

**Official Minutes of
MARION COUNTY
BOARD OF COUNTY COMMISSIONERS**

February 26, 2026

CALL TO ORDER:

The Marion County Board of County Commissioners (BCC) met in a special session in Commission Chambers at 5:30 p.m. on Thursday, February 26, 2026 at the Marion County Governmental Complex located in Ocala, Florida.

INTRODUCTION OF PUBLIC HEARING BY CHAIRMAN CARL ZALAK, III

Chairman Zalak advised that the public hearing was scheduled this afternoon to consider amending the Marion County Land Development Code (LDC). He stated today's meeting is the first of two public hearings.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance to the Flag of our Country.

ROLL CALL

Upon roll call the following members were present: Chairman Carl Zalak, III, District 4; Vice-Chairman Matthew McClain, District 3; Commissioner Craig Curry, District 1; Commissioner Kathy Bryant, District 2; and Commissioner Michelle Stone, District 5. Also present were County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes, Assistant County Administrator (ACA) Tracy Straub and ACA Amanda Tart.

PROOF OF PUBLICATION

Deputy Clerk Windberg advised that there are three (3) Proofs of Publication to be presented for this afternoon's meeting.

The first Proof of Publication is entitled, "Notice of Public Hearing by the Board Of County Commissioners of Marion County, Florida to consider a Land Development Code Amendment related to Article 1, Administration, Division 2, Definitions". The Notice states the Board will consider a proposed amendment related to Marion County LDC, Article 1, in Marion County, Florida, providing for revisions to Division 2, Definitions, specifically related to Private Airports and Fly-In Communities.

The second Proof of Publication is entitled, "Notice of Public Hearing by the Board Of County Commissioners of Marion County, Florida to consider a Land Development Code Amendment related to Article 4, Zoning, Division 3, Special Requirements, Section 4.3.28, Fly-in Communities". The Notice states the Board will consider a proposed amendment related to Marion County LDC, Article 4, in Marion County, Florida, providing for revisions to Section 4.3.28, Fly-In Communities.

The third Proof of Publication is entitled, "Notice of Public Hearing by the Board Of County Commissioners of Marion County, Florida to consider a Land Development Code Amendment related to Article 4, Zoning, Division 3, Special Requirements, Section 4.3.29, Private Airports". The Notice states the Board will consider a proposed Amendment to the Marion County LDC relating to Article 4, providing for revisions to Section 4.3.29, Private Airports.

All three Notices were published on the publicly accessible website, MarionFL.org/LegalNotices, on February 16, 2026.

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The Deputy Clerk was in receipt of a 57 page Agenda Packet to follow along with the PowerPoint presentation.

Present Minutes from Land Development Regulation Commission Public Hearing

Growth Services Deputy Director Ken Weyrauch presented the following:

Description/Background: Attached are the minutes from the February 4, 2026, Land Development Regulation Commission (LDRC) Public Hearing.

Budget/Impact: None.

Recommended Action: For information only.

Chairman Zalak advised that staff is going to present each one of these items together and then the Board will take public comment on all three of these items at one time.

STAFF PRESENTATION

1. Consider Amendments to Marion County Land Development Code (LDC) Article 1, Division 2, Definitions

Growth Services Deputy Director Weyrauch presented the following:

Description/Background: Staff will present the attached proposed language to add new definitions to Article 1, Division 2, Definitions of the Land Development Code (LDC), regarding Private Airports and Fly-In Communities.

The proposed LDC amendments were reviewed by the Land Development Regulation Commission (LDRC) during a public hearing on February 4, 2026. Following their review, the LDRC recommended approval and voted to forward the items to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for Monday, March 23, 2026, at 9:00 a.m.

Budget/Impact: None.

Recommended Action: Take public comment and provide direction.

2. Consider Amendments to Marion County Land Development Code (LDC) Article 4, to Add New Section 4.3.28 - Fly-In Communities

Growth Services Deputy Director Weyrauch presented the following:

Description/Background: Staff will present the attached proposed language to add a new section 4.3.28, Fly-In Communities, to the Land Development Code (LDC) Article 4.

The proposed LDC amendments were reviewed by the Land Development Regulation Commission (LDRC) during a public hearing on February 4, 2026. Following their review, the LDRC recommended approval and voted to forward the items to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for Monday, March 23, 2026, at 9:00 a.m.

Budget/Impact: None.

