



Marion County

Development Review Committee

Meeting Minutes

412 SE 25th Ave
Ocala, FL 34471
Phone: 352-671-8686

Monday, March 4, 2024

9:00 AM

Office of the County Engineer

MEMBERS OF THE PUBLIC ARE ADVISED THAT THIS MEETING / HEARING IS A PUBLIC PROCEEDING, AND THE CLERK TO THE BOARD IS MAKING AN AUDIO RECORDING OF THE PROCEEDINGS, AND ALL STATEMENTS MADE DURING THE PROCEEDINGS, WHICH RECORDING WILL BE A PUBLIC RECORD, SUBJECT TO DISCLOSURE UNDER THE PUBLIC RECORDS LAW OF FLORIDA. BE AWARE, HOWEVER, THAT THE AUDIO RECORDING MAY NOT SATISFY THE REQUIREMENT FOR A VERBATIM TRANSCRIPT OF THE PROCEEDINGS, DESCRIBED IN THE NOTICE OF THIS MEETING, IN THE EVENT YOU DESIRE TO APPEAL ANY DECISION ADOPTED IN THIS PROCEEDING.

1. ROLL CALL

MEMBERS PRESENT:

Michael Savage Chairman (Building Safety Director)
Ken McCann, Vice Chairman (Fire Marshal)
Steven Cohoon (County Engineer)
Chuck Varadin (Growth Services Director)
Jody Kirkman (Utilities Director)

OTHERS PRESENT:

Ken Odom (Planning/Zoning)
Ken Weyrauch (Planning/Zoning)
Alice Webber (Planning/Zoning)
Susan Heyen (Landscape/Parks)
Heather Ringo (Office of the County Engineer)
Riley Jones (Office of the County Engineer)
Alexander Turnipseed (Office of the County Engineer)
Kevin Vickers (Office of the County Engineer)
Don Watson (Office of the County Engineer)
Brittney Murphy (Office of the County Engineer)
Kristen Savage (Office of the County Engineer)

2. PLEDGE OF ALLEGIANCE

3. ADOPT THE FOLLOWING MINUTES:

3.1. February 26, 2024

Motion by Ken McCann to approve the minutes, seconded by Jody Kirkman

Motion carried 5-0

4. PUBLIC COMMENT: None

5. CONSENT AGENDA: STAFF HAS REVIEWED AND RECOMMENDS APPROVAL

5.1. **SWC US Hwy 301 & SE Hwy 42 - Major Site Plan**
Project #2017110012 #29798
Native Engineering

5.2. **Heagy Burry Boat Ramp Improvements - Major Site Plan Revision**
Project #2014030034 #30905
Kimley-Horn & Associates

5.3. **Freedom Library Expansion - Major Site Plan**
Project #2023040045 #29998
Kimley-Horn & Associates

5.4. **Utopia - PUD Master Plan**
Project #2006020032 #28998
Tillman & Associates Engineering

5.5. **9022-0459-04 - Waiver Request to Water Connection**
Project #2019110129 #31206
Parcel #9022-0459-04 Permit #2023021455
Jen Homes

LDC 6.14.2.B(1)(a) - Water Connection

CODE states New Single Family Residential and Duplex Construction. (1) Water system. (a) New single family residential in the Urban or Rural area shall connect to a centralized water system with available capacity if a water line is within a connection distance of 400 feet.

APPLICANT states water main extension applied for 2/14/23 and is not finalized. Home is built, pending driveway and final inspections waiting on water. Due to jack-and-bore, MCU advises several more months before water can be bid and constructed. Homeowner is living with family waiting on the house to be C/Od and is desperate to finalize. Requesting waiver to connect to public water and install an onsite domestic well.

5.6. Fagundo Dasier - Waiver Request for Family Division
Project #2024020017 #31126 Parcel #15840-000-03
Transcending Capital

LDC 2.16.1.B(10) - Family Division

CODE states Family Division. A parcel of record as of January 1, 1992 that is located in the Rural Land may be subdivided for use of immediate family members for their primary residences. Within the Farmland Preservation area, each new tract and the remaining parent tract must be at least three (3) acres in size. Within the Rural Land outside of the Farmland Preservation area each new tract and the remaining parent tract must be at least one acre in size. In the Urban Area, only parcels of record as of January 1, 1992 which are low density residential property exceeding two acres in size may be divided for the use of immediate family members for their primary residences up to the maximum density of one dwelling unit per gross acre. Immediate family is defined as grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child, or grandchild. A parcel of record shall not be allowed to be divided more than three times as a family division. Minimum access onto a road or street shall be 40 feet in width and shall be provided by recorded deed or by recorded non-exclusive easement. No subdivision to the same family member more than once every five years shall be permitted. Any subdividing of a parcel of record for the purpose of family division shall follow the waiver request process.

APPLICANT requests family division as the parcel was divided when purchased and was going to build homes for the family to live together. We found out that the parcel was illegally divided by previous owners so we are having to combine the parcel's and split again.

