



**Marion County
Board of County Commissioners**

Growth Services

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

**PLANNING & ZONING SECTION
STAFF REPORT**

P&Z Date: 11/24/2025	BCC Date: 12/15/2025
Case Number	251206SU
CDP-AR	33442
Type of Case	Special Use Permit for on-site sale and consumption of alcoholic beverages within 1,000 feet of a church, school or public park
Owner	JRB Property Management, L.L.C.
Applicant	Wises Enterprises, L.L.C.
Street Address/Site Location	13490 E Highway 25, Ocklawaha FL 32179
Parcel Number(s)	4879-004-043
Property Size	±0.21 AC
Future Land Use	Commercial (COM)
Existing Zoning Classification	Regional Business (B-4)
Overlays Zones/Special Areas	Secondary Springs Protection Zone (SSPZ), Lake Weir Environmentally Sensitive Overlay Zone (ESOZ)
Staff Recommendation	DENIAL
P&Z Recommendation	APPROVAL WITH CONDITIONS (4-2)
Project Planner	Jared Rivera-Cayetano
Related Cases	N/A

I. ITEM SUMMARY

Wises Enterprise, L.L.C, on behalf of JRB Property Management, L.L.C, filed a Special Use Permit (SUP) application for a ±0.21-acre property with a zoning classification of Regional Business (B-4). The property owner has leased a portion of the building on the subject property, designated as the first floor of the building, to the applicant. The subject property is located at 13490 E Highway 25, Ocklawaha FL 32179. The Parcel Identification Number for the subject property is 4879-004-043. Located within the Alada subdivision, the legal descriptions are provided within the Special Use Permit application (see Attachment A). The site is located outside the Urban Growth Boundary (UGB) and within the Secondary Springs Protection Zone (SSPZ). The intention of this Special Use Permit request is to allow the sales and consumption of alcoholic beverages within 1,000 feet of a church, school or public park. There are three (3) places of worship within 1,000 feet of the subject property. The applicant specifically plans to operate a Deli and Beer/Wine Tavern within the existing building on the subject property. The applicant has indicated licensing requirements related to food handling are either underway or have been approved; however, a Change of Occupancy application with the Building Safety department will still be required. The site will need to be brought up-to-code.

This building is dated to the year 1931. Staff finds that the site, as would be identified during permit review for a Change of Occupancy, may not accommodate the proposed commercial intensity given the size of the property and the current Land Development Code (LDC) provisions related to landscaping and especially parking.

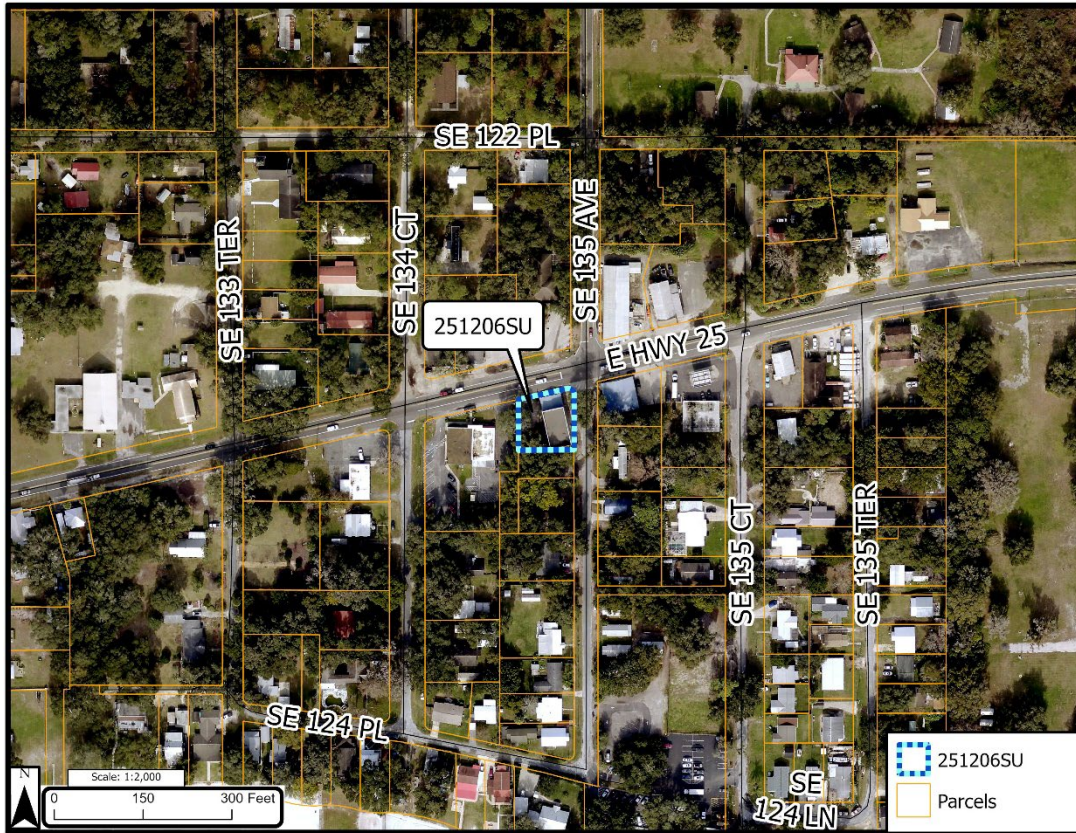
The applicant has since reduced the number of seats to forty-seven (47) and intends to provide an alternative parking plan (to accommodate motorcycles, bicycles, etc.). As of December 2, 2025, Staff has yet to receive a parking plan; however, the applicant has been actively discussing with Staff.