Recommended Action: Take public comment and provide direction.

3. Consider Amendments to Marion County Land Development Code (LDC) Article 4, to Add New Section 4.3.29 - Private Airports

Growth Services Deputy Director Weyrauch presented the following:

Description/Background: Staff will present the attached proposed language to add a new section 4.3.29, Private Airports, to the Land Development Code (LDC) Article 4.

The proposed LDC amendments were reviewed by the Land Development Regulation Commission (LDRC) during a public hearing on February 4, 2026. Following their review, the LDRC recommended approval and voted to forward the items to the Board of County Commissioners for consideration.

This is the first of two required public hearings. The second public hearing is scheduled for Monday, March 23, 2026, at 9:00 a.m.

Budget/Impact: None.

Recommended Action: Take public comment and provide direction.

County Attorney Matthew G. Minter, Legal, provided a brief overview of the process for today's hearings. He advised that what is being presented tonight relates to new Land Development Regulations pertaining to private airports and fly-in communities. Mr. Minter clarified that Marion County does not have any Countywide regulations pertaining to private airports and fly-in communities except for what is addressed in the Comprehensive Plan, which provides that a Special Use Permit (SUP) is required to site a new airport. These items, like all Land Development Regulations, have gone through the LDRC, who held several meetings and public workshops. The LDRC is under the same part of Marion County's LDC as the Planning and Zoning Commission. The significance of that is both of those Committees are Advisory Boards; therefore, whatever recommendations they generate are presented to the BCC for consideration. He stated only the BCC, as elected by the taxpayers of Marion County, can adopt Legislation for the County. The BCC has the discretion to assign whatever weight it wants to for those recommendations from the LDRC. The benefit of the LDRC is that it is comprised of members appointed by the BCC who have special and professional expertise in fields relevant to land development and zoning, such as engineers, planners, surveyors, realtors, etc. The BCC accords significant weight to what the LDRC recommends. Mr. Minter advised that tonight is the first of two scheduled public hearings. The outcome of the meeting tonight will not be for the adoption of Ordinances, but rather the BCC will listen to staff presentation, a presentation from the LDRC and then take public comment. Mr. Minter advised that the County engaged the services of Kimley Horn & Associates (KHA) to assist staff in preparing the draft Ordinances, noting one of their specialists who is with them tonight has 25 plus years' experience related to regulations for private airports and is available to the Board to answer questions. He stated the focus of these regulations pertains to brand new Countywide regulations for fly-in communities and private airports, as well as a third part that relates to new definitions that would be applicable to those other two regulations.

Commissioner Bryant clarified that what the Board is considering is codifying regulations for airports and fly-in communities, which is not something new within Marion County.

Mr. Minter stated there are already several fly-in communities, as well as approximately 31 private airports in Marion County. He advised that sometimes people generically think of a fly-in community as a combined airport and residential community, but they are actually 2 distinctive things. Mr. Minter stated most of the private airports that exist in Marion County do not have what is commonly thought of as fly-in communities attached to them. He stated it is very possible to have a private airport without a fly-in community and noted the majority of them that exist in Marion County are in that category.

Growth Services Deputy Director Weyrauch advised that while the County does have

some processes in place for both private airports and fly-in communities, what staff are doing today is proposing language to make that process a little bit more predictable and easier for anybody who wants to either bring in a new or expand an existing private airport or fly-in community. He stated tonight staff are going to address existing airports in Marion County; State Statutes; Federal, State and local roles; Comprehensive Plan compliance; and the proposed LDC changes. There were 6 LDRC workshops with stakeholders that had public input. After the LDRC public hearing, staff spoke with the County Attorney's Office, Commissioners, as well as citizens and a few updates are being proposed. The regulations as proposed would apply to both new and expanded private airports and fly-in communities.

Mr. Weyrauch advised that there are 31 airports in Marion County, noting the 2 that are public would be the Marion County Airport and the Ocala Airport; and 29 are private airports; as well as 8 heliports. He stated while staff were recently updating the LDC and the Evaluation and Appraisal Report (EAR) for the Comprehensive Plan, both of those items required staff to work on proposing language for both private airports and fly-in communities. Mr. Weyrauch advised that airports are regulated separately through the Comprehensive Plan, noting a public airport allows the local government to impose development restrictions on the properties outside of the airport.