5.7. Fraser, Aubrey N - Waiver Request for Family Division
3565 W HWY 316 Reddick
Project #2019090108 #31185 Parcel #06748-000-00
Jacque Fraser

LDC 2.16.1.B(10) - Family Division

CODE states Family Division. A parcel of record as of January 1, 1992 that is located in the Rural Land may be subdivided for use of immediate family members for their primary residences. Within the Farmland Preservation area, each new tract and the remaining parent tract must be at least three (3) acres in size. Within the Rural Land outside of the Farmland Preservation area each new tract and the remaining parent tract must be at least one acre in size. In the Urban Area, only parcels of record as of January 1, 1992 which are low density residential property exceeding two acres in size may be divided for the use of immediate family members for their primary residences up to the maximum density of one dwelling unit per gross acre. Immediate family is defined as grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child, or grandchild. A parcel of record shall not be allowed to be divided more than three times as a family division. Minimum access onto a road or street shall be 40 feet in width and shall be provided by recorded deed or by recorded non-exclusive easement. No subdivision to the same family member more than once every five years shall be permitted. Any subdividing of a parcel of record for the purpose of family division shall follow the

waiver request process.

APPLICANT requests family division to give 4.0 acres to daughter. This is the second family division from this parent parcel.

Motion by Jody Kirkman to approve items 5.1 through 5.7 on the consent agenda, seconded by Ken McCann

Motion carried 5-0

6. SCHEDULED ITEMS:

- 6.1. Romeo Acres - Waiver Request to Agricultural Lot Split in Review**
20149 SW 36TH ST Dunnellon
Project #2022120049 #29544
Parcel #17369-011-00, 17369-012-00, 01736-012-00, 17369-011-08,
17369-011-05, 17369-011-09, 17369-011-04, 17369-011-01, 17369-011-02
Radcliffe Engineering

DRC approved on 2/26/24. The motion was to approve subject to providing a certified turning analysis that's supports the 20-foot driveway with 25-foot radius. The motion carried 5-0.

Applicant requests clarification of the motion.

Below was the original request:

LDC 6.11.5.C(6) - Driveway Access

CODE states Commercial driveways shall be at minimum 24 feet wide within the right-of-way and have a 25-foot radius. The Office of the County Engineer may require wider driveway and radius for commercial properties with heavy truck traffic. Equivalent flare will be allowed if the projected traffic volume for the driveway is less than 600 trips per day and curb and gutter exist.

APPLICANT requests waiver for modified residential driveway in lieu of commercial driveway. Residential driveway sizing is more appropriate for this rural location serving a maximum of only 4 residential lots. Proposed 12-foot driveway width is an upgrade from minimum residential driveway requirements.

Motion by Jody Kirkman to rehear, seconded by Chuck Varadin

Motion carried 4-1 with Steven Cohoon voting in opposition

Motion by Michael Savage to affirm the previous motion, seconded by Jody Kirkman

Motion carried 5-0

6.2. Aurora Oaks Phase 1 (aka: Calibrex) - Waiver Request to Improvement Plan in Review

**Project #2023040027 #30290 Parcel #35460-012-01
Tillman & Associates Engineering**

LDC 6.12.11. - Turn lanes

CODE states Turn lanes shall be required as warranted by the project's Traffic Impact Analysis and in accordance with FDOT or as approved by the County Engineer. In addition, turn lanes shall be considered any time an unsafe condition exists or will be created. The cost of construction of such lanes shall be the responsibility of the developer. Additional right-of-way may be required and shall be dedicated by the developer and shown on the Improvement Plans and Final Plat. Any off-site improvement designs shall be submitted as an Improvement Plan application.

APPLICANT requests waiver to receive Aurora Oaks Phase 1 Improvement Plan approval prior to the Offsite SW 59th Street/SW 60th Ave turn lane improvement plan approval. The off-site turn lane will be constructed prior to first CO within Aurora Oaks Phase 1. All other traffic comments have been addressed.

Motion by Steven Cohoon to approve the waiver contingent on timing of submittal for offsite improvement deliverables to be received and approved by staff including timing of construction at the intersection in question as it related to the other development that also has to do improvements at the same intersection, seconded by Jody Kirkman

Motion carried 4-1 with Michael Savage voting in opposition

6.3. Highland Belleview East - Waiver Request to Improvement Plan in Review

**7730 E Hwy 25 Belleview
Project #2011080002 #31005 Parcel #39196-003-01
Tillman & Associates Engineering**

LDC 6.13.6.A(3)(c) Stormwater Quality Criteria

CODE states dry retention systems that have a depth of six feet or less, measured from top of bank to pond bottom, with side slopes that are no steeper than 4:1 and sodded bottoms

APPLICANT requests a waiver is requested for 7' pond depths. The proposed ponds are 7' deep with 4:1 sodded side slopes and bottoms. The additional 1' of pond depth is not a significant departure from code criteria, which limits pond depths to 6'. The ponds were sized to retain back-to-back 100-year/24-hour storms without discharge. Additionally, ponds meet SJRWMD treatment volume recovery criteria.

