



**Marion County  
Board of County Commissioners**

Growth Services

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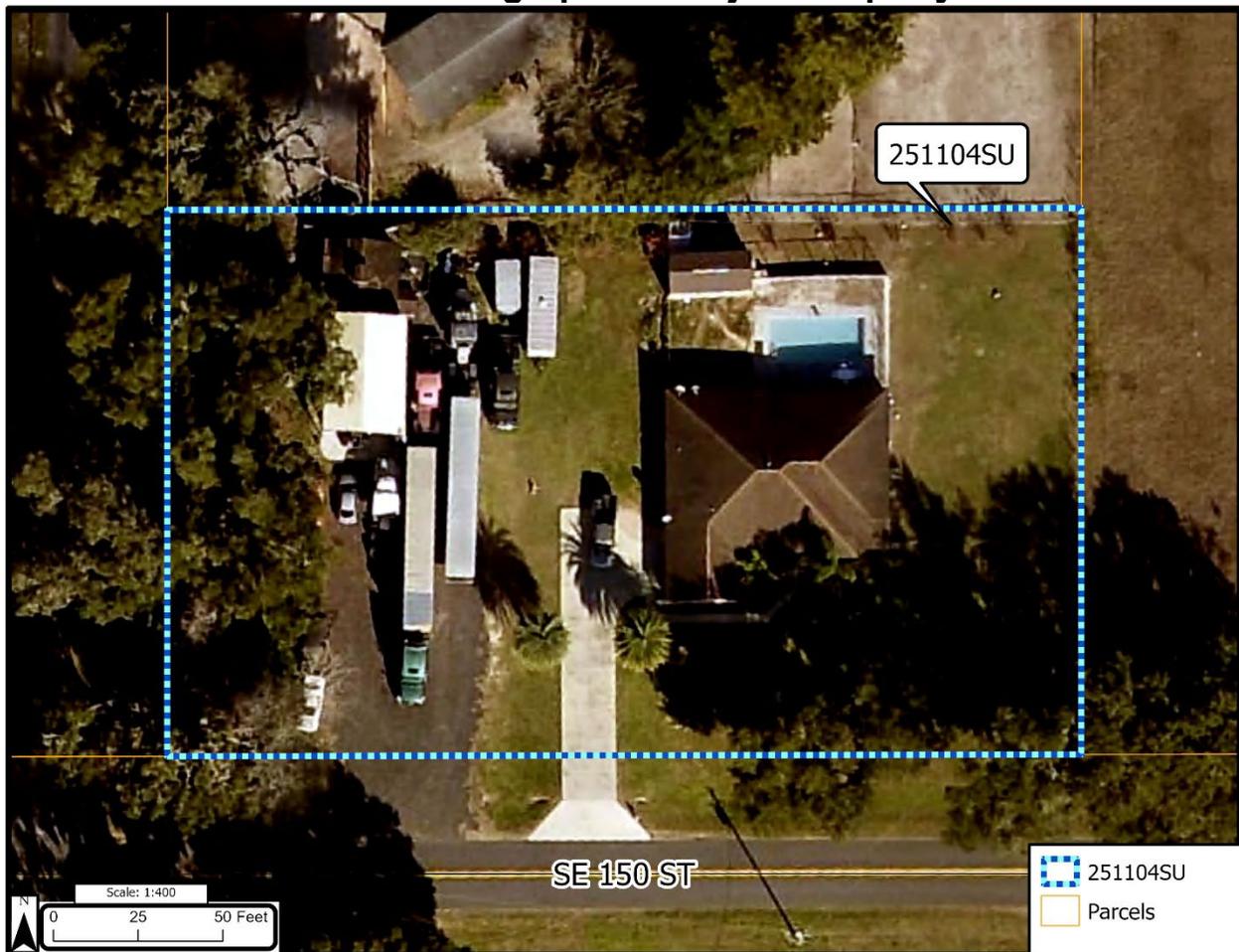
**PLANNING & ZONING SECTION  
STAFF REPORT**

<b>Hearing Dates</b>	<b>P&amp;Z: 10/27/2025</b>	<b>BCC: 11/17/2025</b>
<b>Case Number:</b>	251104SU	
<b>CDP-AR:</b>	33321	
<b>Type of Case:</b>	<b>Special Use Permit:</b> Parking two (2) semi-trucks and two (2) trailers and work equipment on 1-acre with A-1 zoning	
<b>Owner</b>	Roberto Solares Alvera	
<b>Applicant</b>	Same as owner	
<b>Street Address</b>	2255 SE 150 <sup>th</sup> St Summerfield, FL 34491	
<b>Parcel Number</b>	41869-012-01	
<b>Property Size</b>	±1-acre	
<b>Future Land Use</b>	Rural Land (RL)	
<b>Zoning Classification</b>	General Agriculture (A-1)	
<b>Overlay Zone/Scenic Area</b>	Secondary Springs Protection Zone	
<b>Staff Recommendation</b>	<b>Denial</b>	
<b>P&amp;ZC Recommendation</b>	<b>Denial</b>	
<b>Project Planner</b>	Erik Kramer	
<b>Related Case(s)</b>	August 19, 2025   CE 992655   Open   Unauthorized Commercial Vehicles Operations in an Agricultural Zone	