**To reflect changes since the Planning and Zoning Commission hearing, sections highlighted in Green have been added and ~~sections highlighted in Red have been removed~~.*

II. STAFF SUMMARY RECOMMENDATION

Staff recommends **DENIAL** at this time. Staff finds that the site—without the approval of waivers—would not accommodate the proposed commercial intensity given current Land Development Code (LDC) provisions related to landscaping and especially parking. Given existing site conditions, Staff finds the request is thus not consistent with the Marion County Comprehensive Plan, will adversely affect the public interest, and may or may not be compatible with the surrounding area. The conditions in Section VII of this report are recommended to address compliance with the requirements in the Marion County Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B. However, in the event that the Special Use Permit request is approved, the conditions in Section VII of this report are recommended to partially address compliance with the requirements in the Marion County Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B.

Figure 1
General Location Map



III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C, 2.7.3.B and 2.7.3.E to apply to SUP applications. Consistent with LDC Section 2.7.3.B., notice of public hearing was mailed to all property owners (115 owners) within 300 feet of the subject property on November 7, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on November 7, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on November 10, 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 this staff report, letters of opposition have been received from two (2) citizens.

IV. BACKGROUND/CHARACTER OF AREA

A. Existing Site Conditions.

Figure 1, above, is a general location aerial displaying existing and surrounding site conditions. Figure 2, below, displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

The area surrounding the subject property is characterized by a mix of residential and commercial uses. Several properties to the South of the subject property are used for residential purposes. Select properties to the Northwest of the subject property are used for institutional purposes. One (1) property (PID 4879-001-010), across E Highway 25, is currently used for utility purposes.

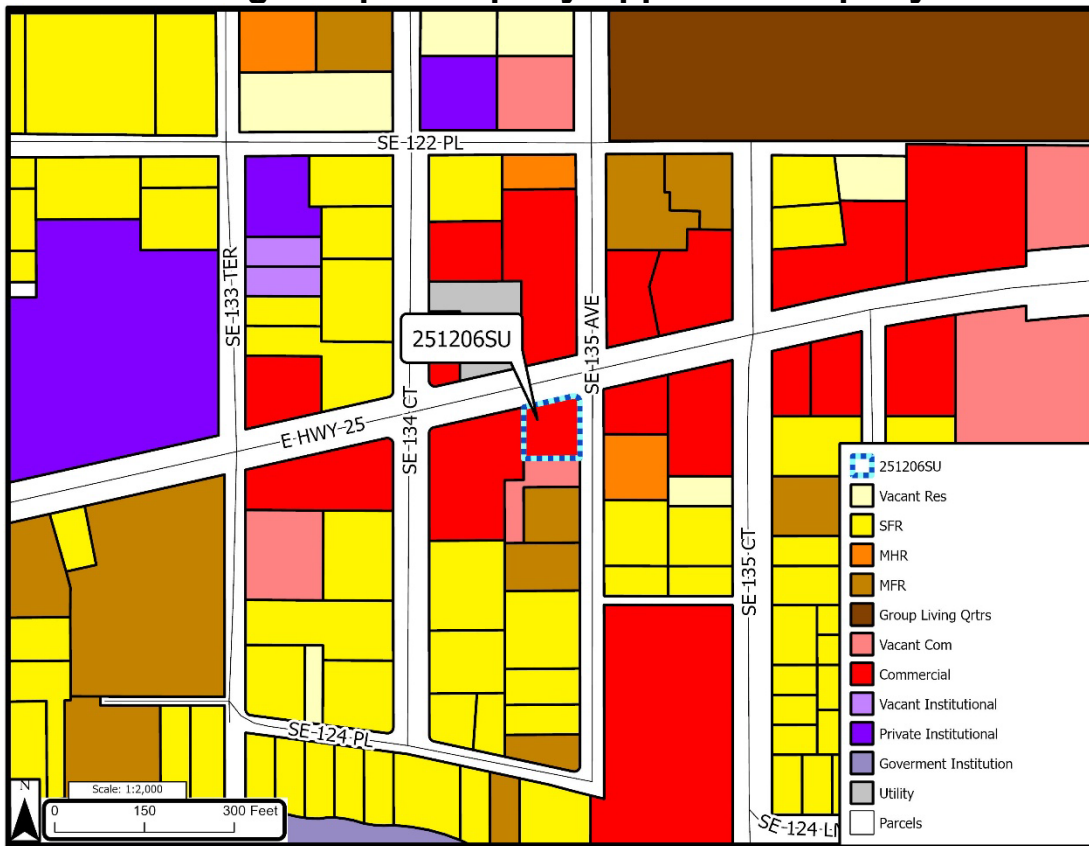
That said, along E Highway 25 in both the Alada subdivision and the nearby Parks subdivision, parcels are primarily characterized by *commercial* uses. Similar uses are nearby. Gator Joe's Beach Bar & Grill is located on a 2.29-acre property along SE 135th Avenue (PID 48723-000-00) and is directly adjacent to Lake Weir. There is a liquor store directly to the east of the subject property.