Vice President Tom O'Donnell, KHA, Peters Road, Plantation, Florida, advised that he is a civil engineer with over 25 years of experience specializing in airfield design and airport compliance, noting he has a deep understanding of the Federal Aviation Administration (FAA) advisory circulars and regulations that cover airspace, as well as Florida Statute (FS) 333. He stated he has served as KHA's subject matter expert (SME) on airspace and private airport entitlements and has also been a consultant for the Florida Department of Transportation's (FDOT) Central Office and District 4 as it relates to helping them bring dozens of private airports into regulatory compliance.

Mr. O'Donnell addressed authority of regulation, noting airports are regulated Federal, State, and local levels of government. The Federal government controls the national airspace system; the State level controls the operations of the airport; and on the local level, the authority is vested in the use of the land. A more simplistic way of explaining it is that the FAA controls the procedures for approaches and departures and how the airplanes are flown in. They also give guidance on how to design airports and various other elements. On the State level, they provide a mechanism for licensure of public airports and then an analogous mechanism for registration of private airports, as well as conduct inspections of public airports to ensure that they are complying with their guidelines. He advised that the local government level controls the land use, noting some examples of the County's authority would be creating zoning categories and processes, requirements for a special use, conditional use, special exemptions, Comprehensive Plan consistency and regulation of hazards.

Mr. O'Donnell addressed the LDC changes, noting there are three that are being proposed. The first is to add definitions to Article 1, the second one is to add a section on private airports, and then the third is to add a section on fly-in communities. He stated the 5 definitions that are being added are: 1) airports, 2) airport facilities, 3) fly-in community, 4) private airports, and 5) private airport of public interest. The reason why these are being added is that the County's LDC already references these different elements, but there are no definitions for them in the Code. In regard to the airport's current regulations, the LDC establishes regulations for airports by SUP or a special zoning category to allow placement of appropriate Conditions to safeguard the public health, welfare and safety.

Mr. O'Donnell advised that currently in the LDC, Article 4 is a little bit of a mixed bag, noting part of the LDC categories allow this by right, and the others require a SUP for private airports. Under the new regulation, everything would have to go through a SUP for private airports. He stated the proposed regulations would require a SUP for new or expanded private airports; defines the expanded triggering for a SUP; exempts heliports for first responders and for hospitals from going through the SUP process; requires the applicant to provide information that defines their airport area and satisfies SUP criteria for buffers, setbacks, structure heights, etc.; requires a site plan to be submitted showing the layout of the airport and the uses; and requires a zoning compatibility analysis to be provided to demonstrate compatibility with the surrounding land uses. Mr. O'Donnell noted the SUP approval may have conditions added by the BCC during the public hearing process.

Mr. O'Donnell stated fly-in communities are not defined under the Comprehensive Plan; however, the term approved fly-in community is used in the LDC, but the term is not currently defined or regulated. Due to their unique nature and their symbiotic relationship with private airports, a fly-in community may consist of a community that has access to an adjacent private airport or a community with a private airport internal to the community. He provided an overview of the proposed regulations for fly-in communities, which include: the fly-in community will now be approved through the Planned Unit Development (PUD) process; limitations on hangar heights within the fly-in community; require zoning compatibility by analyzing aspects of the fly-in community to demonstrate compatibility with the surrounding land uses; and approval may have conditions added by the BCC during the public hearing process. Mr. O'Donnell clarified that in regard to the zoning compatibility analysis, both application types are proposed to require a zoning compatibility analysis. He advised that every airport is different and provided an example of the various types. The purpose of all of this is to provide the Board with information in order to make a decision to fulfill its obligation, which is to determine if the proposed site is compliant with land use.

Mr. Weyrauch provided a brief side by side comparison of the language recommended by staff versus the language recommended by the LDRC (as shown on the overhead screen). He stated the definition of an airport is the same in both recommendations where it is an area of land or water used for, or intended to be used for, landing and takeoff of aircraft, including aperture areas, building facilities, and rights-of-way (ROW) necessary to facilitate such use or intended use. Mr. Weyrauch stated the definition of a fly-in community is proposed to be a residential or mixed-use development with more than 10 residential units that have a legal taxiway access to a private airport that is utilized by the residents of the community and their invited guest for operation of their aircraft. He advised that staff's proposal changes a little bit to state that the mixed-use development is operated exclusively for residents of the community because this is inside of the fly-in community. Another proposed change by staff is instead of more than 10 residential units, staff proposed more than 5 residential units.