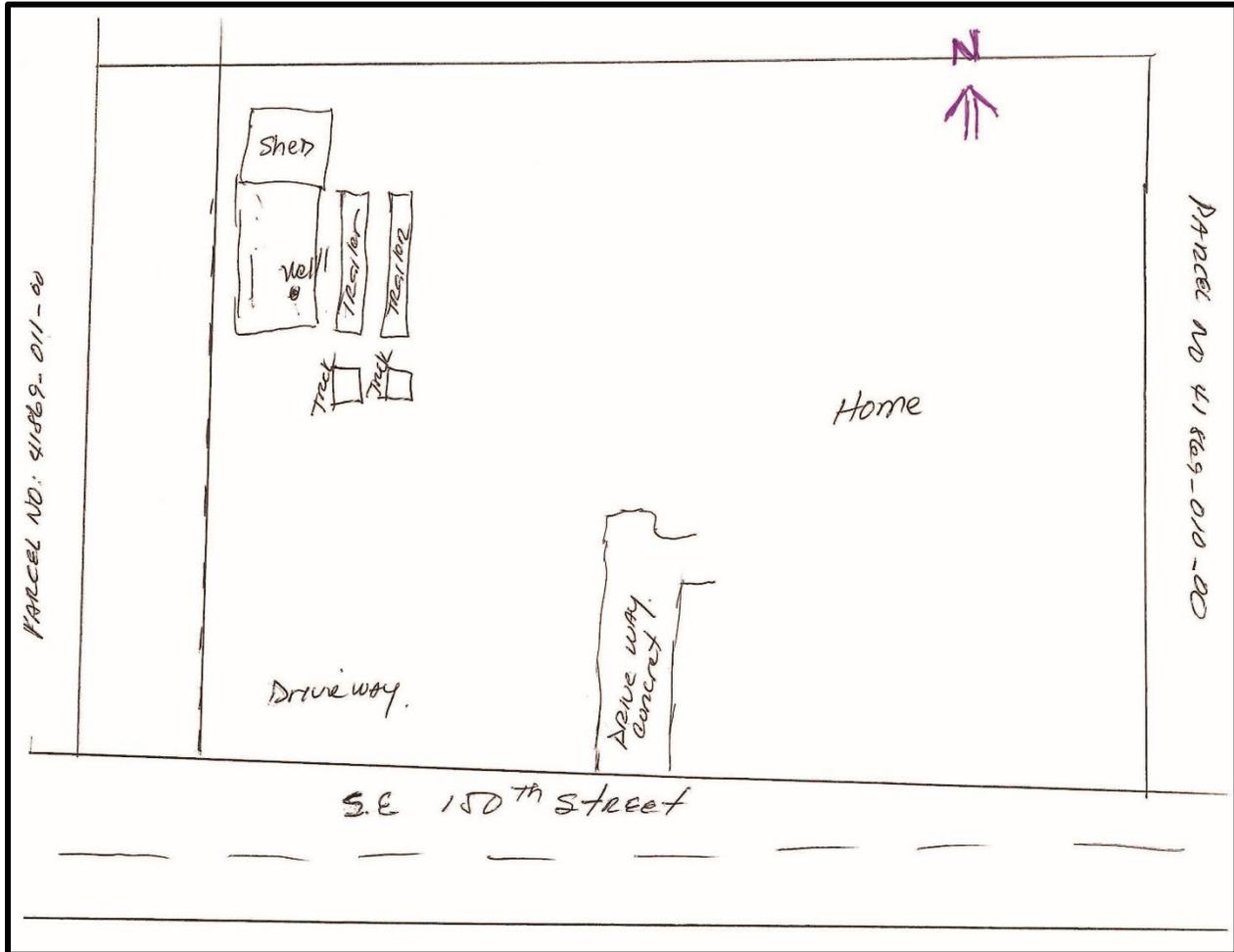
## I. ITEM SUMMARY

Roberto Solares Alvera, owner of the subject property, filed for an application for a Special Use Permit (SUP) to allow for the parking of two (2) commercial truck/tractors and two (2) trailers on a 1-acre property with General Agriculture (A-1) zoning. Figure 1 is an aerial photograph showing the subject property and Figure 2 shows the proposed concept plan. The Parcel Identification Number associated with the property is 41869-012-01 and the street address is 2255 SE 150<sup>th</sup> St., Summerfield, FL 34491. The legal description is included in Attachment A, page A-11. The property is located within the Secondary Springs Protection Zone. The property is located outside of the Urban Growth Boundary and Farmland Preservation Area. Land Development Code (LDC) Sec. 4.3.21 - Parking of Commercial Vehicles, only allows for one (1) vehicle on agriculturally zoned properties less than five (5) acres with a special use permit when the associated the vehicle is used for a register non-agricultural commercial use. This request exceeds the number of vehicles allowed under LDC Sec 4.3.21. Staff recommends **DENIAL**; however, should the Board of County Commissioners consider approval, staff provides alternative conditions of approval.