Staff conducted a site visit on November 7, 2025. Staff found that the subject property contains a single two-story building, dated to the year 1931 according to the Marion County Property Appraiser (MCPA). There is a parking lot—approximately 3,750 square feet in area—to the west of this building with approximately seven (7) parking blocks, including one (1) designated handicap parking space. Staff notes the parking lot is only composed of heavily compacted material at this time. There are several trees scattered in the parking lot.

A canopy structure extrudes from the building. Staff notes several tables under this canopy structure. Concrete surfaces extend to the intersection of E Highway 25 and SE 135th Avenue. There is a garbage container along SE 135th Avenue. A chain-link fence surrounds the southern and western subject property boundaries. No landscaping is located along E Highway 25. Site photos are attached to this report (see Attachment C).

Figure 3 provides zoning classification information while Figure 4 provides Future Lane Use (FLU) designation information for the area.

Figure 2
Existing Use per Property Appraiser Property Code

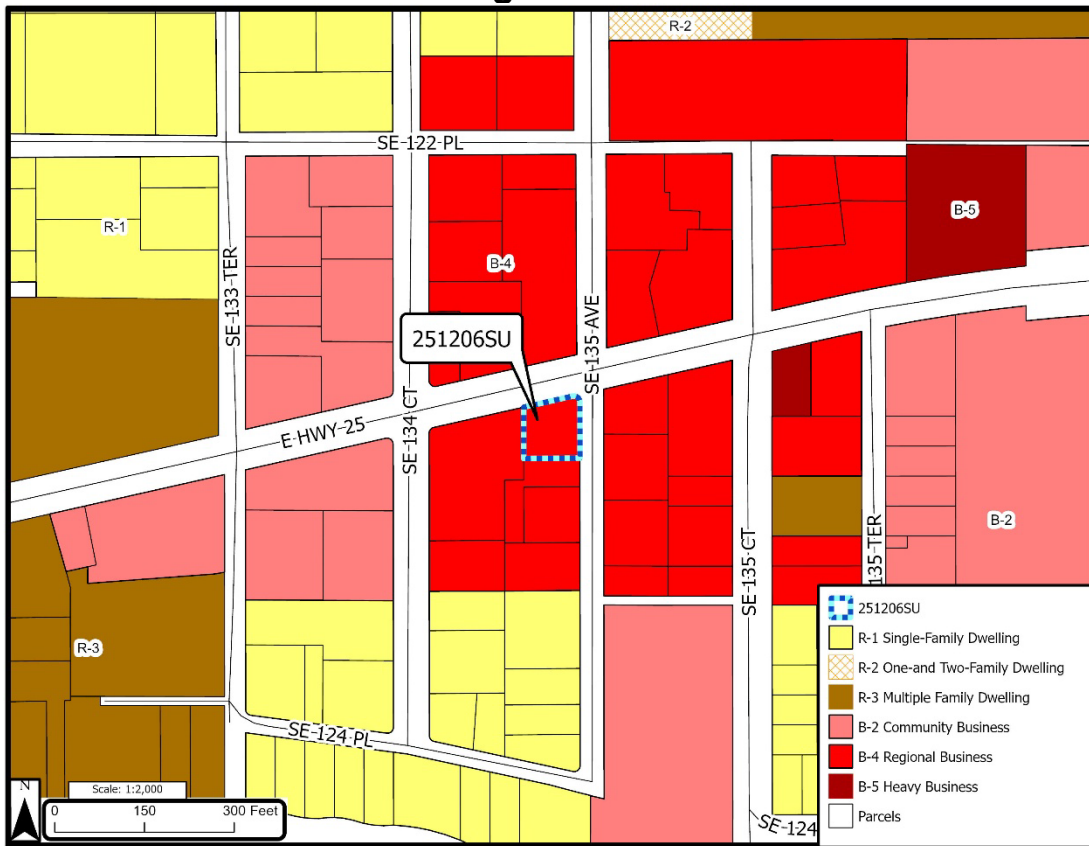


B. Zoning Classification.

Figure 2, below, displays the existing zoning classifications for the subject property in relation to the existing zoning classifications of the surrounding properties. In general, properties to the North, South, East, and West of the subject property—both within the Alada subdivision and the nearby Parks subdivision—are zoned for commercial uses.