Mr. Weyrauch advised that in regard to the proposed definition for private airport, the language would state "an airport which is not open to or available for use by the public, but may be made available to others by invitation of the owners or managers", noting this is very close to the language in State Statutes. The one proposed change from staff would be to include the language "without fee". He commented on a new definition called "private airport of public interest", which is a private airport engaged in air ambulance operations, commercial air tours operations, commuter operations or on demand operations, public

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charter operations, scheduled operations or supplemental operations. Mr. Weyrauch advised of another proposed definition relating to airport facilities, which is very close to State Statutes. The definition addresses airport facilities of all kinds, including but not limited to landing fields, hangars, shops, restaurants, catering facilities, terminals, buildings, parking facilities and other facilities necessary or desirable for the landing and taking off, operating, servicing, repairing or parking of an aircraft.

In response to Commissioner Stone, Mr. Weyrauch clarified that "private airport of public interest" is a designation that is provided by the State, noting there is not one of those designated airports located in Marion County at this time.

Commissioner Curry questioned whether there is a definition that defines the commercial use of an airport versus private use. For example, a parachuting business that charges a fee or any commercial activity that would turn it into a business as opposed to someone who owns some agricultural land and wants to have a crop duster, or somebody who has a personal plane.

Mr. O'Donnell clarified that there are commercial businesses that operate out of airports, noting the County could have some commercial businesses operating at private airports that fall in line with how the State defines how those activities work.

Chairman Zalak passed the gavel to Commissioner McClain, who assumed the Chair.

Commissioner Zalak out at 5:59 p.m.

General discussion ensued in regard to the commercial use of an airport versus private use.

Commissioner Stone clarified that the Board would like to ensure that the existence of today's private airports could not morph into a commercial airport. She advised that staff recommended adding language that "an airport which is not open or available for use by the public, but may be made available to others without fee by invitation of the owners or managers" and questioned if that language would protect the County from a private airport developing into a commercial airport.

Mr. O'Donnell stated it is his understanding that based on the documents being presented today the BCC would have, through the process of the SUP, the opportunity to review what sort of operations would be occurring at the airport that is being proposed to determine whether it is a compatible use with the community.

Commissioner Zalak returned at 6:04 p.m.

Chairman McClain returned the gavel to Commissioner Zalak who resumed the Chair.

Mr. Weyrauch provided a brief side by side comparison of the fly-in communities language recommended by staff versus the language recommended by the LDRC (as shown on the overhead screen).

Chairman Zalak passed the gavel to Commissioner McClain, who assumed the Chair.

Commissioner Zalak out at 6:05 p.m.

Mr. Weyrauch referred to page 34 of the Agenda packet, noting Section A addresses the purpose of the requirements for a fly-in community. Section B addressed the land uses and how a fly-in community is allowed within all of future land use categories where residential is permitted because it is intended to be a residential community. Section C addresses the requirement that a new or expanded fly-in community shall go through the PUD process.

Mr. Weyrauch addressed the accessory use of aircraft hangars height limitation in the LDC, noting if it is an accessory aircraft hangar in an approved fly-in community, the hangar is limited to 30 feet (ft) in height. Staff are recommending the language be amended to 35 ft where LDRC recommended 50 ft. He stated if somebody came in and

needed a taller hangar, they could go through the SUP process and get that approval if it made sense to the BCC.

Commissioner Stone expressed concern that the Board already discussed not making this change during the EAR process, noting it is now being brought up again.

Commissioner Zalak returned at 6:08 p.m.

Chairman McClain returned the gavel to Commissioner Zalak who resumed the Chair.

In response to Commissioner McClain, Mr. Weyrauch stated staff's recommendation of 35 ft would allow for the hangar doors to be at least 30 feet tall. He stated the LDRCs recommendation of 50 ft was based on the County's current private airports and some of the fly-in communities, which are mainly in agricultural zonings and the buildings either primary or accessory are allowed to be 50 ft on agriculture zone properties. Mr. Weyrauch noted on commercially zoned properties where airports are allowed (i.e. B-5 Heavy Business) the height is 50 ft for buildings.

Chairman Zalak questioned whether the Board really wants to have a 50 ft limit on all 29 airports across Marion County in all kinds of different areas.

General discussion ensued relating to aircraft hangar height limitation options in fly-in communities and private airports.

