

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

March 17, 2026

CALL TO ORDER:

The Marion County Board of County Commissioners (BCC) met in regular session in Commission Chambers at 9:01 a.m. on Tuesday March 17, 2026, at the Marion County Governmental Complex located in Ocala, Florida.

INVOCATION AND PLEDGE OF ALLEGIANCE:

The meeting opened with invocation by Chairman Zalak and the Pledge of Allegiance to the Flag of our Country.

9:00 AM 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) Angel Roussel, ACA Tracy Straub, ACA Amanda Tart and Executive Director of Internal Services Mike McCain. Clerk Gregory C. Harrell was absent due to a prior commitment.

ANNOUNCEMENTS:

Chairman Zalak addressed upcoming scheduled meetings as listed on the Commission Calendar (Item 13.2.1).

1. PROCLAMATIONS AND PRESENTATIONS:

Upon motion of Commissioner Stone, seconded by Commissioner Bryant, the BCC approved and/or ratified the following:

1.1. PRESENTATION - "Community Impact Award" in Special Recognition to Judge McCourt on behalf of all the Marion County Judges – Lacey Larramore, Solid Waste Resource Liaison (Presentation Only)

Resource Liaison Lacey Larramore, Solid Waste, presented the following recommendation:

Description/Background: Marion County's Board of County Commissioners has been focused on eliminating litter from our community. This effort would not be possible without the contributions of special people and organizations willing to stand up and take action. The "Community Impact Award" has been developed to recognize those outstanding individuals and organizations making a significant difference when it comes to impacting litter in our community.

Today's award goes to the Marion County Judges in recognition of their continued support and commitment to helping keep our roadways and green spaces clean. Through their leadership and dedication to enforcement, Marion County's judges help strengthen the community's efforts to protect our environment and maintain the beauty of our community. Their commitment to upholding these standards plays an important role in promoting environmental responsibility and community pride throughout Marion County.

Budget/Impact: None.

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Recommended Action: Presentation only.

Resource Liaison Lacey Larramore, Solid Waste, presented the "Community Impact Award" to the Judges of Marion County in recognition of their outstanding contribution in the fight against litter. She advised that when the Litter Task Force was established, it was one of the County's goals to recognize individuals and organizations in the community who go above and beyond to protect and preserve the environment. The Community Impact Award was created to honor those making a meaningful difference in keeping Marion County clean and beautiful. Today, staff would like to express their sincere appreciation to the Judges of Marion County for their time, leadership, and continued support. Their dedication plays an important role in helping build a cleaner and stronger community. Ms. Larramore advised that in 2025, the Judges of Marion County made it possible for more than 72,000 hours of litter cleanup through the Solid Waste Community Service Program. Through the Community Foundation, the Judges also helped secure over \$100,000.00 in support for the litter program. Their commitment to accountability and community improvement has made a lasting impact across Marion County. She advised that it is her honor to present the Community Impact Award to the Judges of Marion County in recognition of their dedication, partnership and service. Ms. Larramore noted it is a special honor to have Judge Timothy McCourt here to accept this award on behalf of the Judges of Marion County.

Circuit Judge Timothy McCourt, Fifth Judicial Circuit, stated on behalf of Marion County's Judiciary, he wanted to thank the Board for this certificate and this recognition. He advised that although he cannot speak for his fellow Judges in any official capacity, he can assure everyone that it is very much appreciated. Judge McCourt noted he is also honored that he was chosen to receive it on their collective behalf. He advised that all of the County and Circuit Judges assigned to Marion County live in Marion County and live here in this community, noting they are invested in it just like everybody else. Judge McCourt noted everyone is aware that when traveling throughout the County, they are going to see litter. There is far too much of it, and the people in Marion County deserve better.

Judge McCourt advised that to the extent that the Judges contribute to the litter control effort in their official capacity, it is largely through probation. He stated when someone leaves his courtroom on probation instead of going to jail or prison, he typically requires community service with the Solid Waste Department. Judge McCourt advised that he generally requires about 200 hours per person, although the exact number always depends on the unique circumstances of that case, noting the most he has ever ordered is 1,000 hours for a single probationer who earned it. He opined that after spending a few weekends picking up litter, many of these folks become very careful about where they deposit their trash.

Judge McCourt advised that the practice of requiring litter control as a probation condition started in April of 2005 by the late Circuit Judge Hale Stancil. It continued after he left the bench in 2016 and by now tens of thousands of probationers must have picked up millions upon millions of pounds of litter from the roadsides of this County. Occasionally, when someone cannot perform the work because they live elsewhere or they have physical limitations that do not allow it, he will allow them to buy out their hours, noting those funds go directly into the County's Litter Control Fund through the Ocala Marion Community Foundation so that even when someone cannot support this effort through their labor, their money will go to supporting the same purpose. He stated the real credit belongs to the Marion County Solid Waste Department, Probation Officers, Code Enforcement Officers and the Deputies who work every day helping enforce the Litter Ordinance. Judge

McCourt noted some thanks also go to the probationers who themselves have rolled up their sleeves to help clean up this County and in doing so have bettered their own lives and that of their neighbors. He opined that litter may seem like a small problem, but it affects how we see our community and how others see it as well. Judge McCourt stated the people of Marion County deserve clean roadsides and clean public spaces, and is proud that the Courts are able to play a small part in making that happen.

Commissioner Curry advised that Judge McCourt was with the Marion County Sheriff's Office (MCSO) when the County started the Litter Task Force, noting the County tasked him and State Attorney William "Bill" Gladsen to create a Litter Ordinance. He stated the County's Litter Ordinance has also been adopted by the Cities of Dunnellon, Belleview, and Ocala in order for law enforcement to have a consistent platform across the County. Commissioner Curry referred to the picture of a recent litter case as shown on the overhead screen, noting the County removed 22,000 pounds of garbage from a residence near the Ocala National Forest. He recognized Code Enforcement Officers Tom Sapp and Erika Nash and commented on the time, effort, and money that goes into bringing these type of cases to Court.

1.2. PROCLAMATION - World Down Syndrome Day - Maria Roman, Executive Director/CoFounder, Champions for Champions (Approval and Presentation)

The Board presented the Proclamation designating March 21, 2026 as "World Down Syndrome Day" to Executive Director/CoFounder, Champions for Champions Maria Roman and several representatives.

Executive Director/CoFounder, Champions for Champions Maria Roman advised that Champions for Champions has a six days a week program for those with Down Syndrome, noting all the programs are free to anyone who participates. She stated Champions for Champions uniqueness is that it involves parents and families to be in this program and is the first of its kind in the community. Ms. Roman noted the program does not receive any State or Federal funds.

Commissioner Bryant stated Marion County does have a couple of other great organizations within the community that do amazing things to provide a place for those with Down Syndrome to go on a daily basis and do different things. She advised that The ARC of Marion County provides those with Down Syndrome work and Transitions Life Center (TLC) provides them with activities and community support.

1.3. PROCLAMATION - Employee Appreciation Month - Jessica James, Assistant Director, Marion County Human Resources (Approval and Presentation)

The Board presented the Proclamation designating the month of April 2026 as "Employee Appreciation Month"

Human Resources (HR) Assistant Director Jessica James advised that staff are very excited to be gearing up for the 6th Annual Employee Appreciation Month, which celebrates County employees for their hard work and dedication to the community. As well as celebrating employees, staff are going to be celebrating the County's 250th birthday, so the theme this year is Red, White, and New. She stated the County kicks off the month a little early this year with the 4th annual Employee Easter Egg Hunt, which starts this Saturday, March 21, 2026 at 10 a.m. at Green Clover Hall. Ms. James advised that Employee discount cards start on April 1st with some generous and supportive local businesses offering several discounts to County employees. The County also received another donation that allows its employees and their families to enjoy movies all month

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long at the Marion Theatre. She stated there will be some other after hours activities this month including karaoke at the Marion Theatre this Friday, April 10th and Trivia Night at the Southeastern Livestock Pavilion (SELP) on Friday, April 17th. On top of all of that, the County's "Surprise Squad" will be out and about to revere our 2026 Ideal Team Players. Commissioner McClain opined that staff truly deserve to be celebrated and recognized more than this one month, noting one of the favorite things he got to do when first appointed a Commissioner was to go to each Department and see what staff does each and every day. He commented on the behind the scenes efforts and challenges, noting staff handle all of it with professionalism, grace and with the highest amount of integrity.

1.4. PROCLAMATION - Eagle Scout Court of Honor - Amelia Schmeltz (Approval Only)
The Board approved the Proclamation congratulating Amelia Schmeltz upon attaining the status of Eagle Scout in the Boy Scouts of America organization.

Commissioner Bryant out at 9:28 a.m.

2. AGENDA ITEM PUBLIC COMMENTS:

Reserved for comments related to items specifically listed on this agenda. Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled requests will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00 p.m. the Friday before the meeting at 352-438-2300 to request to speak or submit the request online at: www.marionfl.org.

Chairman Zalak opened the floor to public comment.

There being none, Chairman Zalak advised that public comment is now closed.

Commissioner Bryant returned at 9:29 a.m.

3. ADOPT THE FOLLOWING MINUTES: (3 Sets)

3.1. November 4, 2025

3.2. November 17, 2025 A

3.3. November 17, 2025 B

A motion was made by Commissioner McClain, seconded by Commissioner Curry, to adopt the meeting minutes of November 4 and 17 (2 sets), 2025. The motion was unanimously approved by the Board (5-0).

4. CONSTITUTIONAL OFFICERS AND GOVERNMENTAL OR OUTSIDE AGENCIES:

4.1. Request Approval of Traffic Enforcement Agreement Between William "Billy" Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Pioneer Ranch Community Development District

The Board considered the following recommendation from Marissa Duquette, General Counsel for Marion County Sheriff's Office (MCSO):

Description/Background: The Sheriff has agreed to provide traffic enforcement over private roads within the community of the Pioneer Ranch Community Development District. The attached agreement describes the service area, duties and responsibilities of the parties. The agreement will commence upon signature by all parties and shall be in effect for a term of one year. Thereafter, the agreement shall automatically renew for successive one (1) year terms, unless terminated by either party with 30 day written notice.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Traffic Enforcement Agreement between William “Billy” Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Pioneer Ranch Community Development District.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve and execute the Traffic Enforcement Agreement between William “Billy” Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Pioneer Ranch Community Development District (CDD). The motion was unanimously approved by the Board (5-0).

4.2. Request Approval of Traffic Enforcement Agreement Between William “Billy” Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Marion Ranch Community Development District

The Board considered the following recommendation from Marissa Duquette, General Counsel for the MCSO:

Description/Background: The Sheriff has agreed to provide traffic enforcement over private roads within the community of the Marion Ranch Community Development District. The attached agreement describes the service area, duties and responsibilities of the parties. The agreement will commence upon signature by all parties and shall be in effect for a term of one year. Thereafter, the agreement shall automatically renew for successive one (1) year terms, unless terminated by either party with 30 day written notice.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Traffic Enforcement Agreement between William “Billy” Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Marion Ranch Community Development District.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to approve and execute the Traffic Enforcement Agreement between William “Billy” Woods, Sheriff of Marion County, Marion County Board of County Commissioners, and Marion Ranch Community Development District. The motion was unanimously approved by the Board (5-0).

5. CLERK OF THE CIRCUIT COURT:

Deputy Clerk Windberg advised that Budget Amendment Resolution 5.1.8. coincides with Consent Agenda Item 7.6.1; Budget Amendment Resolution 5.1.9. coincides with Consent Agenda Item 7.3.16 and Budget Amendment Resolution 5.1.12 coincides with Consent Agenda Item 7.3.6.

Upon motion of Commissioner McClain, seconded by Commissioner Bryant, the Board adopted the following Budget Amendment Resolutions transferring funds as presented by Deputy Clerk Windberg, as well as approving Consent Agenda Item 7.6.1, 7.3.16 and 7.3.6:

5.1. Budget Amendment

5.1.1. 26-R-59 - Fire, Rescue and EMS Fund - Fire Rescue Services - \$57,421

5.1.2. 26-R-60 - General Fund - Marion County Public Library System - \$20,800

5.1.3. 26-R-61 - General Fund Grants - Continuum of Care Program - \$35,000

5.1.4. 26-R-62 - Infrastructure Surtax Capital Project Fund - Infrastructure Tax Transportation - \$9,563

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5.1.5. 26-R-63 - Local Housing Assistance Trust Fund - State House Initiative Partner - \$579,420

5.1.6. 26-R-64 - Marion County Utility Fund - Utilities Management - \$60,000

5.1.7. 26-R-65 - Marion County Utility Fund - Utilities Management - \$100,000

5.1.8. 26-R-66 - Marion County Utility Fund - Utilities Management - \$4,135,000

5.1.9. 26-R-67 - Parks and Recreation Fees Fund - Parks and Recreation Fees - \$58,080

5.1.10. 26-R-68 - Parks Capital Project Fund - Parks and Recreation Improvements - \$36,445

5.1.11. 26-R-69 - Stonecrest Center MSBU for Road Maintenance – Stonecrest Center Road Maintenance - \$25,000

5.1.12. 26-R-70 - Tourist Development Tax Fund - Visitors and Convention Bureau - \$58,275

(Ed Note: EMS is the acronym for Emergency Medical Services and MSBU is the acronym for Municipal Service Benefits Units).

7. CONSENT:

A motion to approve the Consent Agenda is a motion to approve all recommended actions. All matters on the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion unless desired by a Commissioner. Upon motion of Commissioner Bryant, seconded by Commissioner Stone, the Board acted on the Consent Agenda as follows:

7.1. Community Services:

7.1.1. Request Approval of Marion County Standard Professional Services Agreement Emergency Solutions Grant (ESG) Between Marion County and The Salvation Army (Budget Impact - Neutral; not to exceed \$137,469.34)

The Board accepted the following recommendation as presented by Community Services Director Cheryl Butler:

Description/Background: On July 15, 2025, the Board of County Commissioners (BCC) approved a contract with the Florida Department of Children and Families (DCF) to distribute state and federal funds, administered through the Ocala/Marion Joint Office on Homelessness Continuum of Care (CoC) FL-514, to support local homeless service providers.

Total funding awarded to Marion County:

- Emergency Solutions Grant (ESG)
- Challenge Grant
- Temporary Assistance for Needy Families (TANF) Grant

As part of the approved Continuum of Care Plan, nonprofit organizations were invited to apply for funding for projects that meet community priorities. The Salvation Army, a local non-profit, requested \$137,469.34 of Emergency Solutions Grant funds. These funds will support Emergency Shelter services for individuals and families experiencing homelessness and help them transition to permanent housing. Activities include rental assistance, move-in costs associated with rapid re-housing, utility and other financial assistance, case management and wrap around services to help clients achieve stable housing and long-term self-sufficiency.

The agreement will be retroactive from July 1, 2025, and run through June 30, 2026.

Budget/Impact: Neutral; not to exceed \$137,469.34.

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Agreement between Marion County and The Salvation Army.

7.2. Parks & Recreation:

7.2.1. Request Approval of Second Amendment to Grant Agreement with the Florida Fish and Wildlife Conservation Commission for Improvements at Heagy-Burry Boat Ramp (Budget Impact - None)

The Board accepted the following recommendation as presented by Parks and Recreation Director Jim Couillard:

Description/Background: The Board of County Commissioners (BCC) approved grant agreement number 17205 with the Florida Fish and Wildlife Conservation Commission (FWC) during the BCC meeting on January 18, 2022. This grant provides funding for several improvements at Heagy-Burry Boat Ramp.

Amendment one (1) extended the expiration date of the grant agreement to December 31, 2025, which was approved during the BCC meeting on March 19, 2024.

Amendment two (2) will extend the expiration date of the grant agreement to November 30, 2027. This extension is necessary to accommodate several extenuating circumstances that delayed the overall project timeline. There is no impact on the project budget or funding from FWC.

Budget/Impact: None.

Recommended Action: Motion to approve and authorize the chairman to execute amendment two (2) to grant agreement with the Florida Fish and Wildlife Conservation Commission for improvements at Heagy-Burry Boat Ramp.

7.2.2. Request Approval of Public Transportation Grant Agreement and Resolution Authorizing the Use of Grant Funds from the Florida Department of Transportation (Budget Impact - Neutral; revenue from grant of \$163,873)

The Board accepted the following recommendation to adopt Resolution 26-R-71 as presented by Parks and Recreation Director Couillard:

Description/Background: The Florida Department of Transportation (FDOT) has offered the Marion County Airport a Public Transportation Grant Agreement (PTGA) in the amount of \$163,873, for Financial Project Number 458143-1-94-01. The grant is intended for the construction of Taxiway Bravo, which includes the installation of taxiway lighting, directional signs and drainage improvements at the Marion County Airport. This grant will provide for 4% of the construction costs for this project.