That said, Staff notes select properties to the South of the subject property—within the existing Alada subdivision—are currently zoned Single-Family Dwelling (R-1).

Figure 3
Zoning Classification



C. FLUM Designation.

Figure 4, below, displays the existing Future Land Use (FLU) designation for the subject property in relation to the existing FLU designation of the surrounding properties. . In general, properties to the North, South, and West of the subject property—within the Alada subdivision—are designated as Commercial (COM). Likewise, Staff notes select properties to the South of the subject property—within the existing Alada subdivision—are designated as Medium Residential (MR).

Select properties to the East of the subject property—within the nearby Parks subdivision—are designated as High Residential; that said, existing commercial development within this subdivision may have been constructed prior to the adoption of the Marion County Comprehensive Plan in 1992 and prior to the adoption of Zoning in 1982.

The subject property is within the Secondary Springs Protection Overlay Zone (PSPOZ) and outside the Urban Growth Boundary (UGB), as established by the Marion County Comprehensive Plan. The subject property is located within the Lake Weir Environmentally Sensitive Overlay Zone (ESOZ).

**Figure 4
FLUMS Designation**

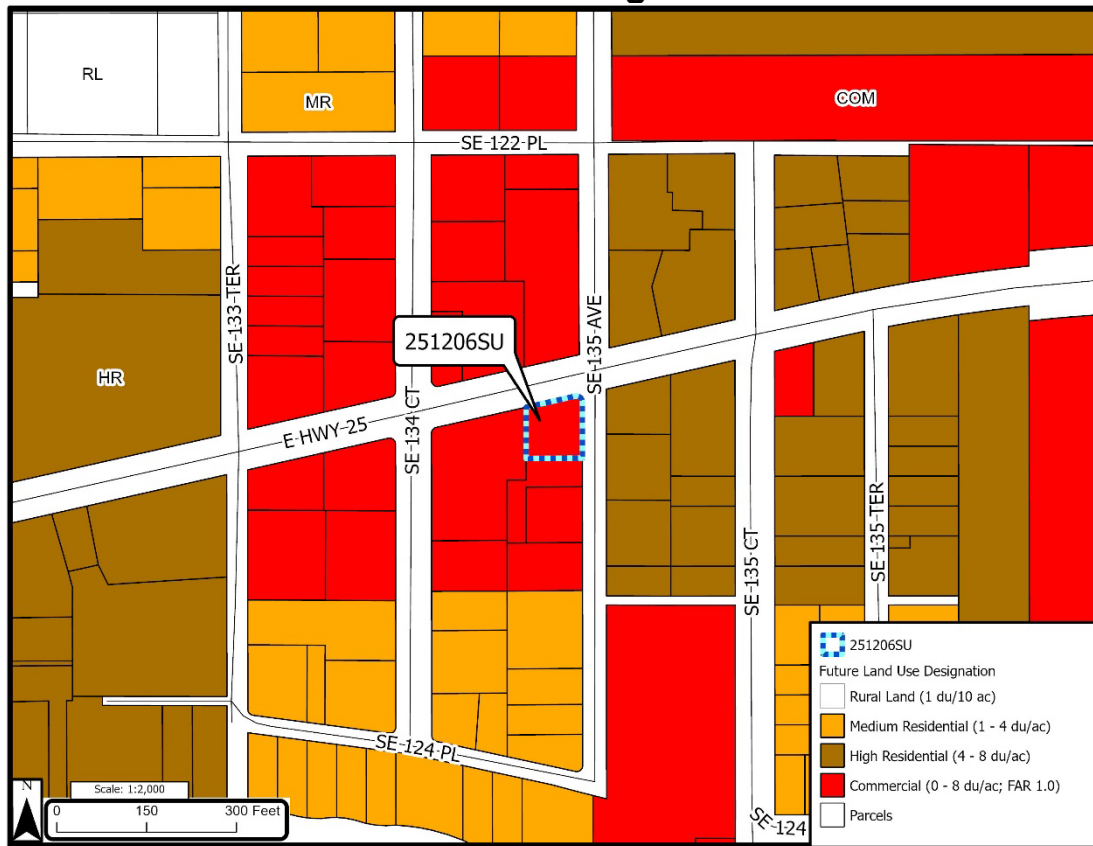


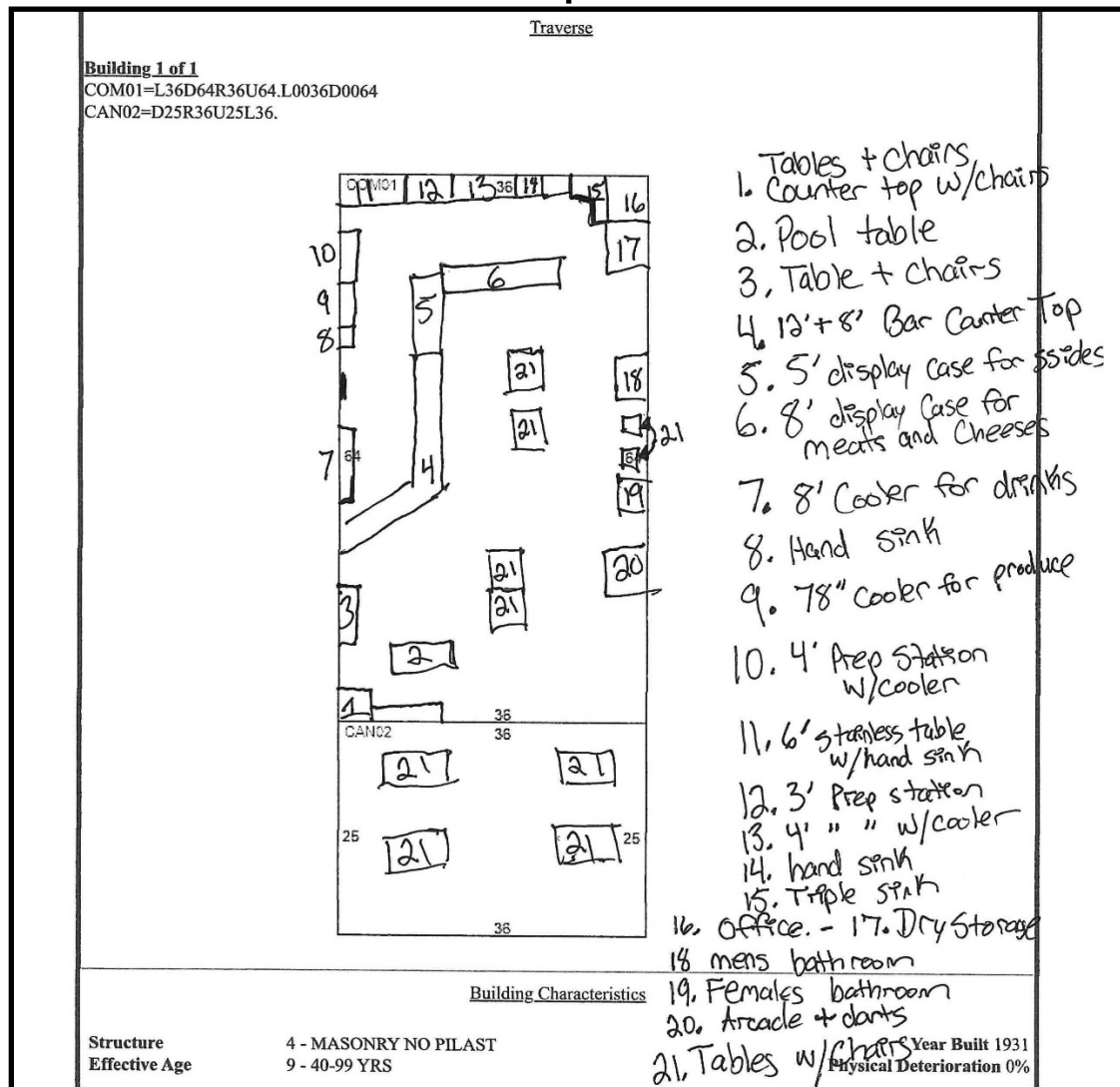
Table 1, above, assembles the information in Figures 2, 3, and 4 in tabular form. Figure 5, below, provides a concept plan for the requested special use. The applicant proposes ten (10) tables. The applicant has clarified that nine (9) tables will accommodate approximately four (4) seats. One (1) table will accommodate approximately sixteen (16) seats. An additional fourteen (14) bar seats are proposed. Other than the internal renovation of the building, the applicant does not propose any significant external improvements to the subject property.

