proposed at this time, both the existing and proposed zoning would result

in a maximum water demand of 600 gallons per day, assuming a four-person household.

The property is currently within the City of Belleview Service Area. Whether any new development will require connection to the central water system or an individual well will be determined at the time of permit review. Based on the above findings, if approved, the potable water impacts of the rezoning request **would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of approximately 110 gallons per person per day for residential demand and 2,000 gallons per acre per day for commercial and industrial demand. Given that no additional residential development is proposed at this time, both the existing and proposed zoning would result in a maximum wastewater demand of 440 gallons per day, assuming a four-person household.

The property is currently within the City of Belleview Service Area. Whether any new development will require connection to the central wastewater system or an individual septic system will be determined at the time of permit review. Based on the above findings, if approved, the wastewater impacts of the rezoning request **would not adversely affect the public interest.**

4. Solid waste impacts. SWE Policy 1.1.1 provides "The LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person per day. Given that no additional residential development is proposed at this time, both the existing and proposed zoning would generate about 24.8 pounds of solid waste per day, assuming a four-person household. Since the proposed zoning change would not significantly increase the residential development of the site, the request's **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. Given that no residential development is proposed at this time, the recreation impacts of the rezoning request **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 is indicated to be entirely within FEMA flood zone X. No residential development is proposed at this time; however, any re-development of the site that undergoes Marion County's development review processes will be required to comply with a 100-year frequency 24-hour duration design storm. The site would also be subject to the Major Site Plan review process if the proposed impervious coverage exceeds 9,000 SF. Given its location within the Primary Spring Protection Zone, any

development on this site shall be subject to additional restrictions, as indicated by LDC Sec. 5.4. Based on the above, the stormwater/drainage impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

7. Fire rescue/emergency services. The Silver Springs Shores Fire Station #17, located at 2122 Pine Road, Ocala, FL 34472 is roughly 5.6 miles (by automobile) northeast of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Staff has established a 5-mile drive time from the subject property as evidence of the availability of such services; however, no comment was received from Marion County Fire Rescue. Based on the above, the fire rescue/emergency impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
8. Law enforcement. The nearest Sherriff substation is located roughly five (5) miles (by automobile) west of the subject property at 3260 SE 80th St, Ocala, FL 34480. The Comprehensive Plan does not establish a level of service standard for law enforcement services; however, staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, the law enforcement impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
9. Public schools. The proposed zoning change, if approved, would allow the same amount of residential development as the existing zoning classification. Therefore, the public schools impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

When weighing the totality of the circumstances, **the public interest will not be adversely affected** if this rezoning request is approved.

C. *Consistency with the Comprehensive Plan*

1. **Policy 2.1.8** on Medium Residential (MR) provides, "This land use designation is intended to recognize areas suited for primarily single-family residential units within the UGB, PSAs and Urban Area. However, the designation allows for multifamily residential units in certain existing developments along the outer edges of the UGB or Urban Area. The density range shall be from one (1) dwelling unit per one (1) gross acre to four (4) dwelling units per one (1) gross acre, as further defined in the LDC. This land use designation is an Urban Area land use."

**Analysis:** The subject site is designated as Medium Residential (MR) and the applicant indicates no plans for additional residential development (through an additional guest home), maintaining a density of approximately one (1) dwelling unit per one (1) acre, thereby meeting allowable density

requirements of up to four (4) dwelling units per acre. This use thus aligns with the intent of the Medium Residential use and is **consistent** with Policy 2.1.8.

2. **FLUE 3.1.2** on Planning Principles within UGB provides, "The County shall implement long-term planning principles to guide the creation of land use policy and development regulations within the County, which shall be implemented through the policies contained in the County Comprehensive Plan and as further defined in the LDC. These principles shall include:
- (1) Preserve open space, natural beauty and critical environmental areas.
  - (2) Allow for a mix of land uses to create compact residential, commercial, and employment hubs.
  - (3) Strengthen and direct development towards existing communities and development.
  - (4) Encourage compact and mixed use building design.
  - (5) Foster distinctive, attractive communities with a strong sense of place.
  - (6) Create walkable and linked neighborhoods.
  - (7) Create a range of housing opportunities and choices.
  - (8) Provide a variety of transportation choices.
  - (9) Encourage community and stakeholder collaboration.
  - (10) Make development decisions predictable, fair and cost effective
  - (11) Encourage interconnected development, multi-modal transportation opportunities, links to the surrounding neighborhoods, and alternative transportation routes.
  - (12) Establish priority areas for public facility and service infrastructure"

**Analysis:** The subject parcel is less than a half-mile distance from nearby commercial properties, including a convenience store. At the same time, the proposed zoning change is requesting a zoning classification that theoretically allows for more dense residential development compared to the existing rural agricultural zoning—all within the existing UGB. This is consistent with Comprehensive Plan intentions for areas within the Urban Growth Boundary. Therefore, this rezoning request meets the criteria above and is **consistent** with FLUE Policy 3.1.2.

3. **FLUE Policy 4.1.1** on Consistency between Comprehensive Plan, Zoning, and LDC provides, "The County shall amend and maintain an official land use and zoning map, appropriate land use designations and zoning classifications, and supporting LDC that shall be consistent with each other."

**Analysis:** In this situation, the proposed residential zoning is more compatible with the Future Land Use designation granted to the parcel than the existing agricultural zoning classification. The proposed rezoning would thus bring the parcel in to compliance with the governing document, the Comprehensive Plan. As such, the proposed rezoning would be **consistent** with FLUE Policy 4.1.1.



This application is not proposing to change the Future Land Use (FLU) designation. Given the subject property's location, this application would neither expand nor create an urban area outside the Urban Growth Boundary (UGB).

4. **FLUE Policy 5.1.3** on Planning and Zoning Commission provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

**Analysis:** The proposed zoning change is scheduled for consideration on May 28, 2025 by the Planning and Zoning Commission. Therefore, the application is **consistent** with FLUE Policy 5.1.3.

5. **FLUE Policy 5.1.4** on Notice of Hearing provides, "The County shall provide notice consistent with Florida Statutes and as further defined in the LDC."

**Analysis:** Public notice has been provided as required by the LDC and Florida Statutes and, therefore, the application is being processed **consistent** with FLUE Policy 5.1.4.

Based on the above findings, granting the proposed rezoning request **is consistent with the Comprehensive Plan**.

## V. ALTERNATIVE ACTIONS

- 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 **DENY** the rezoning amendment.
- B. 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 **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 & Zoning Commission 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 **APPROVE** the proposed rezoning because approving the application:

- A. Will not adversely affect the public interest;
- B. Is consistent with the Comprehensive Plan provisions because it is in conformance with FLUE Policies 2.1.8, 3.1.2, 4.1.1, 5.1.3, and 5.1.4;  
  
and
- C. Is compatible with the surrounding uses because the proposed zoning change better reflects the existing residential character of the area, while not increasing the maximum density permitted on this property given its size.

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

To be determined. Scheduled for May 28, 2025, at 5:30 PM hearing.

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

To be determined. Scheduled for June 16, 2025 at 1:00 PM.

## **IX. LIST OF ATTACHMENTS**

- A. Application
- B. DRC Comments Letter
- C. Site Photos