**Figure 1**  
**Aerial Photograph of Subject Property**



**Figure 2**  
**Conceptual Site Plan**



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **DENIAL** due to the analysis provided within this staff report. If approved, staff recommends the conditions specified in Section VII.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B, and 4.3.21.

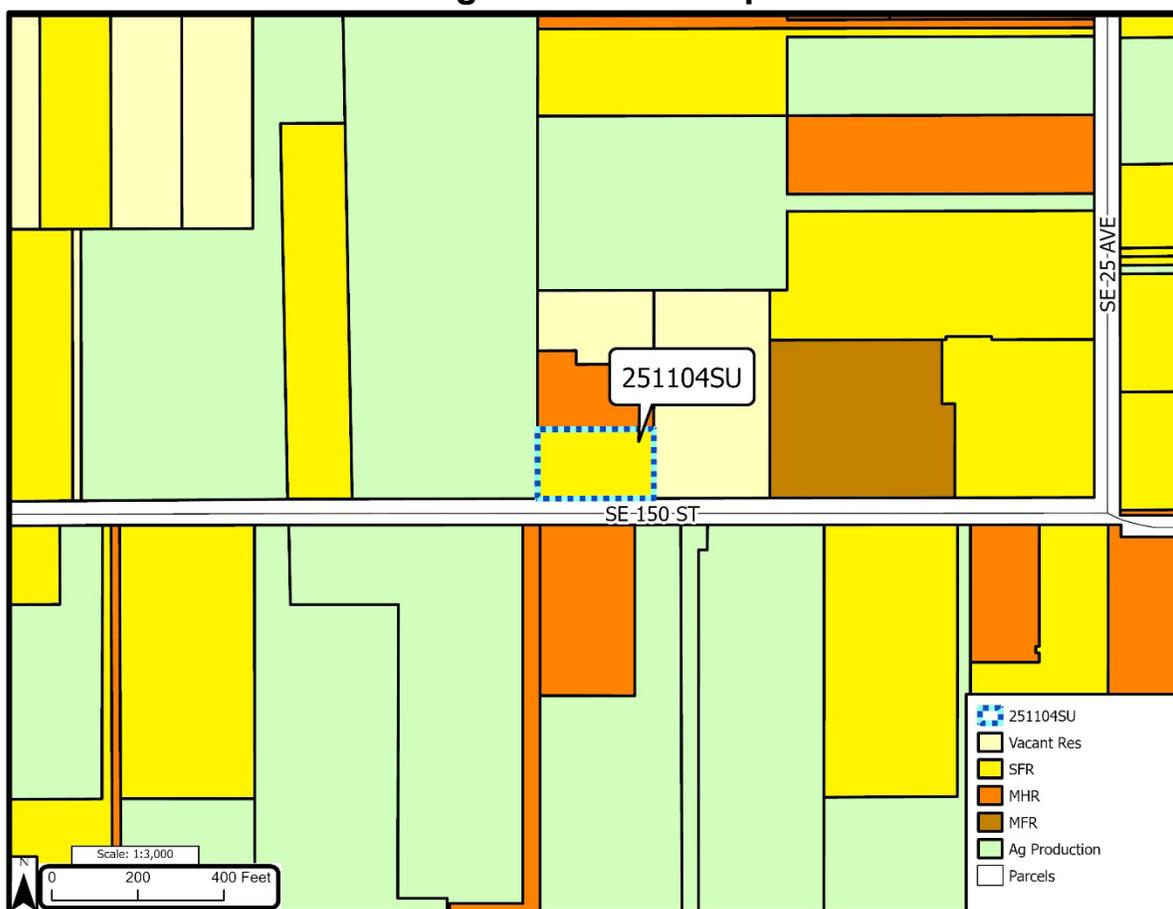
## III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C, notice of public hearing was mailed to all property owners (16 property owners) within 300 feet of the subject property on October 10<sup>th</sup>, 2025. Consistent with LDC Section 2.7.3.B, public notice was posted on the subject property on October 16<sup>th</sup>, 2025, where site photos were also collected (Attachment C) and, consistent with LDC Section 2.7.3.E, due public notice was published in the Ocala Star-Banner on October 13<sup>th</sup>, 2025. As of the date of the initial distribution of this staff report, no letters of support or opposition have been received. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference.