The applicant has since reduced the number of seats to forty-seven (47) and intends to provide an alternative parking plan (to accommodate motorcycles, bicycles, etc.). As of December 2, 2025, Staff has yet to receive a parking plan; however, the applicant has been actively discussing with Staff.

**TABLE 1.
ADJACENT PROPERTY CHARACTERISTICS**

Direction	FLUM Designation	Zoning Classification	MCPA Existing Use
Subject Property	Commercial (COM)	Regional Business (B-4)	Commercial
North	Right-of-Way & Commercial (COM)	Right-of-Way & Regional Business (B-4)	Right-of-Way & Commercial
South	Commercial (COM)	Regional Business (B-4)	Vacant Commercial & Multi-Family Residential
East	Right-of-Way & High Residential (HR)	Right-of-Way & Regional Business (B-4)	Right-of-Way, Commercial & Mobile Home Residential
West	Commercial (COM)	Regional Business (B-4)	Commercial

Figure 5
Concept Plan



V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Commission shall make a written finding that granting the SUP will address nine specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

**Since the Planning and Zoning Commission hearing, conditions have been modified for clarity.*

- A. Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Analysis: The subject property currently has one (1) access point, located along E Highway 25. Staff notes the subject property does not contain a paved apron; however, the Office of the County Engineer (OCE) does not have traffic concerns with this Special Use Permit (SUP) request. E Highway 25 currently meets County Level of Service (LOS) standards for urban collector roadways.