Mr. Weyrauch referred to page 35, Item 3, noting the language relating to a zoning compatibility analysis is similar to what the County requires for every zoning change, SUP and PUD request. He stated the proposed applicant would advise of everything that is going on a site so that staff can take that into account when looking at compatibility with the surrounding area. Staff will need to know the circulation, the detailed uses, and how the fly-in community is going to operate so that staff can make a better recommendation to the Board who can then make a better decision.

Mr. Weyrauch referred to Section 4, noting the language states the fly-in community shall encourage best practices for its residents and invited guests, noting this includes rules, policies and operations of an aircraft within the fly-in community. Staff have proposed language that states a draft copy of community rules and policies shall be submitted with the PUD application. He stated the LDRC proposed language stating the County shall not impose conditions which are otherwise preempted by the FAA or FDOT.

Mr. Weyrauch advised that the next section is for expansion of previously approved or vested fly-in communities, which states "the purpose of this section is to recognize and protect fly-in communities lawfully established or vested before the effective date of this Ordinance", noting staff is proposing to strike the language "and protect" because once the County recognizes them as vested, it seems redundant.

Mr. Weyrauch referred back to Section 3 and advised that staff recommends deleting the language "Only the geographic property boundary beyond the limits of a previously approved fly-in community property boundary or the increase in land use types, densities or intensities shall be required to obtain PUD approval. If there is a geographic boundary expansion or an increase in land use types, densities, or intensities of an existing fly-in community that would require a PUD, the County may only review the expanded area and may not condition the previously approved fly-in community." He clarified that when an applicant comes in to modify a PUD, the Board is allowed to look at the PUD as a whole, noting sometimes when a PUD is modified, there are changes that need to happen within the existing boundary (i.e. buffers).

General discussion ensued.

Mr. Weyrauch provided a brief side by side comparison of the language recommended by staff versus the language recommended by the LDRC as it relates to Section 4.3.29 –

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Private Airports (as shown on the overhead screen). He stated the language is very similar in both versions and opined that the Board would get a pretty good Code whether it chose staff's version or the LDRCs. Mr. Weyrauch addressed staff's proposed language as it relates to heliport facilities for hospitals and/or first responders as follows: "Heliport facilities for hospitals and first responder government agencies are exempt from the Special Use Permit requirements". Staff are also proposing that SUPs indicate whether it is a private airport or private airport of public interest. He referred to page 53, Section 3, Items h. and i., and advised that staff are proposing to strike that language and add the condition or the requirement of the zoning compatibility analysis.

PUBLIC COMMENT

Chairman Zalak opened the floor for public comment.

LDRC Chairman David Tillman, advised that if the Board looks at the LDRC minutes from the February 4, 2026 LDRC public hearing, it will see that he did fill out a Conflict of Interest form on all the proposed language as he works for Jumbolair, noting he did not vote on this matter at all, but did participate in the discussion. He stated there was a lot of public interest and the LDRC did take a lot of public comment, noting the Board will probably have a lot of public comment tonight as well. Mr. Tillman stated some of the language, definitions, and modifications that are in front of the BCC tonight did not go in front of the LDRC and so the LDRC had no opportunity to make comments on those. He advised that he would ensure sure that the Board knows the difference between his personal comments versus the thoughts of the LDRC as a whole when it comes to the definition of fly-in communities.

Mr. Tillman commented on staff's amendment to the definition of a fly-in community being a residential or mixed-use development with more than 5 residential units, noting the LDRC recommended 10, which fell in line with the State's definition. He advised that he found it odd that in the definition of fly-in community, staff added language that it would be operated exclusively for the residents of the community, noting a private airport may be operated but a community is not something that is operated. Mr. Tillman commented on staff's proposed definition for private airport that amended the language to include the language "without fee" and opined that the rental of hangers is something that should be allowed at a private airport.

Commissioner Stone clarified that the BCC wants to be able to know what kind of activity is going on at that site, which is why it would be important to leave that language in there. She stated the applicant can present the business case and the request for it so that the County knows what kind of activity is going on in these private airports.

Mr. Tillman opined that it would be better suited to being moved over into the requirements underneath the SUP rather than in the definition because the definition basically states that it will not and cannot be with fee because it would not meet the definition if it was charging a fee for a private airport.

Commissioner McClain opined that the term "without fee" is very broad, noting staff may need to tighten that language.