#### IV. BACKGROUND/CHARACTER OF THE AREA

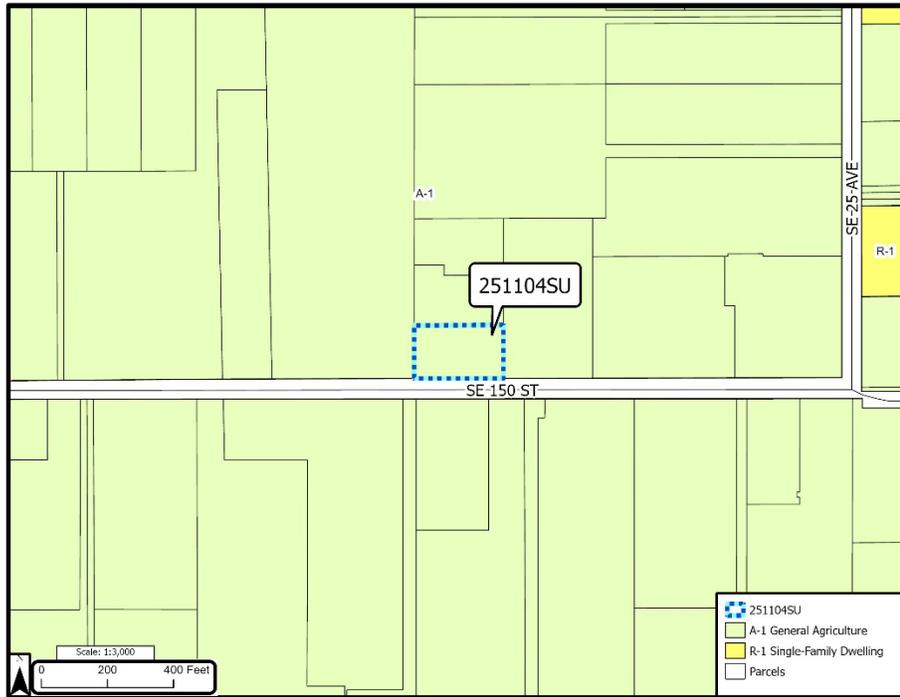
A. *Existing site conditions.* PID 41869-012-01 contains one site-built residence on a 1-acre lot fronting SE 150<sup>th</sup> St in Summerfield. The surrounding area is rural in character with the predominant existing uses being agricultural production, single family residential, and manufactured housing residential on large properties 1-acre or more in size. There are a few vacant residential properties and one multi-family residential property.

**Figure 3**  
**Existing Conditions Map**



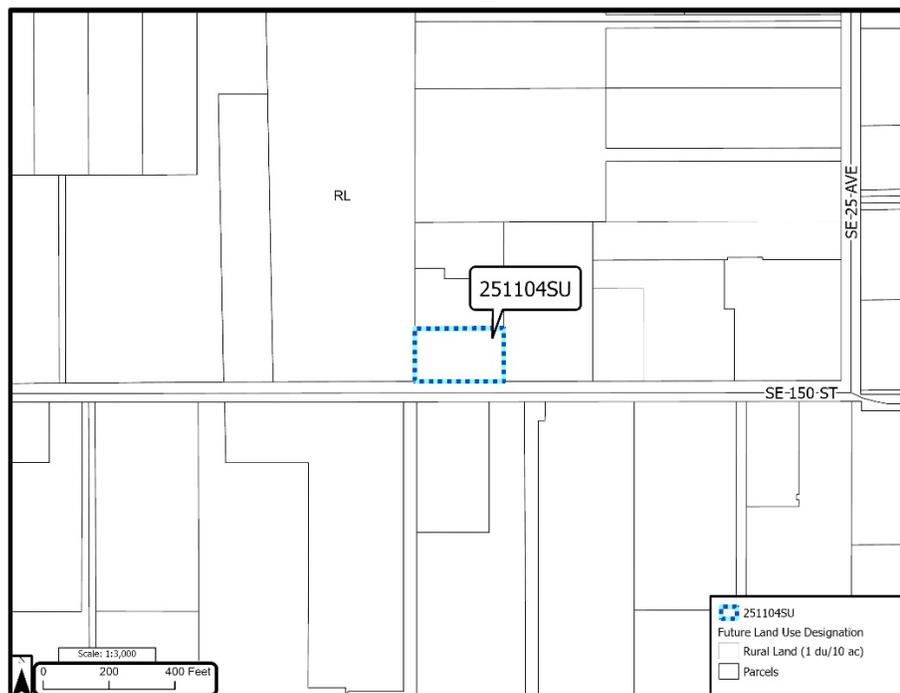
- B. *Zoning district map.* Figure 4 shows the subject property is classified as General Agriculture (A-1).

**Figure 4**  
**Zoning Classification**



- C. *FLUMS designation.* Figure 5 is the FLUMS, showing the subject property is designated Rural Land (RL). RL allows a maximum development of one dwelling unit per 10 acres.

**Figure 5**  
**FLUMS Designations**



## V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding the SUP addresses nine (9) 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.

### A. *Consistency with the Comprehensive Plan.*

1. Policy 2.1.5: **Permitted & Special Uses** – 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:** The subject property is zoned A-1. Under LDC Section 4.2.3, which provides use and development standards for A-1 zoning, parking of commercial vehicles is permitted with a valid special use permit. For A-1 properties smaller than 5 acres, LDC Section 4.2.31 establishes additional criteria for such permits, including a limit of one commercial vehicle over 16,000 pounds—provided all other conditions are met.