The U.S. Department of Transportation Federal Aviation Administration is providing for 95% of the construction costs through an Airport Improvement Program Grant Agreement, which was approved during the Board of County Commissioner's meeting on September 16, 2025. Marion County is providing the remaining 1% construction costs as a grant match.

As with previous FDOT grant agreements, a Resolution authorizing the Chairman and Clerk to execute said agreement for the use of grant funds is required as part of the grant approval process. The Resolution will be included in the PTGA as Exhibit D.

Budget/Impact: Neutral; revenue from grant of \$163,873.

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Recommended Action: Motion to approve and authorize the chairman and clerk to execute the Public Transportation Grant Agreement and Resolution authorizing the use of grant funds.

7.2.3. Request Approval of Public Transportation Grant Agreement and Resolution Authorizing the Use of Grant Funds From the Florida Department of Transportation (Budget Impact - Neutral; revenue from grant of \$335,886)

The Board accepted the following recommendation to adopt Resolution 26-R-72 as presented by Parks and Recreation Director Couillard:

Description/Background: The Florida Department of Transportation (FDOT) has offered the Marion County Airport a Public Transportation Grant Agreement (PTGA) in the amount of \$335,886, for Financial Project Number 458143-2-94-01. The grant is intended for the construction of a taxiway connector between the new parallel taxiway and Runway 10-28, which includes the construction of taxiway lighting and directional signs at the Marion County Airport. This grant will provide 80% of the construction costs for the project, with Marion County providing the remaining 20% construction costs as a grant match.

As with previous FDOT grant agreements, a Resolution authorizing the Chairman and Clerk to execute said agreement for the use of grant funds is required as part of the grant approval process. The Resolution will be included in the PTGA as Exhibit D.

Budget/Impact: Neutral; revenue from grant of \$335,886.

Recommended Action: Motion to approve and authorize the chairman and clerk to execute the Public Transportation Grant Agreement and Resolution authorizing the use of grant funds.

7.2.4. Request Approval of Public Transportation Grant Agreement and Resolution Authorizing the Use of Grant Funds From the Florida Department of Transportation (Budget Impact - Neutral; revenue from grant of \$58,868)

The Board accepted the following recommendation to adopt Resolution 26-R-73 as presented by Parks and Recreation Director Couillard:

Description/Background: The Florida Department of Transportation (FDOT) has offered the Marion County Airport a Public Transportation Grant Agreement (PTGA) in the amount of \$58,868, for Financial Project Number 451465-2-94-01. The grant is intended for the construction of a new beacon and electrical vault at the Marion County Airport. This grant will provide for 4% of the construction costs for this project.

The U.S. Department of Transportation Federal Aviation Administration is providing for 95% of the construction costs through an Airport Improvement Program Grant Agreement, which was approved during the board meeting on September 16, 2025. Marion County is providing the remaining 1% construction costs as a grant match.

As with previous FDOT grant agreements, a Resolution authorizing the Chairman and Clerk to execute said agreement for the use of grant funds is required as part of the grant approval process. The Resolution will be included in the PTGA as Exhibit D.

Budget/Impact: Neutral; revenue from grant of \$58,868.

Recommended Action: Motion to approve and authorize the chairman and clerk to execute the Public Transportation Grant Agreement and Resolution authorizing the use of grant funds.

7.3. Procurement Services:

7.3.1. Request Approval of Bid Award: 25B-111 Construction of Taxiway Bravo, Airfield Vault & Beacon - C.W. Roberts Contracting, Inc., Wildwood, FL (Budget Impact - Neutral; expenditure of \$5,398,185)

The Board accepted the following recommendation as presented by Procurement Services Director Susan Olsen:

Description/Background: On behalf of Marion County Parks & Recreation, Procurement advertised a bid seeking a qualified contractor to construct a full-length parallel taxiway (Taxiway Bravo) to Runway Bravo 10-28, install a new airfield rotating beacon, and construct a connector taxiway to Runway 10-28 at the Marion County Airport. This is a grant-funded project. Funding for Taxiway B and the beacon will be provided by the FAA (95%), FDOT (4%), and a local match (1%). Funding for the Connector Taxiway will be provided through a grant from FDOT (80%) with the remaining 20% funded through a local match. Work also includes pavement markings, drainage improvements, and other associated airfield infrastructure necessary to complete the project in accordance with the plans and specifications. Two (2) submittals were received and the tabulation is listed below.

Firm Name - Location	Bid Price
C.W. Roberts Contracting, Inc. - Wildwood, FL	\$5,398,185.00
Commercial Industrial Corp. - Ocala, FL	\$5,711,978.75

Jim Couillard, Director of Parks & Recreation, recommends that C.W. Roberts Contracting, Inc. receive the award as the lowest, most responsive, and most responsible bidder.

Attached for review is a draft contract and if approved at today's meeting, it will be sent to the contractor for signatures. Upon return, it will be forwarded to Legal, the Clerk and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$5,398,185. Funding is from BQ415542-563102 MAC202202D (Marion County Airport Fund).

Recommended Action: Motion to approve the recommendation, allow staff to issue, and upon approval by Legal, authorize the Clerk and Chairman to execute contract with C.W. Roberts Contracting, Inc., under 25B-111.

7.3.2. Request Approval of Bid Award: 26B-021 SE 92nd Loop Landscaping - H & J Landscaping Services, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$474,600.63)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid for a landscaping project along SE 92nd Loop between US Hwy 441 and SE 58th Avenue/SR 35. Work includes installing various types and sizes of plants and mulch materials along the grassed median, outside of the pavement area within the right-of-way and in the drainage retention areas. In addition, work includes providing design-build services of an irrigation system

for the installed landscaping. Two (2) submittals were received, and the tabulation is below:

Firm - Location	Bid Total
Ocala Landscape Management, Inc. - Ocala, FL	\$380,531.00- withdrawn
H & J Landscaping Services, Inc. - Ocala, FL	\$474,600.63

After attending the pre-award meeting, Ocala Landscape Management, Inc. made the decision to withdraw their bid. Steven Cohoon, P.E., County Engineer, recommends that H & J Landscaping Services, Inc. receive the award as the lowest, most responsive and most responsible bidder.

Attached for review is a draft of the contract. Upon approval at today's meeting, it will be sent to H & J Landscaping Services, Inc. for signature, and upon return, will be forwarded to Legal, the Clerk, and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$474,600.63. 10% contingency will be added to the purchase order in accordance with the Procurement Manual. Funding is from VF762541-563610-TIP54100D (Public Improvement Transportation Capital Fund).

Recommended Action: Motion to approve the recommendation to allow staff to issue a contract, and upon approval by Legal, authorize the Clerk and Chairman to execute the contract with H & J Landscaping Services, Inc. under 26B-021.

7.3.3. Request Approval of Bid Award: 26B-038 NE 35th Street/NE 60th Court (from NE 36th Avenue to SR 40) Resurfacing – Anderson Columbia Co., Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$1,044,580.81)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On behalf of the Office of the County Engineer, Procurement advertised a bid for resurfacing NE 35th Street/NE 60th Court from NE 36th Street to SR 40. The scope of work will generally include milling and/or overlaying existing pavement, constructing side street and driveway aprons, sodding shoulders, and restriping the pavement markings. A total of four (4) submittals were received in response to the solicitation, and the bid tabulation is provided below:

Firm - Location	Bid Total
Anderson Columbia Co., Inc. - Ocala, FL	\$1,044,580.81
C W Roberts Contracting, Inc. - Ocala, FL	\$1,132,443.68
Superior Asphalt, Inc. - Oneco, FL	\$1,165,001.00
Art Walker Construction, Inc. - Ocala, FL	\$1,181,147.99

Steven Cohoon, P.E., County Engineer, recommends that Anderson Columbia Co., Inc. receive the award as the lowest, most responsive, and most responsible bidder.

Attached for review is a draft of the contract. Upon approval at today's meeting, it will be sent to Anderson Columbia Co., Inc. for signature, and upon return, will be forwarded to the Clerk and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$1,044,580.81. Up to ten percent (10%) contingency will be added to the purchase order in accordance with the Procurement Manual. Funding is from VJ738541-563220-STC073833 (Infrastructure Surtax Capital Project Fund).

Recommended Action: Motion to approve the recommendation and allow staff to issue a contract, and upon approval by Legal, authorize the Clerk and Chairman to execute the contract with Anderson Columbia Co., Inc., under 26B-038.

7.3.4. Request Approval of Change Orders to Purchase Order 2401106: 23Q-225 CR 475A (SW 27th Avenue) Improvements - Kittelson & Associates, Inc., Orlando, FL (Budget Impact - Neutral; additional expenditure of \$261,826)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On February 20, 2024, the Board of County Commissioners (BCC) approved a Request for Qualifications (RFQ) and awarded a contract to Kittelson & Associates, Inc. to design and prepare construction plans for elevating CR 475A (aka SW 27th Avenue) from 0.7 miles north of SW 66th Street to SW 42nd Street and to conduct an intersection study, analysis, design, and provide construction plans for CR 475A at SW 66th Street. The RFQ also provided for future work including the preparation of a Preliminary Engineering Report (PER) for the CR 475A four-lane widening project, and all documents associated with the work.

Change Order 4:

During the design process of the elevated roadway portion of the project, the need for a Pumping Analysis was identified. This work was included in the original contract as an Optional Task under Exhibit B - Fee Schedule, Task A.

The Pumping Analysis will:

- Estimate expected stormwater runoff and potential flood impact in a storm event
- Evaluate the performance and impact of the existing Drainage Retention Area (DRA)
- Analyze potential pumping scenarios and recommend an appropriate pump selection
- Develop recommended operating procedures for pumping

Change Order 5:

It was determined that a PER for the intersection of CR 475A and SW 66th Street was needed for this portion of the project. This work was not included in the RFQ scope and is separate from the future CR 475A four-lane widening PER. This PER will evaluate alternative intersection improvements to enhance operations and safety with the following:

- Analyze traffic operations and safety conditions
- Evaluate improvement alternatives
- Provide concept plans
- Develop cost estimates
- Identify right-of-way impacts
- Conduct public involvement activities
- Prepare and finalize the PER

The Change Orders, exhibits, and maps are attached for review. Upon approval at today's meeting, the Change Orders will be presented to the Chairman for signature.

Budget/Impact: Neutral;

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Change Order 4 additional expenditure \$113,360;

Change Order 5 additional expenditure \$148,466;

Total additional expenditure \$261,826;

Funding comes from BM761541-563221 (80% Gas Tax Construction Fund).

Recommended Action: Motion to approve, allow staff to process, and authorize the Chairman and Clerk to execute Change Orders 4 and 5 to Purchase Order 2401106.

7.3.5. Request Approval of Change Order to Purchase Order 2500176 - 22Q-132 Waste Water Treatment Facility for Southwest Service Area Project Design - Ardurra Group, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$998,577)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On March 21, 2023, the Board approved a contract with Ardurra Group, Inc. to provide engineering services for the Southwest Service Area Wastewater Treatment Facility Project Design. The scope of this first phase included evaluating the current and projected wastewater treatment capacity needs within the southwest service area and identifying the most appropriate short-term and long-term solutions.

On August 20, 2024, the Board approved Contract Amendment 1, which authorized Phase II of the project. Phase II includes design, permitting, and bidding assistance for the expansion of the Oak Run Wastewater Treatment Plant from 1.6 million gallons per day (MGD) to 3.5 MGD treatment capacity. This phase also includes the design and bidding of early work operations and maintenance components to enhance existing plant operations prior to construction of the expansion. Additionally, preparation of the Annual Capacity Analysis Report, as required by the current Wastewater Treatment Permit, was incorporated into the scope of services.

Change Order 1 was executed on October 10, 2024, reducing the Purchase Order amount to offset a payment that had been made to the vendor in the amount of \$42,492 while the purchase order was pending.

Change Order 2 was executed on December 11, 2024, to correct the vendor number assigned to the Purchase Order.

Change Order 3, presented for Board consideration today, provides additional professional engineering services, which include grant administration services; evaluation of equalization tank/odor control; biosolids and phasing evaluations; conversion of the existing peak shaving tank to an equalization tank; evaluation and incorporation of odor control improvements; relocation of the biosolids building and digester; addition of new process units, filters, and a contact basin; construction of a new reject pond; development of a new Drainage Retention Area (DRA); and construction of new access roads within the site.

The Change Order and detailed proposal are attached for review. Upon approval at today's meeting, the Change Order will be presented to the Chairman for signature.

Budget/Impact: Neutral; additional expenditure of \$998,577, bringing the total amount of the purchase order to \$2,954,923. Funding from Marion County Utility Fund line: ZF448536-562102; Project Code UTC000101.

Recommended Action: Motion to approve the Change Order, allow staff to process, and authorize the Chairman and Clerk to execute Change Order 3 to Purchase Order 2500176.

7.3.6. Request Approval of Change Order to Purchase Order 2600192: 21P-166 Media Planning and Buying - Miles Partnership, LLLP, Sarasota, FL (Budget Impact - Neutral; additional expenditure of \$58,275)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On October 19, 2021, the Board awarded a contract to Miles Partnership, LLLP (Miles) to provide media planning and placement services. These services are a key component of the destination marketing cycle, designed to maximize campaign reach across media buying platforms while measuring performance to drive online traffic and convert potential visitors into tourists to Marion County.

Change Order 1, presented today, provides for strategic media planning and placement associated with the America 250 campaign. This campaign will utilize a multi-channel marketing approach to promote Ocala/Marion County as a patriotic, family-friendly destination. The effort will align with County community events and is intended to encourage-drive market visitation leading into Independence Day 2026. As part of this initiative, the campaign will leverage social media content creation and targeted media placement to support tourism generation during the March through July 2026 timeframe.

The change order is attached for review. Upon approval at today's meeting, the change order will be presented to the Chairman for signature.

Budget/Impact: Neutral; additional expenditure of \$58,275, bringing the total amount of the purchase order to \$1,708,275. Funding is from CP155552-548101 with Project Code 106AME250-OPR TOURS.

Recommended Action: Motion to approve the change order, allow staff to process, and authorize the Chairman and Clerk to execute Change Order 1 to Purchase Order 2600192 under 21P-166.

(Ed. Note: This Item was adopted with Budget Amendment Resolution 5.1.12.)

7.3.7. Request Approval of Contract Amendment: 23Q-163-CA-02 Engineering Consulting Services for Marion County Airport - Parallel Taxiways - Hoyle Tanner & Associates, Inc., Oviedo, FL (Budget Impact - Neutral; expenditure of \$412,900)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On November 21, 2023, the Board approved an agreement with Hoyle Tanner & Associates, Inc. to provide engineering and consulting services for parallel taxiways at the Marion County Airport. Per the first contract amendment, approved on June 3, 2025, grant funding regulations require this taxiway project to be brought back to the Board for approval now that construction is ready to begin. This is a grant funded project through the FAA (90% match funding), FDOT (8% match funding), and local (2% match funding).

This second contract amendment requests approval for Hoyle Tanner & Associates, Inc. to conduct Construction Engineering Inspection (CEI) services for the construction of Taxiway B, a parallel taxiway to Runway 10-28. The project will

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allow aircraft to safely traverse the airfield in preparation for departure and after landing. The project also includes relocating and installing a new airfield beacon and installing a larger electrical vault. CEI services will include construction administration, project and cost administration, recording drawings, resident project representative services, construction materials testing, and environmental and wildlife services.

Included with this contract amendment, Change Order 3 increases the purchase order by \$412,900.00 to cover the CEI services associated with the construction of Taxiway B.

Attached for review is a draft of the contract. Upon approval at today's meeting, it will be sent to Hoyle Tanner & Associates, Inc. for signatures. Once returned, it will be forwarded to Legal, the Clerk, and the Chairman for signatures.

Budget/Impact: Natural; additional expenditure of \$412,900, bringing the total amount of the Purchase Order to \$851,314.01. Funding comes from BQ415542-563102-MAC202202D (Marion County Airport Fund).

Recommended Action: Motion to approve recommendation and allow staff to issue the contract and to process Change Order 3 to Purchase Order 2501433. Upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Hoyle Tanner & Associates, Inc., under 23Q-163.