Mr. Tillman expressed concern that if the private airport charges the homeowners association (HOA) a fee for the maintenance of the runway, that could be looked at as a fee.

Mr. Tillman addressed the LDRCs recommendation for the maximum height of 50 ft for airport hangars, noting it reviewed various aircraft types and tail heights and what it would take to park them inside of a hanger. He stated there was a discussion of the fact that

since the Code already allows 50 foot structures in A1 and B5, why would the County adopt a regulation that is 10 feet lower than what is needed for an aircraft. Mr. Tillman opined that a height requirement of no larger than 40 ft would make more sense than 30 ft. He commented on Jumbolair, which is the largest private airport in North America, noting those are not necessarily the smallest planes coming in and out of that airport. Commissioner Stone advised that this hearing is about what is in this community and across the entire County today and what could happen in the future, noting it is not just about Jumbolair or any specific airfield.

General discussion ensued.

Commissioner McClain stated the Board could still put the limit on hangar heights through the PUD process in the future.

Chairman Zalak advised that the point of this language is to try and clarify it across the board, so people know what the regulations are when applying for a private airport or for an airport expansion.

Mr. Tillman commented on language addressing vested rights (page 30) as follows: "A new or expanded Fly-In Community must be approved by the Board of County Commissioners through the PUD process. An expansion shall mean a geographic expansion beyond the boundaries of a previously approved Fly-In Community or an increase in land use densities or intensities in excess of those established in a previously approved or vested Fly-In Community". He expressed concern that the language seems like it is a direct withdrawal of somebody's vested rights.

Commissioner Bryant advised that she spoke with Growth Services Director Chuck Varadin and was told that if it already has a Master Plan, then they are vested to be able to do what is on that Master Plan.

County Attorney Matthew G. Minter, Legal, advised that there is more than one challenge that can be made to local government regulations. For example, under the Bert Harris Act claims can be founded on the basis of a vested right, but they can also be founded on what is called an existing use. The Statute has two definitions of an existing use, one of them being what physically exists on the ground right now, today, but the second use has to do with the what they refer to as the property owners reasonable investment backed expectations for a use that a property owner can present evidence to demonstrate that they had a right to continue a use that does not physically exist today. He opined that land use law can be very complicated if you wanted a total black line rule. The black line rule was basically if someone already had a permit for something and spent funds in reliance on that permit, then they could make a claim for a vested right. Mr. Minter stated nobody has a right to believe that, for instance, their zoning is forever going to stay the same if they never made any investments in their property and reliance on what they already had permitted. However, if they had a permitted use and you have been spending money in reliance on that, then they could make a claim for vested rights. He stated in the case of the largest private airport in Marion County, they have had certain uses that have been authorized by FDOT going back to 1980 or earlier and he believes they can certainly claim that the current property owner has been spending funds in reliance on the purchase he made of that property based on the rights that FDOT provided them decades ago. Mr. Minter advised that he is unsure whether the County can limit them to exactly the building they have right now, noting when FDOT registered the airport it did enumerate a number of different types of activities that could be engaged in within that airport. In fact, the County has given them a letter acknowledging basically those uses that the FDOT provided for them. He opined that there is a potential issue that the Board could run into

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if someone could show that they have spent quite a bit of funds in reliance and based on approvals that they already had.

Chairman Zalak commented on the uncertainty of people in Marion County not being able to know what they are getting next to them, which why the Board is trying to solve it and update the Codes so that it can provide more certainty for the public as we move forward. Commissioner Bryant out at 6:39 p.m.

Scott Homan, NE 52nd Court, advised that he has been fortunate enough to work through three different owners of Jumbolair and currently works on the property. He opined that it would be very disappointing to see Ordinances or Codes passed that negatively affect Jumbolair due to what the current owner has provided to the community and to the veterans that he supports and takes care of.

Jack Moran, Rogers Road, The Villages, advised that he bought a lot in a fly-in community in California, has flown at airports all over the Country and was a base commander for an Air Force Base. He opined that some of the verbiage that appears in the proposed regulations seem to be very restrictive for people to actually do the best they can with the property that they have.

Commissioner Bryant returned at 6:42 p.m.