This application proposes parking two (2) commercial trucks/tractors and two (2) trailers, exceeding the allowable limit. The Office of the County Engineer's (OCE) traffic reviewer recommends conditional approval, contingent upon downsizing the allowable commercial vehicles to one (1) truck-trailer combination and other conditions, citing concerns that SE 150<sup>th</sup> Street is a county maintained subdivision street and as such it is not designed for frequent/intense truck traffic. See Attachment C for the full development review staff comments.

In addition to exceeding the acceptable number of trucks and trailers, this request does not comply with other Sec. 4.3.21 requirements, which are discussed in greater detail in Section V.B.-J. of this staff report.

Based on these findings, the requested special use permit is inconsistent with the Comprehensive Plan because it does not comply with applicable requirements outlined by the County in LDC Sec. 4.3.21.

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

**Analysis:** Private vehicular access to the site is currently provided via a driveway connecting to SE 150<sup>th</sup> St. The commercial vehicles proposed under this SUP would access the site from the location of the existing secondary driveway, closest to the western property line. This driveway was created without obtaining the appropriate permits from OCE. As such there are two issues that will need to be addressed. First, the unpermitted driveway is made of millings, it is not currently paved. Second, OCE notes there is a need to amend the culvert design to ensure

stormwater is contained on site. The owner has initiated a driveway permit application (permit #2025093959) to amend these concerns; however, following a conversation between Growth Services and OCE staff, OCE staff put a hold on the driveway permit until the BCC makes a final decision for this SUP.

As such, if the SUP is approved, staff recommend the following conditions:

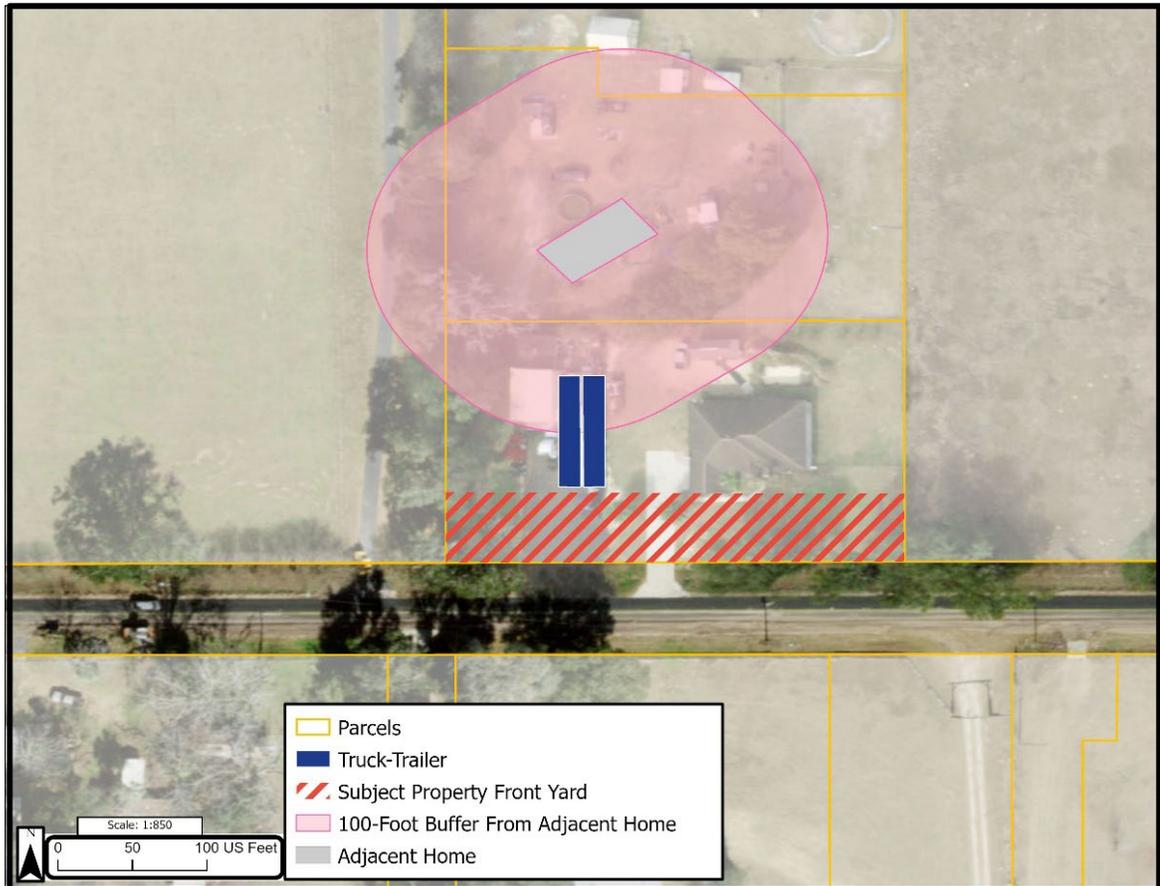
- *Commercial vehicle ingress/egress shall only use an access point on SE 150<sup>th</sup> Street that is approved by the Office of County Engineer.*
- *Mr. Alvera shall pave and upgrade the existing driveway with sufficient radii accommodate the proposed commercial usage. The physical characteristics shall be dictated by the Office of the County Engineer. Mr. Alvero shall be required to apply for appropriate permits within thirty days of approval of this SUP. The driveway shall be upgraded within sixty days of receiving approved permits from the Office of County Engineer.*

- C. *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:** The applicant currently parks two (2) semi-trucks and two (2) trailers on site – one freight trailer and one flatbed trailer. The parking location shown on the submitted site plan is the unpermitted driveway, on the west portion of the site. The applicant proposes to continue parking in this location under this SUP.