Staff therefore concludes that the application **is consistent** with LDC provisions for ingress and egress.

- 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.*

Analysis: Staff notes the site had been previously utilized for less intensive commercial uses, including retail; the proposed use increases the required number of parking spaces and therefore necessitates a site plan through the formal development review process to bring the overall site up to the minimum standards of the Land Development Code.

The applicant specifically plans to operate a Deli and Beer/Wine Tavern within the existing building on the subject property. For restaurants and bars, Section 6.11.8 of the Marion County Land Development Code (LDC) requires one (1) parking space for every four (4) seats. In total, the applicant has proposed approximately sixty-six (66) seats, ordinarily necessitating seventeen (17) parking spaces. The LDC requires that all off-street parking space measure, at a minimum, nine (9) feet wide by eighteen (18) feet long. Furthermore, the LDC requires parking lots to provide a minimum aisle width of twenty-two (22) feet to accommodate two-way traffic.

There is currently a parking lot—approximately 3,750 square feet in area—within the western portion of subject property. There are approximately seven (7) parking blocks, including one (1) designated handicap parking space. That said, Staff notes that such spaces may or may not meet LDC standards for parking. Furthermore, the parking lot is not paved at this time and there are several trees scattered in the parking lot, thus limiting maneuverability within the site. Given the location of the existing building on the subject property and a limited parking area, Staff notes the possibility of commercial vehicle loading along the E Highway 25 right-of-way (ROW; see Attachment C).

The applicant has since reduced the number of seats to forty-seven (47) and would thus necessitate at least twelve (12) spaces. As of December 2, 2025, Staff has not yet received an alternative parking plan.

Staff therefore concludes that the application, unless waived through public hearing, **is not consistent** with LDC provisions for parking and loading. However, in the event that the Special Use Permit request is approved, Staff recommends the following condition(s) to partially mitigate parking/loading concerns:

- *The applicant shall apply for a site plan through the Development Review Committee within 60 days of approval. This site plan shall move forward in good faith. If the site plan is not approved within six (6) months of the approval of this Special Use Permit (SUP), then the Permit shall become void.*
- *Parking and loading activity associated with this Special Use shall occur within the subject property and shall be prohibited along the E Highway 25/SE 135th Avenue right-of-way.*
 - *Adequate ~~P~~arking, ~~including the number of spaces,~~ shall be provided ~~consistent with the Marion County Land Development Code (LDC),~~ as ~~modified~~determined through Development Review Committee (DRC)-approved waivers.*

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

Analysis: The applicant indicates waste removal will be contacted with Waste Pro. Staff notes there is a single garbage container along SE 135th Avenue.

Section 6.8.9 of the Marion County Land Development Code (LDC) requires that garbage collection areas provide a wall, buffer fencing, or landscaping capable of reaching a minimum height of six feet within three years. Although Staff does recognize site limitations, no screening is currently provided for the existing garbage receptacle (see Attachment C). Staff therefore concludes that, unless waived through public hearing, the application **is not consistent** with LDC Provisions for refuse and service area. Therefore, in the event that the Special Use Permit request is approved, Staff recommends the following condition(s) to partially mitigate buffering concerns:

- *Screening shall be provided for the garbage collection area ~~consistent with the Marion County LDC,~~ as ~~modified~~determined through Development Review Committee (DRC)-approved waivers.*

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

Analysis: The subject property is currently served by Duke Energy for electricity. The subject property is within Central States Water Resources (CSWR) service area. The applicant indicates the property is currently served by central potable water and an individual septic system. Staff notes that any septic system would be required to meet County, Department of Health (DOH), and/or Department of Environmental Protection (DEP) standards at the time of permit review.

Staff therefore concludes that the application **is consistent** with LDC provisions for utilities.

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

Analysis: The Marion County Land Development Code (LDC) includes several provisions to ensure *compatibility* between different land uses. As commercial use, Section 6.8.6 of the Marion County LDC does not require buffers on all property boundaries abutting commercially-zoned properties. Staff notes a fence is located along the western and southern property boundaries.

That said Section 6.8.6 of the Marion County LDC requires that a Type C buffer—composed of a 15-foot landscape strip without a buffer wall—be provided along E Highway 25, a collector roadway. Although existing site limitations would render any tree plantings impractical, no landscaping exists along E Highway 25. Staff therefore concludes that, unless waived through public hearing, the application **is not consistent** with LDC provisions for screening and buffering. Therefore, in the event that the Special Use Permit request is approved, Staff recommends the following condition(s) to partially mitigate buffering concerns:

- ~~A Type C buffer~~Buffering shall be provided along E Highway 25, as ~~modified~~determined through Development Review Committee (DRC)-approved waivers.

*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 free-standing sign currently exists, nor is one proposed, within the subject property. Additional outdoor lighting is not proposed, but if it is found that lighting needs to be added, a photometric plan will be provided in accordance with the Marion County LDC. Staff therefore concludes that the application **is consistent** with LDC provisions for signs and exterior lighting.