Attorney Jessica Icerman, Stearns, Weaver, Miller, East Jackson Street, Tampa, Florida, stated she appreciated the explanation of changes that staff proposed today, noting she only recently received a copy of these changes. She opined that the proposed Ordinances staff is recommending do not adequately address existing fly-in communities and vested private airports. Ms. Icerman stated she would like some time to go back and work with staff on some of the changes in order to come to a common ground on a lot of the things that were discussed today. She advised that many of the fly-in communities that exist today do not have PUDs because they are very old, and the word fly-in community did not exist until now, noting more attention needs to be paid to how the County treats the existing fly-in communities today under these new Ordinances. Ms. Icerman addressed vested rights, noting \$35,000,000.00 has been poured into Jumbolair and she is very concerned about this Ordinance and the changes proposed by staff. She noted she supports the proposals provided by the LDRC.

Kenneth Davis, NE 95th Street, expressed his appreciation to the County Commissioners for the work that they are doing in clarifying this muddled, confusing bunch of words. He stated it would be nice to be able to see this in plain common language and be able to read this whole thing before the next meeting. Mr. Davis expressed his appreciation for the opportunity to speak his piece and hopefully this will all work out for the best for all Marion County residents.

Tim Gant, SW 3rd Street, Micanopy, presented a 3 page handout entitled, Save Our Rural Areas, and expressed his appreciation to the Board for its effort in this matter. He stated he agreed with Mr. Tillman that the term "without fee" is very broad and could be honed in a little better. Mr. Gant referred to his handout, which contains a proposed definition of a commercial airport as follows: "An airport that facilitates for-profit aeronautical activities, including but not limited to flight training, charter services, aircraft maintenance, and other business operations". He advised that it also includes language that states "Private airports shall not engage in any commercial activities as defined above. This includes but is not limited to flight training, schools, charter flights or air taxi services, aircraft maintenance and repair services, with the exception mobile repairs for emergency safety repairs, agricultural spraying operation, rental of hangar or tie down space for payment".

In response to Chairman Zalak, Mr. O'Donnell advised that it was his experience that it is typical to see some level of commercial activity at private use airports. In regard to specifically what the fee type is, he could not discern that from the language that was in the draft, and he will work with staff to define that language more clearly.

Brian Donnelly, West Anthony Road, advised that he attended a lot of the preliminary meetings and is relieved to come in here tonight and see the changes that staff have put forward in terms of the analysis, what they are going to require in the future on densities, noises, uses, etc., noting he is very grateful for staff to bring up these things because he believes what staff has done is protected the public interest. He stated he agreed with staff that the accessory hangars should not be 50 ft. Mr. Donnelly requested a copy of the FDOT letter from the 1980s that lays forward what the allowable uses are for the Jumbolair airport. He opined that community concerns are not anti-aviation, but rather they are pro-safety and pro-responsibility, noting effective governance requires balance. Aviation can operate alongside residential communities only when public input, evidence based policy, and enforceable conditions are respected as equal components in the aviation system.

Chairman Zalak stated staff will provide Mr. Donnelly with a copy of the letter from FDOT that the County received.

George Lamb, East Highway 316, Citra, advised that the Jumbolair runway is right over his house and he loves the sound of freedom. He commented on the changes that have occurred at Jumbolair over the past 34 years, noting it used to be a falling down wreck, and is now a beautiful community. Mr. Lamb stated American Honor Foundation and Jumbolair are self-supported and does not receive money from the County, just approval for their projects. He advised that the American Honor Foundation and Jumbolair wants to do a village utilizing fees from hangar rental fees. Mr. Lamb commented on other projects supported by Jumbolair (i.e., Trunk or Treat).

Dirk Leeward, Leeward Air Ranch Circle, advised that he is representing the Leeward Air Ranch, noting he has not had enough time to go through the changes that staff made to their recommendations but will be meeting with staff and will probably submit written comments after that meeting.

Michael Peters, SE 70th Terrace, advised that he is not present to get mixed up in the minutiae of the rules, but to give Mr. Robert Bull kudos for the fantastic job he has done at Jumbolair over the years. He advised that he had been a pilot here for 40 years, and learned how to fly at Forest High School, noting he saw Jumbolair fall into disrepair. Mr. Peters commented on the work Mr. Bull has done with the American Honor Foundation, which is an important part of Marion County history.

Chairman Zalak concurred that Mr. Bull does a fantastic job for the veterans within the community, but reminded everyone that the Board is present today to discuss the definitions of the airport community and private airports and not any specific project. He commented on the need to balance what is best for the community as a whole. Chairman Zalak stated this is part of the Code that needs to be updated so that the community can move into the future.