7.3.8. Request Approval of Contract Amendment (Renewal): 21P-060-CA-04, Debris Response Operations, Phase 3, Debris Monitoring Services - Tetra Tech, Inc. - Pasadena, CA (Budget Impact - Neutral; ceiling price of \$30,000 at the time of disaster) The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On April 6, 2021, the Board approved a contract with Tetra Tech, Inc., for debris monitoring services to monitor roadway debris clearance (first push efforts) during an emergency event response period. The work will include damage assessments and monitoring debris clearance activities in an effort to restore essential traffic. Following a favorable review of the vendor, Steven Cohoon, P.E., County Engineer recommends approval of renewing the contract for an additional one (1) year term. This contract does not include renewal options. Board approval is requested to extend the contract to allow services to continue while a new solicitation is developed and completed.

Attached for review is the draft copy of the contract amendment. Upon approval at today's meeting, the contract will be forwarded to the firm for review and signature. Once returned, it will be routed to the County Attorney, Clerk, and Chairman for final signatures.

Budget/Impact: Neutral; contract value ceiling price \$30,000, at the time of disaster.

Recommended Action: Motion to approve the recommendation, allow staff to issue, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Tetra Tech, Inc., under 21P-060.

7.3.9. Request Approval of Contract Amendment (Renewal): 21P-061-CA-04, Debris Response Operations, Phase 4, Debris Monitoring Services - Tetra Tech, Inc. - Pasadena, CA (Budget Impact - Neutral; ceiling price of \$3,000,000 at the time of disaster)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On April 6, 2021, the Board approved a contract with Tetra Tech, Inc., for debris monitoring service for the monitoring of debris collection, staging, and disposal during an emergency event recovery period. The work includes damage assessments, reporting, and monitoring of debris related activities such as collection, transportation, staging, reduction, or other processing, and final disposal in an effort to recover from an event. Following a favorable review of the vendor, Steven Cohoon, P.E., County Engineer recommends approval of renewing the contract for an additional one (1) year term. This contract does not include renewal options. Board approval is requested to extend the contract to allow services to continue while a new solicitation is developed and completed.

Attached for review are draft copies of the contract amendment. Upon approval at today's meeting, the contract will be forwarded to the firm for review and signature. Once returned, it will be routed to the County Attorney, Clerk, and Chairman for final signatures.

Budget/Impact: Neutral; contract value ceiling price \$3,000,000, at time of disaster. Recommended Action: Motion to approve the recommendation, allow staff to issue, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Tetra Tech, Inc. under 21P-061.

7.3.10. Request Approval of Contract Amendment (Renewal): 21P-145-CA-05, Janitorial Cleaning Services - Outliers Capital SMB LLC d/b/a Blue Ribbon Cleaning Company, Inc., Ocala, FL (Budget Impact - Neutral; estimated expenditure of \$1,142,200)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On June 15, 2021, the Board approved two contracts for janitorial cleaning services for Marion County's countywide facilities. Subsequently, on June 20, 2023, the Board authorized consolidating janitorial services for both countywide buildings and the Library under a single provider, Outliers Capital SMB LLC d/b/a Blue Ribbon Cleaning Company, Inc. (BRC), effective August 1, 2023.

This contract amendment renews the contract from May 1, 2026, through April 30, 2027.

Attached for review is a draft contract amendment; pending approval at today's meeting, it will be sent to BRC for signatures, and upon return, will be forwarded for the County Attorney, Clerk, and Chairman's signatures.

Budget/Impact: Neutral; estimated annual expenditure of \$1,142,200.

Recommended Action: Motion to approve and allow staff to issue, and upon return from Legal, authorize the Chairman and Clerk to execute the contract amendment under 21P-145.

7.3.11. Request Approval of Contract Amendment (Renewal): 23P-064-CA-01 - Parks and Recreation Picnic Pavilions - Jim's Complete Construction, LLC, St. Cloud, FL (Budget Impact - None)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

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Description/Background: On February 6, 2024, the Board of County Commissioners approved the award of a master contract to Jim's Complete Construction, LLC, for the construction of various picnic pavilions at County park locations on behalf of the Parks & Recreation Department (Department). The contract was competitively procured through a Request for Proposals (RFP) process and has since been utilized on an as-needed basis, including the issuance of task orders for specific pavilion projects. The Department wishes to renew the contract with Jim's Complete Construction, LLC, for an additional two years, ending January 31, 2028.

Attached for review is a draft of the amendment. Upon approval at today's meeting, it will be forwarded to Jim's Complete Construction, LLC, for signatures. Once returned, it will be sent to Legal, then the Clerk and Chairman for signatures.

Budget/Impact: None. Projects assigned to the firm which exceed \$50,000, will be brought back before the Board as a separate task order with a detailed scope and fee schedule for review and final approval.

Recommended Action: Motion to approve the recommendation and allow staff to issue the contract, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Jim's Complete Construction, LLC, under 23P-064.

7.3.12. Request Approval of Contract Amendment (Renewal): 23Q-005-CA-01, Pressure Washing and Painting Contract Services - Razorback LLC, Tarpon Springs, FL, RMK Consulting LLC d/b/a Kodiak Property Maintenance, Orlando, FL, SBAA Contracting, LLC, Orlando, FL (Budget Impact - None)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On March 7, 2023 the Board approved contracts with three (3) qualified Pressure Washing & Painting Contract Services for Marion County owned and leased buildings.

The Facilities department recommends renewing the contract for its final one (1) year term, through March 30, 2027. The vendors have also expressed their desire to continue the contract.

Attached for review are three (3) contract amendment drafts. Upon approval at today's meeting, the contracts will be sent to Razorback, Kodiak Property, and SBAA Contracting for signature and once returned, will be forwarded to legal, the Clerk, and Chairman for signatures.

Budget/Impact: None; projects assigned to firms which exceed \$50,000 will be brought back before the board as a separate task order with a detailed scope and fee schedule for review and final approval.

Recommended Action: Motion to approve recommendation, allow staff to issue, and upon approval by Legal, authorize the Chairman and Clerk to execute the contracts under 23Q-005.

7.3.13. Request Approval of Contract Amendment (Renewal): 24Q-295-CA-01 Tourism Photography and Video - Digital Fury LLC, Ocala, FL (Budget Impact - Neutral; estimated expenditure of \$350,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On February 18, 2025, the Board approved a contract with Digital Fury LLC and Maven Photo and Film to provide professional photography and videography services for the Ocala/Marion County Visitors and Convention Bureau (VCB), capturing high-quality visuals of leisure activities, outdoor adventures, business travel, event venues, and special occasions to promote Marion County as a premier tourism destination.

After evaluating its upcoming tourism photography and videography needs and overall program structure, VCB has determined that it will not be exercising the renewal option with Maven Photo and Film. This determination reflects internal program considerations and evolving service needs and is not a reflection of the firm's performance. VCB will instead renew with Digital Fury LLC, exercising the first of three (3) one-year renewal options through March 31, 2027. This Amendment also expands the scope of services to include additional deliverables and responsibilities described in the contract amendment. In conjunction with these efforts, the County intends to reopen the solicitation to allow additional firms the opportunity to submit qualifications and become pre-qualified to provide tourism photography and videography services, ensuring the County maintains a broad and flexible pool of qualified vendors to support future tourism marketing initiatives.

Attached for review is a draft contract amendment. Upon approval at today's meeting, it will be sent to Digital Fury LLC for signatures. Once returned, it will be forwarded to the County Attorney, Clerk, and Chairman for signatures.

Budget/Impact: Neutral; estimated expenditure of \$350,000. Funding is available in line CP155552-548101 - Tourist Development Fund.

Recommended Action: Motion to approve, allow staff to issue, and upon approval by Legal, authorize the Chairman and Clerk to execute the contract with Digital Fury LLC under 24Q-295.

7.3.14. Request Approval of Task Order: 23Q-087-TO-61 Marion County Resilient Florida Adaptation Plan - Half Associates, Inc., Tavares, FL (Budget Impact - Neutral; expenditure of \$210,000)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On June 6, 2023, the Board approved contracts with multiple firms to provide various civil site-related engineering services for the County. Firms were selected based on their qualifications in accordance with §287.055 Consultant's Competitive Negotiation Act.

Half Associates, Inc. has been recommended by County Engineer, Steven Cohoon, P.E., to develop the Marion County Resilient Florida Adaptation Plan (AP) in accordance with the Resilient Florida Program, the Florida Adaptation Planning Guidebook, and a Grant Agreement with the Florida Department of Environmental Protection (FDEP).

The Adaption Plan will analyze flood-prone areas and critical assets across Marion County and define adaptation needs and strategies consistent with the Florida Adaptation Planning Guidebook. The project includes developing a draft plan, mapping critical assets, and engaging the public to gather input and prioritize adaptation needs and strategies. The effort will conclude with a final Adaptation

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Plan that includes prioritized projects, cost estimates, implementation timelines, and a public presentation to support long-term resilience planning and action.

Attached for review is a draft of the Task Order contract. Upon approval at today's meeting, it will be sent to Halff Associates, Inc. for signature and upon return will be forwarded to Legal, the Clerk, and Chairman for signatures.

Budget/Impact: Neutral; expenditure of \$210,000. Funding is from: EK430538-534105-STM000002 (Stormwater Program) via grant funding through FDEP's Resilient Florida program.

Recommended Action: Motion to approve the recommendation and allow staff to issue contract, and upon approval by Legal, authorize the Chairman to execute the contract with Halff Associates, Inc. under 23Q-087-TO-61.

7.3.15. Request Approval of Task Order: 25Q-106-TO-12 Utilities Engineering Design Support Services, Southwest Regional Water Reclamation Facility Odor and Erosion Control Study – Clymer Farner Barley, Inc., Ocala, FL (Budget Impact - Neutral; expenditure of \$227,684)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: On September 16, 2025, the Board approved contracts with seven (7) firms to provide Utilities Engineering Design Support Services for Marion County.

Under this agreement, Marion County Utilities (MCU) has assigned Clymer Farner Barley, Inc., to provide professional engineering services for the Southwest Regional Water Reclamation Facility Odor and Corrosion Control Study.

This work will include the evaluation of the sanitary sewer collection system and identification of potential upgrades to the collection system to mitigate public odor complaints and hydrogen sulfide induced corrosion.

A copy of the Clymer Farner Barley, Inc., proposal is attached for review and upon approval will become part of the project file and backup to the purchase order.

Budget/Impact: Neutral; expenditure of \$227,684. Funding for this project is from ZF448536-562102 (Marion County Utility Fund), Project UTC000101.

Recommended Action: Motion to approve and allow staff to release the purchase order for Clymer Farner Barley, Inc, under 25Q-106.

7.3.16. Request Ratification of Change Order to Purchase Order 2500635: 24B-119 Heagy Burry Boat Ramp Renovation - BDI Marine Contractors, LLC, Hobe Sound, FL (Budget Impact - Neutral; additional expenditure of \$58,080)

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: This change order is being presented for ratification due to project construction time constraints and upcoming events hosted out of Heagy-Burry Boat Ramp. This change order substitutes 6-inch diameter wood with 10-inch diameter structural steel dock pilings for the floating dock modifications. The work primarily involves procuring and installing fourteen (14) structural steel piles required for the floating dock system, modification to the metal dock system, and mobilization and use of specialized marine construction equipment. These modifications are required to meet the structural needs of the floating dock system due to the conditions of the bottom strata of Orange Lake. The change order adds

an additional 30 days to the construction time with final completion expected on April 7, 2026. The amount from the change order and the contingency will cover the quoted cost of \$162,710, to finish the project.

Budget/Impact: Neutral; additional expenditure of \$58,080, bringing the total amount of the purchase order to \$2,510,357.65. Funding comes from CR362572-563102-PRC000031 (Parks & Rec Fees Fund).

Recommended Action: Motion to ratify Change Order 9 to purchase order 2500635 under 24B-119.

(Ed. Note: This Item was adopted with Budget Amendment Resolution 5.1.9.)

7.3.17. Request Approval of Purchases \$50,000 and Over

The Board accepted the following recommendation as presented by Procurement Services Director Olsen:

Description/Background: The item(s) below have been received by Procurement Services and are approved for conformance with the Procurement Code/Manual, pending approval at today's meeting.

1. Pending Requisition/Ridersmarket Daytona, LLC - Marion County Sheriff's Office requests approval to purchase (3) 2026 BMW 1300 RT-P Motorcycles for Traffic Unit Department 2010, at \$38,722.83 each. Total expenditure of \$116,168.49. Funds available using One Cent Sales Tax with Project Code STC0737VE. This purchase meets competitive bidding requirements under Florida Sheriff's Association Vehicle Contract FSA25-VEL33.0.
2. Pending Requisition/Insight Public Sector, Inc - Marion County Information Technology requests approval to renew the County's Commvault Complete Data Protection for Non-Virtual and File renewal for ongoing system support and security updates essential to the County's operations. Total Expenditure of \$213,577.27 Funds are available in line AA174516-522106. This purchase meets competitive bidding requirements under OMNIA Partners (Cobb County) IT Products and Services Contract 23-6692-03.
3. Pending Requisition/Panasonic - Marion County Sheriff's Office requests approval to purchase Panasonic Toughbook computers, vehicle docking stations, and Brother mobile printers with related accessories for installation in new Sheriff's Office vehicles. Equipment includes Panasonic Toughbook 55 laptops, Toughbook G2 tablets, vehicle docking stations, service packages, and Brother mobile printers with mounting hardware and power adapters to support mobile field operations and reporting. Total expenditure of \$170,583. Funds available using One Cent Sales Tax with Project Codes STC0736VE (\$66,120) and STC0737VE (\$104,463). This purchase meets competitive bidding requirements under OMNIA Partners Contract 2024056-01 (Mesa Cooperative Contract).

Recommended Action: Motion to approve requested purchases.

7.4. Tourist Development:

7.4.1. Request Approval of Tourist Development Council Recommendations for Room Night Generating Events (Budget Impact - Neutral; expenditure of up to \$22,500)

The Board accepted the following recommendation as presented by Tourist Development Director Loretta Shaffer:

Description/Background: The Tourist Development Council (TDC) seeks funding approval for organizations that have festivals, events, or programs which support the TDC's mission of growing the economy and accelerating prosperity in Marion County through effective destination sales and marketing. The Room Night Generating Event Funding Program is intended to position Marion County as a must-experience destination in Florida through bringing quality events and initiatives to Marion County. The following funding contracts were recommended for approval by the TDC.

Blue Knights Spring Southern Regional Conference	\$5,000
Ocala Spring Premier I	\$5,000
Ocala Spring Classic II & Classic III	\$12,500

Budget/Impact: Neutral; expenditure of up to \$22,500. Funding From CP155552-548101.

Recommended Action: Motion to approve the Tourist Development Council funding requests and authorize the Chairman and Clerk to execute the attached funding agreements.

7.5. Transportation - County Engineer:

7.5.1. Request Approval of the Release of a Subdivision Improvement Agreement with Bond Associated with Copperleaf (Budget Impact - None)

The Board accepted the following recommendation as presented by County Engineer Steven Cohoon, Office of the County Engineer (OCE):

Description/Background: This is a request to approve the Release of a Subdivision Improvement Agreement with Surety Bond associated with the Copperleaf subdivision. The engineering improvements were inspected on October 16, 2025. The release will be recorded in the public record for proper satisfaction of the surety bond.

Budget/Impact: None.

Recommended Action: Motion to approve the attached Release and to authorize the Chairman and Clerk to execute the same.

7.6. Utilities:

7.6.1. Request Approval of a Purchase Agreement and Addendum in Association with Future Utility Development for Parcels 35341-002-25 & 35341-001-20 (Budget Impact - Neutral; expenditure of \$4,120,000)

The Board accepted the following recommendation as presented by Utilities Director Tony Cunningham:

Description/Background: The Southwest Regional Water Reclamation Facility is currently in design to be expanded. Marion County Utilities (MCU) staff conducted a workshop with the Board on December 2nd, 2025, to discuss the plant expansion plan. In conjunction with the expansion, this land purchase will expand the plant property to include an additional 32.96 acres to the west and south of the existing plant site. The additional property will be available for expansion of plant reclaimed water facilities, utilized as a buffer from adjacent uses, utilized for relocation of some of the unit process facilities further west away from existing residents and to construct an access road to directly serve the plant site.

This is a request to approve a Purchase Agreement in the amount of \$4,120,000, plus closing costs and Addendum to the Purchase Agreement for parcels 35341-

002-25 and 35341-001-20 in association with future utility development. This purchase is approximately 32.96 acres.