Land Development Code Section 4.3.21 provides several regulations that regulate the location of parking areas for commercial vehicles in A-1 and R-1 zoned property. Specifically, under LDC Sec. 4.3.21.A.(1)(b), parking areas must be located in the side or rear yard. The commercial vehicles cannot be parked in the front yard, which includes the approximately 270' wide area from western property line to eastern property line and the approximately 45' deep area between the house and SE 150<sup>th</sup> St right of way. Additionally, the truck must be parked at least 100 feet away from neighboring residences. Due to the size of the commercial vehicles, the applicant would not be able to park a truck-trailer combination without encroaching into the 100 feet buffer area, the front yard area, or both at the same time (see Figure 6). In Figure 6, truck-trailer combinations are assumed to have a 24' truck with a 53' trailer.

**Figure 6**  
**Parking Area Restrictions**



As such, staff recommend the following condition(s):

- *All truck-trailer parking will be contained on parcel 41869-012-01.*
- *Truck-trailers are prohibited from parking in the front yard of the property.*
- *The parcel located directly north of Mr. Alvera’s property has a residence within 100 feet of the proposed parking area. If Michael Schaffer, the current property owner of parcel 41869-007-00 provides a written letter of support consenting to commercial vehicle parking within 100 feet of their residence, Mr. Alvera is permitted to park one truck-trailer combination, within that 100-foot buffer zone consistent with other conditions of this SUP. Should the parcel 41869-007-00 undergo change of ownership, a written letter of support from the new owner(s) must be provided to Growth Services in order to maintain this SUP. If the current or future property owner(s) of parcel 41869-007-00 do not consent to commercial vehicle parking within the 100-foot buffer, only a truck/tractor (without trailer) may be parked on-site and must be parked outside of the 100-foot buffer.*

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

**Analysis:** The Applicant states that the parking area has a garbage area for removal of trash.

As such, staff does not recommend any conditions relating to refuse and service area.

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

**Analysis:** The property currently is connected to well & septic. The property is within the Marion County Utility service area, but not within connection distance to central utilities. Marion County Utilities notes this special use permit request does not impact utilities or connection distance. See attachment B for DRC comments pertaining to DRC.

As such, staff does not recommend any conditions relating to utilities.

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

**Analysis:** The applicant does not provide written findings of facts pertaining to screening and buffering. LDC Sec. 4.3.21.A.(1)(c) requires adequate screening of the commercial vehicles.

As such, staff recommend the following conditions:

- *Mr. Alvera will provide and maintain a solid opaque privacy fence, a minimum of 8' in height along the east, west, and south side of the vehicle parking area, consistent with other conditions of this SUP. Along the southern portion of the parking area, Mr. Alvera will provide and maintain an 8' tall opaque gate. The fence and gate must not encroach into County maintained right of way. Mr. Alvero shall be required to apply for appropriate permit(s) for screening with Building Safety within thirty days of approval of this SUP. All screening shall be installed within 30 days of receiving approved permit(s).*

- G. *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:** The applicant's written findings of fact state there are no signs, but there is currently on-site lighting.

Regarding signs, under LDC Sec. 4.4.4.G, signage on agriculturally zoned properties is limited to farms, home occupations, and agriculturally related non-

residential or community facility uses with an approved Special Use Permit. A logistics business does not qualify under these categories.

Regarding exterior lighting, the applicant states there is on-site lighting. During the site visit, staff observed that there is a cut-off light fixture attached to the carport where the semi-truck is stored. The height of the light fixture does not exceed the height of the carport and is directed downward to cast light onto the unpermitted driveway.

As such, staff recommend the following conditions:

- *There shall be no advertising signs on the subject property relating to the trucking operations on the subject property.*
- *Exterior lighting related to the parked commercial vehicles shall be installed in a manner that is non-obtrusive and not directed toward adjacent properties or the adjacent roadway.*

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

**Analysis:** The requested special use permit does not propose buildings that would encroach into required setbacks/yards. Commercial vehicle parking as proposed may conflict with yard requirements under LDC Sec. 4.3.21., but staff proposes conditions to address the potential conflict in section V.C. of this report, which covers off-street parking.

As such, staff does not recommend any conditions relating to required yards and other green space.