Patrick Jenkins, NE 15th Court Road, advised that he was at every LDRC meeting and opined that Mr. Tillman and the staff that was present worked incredibly hard to get to an Ordinance that they were happy with, then on Wednesday he received notification that that the language had changed which was a little disappointing after all that time and effort that was put forth.

Chairman Zalak noted Mr. Jenkins can reach out to Commissioners at anytime to discuss

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any issues he may have.

Bernie Little, NW 90th Avenue, referred to Item 4.3.28 (Fly-in Communities), noting County staff added some language that says "Fly-in Communities lawfully established or vested prior to the effective date of this Ordinance shall be considered a legal conforming use regardless of zoning district and shall not be required to obtain PUD approval", noting he recommended the County keep a list of those airports. He stated the State publishes a list of the private airports, which he shared with Mr. Weyrauch. Mr. Little advised that there is a nuance to that list however; private airports are listed by their GPS coordinates on the State's listing and do not list the physical address of the airports. He questioned whether the Board notified these airport owners that this action was taking place.

Chairman Zalak stated these are publicly advertised hearings.

Mr. Little addressed Item 4.3.29 (Private Airports), noting staff have listed a new word "heliport" and suggested the Board consider adding a definition for heliport at the same time.

Chairman Zalak requested staff send Notices for the next public hearing to all of the private airport owners in Marion County.

Brian Murphy, NE 14th Terrace, presented a 3 page handout containing his suggestions and examples of fly-in community protection for surrounding property owners, noting he lives in Jumbolair. He commented on how these recommendations are going to affect people inside the community. There are a lot of concerns that get brought up, things such as ensuring legal review of easement rights and property interests before finalized rulings, mandating explicit community consent for any zoning or land use changes related to commercial expansion, etc. Mr. Murphy opined that it seems that certain people and developers, wanted to take what was considered a loophole for "existing lands" and say they do not need to get a PUD to put in hangars, which in this instance Jumbolair has 14 more under construction right now. He stated it is his hope that the language that is in here will close that loophole. Mr. Murphy addressed the request for 50 ft hangers, noting a 30 foot hanger with a 20 ft door height accommodates 90% of the small to mid-sized jets that anyone living in the aviation community would fly. He opined that 50 ft hangars accommodate commercial grade large aircrafts and it would be a huge obstruction to have a massive building like that in a community.

Christina Larson, West Anthony Road, advised that she lives 1,750 feet away from the northern part of Jumbolair in the Farmland Preservation Area (FPA). She stated she has tremendous respect for the American Heritage Association and for the veterans. Ms. Larson advised that she agreed with Chairman Zalak that there has to be a balance, noting she owns a 10 acre horse ranch and the noise from helicopters can be a little intimidating.

Janelle Mertins, NE 16th Terrace, advised that she owns a home in Jumbolair, noting it is a very special fly-in community and was never meant to be an airport with 50 ft hangars. She opined that there is a huge distinction that needs to be understood. Ms. Mertins stated she has a hanger on her property that has an 18 foot door capacity and plenty of room for her Cessna. She advised that she has been a realtor for 30 years and is well aware of what airport activity can do to a community, noting this is a horse community and not an airport. Ms. Mertins advised that she bought her home with an HOA and documents that guaranteed her the right to a fly-in community, noting her property rights have been destroyed by the new HOA documents that have been forced upon her by the current owner and have devastated property values. She stated her HOA fees have gone from \$5,000.00, to \$17,000.00. Ms. Mertins expressed concern that every year the HOA

fees keep going up and her property value has gone down. She advised that she had two people that wanted to buy her home and unfortunately the person running the HOA told them there is a big lawsuit going on and if they buy in here, they are going to be hit with big legal fees.

Chairman Zalak advised that public comment is now closed.

BOARD DISCUSSION

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to set the date of the next public hearing as March 23, 2026 at 1:30 p.m. in these Commission chambers. The motion was unanimously approved by the Board (5-0).

CLOSING COMMENTS

Chairman Zalak requested that everyone continue to work with staff and the attorneys, noting the Board will continue to work on this process to bring back the best Ordinance possible.

There being no further business to come before the Board, the meeting thereupon adjourned at 7:13 p.m.

Carl Zalak, III, Chairman

Attest:

Gregory C. Harrell, Clerk

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