Budget/Impact: Neutral; expenditure of \$4,120,000, plus closings costs (Fund-ZF440536 - 561101).

Recommended Action: Motion to approve and authorize the Chairman and Clerk to execute the Purchase Agreement and Addendum.

(Ed. Note: This Item was adopted with Budget Amendment Resolution 5.1.8.)

8. COUNTY ATTORNEY:

8.1. Request Board Authorization for County Attorney and County Engineer to Proceed with the Acquisition of Certain Property Interests from 42nd Street Flyover, LLC, or its Successor in Interest, for the SW 40th and SW 49th Avenue Road Construction Project, within the Purchase Price and Other Parameters Described Herein

The Board considered the following recommendation as presented by County Attorney Matthew G. Minter, Legal:

Description/Background: Marion County is currently constructing the SW 40th and SW 49th Avenue Roadway Project pursuant to a design-build contract with Art Walker Construction, Inc. Acquisition of certain real property interests owned by 42nd Street Flyover, LLC is necessary to complete the project as designed. 42nd Street Flyover, LLC, owns two parcels southeast of the Heathbrook development, totaling approximately 283.55 acres in size. The approved roadway alignment traverses both parent parcels, necessitating the proposed acquisitions, which include 5.64 acres of drainage retention areas, 0.21 acres of drainage easements, 11.02 acres of Fee Simple right-of-way, and 5.17 acres of temporary construction easements, for a total of 21.851 total acres of property being acquired. Following extensive negotiations and the filing of a Petition in Eminent Domain, the parties have reached an agreement on the essential terms of a negotiated settlement, which is being presented for the Court's approval via a Stipulated Order of Taking and Final Judgment ("Stipulated OT"). The proposed Stipulated OT provides for the acquisition of the necessary property interests to allow construction to proceed. Staff respectfully requests Board approval of the proposed Stipulated OT, based on the agreed-upon essential terms, and authorization for the County Attorney and County Engineer to finalize and execute the Joint Motion for Entry of the Stipulated OT and any related ancillary documents consistent with those terms that are necessary to complete the acquisitions. Construction activities in this phase of the project have been delayed pending the acquisition of the required property interests. Approval of these settlement terms will facilitate the timely completion of the roadway project.

Compensation and Expenses: The most important part of the settlement provides for payment of the constitutional measure of "full compensation" to the property owner for all interests for \$2,293,655, including any claims for severance damages or consequential damages. In addition to that, the County will be required to pay the owner's statutory attorney fees of \$309,471, for a total cost to the County of \$2,603,126. Payment of these amounts is subject to the Court's execution of a proposed Stipulated Order of Taking and Final Judgment.

This will provide for the acquisition of what has been described in the eminent domain proceedings as Parcels 61 and 71 for Fee Simple Right-of-Way; Parcels 57 and 70 for Drainage Retention Areas; Parcels 62 and 63, for Perpetual

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Drainage Easements, and Parcels 58, 59, 72A, 72, and 73, for Temporary Construction Easements. Descriptions of the acquisition parcels are attached to the proposed Stipulated Order of Taking and Final Judgment.

To note, the original Petition in Eminent Domain also applied for takings referred to as Parcels 60, 64, 65, 66, 67, 68, 69, 74, 75, and 76, but those will be voided by the proposed agreement.

Budget/Impact: Neutral - Expenditure of 2,603,126, payable from account #STC073804 CIP TRANSP NEWINF ROW 738 VJ738541 561301

Recommended Action: Motion to approve the proposed Stipulated Order of Taking and Final Judgment to be finalized by the County Attorney and the County Engineer, incorporating the terms described above.

County Attorney Minter advised that this is a request for Board approval of a Stipulated Order of Taking and Final Judgment in one of the County's eminent domain cases related to the SW 40th and 49th Avenue Road construction project. This is the main acquisition remaining for the County to be able to move forward with that project. Upon Board approval, staff will file this with the Court and will be required to submit payment to the Court within 30 days and that will take care of the acquisition of title to these properties. A motion was made by Commissioner Bryant, seconded by Commissioner Curry, to approve the proposed Stipulated Order of Taking and Final Judgment to be finalized by the County Attorney and the County Engineer, incorporating the terms described above. The motion was unanimously approved by the Board (5-0).

8.2. Request Approval of a Settlement Agreement to Waive the 12-Month Period for Refiling an Application for a Small Scale Plan Amendment and Concurrent Planned Unit Development Rezoning, and to Hold in Abeyance a Pending Request for Mediation Pursuant to Section 163.3184(4), Florida Statutes and Petition for Relief Pursuant to Section 70.51, Florida Statutes (FLUEDRA" proceeding), Regarding Applicant, Linda Capozzoli

The Board considered the following recommendation as presented by County Attorney Minter:

Description/Background: This item relates to a walk-on item from February 17, 2026, regarding Ms. Linda Capozzoli's 2025 applications for a small-scale Plan Amendment (25-S15) and related Planned Unit Development (PUD) zoning request (251209ZP) for her approximate 19.75-acre property (parcel number 35460-039-00) located at the northwest corner of SW 80th Street and SW 72nd Court, approximately 0.6 miles west of SR 200. At the final Board hearing on December 16, 2025, the Board denied the small-scale Plan Amendment. Ms. Capozzoli then withdrew the PUD zoning request, as it needed the Plan Amendment to be considered.

On January 14, 2026, the Board received the above-described Request for Mediation and Petition for Relief from Attorney Christopher Roper on behalf of Ms. Capozzoli. Mr. Roper also filed a Complaint for Declaratory and Injunctive Relief in the Circuit Court challenging the Board's denial action - but this is being held in abeyance pending the outcome of the above-referenced requests. The request for Mediation and Petition for Relief, and the civil action, assert both procedural and substantive claims.

In negotiations with Mr. Roper, a proposed agreement has been reached. The agreement provides that the normal 12-month waiting period following a denial be

waived, and that Ms. Capozzoli be allowed to submit new applications to the Board within six (6) months. The agreement also waives the filing fees for the new applications; the required hearing notices can be provided on-line under the County's new notice procedures, but mailing notices is still required. The pending Request for Mediation and Petition for Relief, as well as the civil action, will be held in abeyance pending the outcome of Board action on Ms. Capozzoli's updated application. This agreement will avoid the time and expense of mediation, involving staff time, attorney time, and the cost of the mediator. This resolution contains no assurance that any new application will be approved by the Board. In the event the Board does not make a favorable decision on the updated application, Ms. Capozzoli retains the right to reactivate those proceedings that are being held in abeyance and revise them as may be applicable to reflect the Board's decision on the updated application.

At the February 17th meeting, the County Attorney requested Board approval of the agreement in concept, with the understanding that a signed agreement per the terms outlined above be brought back. Board approval of this agreement enables Ms. Capozzoli to immediately direct work to begin on her new applications.

Budget/Impact: None.

Recommended Action: Motion to approve the Settlement Agreement waiving the 12-month limitation for re-filing of Ms. Linda Capazzoli's applications for small-scale plan amendment and PUD rezoning, and holding in abeyance her pending Mediation Request, Request for FLUEDRA Proceeding, and civil action.

Mr. Minter stated this matter was brought in front of the Board as a Walk-On Item on February 17, 2026 regarding Linda Capozzoli's 2025 applications for a Small Scale Comprehensive Plan Amendment and related PUD zoning. The Board denied her original request in December of last year and as a result Ms. Capozzoli hired council to file what is known as a Florida Land Use and Environmental Dispute Resolution Act (FLUEDRA) Proceeding, which is a land use dispute resolution proceeding with the County. He advised that should the County go through that process, it would lead to a mediation and then potentially to a Circuit Court proceeding. But in lieu of going that route, at least for the interim and negotiations with Ms. Capazzoli's attorney, staff have agreed to allow, subject to Board's final approval, Ms. Capazzoli to bring a revised or amended application back to the Board within 12 months. Mr. Minter stated normally the applicant would have to wait 12 months, but this would allow her to come back sooner and present her request to the Board. This agreement does not contain any obligation for the Board to approve whatever she will bring back to the Board, but gives the County the opportunity to see if it can resolve this without going through the mediation and all those other activities. He stated his recommendation would be for approval of this request.

Commissioner Stone expressed her appreciation to Mr. Minter for his hard work on this matter.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to approve the Settlement Agreement waiving the 12-month limitation for re-filing of Ms. Linda Capazzoli's applications for Small Scale Comprehensive Plan Amendment and PUD rezoning, and holding in abeyance her pending Mediation request, request for FLUEDRA Proceeding, and civil action. The motion was unanimously approved by the Board (5-0).

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8.3. Requesting Updated Direction from the Board for the County Administrator, County Attorney, Clerk of Court, and Outside Bond Counsel to continue discussions with and conducting preliminary due diligence assessment of a proposal from Upward Communities to deliver affordable essential workforce housing for public agency employees

The Board considered the following recommendation as presented by County Attorney Minter:

Description/Background: The Board will recall that Mr. Jason Roberts, CEO of Upward Communities, previously presented a concept to the Board on November 17, 2025, to provide affordable essential workforce housing that would be available for employees of Marion County, the City of Ocala, Marion County Public Schools and the Marion County Sheriff's Office, among others. In order to be approved, the proposed project must meet all legal and financial requirements of the Board, the Clerk, our bond counsel and Upward Communities.

The general structure of the proposed project is for Upward Communities to obtain bond financing to construct several hundred single family homes on a site in Marion County, that would be for the purpose of providing housing that would be affordable to public employees of Marion County, the City of Ocala, or the School Board. According to a Master Lease document, Upward Communities would, as the Landlord, lease all of these homes to Marion County, and the County would in turn sublease the homes to the public employees. As a result of the lease between Upward and the County being a 100-year lease, the property would not be subject to ad valorem taxation, which would then allow the units to be rented to the public employees at a lower rate than competitive housing in the marketplace.

A threshold requirement for this project to go forward is for the County to adopt a Resolution that would include a finding that such a project is not only for a "public purpose," but is for a "paramount public purpose." This relates in part to the question, whether the County is, in fact, faced with such a housing crisis that it is the County's "governmental burden" or obligation to solve. The County will also need to make a legislative finding that entering into a 100-year lease is in the best interest of the County since Florida law limits such lease terms to 30 years, unless such special finding is made.

While the bonds that would be issued would not be Marion County bonds, the revenue stream that would come from the rentals of the individual homes would be the source of repayment of the bonds. The County would be obligated to make the required payments even if some units were not occupied.

If the Board ever reached the point in the long-term lease that it felt the financial obligation was no longer in the public interest, the Board would have the option of exercising a "non-appropriation" decision - to advise the Landlord that at the end of a particular budget year, it would no longer appropriate funds to continue making payments. That would end the County's financial liability for the rent payments to the Landlord, but not without consequence. Such a decision, according to our outside financial advisor PFM, would be tantamount to a bond default. It would have significant negative consequences on the County's ability to undertake future debt funding.

The question has been posed, what could the County do to provide financial security for itself in such eventuality. In this regard, the Board may recall the unique financing the County did to pay \$20M for 2.5 million tons of airspace in the new

ACMS landfill. In that transaction, we were able to provide ourselves with a security interest, a mortgage in the property if ACMS defaulted - we would have ultimately owned the 640 acre parcel.

There is no similar situation with the Upward Communities project. If the County exercised its non-appropriation option, the County would not have a security interest in the houses - they would remain the property of the Landlord, and the County would have to immediately assign the sub-lease agreements to the Landlord.

One other point with respect to the draft master lease agreement under review, between Upward Communities and the County. It indicates that the Landlord has the "necessary expertise, financial resources, and experience in full project delivery of affordable housing projects." Factually, that does not seem to be accurate with respect to this particular type of project. While Upward has a few projects they are working on launching, particularly in Texas, I do not believe they have actually constructed any at this time, not to mention that none have been operating for several years to enable us to evaluate how they have actually performed. But, even if we were to credit such expertise that presumably we would be relying on, the draft master lease agreement appears to provide that Upward would be able to unilaterally assign the agreement to another party, in which case we would lose such expertise.

The underlying concept behind the proposed project is a positive concept. It may be the case that, given time and experience with the actual performance of other similar projects, this concept could be more safely evaluated. In consideration of the foregoing concerns, I deemed it appropriate to seek further guidance from the Board whether to continue our review of this project.

Budget/Impact: None.

Recommended Action: For discussion.

Mr. Minter advised that this Item is related to his request to the Board for further direction regarding the ongoing Upward Communities proposal to provide affordable essential workforce housing. He stated he, Chairman Zalak, and Commissioner Bryant, met with Jason Roberts concerning this matter and as a result of those meetings, Mr. Roberts requested that the Board grant Upward Communities another 30 days to provide additional information to the County. Mr. Minter stated his memo was not intended to try to torpedo Mr. Roberts' proposal, but based on the conversations that were had, Mr. Roberts felt like his attorneys could perhaps bring forth some solutions to some of the issues that the Board had concerns about. He stated if the Board is interested in giving him a full opportunity to make his presentation he would recommend deferring this matter for 30 days.

Chairman Zalak directed staff to work with Upward Communities to get the answers to staff, bond counsel, and Clerk questions and bring this back within 60 days.

Commissioner Bryant opined that this is an exciting opportunity and she would hate for the County to walk away from something that could be really beneficial to some people who would really like this housing in the community.

9. COUNTY ADMINISTRATOR:

9.1. Present Update on Marion Celebrates America 250

The Board considered the following recommendation as presented by ACA Amanda Tart:

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Description/Background: In October 2025, the County introduced a comprehensive plan outlining events and initiatives in support of the nation's America 250 celebration. At that time, it was shared that updates would be provided to the Board as planning efforts progressed.

Today's presentation serves as the official update on the many events and activities taking place throughout our community as we commemorate America's 250th anniversary. This update includes confirmed sponsors and community partners, scheduled signature events, educational and historical programming, tourism initiatives, and additional activities that continue to be developed.

Together, these efforts reflect the strong collaboration between local government, businesses, nonprofit organizations, and community leaders to ensure a meaningful and memorable celebration for both our residents and visitors.

Budget/Impact: None.

Recommended Action: Presentation only.

ACA Amanda Tart advised that in December, she came before the Board with a plan to implement a series of events and initiatives for the community in celebration of the 250th anniversary of the signing of the Declaration of Independence, which will occur on July 4, 2026. She noted she is present today to share an update on staff's progress and outline the next steps as the County moves closer to this historic milestone. Ms. Tart advised that staff's proposed reach for residents and visitors through the events and initiatives taking place between now and July 4th is well over 500,000 people. This plan is designed to do more than just commemorate a historic milestone, it will educate the community about the significance of the 250th anniversary, energize the local economy by spotlighting businesses and vendors, showcasing the talents of local artists and performers, and attract visitors to experience all that Marion County has to offer. In addition, these initiatives will help strengthen Marion County's civic pride, community awareness, and democratic engagement, ensuring that celebration leaves a lasting impact well beyond July 4th. Since the last update to the Board, the Executive Steering Committee has been meeting monthly to review plans, share ideas, and work together toward the mission of making this year's celebration truly extraordinary.

Ms. Tart referred to the slides as shown on the overhead screen, noting the Steering Committee is composed of representatives from many of the County's local municipalities and key partners from across the County, reflecting the Board's collaboration, which is the driving effort. These meetings have allowed coordination across organizations, aligned resources, and ensured that every initiative, from educational programs to public events, reflects the spirit of the 250th anniversary of the United States (US).

Ms. Tart stated staff recently launched a survey not only through County and social media channels, but also through those of its partner cities and organizations. The results of the survey were overwhelmingly supportive of the events that staff are planning. Results show that 85 percent (%) of those who were surveyed expressed interest in participating in events celebrating America 250; 60% preferred night time events; and a remarkable 70% indicated that they wanted to see fireworks as part of the celebration. These surveys will continue throughout July 4th and will have Quick Response (QR) codes available on Marion County Day to get more interaction.

Ms. Tart noted this week marks one of the first major events taking place under the umbrella of America 250. She advised that the Marion County Veterans Hall of Fame event presented by Vets Helping Vets will be held at the Southeastern Livestock Pavilion (SELP) Auditorium on Thursday, March 19, 2026 at 6:00 p.m., with a total of 12 inductees

being honored, including five posthumous inductees, 5 selected by the committee and 2 were previously inducted at the State level. She stated this event has reached maximum capacity and is now sold out with an expected 350 attendees. Another project that aligns with the celebration of veterans is the One Nation, Many Stories Initiative led by the County's library team. This project preserves and honors the story of veterans for generations to come. Patrons of the library will be able to view these video interviews through BiblioBoard software, providing a lasting record of the experiences and contributions of those who have served. The first video is set to be released shortly after Marion County Day, giving the community its first opportunity to engage with these powerful stories.