I. *Provision for general **compatibility** with adjacent properties and other properties in the surrounding area.*

**Analysis:** Compatibility is defined 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 3 shows the existing uses on the surrounding properties. At this time, there are several large lot agricultural/residential properties, both vacant and improved. The application proposes to park two (2) truck-trailer commercial vehicles exceeding 16,000 pounds used for a business that does not conduct operations on-site (e.g., manufacturing, packaging, loading). If approved, staff recommends allowing one truck (no trailer) or one truck-trailer combination if an appropriate letter of support is provided from the adjacent property owner to the north. However, this trailer shall not be loaded upon entering and exiting from this property to reduce the potential for wear-and-tear on a local subdivision road that is not designed for heavy truck traffic.

Under a valid SUP the property owner could continue to operate his logistics company – Solares Transport, LLC – from this property. This use would only be permitted by right in Regional Business (B-4) and Heavy Business (B-5) zoning districts. A regional/heavy business use that is not associated with bona-fide

agricultural uses in the middle of a Rural Area without a special use permit would be inconsistent with Future Land Use Element (FLUE) policy 2.1.16 of the Marion County Comprehensive Plan, which covers the Rural Lands future land use designation.

Staff find that this use is incompatible with the surrounding area unless the County imposes and enforces conditions to mitigate negative externalities such as noise, dust, light, traffic, roadway maintenance, and visual impact. Several conditions in previous sections of this report address these compatibility concerns, such as parking setback requirements from neighboring residences, driveway design and paving requirements, opaque screening requirements, and others. There are other requirements from the LDC that relate to compatibility and provided as conditions under this section of analysis.

If approved, staff recommend the following conditions:

- *Loaded vehicles and storage of commercial freight is not permitted on the subject property at any time. The commercial vehicles must be unloaded upon entering the property.*
- *No mechanical repairs or maintenance on the commercial vehicle(s) shall take place on-site.*
- *Vehicles of any size with actively operating (running) cab or that have refrigerating cooling units are prohibited.*

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

**Analysis:** Staff notes that unlike a variance which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Staff has recommended a condition that will void the SUP if the property is sold or changes ownership.

Furthermore, a second asphalt millings driveway was constructed to provide commercial vehicle parking. As a result, the site exceeds the threshold for stormwater compliance review due to the amount of impervious surfaces. The driveway was not permitted and as such did not receive a stormwater compliance review. The owner will need to work with OCE Stormwater to ensure no adverse stormwater impacts impact adjacent property owners or County right-of-way.

As such, staff recommends the following conditions:

- *Mr. Alvera shall work with the Marion County Stormwater to bring the subject property into compliance with impervious coverage requirements of the Land Development Code.*
- *This SUP runs with the property owner (Roberto Solares Alvera) and not with the subject property. Any sale of the property, or change of ownership, will void this SUP.*

- *The operator of the commercial vehicles (Roberto Solares Alvera) shall reside on site.*
- *Two trucks and two trailers may be parked on site for the first active 30 days of the SUP. The number will be reduced to one truck by the end of the 30 days. Alternatively, the number will be reduced to one truck-trailer combination if an adequate letter of support written by the property owner of parcel 41869-007-00 is provided to Growth Services within the first active 30 days of the Special Use Permit. By the end of the 30-day period, the property owner will submit the vehicle identification number (VIN) of the truck, and if applicable the trailer, that will be parked on site by the end of the 30-day period. The VIN(s) will be submitted in writing or email to Growth Services. The property owner may only select from the following selection of VINs:*

<b>Semi-Truck/Tractors</b>	<b>Trailers</b>
2006 Freightliner VIN #1FUJAPAV26DW29600	2020 Utility VIN #1UYVS2532L3918304
1999 Peterbilt VIN #1XP5DB9X4XD464500	1998 Wabash VIN #1JJF48ZW4WS470776

- *The SUP shall expire on November 17, 2030; however, this SUP may be eligible for administrative renewal three (3) times for up to five (5) years by filing a SUP administrative renewal form with Growth Services. If an administrative renewal is approved, the Growth Services Director (or position equivalent to Growth Services Director at that time) shall issue a written instrument signed and issued by said director. Under the following circumstances, the SUP will not be eligible for administrative renewal and may be subject to revocation:*
  - *There are unresolved violations of the Land Development Code, the County Code of Ordinances, and/or the conditions of this SUP.*
  - *Property owners within 300 feet of the subject property have submitted complaints to Growth Services or other relevant departments regarding activities conducted under this SUP.*
  - *The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).*

Based on the above findings, Staff concludes the requested SUP is **not consistent** with FLUE Policy 2.1.5 or LDC Sections 2.8.2.D and 2.8.3.B and staff recommends **DENIAL**. However, should the Board of County Commissioners or the Planning & Zoning Commission disagree with recommendation by staff, the following conditions in **Section VII. STAFF RECOMMENDATION** has been provided to address the nine (9) requirements outlined in LDC Section 2.8.2.D. Staff recommend that the conditions be imposed to mitigate impacts to the surrounding properties.