Motion by Steven Cohoon to approve the waiver request, seconded by Jody Kirkman

Motion carried 5-0

LDC 6.12.12.D Sidewalks

CODE states at the discretion of the Development Review Committee, in lieu of construction along external streets, the developer may pay a sidewalk fee to the County in an amount necessary to complete construction. This amount shall be

determined by the project engineer and approved by the County with payment required prior to final plan approval. The County may use these funds toward the construction of sidewalks throughout the County based on priorities established by the Board.

APPLICANT requests waiver to pay a fee in lieu of constructing the sidewalk along C-25.

Motion by Michael Savage to approve the waiver request to pay the fee in lieu along C-25, seconded by Ken McCann

Motion carried 5-0

LDC 2.12.8 Current Boundary and Topographic Survey

CODE states Current boundary and topographic survey (one-foot contour intervals extending 100 feet beyond the project boundary) based upon accepted vertical datum. Surveys will be less than 12 months old and accurately reflect current site conditions, meeting standards set forth in Ch. 5J-17 FAC. Alternate topographic data may be accepted if pre-approved by the Marion County Land Surveyor.

APPLICANT requests a waiver is requested for survey more than 1 year old and using LiDAR for offsite areas. Site topography is consistent with the survey provided which was performed by JCH Consulting Group on 6/24/2022.

Motion by Steven Cohoon to approve the waiver request, seconded by Michael Savage

Motion carried 5-0

LDC 6.12.2.A Right-of-way Width

CODE states Right-of-way shall be platted or dedicated, meeting the minimum right-of-way width established in Table 6.12-1, to provide for the necessary access and other needed infrastructure improvements supporting the proposed development. Right-of-way can be provided by easement if approved by DRC.

APPLICANT requests a waiver as roadways will remain private & row width will be 30' wide with a 15' drainage and utility easement for a total width of 60'. This project is located within the City of Belleview Utility jurisdiction and they have accepted the proposed r/w and easement configuration.

Motion by Michael Savage to approve subject to providing a written acceptance letter or email from City of Belleview of the proposed Right of Way and easements, seconded by Jody Kirkman

Motion carried 5-0

LDC 6.13.3.D(1) Types of Stormwater Management Facilities

CODE states residential subdivisions. Retention/detention areas shall have side slopes no steeper than 4:1 (horizontal: vertical) with a minimum berm width of 12 feet stabilized at six percent grade maximum around the entire perimeter of the facility. Side slopes steeper than 4:1 may be allowed with additional accommodations related to public safety, maintenance, and access upon approval by the County Engineer or his designee.

APPLICANT requests a waiver to reduce berm width from 12' to 5'. The ponds will be privately owned and maintained by a HOA.

Motion by Jody Kirkman to approve the waiver request, seconded by Ken McCann

Motion carried 5-0

LDC 7.1.3.J(1)(b) Drainage Construction Specifications

CODE states the use of reinforced concrete pipe shall conform to FDOT Standard Specifications. Other pipe material may be allowed if on the FDOT Qualified Products List (QPL), and with the approval of the County Engineer. For projects that are to be maintained by the County, justification for use of material other than reinforced concrete pipe shall include, but not be limited to data and values of water levels, soil conditions, resistivity, pH, chlorides and sulfates. For County projects, a value engineering proposal shall be provided with the justifications for the use of other than reinforced concrete pipe.

APPLICANT requests a waiver to use alternate pipe materials in lieu of RCP. Pipe material will be high-performance polypropylene (PP) or high-density polyethylene (HDPE).

Waiver was withdrawn. Applicant can request this deviation through a letter to the County Engineer.

Motion by Ken McCann to acknowledge remaining comments and resubmittal within 30 business days, seconded by Michael Savage

Motion carried 5-0

7. CONCEPTUAL REVIEW ITEMS: None

8. DISCUSSION ITEMS:

**8.1. Project naming similar to others already in existence, specifically Midway Point (AR 29062, Parcel ID 9007-0101-15)
Dr. Yousaf**

The Betungas LLC is the legal owner of the trademarks and service marks issued by Florida Department of State for:

- 1) Midway Pointe
- 2) Midway Pointe Homes
- 3) Midway Pointe Apartments
- 4) Midway Pointe Townhomes

DRC cannot take action on this and have directed the applicant to contact the United States Patent and Trademark Office.

**8.2. Stormwater Controls Acknowledgement Form
Office of the County Engineer**

Brief discussion regarding use of the form.

9. OTHER ITEMS: None

Motion by Michael Savage to adjourn, seconded by Steven Cohoon

Motion carried 5-0

10. ADJOURN: 9:57 am

Michael Savage, Chairman

Attest:

Kristen Savage
OCE Customer Service Specialist