Ms. Tart commented on the America Praise Initiative, which kicked off in February 2026. This initiative features 2 local faith leaders each week who lead those in attendance in prayer. It takes place every Wednesday at 7:30 a.m. and lasts just 30 minutes. Each week, we have seen participation in this initiative continue to grow. She expressed her appreciation to Municipal Services (MS) Director Chad Wicker who has ensured that this program runs smoothly each week.

Ms. Tart stated staff are currently working with the Marion County Cultural Alliance to acquire a "Horse Fever" horse that will be painted in a patriotic theme and be named Liberty. This display will commemorate the America 250 celebration and serve as a lasting symbol of the community's tribute to this historic milestone. Staff plan to return to the Board at a future meeting to provide several options for locations where this horse can be prominently displayed for residents and visitors to enjoy.

Ms. Tart commented on Marion County's founder, Sir Francis Marion, noting the Daughters of the American Revolution (DAR) have partnered with Marion County Veteran Services team and Parks and Recreation team to identify a meaningful and accessible location for a commemorative plaque in his honor. This plaque will not only pay tribute to the man for whom the County is named, but will also serve as a tangible reminder of Marion County's rich history and heritage.

Ms. Tart advised that Saturday, March 28, 2026 is shaping up to be the biggest Marion County Day celebration the County has ever hosted, with over 200 vendors and an expected audience of nearly 15,000 people. Attendees will enjoy a wide variety of activities including numerous food trucks, bounce houses, and displays from County Departments and first responders such as the MCSO helicopter and other emergency vehicles. In addition, this year the event will feature a live drumline from the Marion County Public Schools (MCPS) and an art contest showcasing the creativity of local students, making this a celebration that truly highlights the talent, spirit and community pride of Marion County. Staff have also taken proactive steps to ensure that these events run smoothly and safely. Part of these efforts include allocating a portion of the sponsorship funding to secure support from a new partnership with Making It Matthews, a professional event planning company. The company's expertise will help coordinate logistics, manage vendor operations, and provide on-site support, ensuring that every aspect of the celebrations, from set up to breakdown, goes off without a hitch. For events that take place after Marion County Day, Making It Matthews will also be assisting with vendor vetting, creating detailed maps and layouts, and managing other key operational tasks, helping staff deliver seamless and enjoyable experiences for all of the attendees. A major event that Making It Matthews will be assisting with is the Americana Ball. This ball will serve as a fundraiser to help raise the funds needed to carry out all these initiatives. Staff have a tentatively scheduled this formal event for June 2026 and are planning to host it

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in collaboration with Iron Lake Golf Club. Guests will enjoy exceptional food and entertainment, and will even have the chance to get a preview of the July 4th celebration as the County's firework vendor, Alpha Fireworks, will put on a mini show that evening over Iron Lake. This event promises to be a memorable kick off of the patriotic festivities leading up to our America 250 celebration.

Ms. Tart stated the Patriot Parade, led by Sue Mosley, will kick off the events at the Ocala Marion Veterans Memorial Park on July 4th. The parade will start at 7:00 p.m. with a variety of veterans groups, local businesses and community organizations participating in the parade, which will travel down Fort King Street and continue on to State Road 40. Also on July 4th, the County will host synchronized fireworks at 4 locations across Marion County, including Marion Veterans Memorial Park, Wrigley Field, Dunnellon High School, and the Belleview Sports Complex. Each venue will feature food trucks and vendors with festivities beginning at 5:00 p.m. and the fireworks show starting promptly at 9:00 p.m. This coordinated celebration will allow residents and visitors across the County and beyond to enjoy the spectacle and spirit of America 250 wherever they are.

Ms. Tart stated staff have been working diligently to secure enough sponsorships to make this entire celebration fully funded. The title sponsor, Advent Healthcare, kicked things off in an incredible way with a \$75,000.00 sponsorship, setting the tone for the community and corporate support that has made these events possible. Their generosity not only demonstrates a strong commitment to Marion County and its residents, but it also has inspired other local businesses and partners to join in ensuring that America 250 will be a truly memorable and accessible celebration for everyone. She referred to the overhead screen, which reflects a growing list of sponsors supporting the celebration, noting the County is approaching the \$125,000.00 mark. Ms. Tart expressed her appreciation to Roger Waddell and the Public Relations (PR) team for going out and hitting the pavement and helping collect these sponsorships. Ms. Tart noted staff just received confirmation that the County will be partnering with Ocala Main Street on their exhibits and events happening Sunday, June 28 through Friday, July 3, 2026.

Ms. Tart advised that the America 250 web page is now live along with the Marion Celebrates America 250 social media pages so that citizens can stay up to date on all of the local events and initiatives. Citizens can visit the website at www.marioncelebrates250.org or follow the events on Facebook and Instagram. She stated staff encourage everyone to stay connected, sharing the excitement and joining in making this historic celebration a memorable one for everyone.

General discussion ensued.

Chairman Zalak expressed his appreciation to staff and sponsors for coming together to help put this effort forward.

9.2. Present Update on Various Roadway Projects

The Board considered the following recommendation as presented by County Engineer Cohoon:

Description/Background: Steven Cohoon, PE, County Engineer, will provide an update regarding the status of various roadway projects around the County.

Budget/Impact: None.

Recommended Action: For information only.

County Engineer Steven Cohoon, OCE, referred to the slides of road projects as shown on the overhead screens, noting this is just a snapshot of some of the things the Department has going on in the County. The first highlight is the SW 49th/SW 40th Avenue

Phase 1 Road project. He advised that this project is north of SW 66th Street, just east of State Road (SR) 200 and west of Interstate 75 (I-75). Phase 1 is the detour plan at SW 66th Street, noting staff expect that to be completed around April 10, 2026. Some of the other project's staff are working concurrent to that is the turn lane at SW 43rd Street Road, as well as working on the turn lane addition and extension at SW 27th Avenue and SW 43rd Street Road. The construction at SW 43rd Street Road began on March 2, 2026 and is going to be an extension all the way back to I-75 of around 350 feet. Mr. Cohoon commented on the approval by the Board today (Item 7.3.4.), which was the acquisition of the remaining property. He stated if staff had done a traditional wait until everything was acquired and then built the road, staff would be at the beginning of that project instead. Mr. Cohoon advised that staff easily shaved a year and a half off of this project, closer to two years by building relationships, working with partners in the community to allow some things to happen concurrent to finishing up the design and the construction on this corridor. Phase 2 is going to be a soft opening where there will be two lanes opening up, allowing that north-south movement to begin. After that the County is going to start seeing some of the work happen at I-75 shortly after, noting as soon as that is opened up, staff will finish communications with DOT, giving them the green light to move forward with closing that detour over I-75 so that SW 66th Street bridge can be replaced. General discussion ensued.

Mr. Cohoon addressed the SW 80th Avenue Segment 1 project, which will add 2 lanes from SW 90th Street north of SW 38th Street. He advised that in regard to Phase 1A, staff gave the Notice to Proceed for that project yesterday. This a 12 month project that will seamlessly go into the Phase 1B. Further to the north by West Port High School there is going to be a lot of construction activity. For Phase 1A, staff will be making some public announcements and a couple of workshops with the Indigo subdivision community to get the word out, so they understand what is going on. Also, as part of Phase 1B, the Marion County School Board (MCSB) approved an Interlocal Agreement (ILA) and staff expect to bring that agreement to the Board for consideration at the next regularly scheduled BCC meeting. Staff are also working with the City of Ocala on property acquisitions near Westport High School and lots of appraisals are still underway for the remaining properties.

Chairman Zalak addressed comments he received from citizens in the Stone Creek and On Top of the World (OTOW) communities as it related to their concerns that the entrance road would get closed at some point.

Mr. Cohoon advised that this falls into Phase 1B of the project, noting the contractor was given direction that everything needs to be maintained and that they do have to keep those connections open throughout the day and night; however, there are instances where there may be temporary closures. The project will actually have to shift that current eastbound left turn lane to the north a little bit to ensure that there are no issues with conflicting vehicles when they make a left turn. He stated in order to shift a lane to the north; the contractor will have to close the lane down. Mr. Cohoon advised that staff are going to minimize those traffic interruptions as much as possible, noting there are no recommendations to close any of the major corridors, side streets, driveway connections or anything else. He stated if the contractor is going to be disrupting traffic, closing lanes down to do a significant detour, etc., staff would want some of that work to happen at night. Mr. Cohoon stated more often than not there are going to be instances where the contractor can work on an entire northbound or southbound leg of the project and be out of the flow of traffic. He advised that staff are very conscious of the maintenance of traffic

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and are planning to get a lot of customer input and feedback over the next few months, to ensure that their concerns are addressed.

Commissioner Stone questioned whether staff have communicated with all the affected communities so that they can put the information in their newsletters and any e-mail blasts that they have about any disruptions and how residents may be able to use a different entrance, roadway, etc. Mr. Cohoon advised that staff went out and held some very well attended public meetings and planned to do some more of that, noting he will confirm with staff today that they are working with County public relations (PR) to get those blasts out expeditiously.

Mr. Cohoon addressed the SR 40 at NW/SW 80th Avenue intersection improvement project, which is going to add a lot of capacity in that corridor. He stated there has been a great deal of utility relocation already happening and the contractor has already begun digging out drainage retention areas (DRAs). Mr. Cohoon noted construction is estimated to be completed in October of 2026. He commented on the number of citizens that have reached out to County staff and wanted to know how they are addressing wildlife in the area, which is something that staff have to deal with when constructing road projects. Mr. Cohoon advised that sometimes this can have an impact on the schedules of road projects, noting staff currently have four different projects running concurrently and are finding gopher tortoises, burrowing owls, sand skinks, bald eagles, etc., that have to be monitored and relocated when necessary. These are things that staff have to be conscious of not only on road projects, but also on all developments in the community. Chairman Zalak expressed his appreciation to Mr. Cohoon for providing these updates.

Mr. Bouyounes requested Board consensus to allow him to bring forward Agenda Item 14.1.4 at this time. It was the general consensus of the board to concur.

14.1.4. Present Notification of the Appointment of John Pearson as Marion County Building Safety Director

Mr. Bouyounes presented the following recommendation:

Description/Background: Following a broad search and interview rounds with the most qualified candidates, John Pearson received the highest composite ranking from the interview panel.

The first-round interview panel consisted of the Municipal Services Director, the Marion County Building Official and the Veterans Services Director. In addition to the first interview panel, Mr. Pearson completed a second-round interview with the County Administrator and the Assistant County Administrators. After the second-round interview process, it is evident that Mr. Pearson possesses both the skillset and the experience to lead the Building Safety Department to the next level of success.

This memorandum shall serve as a notification to the Board of the appointment of John Pearson as the Building Safety Director with a salary of \$150,155.20. Barring any discussion from the Board, Mr. Pearson will be considered confirmed.

Budget/Impact: None.

Recommended Action: None, information only.

Mr. Bouyounes introduced John Pearson as Marion County Building Safety Director, noting Mr. Pearson's start date is April 13, 2026.

John Pearson advised that he has been in the building industry since the time he graduated high school and for the last 10 years in the Building Code Compliance Industry. He stated he is looking forward to bringing his skill set and winning personality here to

Marion County.

Chairman Zalak advised that the Board is excited for Mr. Pearson to come and lead the County's Building Department.

Chairman Zalak noted it is the ten o'clock hour.

6. PUBLIC HEARINGS (Request Proof of Publication) at 10:00 am:

Public participation is encouraged. When prompted, please step up to the podium and state your name and address for the record. Please limit your comments to the specific issue being addressed.

6.1. PUBLIC HEARING to Consider an Ordinance Amending Marion County Code Chapter 10 Licenses, Taxation and Miscellaneous Business Regulations, Article V, Assistance Program for Economically Disadvantaged Homeowners

The Board considered the following recommendation as presented by Community Services Director Butler:

Description/Background: Marion County Community Services Low-Income Non-Ad Valorem Tax Assistance Program (LINATA) provides financial relief to qualifying low-income residents by helping offset eligible non-ad valorem assessments included on their annual property tax bill.

The Board previously adopted Ordinance 16-29, which included amendments to Article V, Section 10-64 of the Marion County Code, establishing eligibility criteria for the LINATA program, as well as Resolution 16-R-337. While the ordinance does not specify a defined percentage of the Federal Poverty Level (FPL) for eligibility, Resolution 16-R-337 establishes a stricter standard by limiting eligibility to households at or below 100% of the Federal Poverty Level.

The proposed amendment to Section 10-64 authorizes the County Administrator to increase the FPL eligibility threshold up to 150%, if deemed necessary, and repeals Resolution 16-R-337 to eliminate the conflicting 100% FPL limitation.

Below is a table of the 2026 Poverty Guidelines for 48 Contiguous States (excluding Alaska and Hawaii):

2026 Florida Poverty Level (FPL) per year			
Household Size	100% (FPL)	150% (FPL)	200% (FPL)
1	15,960	23,940	31,920
2	21,640	32,460	43,280
3	27,320	40,980	54,640
4	33,000	49,500	66,000
5	38,680	58,020	77,360

Budget/Impact: None.

Recommended Action: Motion to approve the ordinance to amend Marion County Code Chapter 10 Licenses, Taxation and Miscellaneous Business Regulations, Article V, Assistance Program for Economically Disadvantaged Homeowners.

Deputy Clerk Thornton presented proof of publication entitled, "Notice of Public Hearing by Marion County Board of County Commission to consider an Ordinance amending Chapter 10 Licenses, Taxation and Miscellaneous Business Regulations Article V Assistance Program for Economically Disadvantaged Homeowners, Section 10-64 Eligibility Criteria of the Marion County Code" published on the publicly accessible website www.MarionFL.org/LegalNotices on March 6, 2026. The Notice states the Board shall

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receive and consider public comments regarding the proposed Ordinance in this public hearing.

Community Services Director Cheryl Butler stated this public hearing is a request to consider an Ordinance amending Chapter 10 Licenses, Taxation and Miscellaneous Business Regulations Article V Assistance Program for Economically Disadvantaged Homeowners, Section 10-64 Eligibility Criteria of the Marion County Code. She advised that Marion County Community Services administers the Low Income Non-Valorem Tax Assistance Program, which provides financial relief to qualifying low income residents by helping offset eligible non-ad valorem assessments that are included on their annual property tax bill. This Ordinance is repealing Resolution 16-R-337 and is proposed to amend Section 10-64, authorizing the County Administrator to increase the Federal poverty level eligibility threshold up to 150% if deemed necessarily.

Chairman Zalak opened the floor to public comment.

There being none, Chairman Zalak advised that public comment is now closed.

A motion was made by Commissioner Stone, seconded by Commissioner Bryant, to adopt Ordinance 26-05 amending Marion County Code Chapter 10 Licenses, Taxation and Miscellaneous Business Regulations, Article V, Assistance Program for Economically Disadvantaged Homeowners. The motion was unanimously approved by the Board (5-0).

Ordinance 26-05 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING CHAPTER 10 LICENSES, TAXATION AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE V ASSISTANCE PROGRAM FOR ECONOMICALLY DISADVANTAGED HOMEOWNERS, SECTION 10-64 ELIGIBILITY CRITERIA OF THE MARION COUNTY CODE; AUTHORIZING THE QUALIFICATION CRITERIA TO BE ADJUSTED ANNUALLY TO CORRESPOND TO CURRENT FEDERAL POVERTY GUIDELINES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES AND RESOLUTION NO. 2016-R-337; PROVIDING FOR INCLUSION IN THE MARION COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

6.2. PUBLIC HEARING to Consider a Petition to Establish the Canterwood Acres Community Development District and Adoption of an Ordinance Creating the Canterwood Acres Community Development District (CDD) [Rescheduled from February 3, 2026]

The Board considered the following recommendation as presented by Growth Services Director Chuck Varadin:

Description/Background: Brian Lamb of Inframark, LLC, filed a petition on behalf of Ocala SW 100th, LLC., to establish a new community development district (CDD) to be titled Canterwood Acres pursuant to F.S. Section 190.005 and Marion County's Code of Ordinances (COO) Chapter 14.5, Article III, Division 1. Public hearings to consider the request were previously scheduled for December 2, 2025, and February 3, 2026, but were rescheduled due to issues related to satisfying advertisement requirements pursuant to Chapter 50, F.S. for the hearings. The advertising requirements are now satisfied and consideration of the petition and implementing ordinance may be conducted (see Proof of Publication attached).