## VI. ALTERNATIVE RECOMMENDATIONS

- 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, and make a recommendation to the Board of County Commissioners to **APPROVE WITH CONDITIONS** the special use permit amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.
- C. 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, and make a recommendation to the Board of County Commissioners 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

- A. Staff recommends the Planning and Zoning Commission enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to the Board of County Commissioners to recommend **DENIAL** of the special use permit.
- B. In the event that the Commission disagrees with staff recommendation, to address compliance with LDC Sections 2.8.2.D and 2.8.3.B, staff recommends that the following conditions are imposed:
  - 1. *Commercial vehicle ingress/egress shall only use an access point on SE 150<sup>th</sup> Street that is approved by the Office of County Engineer.*
  - 2. *Mr. Alvera shall pave and upgrade the existing driveway with sufficient radii accommodate the proposed commercial usage. The physical characteristics shall be dictated by the Office of the County Engineer. Mr. Alvero shall be required to apply for appropriate permits within thirty days of approval of this SUP. The driveway shall be upgraded within sixty days of receiving approved permits from the Office of County Engineer.*
  - 3. *Mr. Alvera shall work with the Marion County Stormwater to bring the subject property into compliance with impervious coverage requirements of the Land Development Code.*
  - 4. *All truck-trailer parking will be contained on parcel 41869-012-01.*
  - 5. *Truck-trailers are prohibited from parking in the front yard of the property.*
  - 6. *The parcel located directly north of Mr. Alvera's property has a residence within 100 feet of the proposed parking area. If Michael Schaffer, the current property owner of parcel 41869-007-00 provides a written letter of support consenting to commercial vehicle parking within 100 feet of their residence, Mr. Alvera is permitted to park one truck-trailer combination, within that 100-foot buffer zone consistent with other conditions of this SUP.*

*Should the parcel 41869-007-00 undergo change of ownership, a written letter of support from the new owner(s) must be provided to Growth Services in order to maintain this SUP. If the current or future property owner(s) of parcel 41869-007-00 do not consent to commercial vehicle parking within the 100-foot buffer, only a truck/tractor (without trailer) may be parked on-site and must be parked outside of the 100-foot buffer.*

7. *Mr. Alvera will provide and maintain a solid opaque privacy fence, a minimum of 8' in height along the east, west, and south side of the vehicle parking area, consistent with other conditions of this SUP. Along the southern portion of the parking area, Mr. Alvera will provide and maintain an 8' tall opaque gate. The fence and gate must not encroach into County maintained right of way. Mr. Alvero shall be required to apply for appropriate permit(s) for screening with Building Safety within thirty days of approval of this SUP. All screening shall be installed within 30 days of receiving approved permit(s).*
8. *There shall be no advertising signs on the subject property relating to the trucking operations on the subject property.*
9. *Exterior lighting related to the parked commercial vehicles shall be installed in a manner that is non-obtrusive and not directed toward adjacent properties or the adjacent roadway.*
10. *Loaded vehicles and storage of commercial freight is not permitted on the subject property at any time. The commercial vehicles must be unloaded upon entering the property.*
11. *No mechanical repairs or maintenance on the commercial vehicle(s) shall take place on-site.*
12. *Vehicles of any size with actively operating (running) cab or that have refrigerating cooling units are prohibited.*
13. *This SUP runs with the property owner (Roberto Solares Alvera) and not with the subject property. Any sale of the property, or change of ownership, will void this SUP.*
14. *The operator of the commercial vehicles (Roberto Solares Alvera) shall reside on site.*
15. *Two trucks and two trailers may be parked on site for the first active 30 days of the SUP. The number will be reduced to one truck by the end of the 30 days. Alternatively, the number will be reduced to one truck-trailer combination if an adequate letter of support written by the property owner of parcel 41869-007-00 is provided to Growth Services within the first active 30 days of the Special Use Permit. By the end of the 30-day period, the property owner will submit the vehicle identification number (VIN) of the truck, and if applicable the trailer, that will be parked on site by the end of the 30-day period. The VIN(s) will be submitted in writing or email to Growth Services. The property owner may only select from the following selection of VINs:*

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2006 Freightliner VIN #1FUJAPAV26DW29600

1999 Peterbilt VIN #1XP5DB9X4XD464500

**Trailers**

2020 Utility VIN #1UYVS2532L3918304

1998 Wabash VIN #1JJF48ZW4WS470776

16. *The SUP shall expire on November 17, 2030; however, this SUP may be eligible for administrative renewal three (3) times for up to five (5) years by filing a SUP administrative renewal form with Growth Services. If an administrative renewal is approved, the Growth Services Director (or position equivalent to Growth Services Director at that time) shall*

*issue a written instrument signed and issued by said director. Under the following circumstances, the SUP will not be eligible for administrative renewal and may be subject to revocation:*

- *There are unresolved violations of the Land Development Code, the County Code of Ordinances, and/or the conditions of this SUP.*
- *Property owners within 300 feet of the subject property have submitted complaints to Growth Services or other relevant departments regarding activities conducted under this SUP.*
- *The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).*

## **VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION**

Denial (4-0).

## **IX. BOARD OF COUNTY COMMISSIONERS' ACTION**

TBD.

## **X. LIST OF ATTACHMENTS**

- A. SUP Application
- B. DRC Comments
- C. Site Photos
- D. Code Enforcement Report