

RESOLUTION NO. 26-R-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A ZONING CHANGE ON AN OVERALL ±31.13 ACRE PARCEL FOR BACKHOE BOYS, LLC, ZONING CASE NUMBER 260607ZC; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Planned Unit Development was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on May 27, 2026; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, June 16, 2026. Now, therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

1. **SECTION 1. ZONING CHANGE APPLICATION 260607ZC – Backhoe Boys, LLC**, the application requesting to amend the existing Planned Unit Development, Articles 2 and 4 of the Marion County Land Development Code, as submitted by David Tillman with Tillman & Associates Engineering, LLC, Ocala, FL 34471, to allow for a maximum proposed total of 321 residential units, and to modify lot sizes, amenities, and reduce front setback requirements to 20' (feet), on an approximate 82.05 Acre Tract, on Parcel Account Numbers 14973-000-00 and 14971-001-00, Site Address 5823 NE Jacksonville Road, Ocala, FL 34479

SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS. The Board of County Commissioners has considered the recommendation and findings of the Growth Services staff and the Planning and Zoning Commission regarding approval of the Planned Unit Development, and following public comment, the Board agrees with those affirmative findings and approves the Planned Unit Development subject to the following development conditions:

1. **[Modified]** The PUD shall consist of 261 single-family detached residential (SFR) dwelling units, up to a maximum total of 316 units, provided consistent with the Concept Plans listed development standards.
2. Any RV/Boat storage area shall be provided internal to the PUD and set back a minimum of 100' from any external PUD boundary.
3. Prior to completion and approval of the final PUD Master Plan, or equivalent, an updated project Traffic Study shall be completed, and adequate provisions shall be made to provide for the dedication of thoroughfare and major local collector rights-of-way along with necessary supporting transportation system and/or access improvements, consistent with applicable County and State provisions.

4. **[Modified]** Development of the PUD shall provide for full connected access (vehicular and multi-modal) to the adjoining Courtney Acres and Fore Acres North Subdivisions, with the final connection details established with the final PUD Master Plan, including demonstrating that the interconnected access points are not gated and allow all interconnected access to reach NE Jacksonville Road.
5. The PUD shall comply with the minimum provision of 16.06 acres of total open space as shown on the PUD Conceptual Plan.
6. Buffers shall be provided consistent with the buffers as provided on the PUD Conceptual Plan and be installed by completion of final plat approval.
7. **[New Condition]** Modified E-Type buffer shall include a 6' vinyl fence as was provided in the approved 2022 Conceptual Plan and shall be installed by completion of final plat approval.
8. The final PUD Master Plan, or equivalent, shall provide final amenity provision details (clubhouse, pool, playground, play area, etc.) demonstrating the amenities comply with national home builder association residential community amenity package practices and rates and the minimum amenities established by the PUD Conceptual Plan, whichever is greater.
9. **[New Condition]** Accessory uses allowed as in R-1 with the exception of single-family guest cottage/apartment.
10. Typical section provided with conceptual plan does not meet LDC requirements. The final interior roadway cross-section shall be determined with the review and consideration of the final PUD Master Plan, wherein an increased width greater than 30' may be required to address specific design needs; in the event the applicant and the Development Review Committee disagree regarding any final width, the applicant may appeal the decision of the DRC to the Board of County Commissioners as part of the final PUD Master Plan review noted in Condition #12 below.
11. Any access & utility easement(s) along the site boundaries shall be placed internally so as to not conflict with any buffer along that boundary.
12. The final PUD Master Plan, or equivalent, shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes Zoning Application notice provisions at the applicant's expense

SECTION 3. COMPLIANCE/REVOICATION. Violation or failure to comply with one or more conditions of this Planned Unit Development shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon the effective date of this Zoning Change's corresponding Rezoning Ordinance, **No. 26-** .

DULY ADOPTED in regular session this 16th day of June 2026.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**

GREGORY C. HARRELL, CLERK

CARL ZALAK, III, CHAIRMAN