The proposed Canterwood Acres CDD is located between SW 49th Avenue and SW 62nd Avenue Road on the south side of SW 100th Street. The CDD will encompass two Planned Unit Development (PUD) projects (211008Z and 211009Z), forming “east” and “west” areas, initially approved in 2021 with subsequent final plan approvals in 2024 (see approval letters attached).

The draft petition was reviewed by the Marion County Property Appraiser and the County’s key departments regarding infrastructure (e.g., central water, central sewer, roads, stormwater, etc.). Following receipt of staff comments, the applicant submitted the final petition with the proposed CDD establishment Ordinance and supplemental information. Staff have no objections regarding the CDD establishment; however, the Utilities Department does note that water and sewer improvements, once construction is complete, must be conveyed to Marion County Utilities consistent with applicable County Ordinances, rather than being held by the resulting CDD. Further, the Office of the County Engineer has noted that an amendment to the Development Agreement, or other suitable agreement, will be required with finalization of the PUD projects to reflect that some of the anticipated developer roadway improvements are now being addressed by the County, particularly related to the SW 49th Avenue widening project; and the developer will no longer be eligible for impact fee credits for those improvements.

Staff recommends the Board consider the applicant’s petition to establish the Canterwood Acres CDD, approve the petition, and adopt the attached Ordinance to establish the Canterwood Acres CDD as requested.

Budget/Impact: None.

Recommended Action: Motion to approve the petition and adopt the Ordinance to establish the Canterwood Acres Community Development District, and authorize the Chairman and Clerk to execute the Ordinance.

Deputy Clerk Thornton presented proof of publication of Legal ad number 12075899 entitled, “Notice of Public Hearing” published in the Star Banner newspaper on February 13, 20 and 27 and March 6, 2026. The Notice states the Board of County Commissioners will hold a public hearing to consider the adoption of an Ordinance.

Senior Planner Chris Rison, Growth Services, stated this public hearing relates to a request for the Canterwood Acres CDD to be established by an Ordinance that would ultimately be adopted by the BCC. Canterwood Acres is a project that will consist of two phases, East and West, and is a pair of PUDs that were previously approved by the Board and have been under construction. He provided a brief overview of the CDD locations and referred to the photograph as shown on the overhead screen, noting this is a more recent aerial that is provided through the Property Appraiser's Office (PAO), and reflects the two subdivisions currently under construction. Mr. Rison advised that the Canterwood Acres project consists of two portions, noting the Canterwood East portion was a zoning case in 2021 and is approximately 45 acres. The project has approximately 180 single family homes, which is what has been proposed. The community will have a clubhouse, pool facilities along with a sports play field and some outdoor gathering space. He advised that for the Canterwood Acres West portion that is a 2021 zoning case as well and is approximately 55 acres. The PUD approval was for up to 222 units but the applicant has proposed 203 for their actual platting. He noted this subdivision will also have a pool, clubhouse and sports facility areas. These projects are two subdivisions that are working through in tandem. The subdivisions will be under the CDDs as provided by the Florida Statutes (FS) and are a version of an independent MSBU or MSTU type situation and can

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be created as a CDD by the local government. They are independent functional entities, and function as a limited form of a local government. CDDs are granted powers and are eligible to design and construct improvements such as what is going on now, and can function in addition to the possibility of a Homeowner's Association (HOA) and may provide for the enforcement of some of the association activities. Mr. Rison advised that CDDs are governed by their Board of Supervisors, which are initially appointed by the developer when they create the CDD and then over the course of time as the members of the Board of Supervisors come off, newly elected members come in from the community that are elected by the residents and property owners. Overall, for the project, they are providing a different variety of services and will construct and maintain the majority of them, except, however, for water and sewer lines. Mr. Rison stated the utilities are conveyed to Marion County as consistent with County practices and have their estimated costs that they were looking at for this project. These costs will be part of their bonding and funding activities that the developer will look to offset and will then be assessed back to the applicants. Mr. Rison noted under the County's current provisions for the Land Development Code (LDC), when developers are creating a new subdivision, staff look for them to have either a HOA, a CDD, or an MSBU.

Brian Lamb, Pan Am Circle, Tampa, noted he is present on behalf of the applicant. He extended his appreciation for the Board's patience relating to the company's issues with the advertisement.

In response to Chairman Zalak, Mr. Lamb advised that the District operates much like a local government with the exception that it does not have any powers related to zoning or policing. In that regard, there will always be a need for an HOA with the CDD type of community. The CDD in most cases can or will take care of 98% of the operations within a District such as what Canterwood Acres will do. The HOA on the other hand will have a de minimis involvement in that it will operate the deed restrictions and the enforcement thereof. In some cases, the HOA will maintain some of the community elements such as an amenity center, etc. Generally, in some of the larger communities, the District will try to retain operations of the majority of the public infrastructure or the community infrastructure with the HOA only retaining any infrastructure that aspires to retain as private in nature.

Chairman Zalak stated the roadways, storm water utilities, etc. will be maintained by the CDD, but questioned who will maintain the buffer. Mr. Lamb stated the buffers will fall under the power of the CDD.

General discussion ensued.

Jimmy Gooding, SE 36th Avenue, attorney representing the applicant, advised that the CDD is responsible for the maintenance, hard facilities, the infrastructure; whereas the HOA deals with the relationship of the members among themselves, architectural review, assessments to keep the HOA running, etc. He clarified that the CDD can contract with the HOA to do some of the maintenance on its behalf.

General discussion resumed.

Chairman Zalak opened the floor to public comment.

There being none, Chairman Zalak advised that public comment is now closed

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to approve the petition and adopt Ordinance 26-06 establishing the Canterwood Acres CDD, and to authorize the Chairman and Clerk to execute the same. The motion was unanimously approved by the Board (5-0).

Ordinance 26-06 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, CREATING THE CANTERWOOD ACRES COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT AND NAME OF THE DISTRICT TO BE KNOWN AS CANTERWOOD ACRES COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR POWERS; PROVIDING FOR APPLICABILITY OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE STATUTES, ORDINANCES, RULES AND REGULATIONS; PROVIDING FOR NO ASSUMPTION OF DISTRICT OBLIGATIONS BY MARION COUNTY; PROVIDING FOR NO LIMITATION ON MARION COUNTY POWERS; PROVIDING FOR DISCLOSURE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

UPDATE: Chairman Zalak noted he has requested that the Parks and Recreation Director provide a brief update on the status of the Heagy-Burry Boat Ramp as it relates to Agenda Item 7.2.1.

Parks and Recreation Director Jim Couillard referred to the PowerPoint presentation as shown on the overhead screens. He stated the project is located on the south shore of Orange Lake that staff refers to as McIntosh Bay. Mr. Couillard advised that recent activity shows that the boat ramp approach and the road base are complete, the finished site grading is underway, the enhanced septic system is installed, and site lighting is completed. He referred to the Change Order that was on this Agenda (Item 7.3.16.) that revised the contract for construction, noting that Change Order increases the value to address the floating dock pile system and extends the construction contract to April 9, 2026. Mr. Couillard stated the next slide is a rendering that reflects the floating dock configuration, the gangways and the concrete bulkheads that are associated with the project. He stated the gangways are planned for 100 year flood elevation and low water elevation, so it does fluctuate. Mr. Couillard stated it is handicap accessible as required by the Americans with Disabilities Act (ADA) as long as the ramp or the gangway are longer than 30 feet, it does comply. He advised that the existing platform was removed and the new one is modified to allow for a handicap accessible fishing platform, noting it will have rails that are low in certain areas, so folks that are in wheelchairs can actually approach and fish still in their chairs. The next slide shows the better boat ramp system, which is cantilevered and supported from underneath and actually helps work in very low water conditions. Mr. Couillard stated the Marjorie Kinnan Rawlings boat ramp in Alachua County is going to be shutting down soon because the water levels at the lake are very, very low.

Mr. Couillard advised that the initial FWC grant the Department received was back in May of 2021 and had a grant end date of April 30, 2024, noting the original grant value was just under \$1,000,000.00. Staff amended that grant contract in April 2024, extending the deadline to December 31, 2025 with no additional funds added to that contract. He clarified that the reason why FWC extended the grant out to 2027 is that gives the County time to wrap up construction, go through all of the "as built certifications" with the multiple

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permitting agencies through Marion County, Alachua County, St. John's River Water Management District (SJRWMD), and the Corps of Engineers. The extension also covers the time necessary for the process of moving into operations.

General discussion ensued.

Mr. Couillard provided a quick breakdown on the grant, and how the project is actually funded, including the federal share that is through the grant, the non-federal share that is Marion County's share through multiple budget funds (i.e., Fees Fund, Parks Capital Fund, etc.), noting the bulk of it was through the Department budgets totaling \$2,800,000.00 with \$24,000.00 remaining in balance. He clarified that the grant covers the boat ramp demolition and the construction of the two lane, site prep, concrete ramps, cantilever ramp system, ramp approach, noting FWC considers the boat ramp as a facility, not just individual pieces. Mr. Couillard stated the associated grading with the parking lot improvements is covered in part of that grant, as well as the ADA components and drainage improvements related to the boat ramp.

(Ed. Note: The Deputy Clerk did not receive a copy of the PowerPoint presentation).

10. COMMITTEE ITEMS:

10.1. Marion Oaks MSTU for General Services - Request Reappointment of Two (2) Incumbent Members for Individual New Terms, Ending March 2030

The Board considered the following recommendation as presented by Executive Assistant Gennifer Medina, Commission Office:

Description/Background: The Marion Oaks MSTU for General Services has two (2) seats with terms that expire at the end of March 2026. The incumbent members have expressed interest in seeking re-appointment and submitted applications during the advertising period.

- Janis Brennan (Incumbent)
- Miguel Santos (Incumbent)

No other applications were received.

Budget/Impact: None.

Recommended Action: Motion to reappoint Janis Brennan and Miguel Santos as full members of the Marion County MSTU for General Services, serving new full terms ending March 2030.

Deputy Clerk Windberg advised that Janis Brennan and Miguel Santos received the appropriate votes.

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to appoint Janis Brennan and Miguel Santos to the Marion Oaks MSTU for General Services, serving new full terms ending March 2030. The motion was unanimously approved by the Board (5-0).

11. NOTATION FOR ACTION:

11.1. Request Approval to Schedule and Advertise a Public Hearing to Consider Transmittal of the 2025 Marion County Comprehensive Plan and Appraisal Report on Tuesday, April 7, 2026, at 10 a.m., or Soon Thereafter, in the McPherson Governmental Campus Auditorium

The Board considered the following recommendation as presented by Growth Services Director Varadin:

Description/Background: To conduct the required public hearing, accommodate the required advertising, and to consider and discuss the proposed EAR-based Amendments:

- Tuesday, April 7, 2026, at 10 a.m., or as soon thereafter as possible, in the McPherson Governmental Campus Auditorium

Budget/Impact: None.

Recommended Action: Motion to schedule and advertise Board of County Commissioners Public Hearing to consider Transmittal of the Final 2025 Evaluation and Appraisal Report (EAR) on Tuesday, April 7, 2026, at 10 a.m. or soon thereafter in the McPherson Governmental Campus Auditorium.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to schedule and advertise a public hearing to consider transmittal of the Final 2025 Evaluation and Appraisal Report (EAR) on Tuesday, April 7, 2026, at 10:00 a.m. or soon thereafter in the McPherson Governmental Campus Auditorium. The motion was unanimously approved by the Board (5-0).

11.2. Request Ratification of Certification of Designation of SMA Healthcare as Sole Applicant for the Criminal Justice, Mental Health and Substance Abuse Reinvestment Grant Program (DCF RFA 2526-024) on Behalf of Marion County, and Authorize Chairman to Sign the Certification of Designation Grant Letter

The Board considered the following recommendation as presented by Executive Assistant Medina, Commission Office:

Description/Background: The Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program was created by §394.656, Florida Statutes (F.S.), and is administered by the Department of Children and Families. The program aims to provide funding to counties for initiatives that enhance public safety, reduce expenditures on criminal and juvenile justice systems, and improve treatment services for individuals with mental illnesses or substance use disorders who are involved in or at risk of entering these systems.

On January 26, 2026, the Public Safety Coordinating Council (PSCC) confirmed SMA Healthcare of Marion County (SMA) as the sole official organization authorized to apply to the Florida Department of Children and Families for a three-year Implementation and Expansion Grant under the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant (DCF RFA 2526-024) on behalf of Marion County. This designation follows the completion of a Sequential Intercept Mapping (SIM) process, which produced a strategic plan for a targeted population of adults with mental health and/or substance use disorders involved in the criminal justice system in Marion County, Florida.

SMA Healthcare will prepare the application and serve as the responsible entity for the project. The PSCC will retain oversight of the project consistent with its statutory responsibilities.

Budget/Impact: None.

Recommended Action: Motion to ratify the PSCC's designation of SMA Healthcare as the sole applicant for DCF RFA 2526-024 on behalf of Marion County and authorize Chairman to sign the Certification of Designation grant letter.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to ratify the PSCC's designation of SMA Healthcare as the sole applicant for DCF RFA 2526-

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024 on behalf of Marion County and authorize Chairman to sign the Certification of Designation grant letter. The motion was unanimously approved by the Board (5-0).

11.3. Request Ratification of Letter in Support of Marion County Public Schools Board Funding Request for an Early Childhood Learning Center Dated March 4, 2026

The Board considered the following recommendation as presented by Executive Assistant Medina, Commission Office:

Description/Background: Marion County Public Schools requested a letter of support from the Marion County Commission to the Honorable Randy Fine, endorsing a funding initiative for a new early childhood learning center in southern Marion County.

Budget/Impact: None.

Recommended Action: Motion to ratify the letter of support for Marion County Public Schools Board funding request for an Early Childhood Learning Center dated March 4, 2026.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to ratify the letter of support for Marion County Public Schools Board funding request for an Early Childhood Learning Center dated March 4, 2026. The motion was unanimously approved by the Board (5-0).

11.4. Request Ratification of the Extension of the State of Emergency Order Signed by the Chairman on March 10, 2026, Pertaining to a Ban on the Use of Flares, Explosives, or Outdoor Burning Devices or Otherwise Lawful Outdoor Burning

The Board considered the following recommendation as presented by Executive Assistant Medina, Commission Office:

Description/Background: Dry and windy conditions continue to cause and exacerbate wildfires in Marion County, so a mandatory burn ban is being used as a measure to protect the health, safety, welfare and property of citizens and visitors.

The burn ban prohibits all outdoor burning with the following exceptions:

- Use of outdoor cookers or grills as long as they are attended by a responsible adult at all times the unit is burning, cooking or otherwise in use
- Commercial land clearing where: inspection of review and approval has been granted by the Florida Forest Service or Marion County Fire Rescue on a case by case basis and it is determined that there will be sufficient fire suppression personnel and equipment on scene. Authorization must be granted by the Florida Forest Service
- Public fireworks displays with adequate fire suppression equipment and personnel on site; and pursuant to Marion County Special Use Permit and
- Marion County Fire Rescue Fireworks Permit

Budget/Impact: None.

Recommended Action: Motion to ratify the extension of the State of Emergency Order signed by the Chairman on March 10, 2026.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to ratify the extension of the State of Emergency Order signed by the Chairman on March 10, 2026. The motion was unanimously approved by the Board (5-0).

11.5. Request Ratification of the Order Extending the Declaration of State of Local Emergency Signed by the Chairman on March 10, 2026 to Extend the Declaration of State of Local Emergency, Related to the Railroad Tie Fire on CSX Property in the City of Dunnellon

The Board considered the following recommendation as presented by County Attorney Minter:

Description/Background: On Sunday morning, February 1, 2026, a railroad tie fire in the City of Dunnellon prompted the deployment of Marion County Fire Rescue and Marion County Emergency Management to safeguard local businesses and residents.

On February 3, 2026, the Board of County Commissioners adopted a resolution to declare a state of local emergency as a result of the fire, which was extended, pursuant to the resolution until March 17, 2026.

Upon ratification by the Board, the resolution will be presented to the Clerk for signature.

Budget/Impact: None.

Recommended Action: Motion to ratify the order extending the Declaration signed by the Chairman on March 10, 2026, for the railroad tie fire on CSX property in the City of Dunnellon and authorize the Clerk to sign.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to ratify the order extending the Declaration signed by the Chairman on March 10, 2026, for the railroad tie fire on CSX property in the City of Dunnellon and authorize the Clerk to sign. The motion was unanimously approved by the Board (5-0).