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

Analysis: Staff notes the subject property currently has 3,578 square feet of impervious surfaces, as accounted by the Marion County Property Appraiser (MCPA). The parking lot is composed of a heavily compacted material at this time. Staff therefore finds there is limited green space within the subject property.

In the event that the Special Use Permit is approved, Staff conditions related to Buffers have been proposed. Upon any further development of the subject property, a site plan would be required, whereby landscaping/open space as required by the Marion County Land Development Code would be determined. Staff therefore concludes that the application **may or may not be consistent** with LDC provisions for green space.

*H. Provision for general **compatibility** with adjacent properties and other property 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 a general location aerial displaying existing and surrounding site conditions. Figure 2 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

In general, the area surrounding the subject property is characterized by a mix of residential and commercial uses. That said, along E Highway 25 in both the Alada subdivision and the nearby Parks subdivision, parcels are primarily characterized by commercial uses.

The building on the subject property has existed since 1931, according to the Marion County Property Appraiser (MCPA). The building is approximately twenty-five (25) feet in height. Nearby residential properties with an R-1 zoning have a maximum building height of forty (40) feet.

In the event that the Special Use Permit is approved, Staff conditions related to Buffers have been proposed. That said, the following condition(s) are recommended to further mitigate compatibility concerns:

- *The site shall be developed and operated consistent with the concept plan.*
- *The Special Use Permit shall expire on December 15, 2028; however, it may be renewed administratively three times for five years each by written instrument signed and issued by the Growth Services Director (or designee), 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 feet 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; and/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 equivalent review process at the time).*

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

Analysis: Section 4.3.4.A prohibits the on-site sale and consumption of alcoholic beverages within 1,000 feet of any church, school, or public park, unless approved by Special Use Permit pursuant to LDC Section 4.3.4.K.

Staff notes both restaurants and bars would otherwise be permitted in properties zoned as Regional Business (B-4), with alcoholic beverages, including hours of sale, regulated under Chapter 3 of the Marion County Code of Ordinances. Furthermore, along E Highway 25 in both the Alada subdivision and the nearby Parks subdivision, parcels are primarily characterized by *commercial* uses. Staff notes similar uses related to the sale of alcoholic beverages are nearby.

Staff notes that—upon any further development of the subject property—a site plan will be required, whereby all new impervious surfaces shall be evaluated according to County stormwater management standards, as waived by the Development Review Committee (DRC). The applicant has only proposed internal improvements at this time.

- *The Special Use Permit shall run with the lessee, Wises Enterprises, L.L.C. and shall terminate upon the closure or sale of the business.*
 - *The lessee shall obtain all applicable license(s) for the sale of alcoholic beverages from the State of Florida. The lessee shall provide a copy to the Marion County Growth Services Department before the commencement of sales.*
 - *A new Certificate of Occupancy shall be required before the commencement of sales.*
- *The sale and on-site consumption of alcoholic beverages shall be limited to the hours of 7:00 AM and 2:00 AM each day, unless otherwise prohibited by the Marion County Code of Ordinances.*

J. Consistency with the Comprehensive Plan.

1. **FLUE Policy 2.1.5** on Permitted and Special Use provides, “The County shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.”

Analysis: LDC Section 4.3.4.A prohibits the on-site sale and consumption of alcoholic beverages within 1,000 feet of any church, school, or public park, unless approved by Special Use Permit pursuant to LDC Section 4.3.4.K.

That said, assuming a property is more than 1,000 feet from any church, school, or public park, Staff notes both restaurants and bars would otherwise be permitted in properties zoned as Regional Business (B-4). Furthermore, the subject property is designated as Commercial (COM).

This application **is thus consistent** with FLUE Policy 2.1.5, provided that all previously-listed conditions are met.

2. **Policy 2.1.22** on Commercial (COM) provides, "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. The density range shall be up to eight (8) dwelling units per one (1) gross acre and a maximum Floor Area Ratio of 1.0, as further defined in the LDC. This land use designation is allowed in the Urban Area and allows for campgrounds and recreational vehicle parks (RVP)."

Analysis: The subject site is designated as Commercial (COM) and proposes to use an existing building for the on-site sale and consumption of alcoholic beverages. Staff notes the request special use is in addition to a deli, which is permitted by right. Staff notes the current B-4 zoning classification would otherwise allow more intensive commercial uses, including outdoor storage. The area surrounding the subject property is characterized by a mix of residential and commercial uses. The proposed uses thus align with the intent of the Commercial land use designation and **is consistent** with Policy 2.1.22.

3. **FLUE 3.1.5** on Urban Areas outside of UGB provides, "The County shall maintain existing Future Land Use designations that have been previously adopted that are outside of the UGB to recognize vested development rights. Any expansion or creation of new Urban Areas outside the UGB shall require a Comprehensive Plan Amendment, analysis to demonstrate the potential need for the creation of such new Urban Areas, and other appropriate documentation in accordance with Policy 3.1.3. It shall not be necessary to modify the UGB to expand or create Urban Areas outside the UGB unless the expansion or creation of new urban area is within the FPA."

