



Marion County Board of County Commissioners

Office of the County Engineer

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Development Review Committee Waiver Request Form

Per Section 2.10.1. of the Land Development Code: The Development Review Committee (DRC) may waive certain code requirements when not applicable to the proposed type of development or where alternative standards may promote flexibility, economical flexibility, and environmental soundness in layout and design.

Waiver requests and required documentation may be submitted through Civic Access. Waiver requests will not be processed without required information and applicable fees paid. Please be specific with all entries below.

Section Number & Title of Code:

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

Section Details from Code:

Requires connection to central water when a central water main is available within the applicable distance. MCU has advised the permit cannot be approved with the proposed well unless a water connection waiver is approved by the Board of County Commissioners.

Reason/Justification for Request:

Waiver requested to allow the existing residence and proposed tiny home/accessory dwelling to remain on the existing private potable well. The existing well is already serving the residence and will remain subject to applicable DOH review/approval. No central sewer is available. MCU correspondence states the modified option is estimated at \$3,000-\$5,000 for a 2-inch service extension with separate meters, while full code compliance could require roughly 900-950 feet of 8-inch water main, with estimates ranging from about \$40,000 up to \$100,000. These costs are substantial and disproportionate where a functioning potable well already exists. Additional owner costs would include rerouting plumbing, trenching, restoration, permits, inspections, meter fees, and disconnecting domestic service from the well. The waiver promotes economical flexibility and avoids unnecessary hardship without reducing public health oversight.

Section Number & Title of Code:

LDC Section 6.14.2.A(3) - Water Main Extension Across Parcel Frontage

Section Details from Code:

Requires owner-funded extension of water facilities up to and across the parcel frontage as determined by MCU. MCU correspondence indicated strict compliance may require extension of the water main rather than continued private well service.

Reason/Justification for Request:

Strict application creates an unnecessary and excessive financial burden compared with the limited public benefit achieved. The property has an existing potable well, there is no central sewer service, and DOH will continue regulating well/septic approvals. Granting the waiver is limited to this parcel and does not prevent future utility expansion or future connection if conditions change. The requested waiver supports flexible, economical, and environmentally sound development by avoiding unnecessary excavation, infrastructure construction, and private plumbing reconstruction while maintaining a safe regulated water source.

Detailed Supporting Statement for Water Connection Waiver

Applicant/Owner: _____
Property Address: _____
Parcel Number: _____
Permit/Application Number: _____

1. Summary of Waiver Request

The Applicant respectfully requests a standalone waiver allowing the existing residence and proposed tiny home/accessory dwelling to remain served by the existing private potable well rather than requiring connection to Marion County Utilities (MCU) central water service. The waiver is requested from Marion County Land Development Code Sections 6.14.2.B(1)(a) and 6.14.2.A(3).

2. Basis for Request

- The existing residence is already served by a functioning private potable well.
- The proposed tiny home/accessory dwelling will remain subject to all applicable Department of Health review and approval for well/septic service.
- No central sewer is available within the applicable service distance based on MCU correspondence; septic approval is deferred to the appropriate state agency.
- MCU correspondence confirms that a waiver is required if the owner wants both homes to stay on a private well and not connect to central water.
- Requiring connection creates substantial cost and construction burden with limited public health or safety benefit because potable water already exists on site.

3. MCU Correspondence Relied Upon

The waiver request relies on MCU email correspondence provided by staff. Those emails state that the permit was rejected pending resolution of the water connection issue, that central sewer is not within 800 feet, that central water is within 800 feet, and that MCU cannot approve the site plan with a well unless a water connection waiver is approved by the Board of County Commissioners. The correspondence also states that the waiver process begins through Civic Access, involves a non-refundable \$300 waiver fee, staff committee review, and final Board of County Commissioners action.

The emails further state that MCU considered a modified 2-inch water service extension option estimated at approximately \$3,000-\$5,000, and that full compliance could require extension of a much longer 8-inch water main with costs referenced as approximately \$40,000 to as much as \$100,000 depending on the required scope. Staff also noted field confirmation that a 2-inch water line ended approximately 105 feet short of the parcel right lot line, and that a full code extension could be roughly 900-950 feet of 8-inch water main.

4. Financial Hardship and Practical Burden

The connection cost is not limited to MCU line work. The owner would also face private construction costs that may include disconnecting domestic service from the existing well, rerouting water lines from the existing home to the meter location, trenching across the property, restoration of disturbed areas, plumbing modifications, inspections, permits, meter and connection charges, and contractor mobilization. These costs are substantial when compared with the limited benefit of replacing an existing potable well that is already serving the property.

5. Public Health, Safety, and Welfare

Granting the waiver does not remove public health oversight. The existing well and proposed well/septic arrangement remain subject to review and approval by the Department of Health and other applicable agencies. No public health

deficiency has been identified in the provided correspondence. The requested waiver simply permits continued use of an existing regulated water source while avoiding unnecessary infrastructure construction.

6. Consistency with Waiver Standard

Section 2.10.1 of the Land Development Code authorizes the Development Review Committee to waive certain code requirements where alternative standards may promote flexibility, economical flexibility, and environmental soundness in layout and design. This request meets that standard because continued use of the existing well promotes economical flexibility, minimizes unnecessary disturbance, avoids disproportionate costs, and maintains agency oversight of potable water service.

7. Proposed Findings for Approval

- The property is presently served by a functioning private potable well.
- The proposed additional dwelling will remain subject to Department of Health review and approval.
- No central sewer service is available within the applicable distance; therefore the site will remain dependent on septic review.
- Mandatory connection would impose substantial and disproportionate financial hardship.
- Granting the waiver will not adversely affect public health, safety, or welfare.
- Granting the waiver will not prevent future connection to MCU central water if conditions change or if future utility expansion makes connection reasonable.
- The waiver is limited to this property and these structures and does not create a general exemption for surrounding parcels.

8. Requested Relief

The Applicant respectfully requests approval of a waiver from Marion County Land Development Code Sections 6.14.2.B(1)(a) and 6.14.2.A(3), permitting the existing residence and proposed tiny home/accessory dwelling to remain served by the existing private potable well, subject to all applicable Department of Health and agency requirements, without requiring extension of or connection to MCU central water service as a condition of building permit approval.

9. Recommended Exhibits to Attach

- Exhibit A - MCU email correspondence regarding rejection, waiver requirement, connection alternatives, costs, and process.
- Exhibit B - Site plan showing existing residence, proposed tiny home/accessory dwelling, existing well, septic areas, and distance to available water main.
- Exhibit C - Three contractor estimates for private plumbing reroute, trenching, restoration, and connection work.
- Exhibit D - Well contractor letter confirming existing well condition and capacity, if available.
- Exhibit E - Department of Health well/septic documentation, if available.
- Exhibit F - Photographs of existing well, pressure tank, water treatment equipment, and relevant site conditions.