12. GENERAL PUBLIC COMMENTS:

Scheduled requests will be heard first and limited to five (5) minutes. Unscheduled speakers will be limited to two (2) minutes. Citizens may contact Marion County Administration by 5:00 p.m. the Friday before the meeting at 352-438-2300 to request to speak or sign up online at: www.marionfl.org.

Chairman Zalak opened the floor to public comment.

Kevin Towles, SE 17th Street, presented a 1 page flyer and advised that he is with the Center for Independent Living in North Central Florida, noting the organization is a not-for-profit agency that has been in Marion County for over 40 years helping people with disabilities be more independent at home or in the community. He stated the agency is hosting its 9th annual Emergency Preparedness Expo to be held at College of Central Florida Ewers Center on Tuesday, March 24, 2026 from 9:00 a.m. to 1:00 p.m. Mr. Towles noted the agency received funding to host the Expo through the Marion County Health Department.

It was noted for the record that Jason Martin did not appear when called upon to speak. Chairman Zalak advised that public comment is now closed.

13. COMMISSIONER ITEMS:

13.1. Commission Comments

13.1.1. Chairman Zalak - Request Approval to Allow Operation Compassion of Florida to use the Southeastern Livestock Pavilion as a Location to Distribute Food Assistance to Local Families

Description/Background: Operation Compassion of Florida is requesting permission to use the Southeastern Livestock Pavilion as a food distribution

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location. They are seeking use of the parking lot for a Truck Drop event. Attached is more information including a map of the parking lot and a three (3) year growth report summary.

Budget/Impact: None.

Recommended Action: Motion to approve the use of Southeastern Livestock Pavilion by Operation Compassion of Florida.

(Ed. Note: This matter was addressed later in the meeting.)

Commissioner Curry congratulated Chairman Zalak on the great job he has done working on the County's 250th celebration.

Commissioner Curry commented on the Veterans Helping Veterans Recognition Banquet, noting he was happy to hear that it is sold out. He expressed his appreciation to Jim Hilty, who is president of Veterans Helping Veterans, and also a City Councilman who has been nurturing that event with the County's Public Information Office (PIO) and staff member Roger Waddell. Commissioner Curry also expressed his appreciation to Todd Belknap, Executive Director of Vets Helping Vets, noting it is a first time event for the community to recognize local veterans in a special way.

Commissioner McClain advised that he had nothing further to add.

Commissioner Stone advised that she had nothing further to add.

Commissioner Bryant suggested staff place an America 250 ribbon across the message that says, "the meeting will begin in a few minutes". Chairman Zalak opined that it was a great idea and directed staff to make that happen.

Chairman Zalak stated the pro-rodeo is happening this weekend at the SELP. He advised that the Master Gardners event was recently held at the SELP, noting staff and the team with Institute of Food and Agricultural Science (IFAS) did a fantastic job with the event. Chairman Zalak referred to Agenda Item 13.1.1., which is his request for Board approval to allow Operation Compassion of Florida to use the SELP as a location to distribute food assistance to local families, noting he will bring back an agreement for BCC consideration. He stated the County has an opportunity through Second Harvest Food Bank to deliver a tractor trailer load to make it efficient for it to come here and to feed people. Chairman Zalak advised that Marion County Code Enforcement does not like it when events are held at some of these smaller churches because it ends up backing up traffic etc., noting it has been very successful at Rotary Park. He stated he is requesting permission to ask ACA Angel Roussel and his team, along with the County Attorney's Office, to create a Memorandum of Understanding (MOU) and put a process in place as to where the County wants to distribute the food, including the SELP and other places.

Commissioner Byrant opined that it is great to see Operation Compassion and Second Harvest Food Bank have, if at all possible, each one of these done at the SELP because it is a really great location. She commented on the importance of giving the organization a permanent location to do these events and the importance of getting the food that they bring out to the community.

Chairman Zalak advised that the organization is working with a Florida Senator, who is going to have an appropriation next year, to work with Second Harvest and try to increase the capacity of their facility here in Marion County because they only have a few thousand

square feet (ft) and they need more like 10,000 or 12,000 sf.

Mr. Minter clarified that he viewed this type of activity differently than paid events for the public, for entertainment purposes and that kind of thing that is usually held at the SELP, noting this would be a very passive drive through event.

Chairman Zalak concurred and advised that what he would want to do legally is create another category as this is a community service event approved by the Board, so it is not under an entertainment event. He stated the County can distinguish between those things legally and he would like Legal to work with staff to create another type of category.

In response to Commissioner Curry, Pastor Dale Broom, Wings of Faith, Operation Compassion of Florida, clarified that these are truck drops, the big mobile semi-tractor trailers that is provided by Second Harvest Feeding America, noting they are currently allowing his organization to do 2 a month. The organization has been doing them at two different locations, one on the south side of Rotary Park and one on the north side. He stated that place is now unavailable and noted the organization has outgrown it and are causing issues there now. Pastor Broom stated the SELP would bring it a little closer into town but still be on the northern side of Ocala and would provide a perfect location. There are only about 3 or 4 places in the County that would allow the organization to do this without interrupting present activities. He advised that the goal is twice a month to try to do various locations, noting some of the concerns that have been expressed are in regard to overuse a facility, messing up grounds, etc. Pastor Broom stated the organization always cleans up, leaving it as it was found, noting he has a wonderful team of about 200 volunteers over the course of a year that helps out. He advised that the organization would like to try to get to places where it could alternate so that it would not hit anyone site more than 4 to 6 time a year, once every other month, and to have a couple places in various corners of the County so that they can evenly spread this out among the community.

General discussion ensued.

Pastor Broom stated the strategy is more like 10:00 a.m. until 2:00 p.m. and is not an all-day event. He advised that one of the issues that the organization has had is once you do an event one time and you go back to that location, our crowd tends to show up in parking lots at midnight coming in to sit there and wait. Pastor Broom stated he arrives somewhere around 4:00 or 5:00 in the morning with the parking team so that they can structure and get everything set up. Usually there is only about 10 to 20 cars, most at any given time, depending upon which side of the County they are on. The food truck will show up anywhere between 8:00 a.m. to 9:30 a.m. He advised that once a truck arrives, it takes about 35 to 45 minutes to unload it, set the food up, noting volunteers immediately begin packing. Pastor Broom stated usually from the time the truck begins unloading within one hour there is enough stuff packed and set up so that they can start the traffic flow and within 2.5 hours they can move through 300 to 400 cars.

General discussion resumed.

Pastor Broom commented on the need for a hard surfaced/pavement type roadway in order for semi tractor trailer to come in and drop 40,000 pounds of free food.

In response to Commissioner McClain, Parks and Recreation Director Jim Couillard advised that there is really nothing that County staff has to do at these events, except for coordinating the calendars against other park events.

Commissioner Stone opined that this is a great idea; however, she would prefer legal staff to review this request just to make sure that the County is in no way associated with providing any sort of services to homelessness to that point, noting there are some laws

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in place that if the County are using any sort of property for homeless to congregate, then that puts it into a whole different realm of services that must be provided.

Pastor Broom advised that if the Commissioners are interested in seeing the operation firsthand, the organization is holding one at Rotary Park tomorrow morning.

13.2. Commission Calendar

13.2.1. Present Commission Calendar

The Chairman acknowledged receipt of the Commission calendar covering the period of March 17 through April 22, 2026.

14. NOTATION FOR RECORD:

14.1. County Administrator Informational Items:

14.1.1. Present Letter Dated February 20, 2026, Regarding the Proposed Construction of Taxiway C and Associated Improvement at Ocala International Airport

14.1.2. Present Chamber and Economic Partnership January 2026 Activity

14.1.3. Present Letter Dated March 3, 2026, Regarding the CR 484 Project Development and Environment Study Community Meeting

14.1.4. Present Notification of the Appointment of John Pearson as Marion County Building Safety Director

14.2. Present Walk-On Items From Previous BCC Meeting: NONE

14.3. Clerk of the Court:

14.3.1. Present Report No. 2026-02 Review of Internal Controls Over the Usage of Driver and Vehicle Information Database - Clerk of Court and Comptroller

14.3.2. Present Monthly Report for the Building Department Budget and Actual

14.3.3. Present Administrative Budget Transfer Report for FY 2025-26

14.3.4. Present Memorandum from Gregory C. Harrell, Clerk of the Circuit Court and Comptroller, Regarding the Filing of Ordinances 26-04 with the Secretary of State's Office

14.3.5. Present Letter Dated March 3, 2026, from the City of Belleview, Development Services Department, Regarding Annexation Ordinance 2026-03 for Parcel Number 38526-000-00

14.3.6. Present Regular Report of Utilization for Reserve for Contingencies

14.4. Present for information and record, minutes and notices received from the following committees and agencies:

14.4.1. Development Review Committee (DRC) - February 16 and 23, 2026

14.4.2. Districts 5 and 24 Medical Examiner Advisory Committee Meeting - August 13, 2025

14.4.3. Land Development Regulation Committee - February 4, 18, and 25, 2026

14.4.4. Planning and Zoning Commission - November 10, and December 29, 2025, and January 26, 2026

14.4.5. Public Safety Coordinating Council (PSCC) - October 27, 2025

14.4.6. Tourist Development Council - November 20, 2025, and January 15, 2026

14.5. General Informational Items:

14.5.1. Marion County Health Department – For the Latest health news and information, Visit the Website at <http://marion.floridahealth.gov/>

14.5.2. Southwest Florida Water Management District (SWFWMD) - For Minutes and Agendas, Visit the Website at <http://www.WaterMatters.org>

14.5.3. St. Johns River Water Management District (SJRWMD) - For Minutes and Agendas, Visit the Website at <https://www.sjrwmd.com>

14.5.4. Transportation Planning Organization (TPO) - For Minutes and Agendas, Visit the Website at <https://ocalamariontpo.org>

14.5.5. Withlacoochee Regional Water Supply Authority (WRWSA) - For Minutes and Agendas, Visit the Website at <http://www.wrwsa.org>

There was a recess at 10:47 a.m.

The meeting reconvened at 2:00 p.m. with all members present.

Also present were: Growth Services Director Chuck Varadin, Deputy Director Ken Weyrauch, Transportation Planner Ken Odom, Senior Planner Chris Rison, Planners Kathleen Brugnoli, Sara Wells and Jared Rivera, Administrative Manager Autumn Williams, Administrative Staff Assistant Kim Lamb, County Attorney Matthew G. Minter, County Administrator Mounir Bouyounes and ACA Tracy Straub.

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

15. PLANNING & ZONING AND DRC WAIVER REQUESTS (AT 2:00PM):

Deputy Clerk Mills-McAllister presented proof of publication entitled, "Notice of Public Hearing by Marion County Board of County Commission to Consider Requests for Land Use Change, Rezoning, and Special Use Permit Applications" published on the publicly accessible website www.Marionfl.org/LegalNotices on March 2, 2026. The Notice states the Board will consider approval of Comprehensive Plan Amendment, rezoning, and/or Special Use Permit (SUP) applications, as well as adoption of an Ordinance.

County Attorney Matthew G. Minter provided a brief overview of the process for today's zoning and Special Use Permit (SUP) hearings.

Mr. Minter requested that everyone who will be testifying today to please stand and be sworn in en masse.

15.1. DRC Waiver Requests:

15.1.1. Request for Waivers from Land Development Code Section 6.8.6 Related to Buffer Requirements for the Cypress Road Industrial Park Administration Building Waiver STA-000066-2025, Parcel 9029-0722-34

The Board considered the following recommendation from County Engineer Cohoon, OCE, on behalf of the Development Review Committee (DRC):

Description/Background: The applicant, Culver Engineering, LLC, proposes to build a 157,500 square foot building and use existing vegetation to satisfy the buffer requirements around the property including B-type and D-type buffers that require walls along the western and northern boundaries.

Pursuant to Land Development Code (LDC) Section 6.8.6, since the subject property (Parcel 9029-0722-34) has heavy industrial M-2 zoning, and its western boundary abuts an approved multi-family PUD with up to 1200 residential units, a B-type buffer is required. The northern boundary abuts a railroad right of way (ROW) with adjacent residential and requires a D-type buffer. Similarly, since the

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southern boundary abuts the Cypress Road ROW with an approved multi-family PUD adjacent to the ROW, a D-type buffer is required.

The LDC Section 6.8.6.K(2) states that a B-type buffer shall consist of a 20-foot-wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 50 percent of the required buffer.

The LDC Section 6.8.6.K(4) states that a D-type buffer shall consist of a 15-foot-wide landscape strip with a buffer wall. The buffer shall contain at least two shade trees and three accent/ornamental trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least 25 percent of the required buffer.

The applicant states that the existing vegetation is full and thick and was left during the clearing process primarily for the purpose of providing a vegetative buffer around the property.

These waiver requests were denied by the Development Review Committee (DRC) on February 9, 2026. Staff does not oppose the waiver request.

Budget/Impact: None.

Recommended Action: Motion to uphold DRC's support to approve the waiver requests.

Growth Services Director Chuck Varadin advised that this is a buffer waiver request relating to the Cypress Road Industrial Park. He provided a brief overview of the subject property and surrounding area. Mr. Varadin stated a Type-B buffer (20 feet wide with a 6 foot wall) is required on the western boundary, which abuts an approved multi-family PUD with up to 1,200 residential units. The northern and southern boundaries require a Type-D buffer (15 feet wide with a 6 foot wall) due to existing and approved residential dwelling units (du). He advised that the applicant cleared the property, but left trees along the outside edge for the purpose of being utilized as a vegetative buffer. Mr. Varadin advised that staff are not opposed providing the applicant maintains the buffer, fills in any gaps and provides a survey to determine if they over-cleared in any areas and if so, they must be filled.

Commissioner Curry commented on the approval of the 1,200 unit PUD and questioned if that property was required to provide any buffers.

In response to Chairman Zalak, Ms. Straub stated regarding the timing of the project she is unsure what the developer is waiting on, but it could be related to the road.

Mr. Varadin advised that the PUD was required to provide a Type-C buffer along the right-of-way (ROW).

Andy Kesselring, SE 8th Street, presented a 4 page handout containing current photographs of the north, south and western buffers. He stated the applicant was granted permission to clear the property a number of years ago in preparation for this project. Mr. Kesselring advised that there will be no additional clearing on the property. He stated the request is to use the existing vegetation that meets all the buffer requirements (shade trees, ornamental trees and the 50 percent (%) ground cover that has to be landscaped, minus the walls.

Chairman Zalak questioned how the applicant will guarantee the buffers remain in perpetuity. Mr. Kesselring advised that the buffers have to be maintained in perpetuity regardless of what development occurs.

Mr. Varadin stated staff has added Conditions to waivers previously, noting it is usually identified on the Site Plan.

County Administrator Mounir Bouyounes advised that the buffer needs to be shown on the plans and the permit will be Conditioned for the buffer to remain.

Mr. Varadin stated a Type-B buffer with an opaque fence is required for the residential to the west.

In response to Chairman Zalak, Mr. Kesselring advised that the applicant does have a tree survey where they have identified trees that are above 10 inches, which are already shown on the plan. There are many other smaller trees that do not have a tree survey; however, the applicant is willing to work with staff to provide anything they need. He stated there is a mixture of native trees.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to agree with DRC and approve the waiver requests with the Conditions discussed. The motion was unanimously approved by the Board (5-0).

15.2. Planning and Zoning Cover Documents:

15.2.1. Present Cover Documents from Planning and Zoning Commission Public Hearing

15.3. Planning and Zoning Consent Items:

Growth Services Director Chuck Varadin advised that the two (2) petitions listed on the Consent Agenda are recommended for approval by both the Planning Division and the P&Z Commission.

P&Z PUBLIC HEARING ON FEBRUARY 23, 2026

Motion was made by Mr. Behar and seconded by Mr. Bonner, to agree with staff's findings and recommendation and recommend approval of the Consent Agenda items.