Analysis: Staff notes that the subject property and all other properties within the Alada subdivision, publicly recorded in 1925, currently have an urban Future Land Use (FLU) designation. The applicant proposes to use an existing building for the on-site sale and consumption of alcoholic beverages, alongside a deli, on a property designated as Commercial (COM). The applicant therefore maintains the intention of an urban Future Land Use (FLU) designation that had been previously adopted outside of the UGB. Therefore, the proposed special use meets the criteria above and **is consistent** with FLUE Policy 3.1.5.

4. **Subsection '1' of FLUE Policy 10.1.6** on Compliance with LDC for Uses and/or Structures provides, "Legally established non-conforming uses and/or structures can continue to operate or be utilized for the use(s) as follows:

(a) Existing / No Changes: LDC that require additional site requirements beyond the existing site shall not be required to be addressed, unless determined necessary by the County to address public safety, welfare, or health issues or compliance with other government agency regulations.

(b) Expansion / Redevelopment: If the non-conforming use and/or structure is expanded as provided in this policy, then the property shall be required to be brought into compliance with the current LDC, but these requirements may be reduced in accordance with the County's waiver and variance processes."

Analysis: The applicant proposes to use an existing building for the on-site sale and consumption of alcoholic beverages, alongside a deli, on a building that has existed since 1931, according to the Marion County Property Appraiser (MCPA).

However, Staff finds that the site may not accommodate the proposed commercial uses given current Land Development Code (LDC) provisions related to parking and landscaping.

For the former, Staff notes minimum parking requirements are intended to ensure adequate parking is located within the subject property, thereby limiting parking within adjacent properties and/or County-maintained right-of-way. For the latter, Article 6, Division 8 of the LDC explicitly indicates the intention of County landscaping standards is to "[enhance] the aesthetic appearance of Marion County, [compliment] the natural and built environments, [reduce] noise and glare, [improve] air and water quality, [provide] shade and habitat, and [buffer] the aspects of development."

Therefore, the proposed special use does not meet Criteria A and **is thus not consistent** with Subsection '1' of FLUE Policy 10.1.6.

Based on the above findings, staff concludes the SUP **is not consistent** with LDC Sections 2.8.2.D and 2.8.3.B. The conditions in Section VII of this report are recommended to further address compliance.

VI. 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 so as to support the approval of the Ordinance with conditions, and make a recommendation to the Commission to adopt a proposed Ordinance to **APPROVE WITH CONDITIONS** the Special Use Permit.
- 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, 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.

VII. STAFF RECOMMENDATION

Staff recommends the Planning & Zoning (P&Z) 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 **DENY** the Special Use Permit based on compatibility in the area, compliance with the Comprehensive Plan, and adverse impacts to the surrounding area.

To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are recommended in the event that the Board chooses to approve the requested special use:

1. *The applicant shall apply for a site plan through the Development Review Committee within 60 days of approval. This site plan shall move forward in good faith. If the site plan is not approved within six (6) months of the approval of this Special Use Permit (SUP), then the Permit shall become void.*
2. *The site shall be developed and operated consistent with the concept plan.*
3. *The Special Use Permit shall run with the lessee, Wises Enterprises, L.L.C. and shall terminate upon the closure or sale of the business.*
 - a. *The lessee shall obtain all applicable license(s) for the sale of alcoholic beverages from the State of Florida. The lessee shall provide a copy to the Marion County Growth Services Department before the commencement of sales.*
 - b. *A new Certificate of Occupancy shall be required before the commencement of sales.*
4. *The sale and on-site consumption of alcoholic beverages shall be limited to the hours of 7:00 AM and 2:00 AM each day, unless otherwise prohibited by the Marion County Code of Ordinances.*
5. *Parking and loading activity associated with this Special Use shall occur within the subject property and shall be prohibited along the E Highway 25/SE 135th Avenue right-of-way.*
 - a. *Adequate parking shall be provided, as determined through Development Review Committee (DRC)-approved waivers.*
6. *Buffering shall be provided along E Highway 25, as determined through Development Review Committee (DRC)-approved waivers.*
7. *Screening shall be provided for the garbage collection area, as determined through Development Review Committee (DRC)-approved waivers.*
8. *The Special Use Permit shall expire on December 15, 2028; however, it may be renewed administratively three times for five years each by written instrument signed and issued by the Growth Services Director (or designee), unless:*

- a. *There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit;*
- b. *Neighboring property owners within 300 feet 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; and/or*
- c. *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 equivalent review process at the time).*

**Since the Planning and Zoning Commission hearing, conditions have been modified for clarity.*

VIII. PLANNING & ZONING COMMISSION RECOMMENDATION

APPROVAL WITH CONDITIONS (4-2).

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. Scheduled for December 15, 2025 at 1:30 PM.

X. LIST OF ATTACHMENTS

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