1. Will not adversely affect the public interest
2. Are consistent with the Marion County Comprehensive Plan
3. Are compatible with the surrounding land uses

The Motion passed unanimously, 5-0

A motion was made by Commissioner Bryant, seconded by Commissioner Stone, to approve Consent Agenda Items 15.3.1. and 15.3.2., agreeing with Growth Services Department staff and the P&Z Commission recommendations, based on findings that the proposed uses are compatible with the surrounding land uses, are consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

The motion approved the Consent Agenda items as follows:

15.3.1. 260301SU - Pasteur Cattle Company, Inc, Special Use Permit to Allow for A New 199' (Feet) Monopole Telecommunication Tower Facility, in a General Agriculture (A-1) Zone, 266.21 Acre Parcel, Parcel Number 15967-000-00, No Address Assigned

The Board adopted Resolution 26-R-74 granting a petition by Pasteur Cattle Co., Inc., for a SUP, Articles 2 and 4, of the Marion County Land Development Code, to allow for a new 199' (feet) Monopole Telecommunication Tower Facility, in a General Agriculture (A-1) zone, on an approximate 266.21 Acre Parcel, on Parcel Account Number 15967-000-00, No Address Assigned

Resolution 26-R-74 contained the following Conditions:

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1. A driveway apron onto the property that meets OCE's standards of development shall be required.
2. Buffering shall meet the minimum requirements as established in LDC Sec. 4.3.25 E (4).
3. An approved site plan review from the Development Review Committee shall be obtained prior to construction.
4. A photometric plan shall be provided during the Development Review Phase if additional lighting is proposed to be added to the site.
5. This site shall be developed consistent with the proposed conceptual plan.
6. The Special Use Permit runs with Pasteur Cattle Company, and not the property.

15.3.2. 260304ZC - Michelle Katirae, Zoning Change from Community Business (B-2) and General Agriculture (A-1) to General Agriculture (A-1) Zone, for all Permitted Uses, ±2.88 Acre Portion of an Overall Approximate 3.26 Acre Parcel, Parcel 06836-001-01, Site Address 2303 NW 145th Street, Citra, FL 32113

The Board granted a petition by Michelle Katirae, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from Community Business (B-2) and General Agriculture (A-1) to General Agriculture (A-1) zone, for all permitted uses, on a ±2.88 Acre Portion of an overall approximate 3.26 Acre Parcel, on Parcel Account Number 06836-001-01, Site Address 2303 NW 145th Street, Citra, FL 32113

15.4. Planning and Zoning Items for Individual Consideration:

15.4.1. 260302SU - Libor & Rachael Zavalsky, Special Use Permit to Allow for the Operation of a Training Facility and Canine Breeding Kennel for German Shepards and Dobermans, in a General Agriculture (A-1) Zone, 19.73 Acre Parcel, on Parcel 35581-002-03, Site Addresses 8201 and 8205 SW 27th Avenue, Ocala, FL 34476

The Board considered a petition by Libor & Rachael Zavalsky, for a SUP Articles 2 and 4, of the Marion County Land Development Code, to allow for the operation of a Kennel with 19 dogs, in a General Agriculture (A-1) zone, on an approximate 19.73 Acre Parcel, on Parcel Account Number 35581-002-03, Site Addresses 8201 and 8205 SW 27th Avenue, Ocala, FL 34476

P&Z PUBLIC HEARING ON FEBRUARY 23, 2026

260302SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Lourenco, seconded by Mr. Behar, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously 4-0.

Senior Transportation Planner Kenneth Odom, Growth Services, presented a 1 page handout entitled, "Zavalsky Case History" and provided an overview of the SUP request to allow for the operation of a Kennel with 15 adult dogs, in an A-1 zone. He commented on the revocation of a previous SUP for a kennel training and boarding facility due to a failure to adhere to Conditions assigned in that SUP.

Mr. Odom stated the canine training ceased at this location and was moved to Roberta, Georgia. He advised that there have been a number of calls to the location; however,

each time Marion County Animal Services (MCAS) was onsite it was always determined that there were no violations. Mr. Odom referred to his handout, noting it is a brief synopsis of the Code Enforcement violations that came from other individuals complaining about the operation. He reiterated that no violations have been identified by MCAS at any time, noting all of the animals are alert and in good shape. The same was true during a February, 2026 visit by Growth Services staff.

In response to Chairman Zalak, Mr. Odom stated the applicant is not training or breeding any dogs onsite due to that operation having been moved to the Roberta, Georgia site. He advised that those animals are brought back down to the subject property. Mr. Odom commented on staff's efforts to identify any commercial canine operation related to Mr. Zavalsky and did not find anything. Mr. Zavalsky has other limited liability companies (LLCs); however, they are not connected to or related to canines.

Mr. Odom stated the applicant has signage on the subject property advertising for K-9 Specialists, Iguana Palms, another of Mr. Zavalsky's businesses, and Ostrava Farms. He referred to photographs as seen on the overhead screens where there were 5 Conex boxes on the southeast corner of the property. The 2 Conex boxes facing to the east have been removed; however, there are still 3 onsite that have not been permitted. Mr. Odom advised that staff have discussed this with the applicant and they have a Site Plan they are ready to move forward. He provided a brief overview of building code requirements relating to the Conex boxes. Mr. Odom commented on the changes the applicant has made/proposed relating to fencing, buffering and lighting. He stated the applicant has been advised of the Conditions and the related timelines.

In response to Chairman Zalak, Mr. Odom advised that the Conex boxes are still unpermitted and remain onsite due to the lack of any complaint that would have allowed the Building Safety Department to go onsite. He stated the boxes are hard to see from the road due to their placement at the rear of the property.

Chairman Zalak advised that staff knew they were onsite and unpermitted at the time of the revocation.

Mr. Odom stated the Building Safety and Code Enforcement Departments were aware.

In response to Chairman Zalak, Mr. Odom advised that it is his understanding that the Building Safety Department did not pursue the matter. He stated the applicant was moving through the permitting process; however, it was never completed. Mr. Odom advised that he spoke to Licensing Investigator Supervisor Ryan Arbuckle who will be following up regardless of the outcome today.

Commissioner Stone questioned what activities are occurring on the property today. Mr. Odom stated Growth Services staff and MCAS have been advised that the applicant has personal animals onsite and he does move them back and forth between the subject parcel and his Georgia property. He advised that the applicant has indicated the only training occurring on this site relates to his personal animals.

In response to Commissioner Stone, Mr. Odom stated staff are aware the applicant has a website and searched to see if it is still active; however, they do not monitor that constantly.

Commissioner McClain questioned what has changed since the revocation for staff to recommend approval. Mr. Odom advised that the applicant has raised the fencing and removed 2 of the Conex boxes, noting staff used the same process in conducting this analysis as they would have if this were a new case.

Commissioner Curry commented on the animals that were onsite prior to the revocation remaining at the location as personal animals.

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Mr. Odom advised that some of the commercial animals that were onsite were moved to the Georgia location; however, he is unaware of how many. He stated the applicant is requesting 15 animals and there are 9 personal animals onsite now.

Commissioner Curry opined that the facilities look clean and well kept.

In response to Commissioner McClain, Mr. Odom advised that 15 animals are the kennel threshold.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the SUP with the following Conditions:

1. All dog waste shall be collected daily and removed from the premises weekly.
2. Connection to Marion County Utilities would be required within 365 days' notice of availability.
3. This special use permit shall automatically become null and void should the subject property be transferred to another owner.
4. The site shall be developed and operated consistent with the conditions and concept plan submitted as part of the application.
5. The special use permit shall expire on March 17, 2031. However, since the previous SUP was revoked, this SUP will be reviewed at six months and one year. It may be renewed administratively for up to 5 years by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), 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' 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, or
 - c. The Growth Service 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).
6. A building permit shall be obtained for the three shipping containers currently on site.
7. Any site improvement and building construction shall comply with the minimum requirements of the Florida Fire Prevention Code.
8. The owners/operators shall reside onsite.
9. The special use permit allows up to 15 canines on site (a combination between breeding, boarding, and training).
10. This permit allows for the sale of puppies bred and delivered onsite directly to clients but does not allow the sale of puppies or dogs to pet stores, flea markets, or other, non-direct entities.
11. The applicants shall maintain up-to-date licensure with Marion County for all canines intended to remain on-site.
12. Dogs on property under this special use permit shall not be kept in outside runs before 7:00 a.m. or after 10:00 p.m.
13. The six-foot fencing around the kennel and training areas shall be maintained while this Special Use Permit is active.

14. A viburnum or ligustrum hedge shall be installed on the eastern property line commencing at the southeastern corner which will run along the eastern property boundary for a distance of no less than five-hundred feet to buffer the adjacent property to the east.

Libor Zavalsky, SW 27th Avenue, stated he was responsible for the revocation of the SUP he had previously due to misunderstanding the time frame relating to Conditions. He advised that relating to permitting the Conex boxes, it was his understanding that he did not need the permits if the boxes were for non-commercial use as storage on his farm. Mr. Zavalsky stated he will obtain the required permits. He advised that since the revocation the operation was moved to Georgia, the 2 containers facing the neighbor on the east were removed, and palm trees were planted. Mr. Zavalsky stated further improvements to the site were not pursued prior to discussions with the Growth Services Department. He commented on the reduction from 19 to 15 canines, noting this is a small family owned business. Mr. Zavalsky advised that he agrees with all the Conditions of the SUP and they will be met within the allotted timeframes. He commented on concerns that have been raised relating to the operation including noise, safety, well-being of the animals and whether this is the proper area. Mr. Zavalsky stated his family also needs peace and quiet, noting they live onsite. He advised that all dogs bark; however, other than feeding times it is generally peaceful. Mr. Zavalsky commented on the misconceptions relating to the operation, noting he does not train canines for military or police work. He stated his expertise relates to teaching individuals how to lead, communicate and interact with their dogs to live in harmony. Mr. Zavalsky addressed concerns relating to the wellbeing of the canines, noting he has always opened his door to MCAS when they have come to the site. He advised that his dogs do not end up in rescues or shelters. If there is a reason a family cannot continue to care for the animal it comes back to the operation. Mr. Zavalsky stated he follows strict European breeding standards. He opined that the location of the operation is appropriate, noting industrial areas are where the puppy mills are located. Mr. Zavalsky advised that the County should make the process easier for reputable breeders to have these businesses, noting they will be regulated.

Chairman Zalak opened the floor to public comment.

Jennifer Czar, SW 80th Street, advised that this is the 6th time she has spoken before the Board. She stated when the SUP was revoked she questioned what would happen if the operation continues and was assured the applicant would be held accountable. Ms. Czar advised that she lives next door and the operation has not ceased. She commented on the timeframe the Conex boxes have been onsite. Ms. Czar stated the applicant has illegally attached two-by-fours and chicken wire to her horse fence located on her property. She commented on the nearby animal rescue, noting she has never voiced a noise complaint against that operation. Ms. Czar advised that the photographs on the overhead screens do not accurately represent what is occurring on the subject parcel.

Ulli Munroe, SW 85th Street, expressed support for the operation, noting she has been a client.

Karen Johnson, SW 64th Terrace Road, stated she resided at the guest house between the Conex boxes and the neighbor to the south for years and was never disturbed by noise. She opined that individuals purchase acreage to allow a buffer so they can do what they want on their property within the limits of the law.

Chairman Zalak stated the problem is that this is not an A-1 use, which is why the applicant needs a SUP. When an individual requests a SUP the Borad needs to ensure

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that use does not impact others in the neighborhood. He clarified that the applicant does not have the right to own a kennel and breed dogs on the property.

Jerry Johnson, SW 30th Avenue, expressed support for the SUP, noting he used to live on the property and never felt concerned for his safety.

Lucy Johnson, SW 30th Avenue, commented on her experience with the applicant's dogs and urged the Board to support the SUP request.

Chairman Zalak advised that public comment is now closed.

In response to Chairman Zalak, Stephanie Owens, Animal Control Manager, MCAS, advised that she cannot speak definitively as to whether there is still business occurring on the site. She stated even if the applicant is not conducting business they are commuting and bringing the animals back and forth, which they are able to do with their personal pets. Due to the revocation, the applicant cannot continue to train, breed and sell from the property. Ms. Owens stated a personal animal would include a dog that the applicant may be breeding and transporting back and forth, even if they own it as part of an LLC.

Mr. Minter advised that if an individual has a small LLC and is the managing partner of that LLC, it is possible to own assets that are personal property.

Ms. Owens stated MCAS considers personal animals those that an individual is taking to the veterinarian, providing rabies vaccines and County licenses all in their name. She advised that at the time MCAS was onsite there were no animals on the property that were owned by clients. Ms. Owens stated it is her understanding the operation was primarily a board and train; therefore, the animals stay onsite for a period of time. She advised that if the applicant was still training animals on the property at that time she would assume they would have been on the property during the MCAS visit.

Commissioner Bryant referred to the aerial photograph seen on the overhead screens and questioned the structure on Ms. Czar's property. Ms. Czar stated it is her full-time domicile, noting the property is a luxury barndominium (barndo). She advised that the primary suite is less than 400 feet from the Conex boxes. Ms. Czar stated the applicant has been over capacity and had dogs in all of the houses, noting one dwelling is a house with an apartment in the back, exceeding Marion County limits. She advised that Mr. Odom made her aware that dogs under 1 year of age will not be counted towards the maximum.

In response to Commissioner Curry, Mr. Odom stated the SUPs are typically written to be effective for 5 year increments. He advised that due to the revocation, if approved, staff recommend a review at 6 months and again at 1 year, which will be 1 year out of the 5 year timeframe.

Chairman Zalak questioned if the fence in question belongs to Ms. Czar or the applicant. Mr. Odom stated staff did not review that issue.

In response to Chairman Zalak, Mr. Odom advised that staff spoke to the applicant about the center of the property being a more appropriate location; however, Mr. Zavalisky does not want to pursue that option.

Chairman Zalak stated the applicant did not bring back a plan to move the operation, did not remove everything he was directed to, and this is the third time he has been before the Board. He advised that he is not in favor of the request.

Commissioner McClain stated the issue before the Board today relates to whether commercial activity is a problem, noting most of the complaints related to noise. He advised that the applicant could have as many as 14 personal pets on the site right now

and the County has no ability to regulate that noise. Commissioner McClain commented on the ability to add a Condition relating to noise on A-1 property under a SUP, noting it may be better for individuals in the area. He stated if a Condition was added to move the operation to the center of the property, he would support the request.

Commissioner McClain advised the applicant that unless he is willing to move the operation closer to the center of the property and work with Growth Services, the request will likely be denied.

Mr. Odom stated staff had this discussion with Mr. Zavalsky previously, noting it was their recommendation to move the operation to a former stable near the front of the property. He advised that staff thought it was the most suitable location due to being the most isolated from all other facilities that were adjacent. Mr. Odom stated the neighbor to the south has been supportive, noting the complaints have come from the north and east.

Commissioner Bryant advised that Mr. Zavalsky can move the Conex boxes or be denied. Mr. Zavalsky stated he would move the boxes.

General discussion ensued relating to the SUP process.

In response to Chairman Zalak, Ms. Owens advised that puppies under 4 months of age are not typically counted until they obtain their rabies vaccination. She stated puppies kept beyond 4 months would become part of the applicant's permanent number. Ms. Owens advised that litters are limited to no more than 5 per year.

ACA Tracy Straub commented on the tie down for the Conex boxes, noting it will require the applicant to hire an engineer to prove the design.

Commissioner Bryant requested staff work with Mr. Zavalsky today to ensure he understands the Conditions and the related timeframes.

Mr. Minter commented on testimony from the neighbor relating to the fence.

Mr. Odom advised that the applicant would have to get a new site plan and survey, noting staff will ensure making that determination is a point of interest.

Commissioner Bryant stated the opening on the Conex boxes should be shifted so that it goes towards SW 27th Avenue. She questioned if the fencing and the ligustrum hedge are still necessary. Mr. Odom advised that there is a training area adjacent to Ms. Czar's property and he recommended the fencing remain.

In response to Commissioner Bryant, Mr. Zavalsky stated he will move the training area towards the barn where the Conex boxes will be located.

It was the general consensus of the Board to remove the requirement for the fencing or viburnum hedge in the rear of the property.

Mr. Zavalsky commented on the placement of the kennels noting when the dogs see each other they produce much more noise.

Commissioner Bryant stated the configuration of the kennels will be left to Mr. Zavalsky; however, everything has to be moved up to the barn.

A motion was made by Commissioner Bryant, seconded by Commissioner McClain, to adopt Resolution 26-R-75 granting the SUP request with Conditions 1 through 13, as amended below, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was approved by the Board 3-2 with Chairman Zalak and Commissioner Stone dissenting.

Resolution 26-R-75 contains the following Conditions:

1. All dog waste shall be collected daily and removed from the premises weekly.

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2. Connection to Marion County Utilities is required within 365 days' notice of availability.
3. This special use permit shall automatically become null and void should the subject property be transferred to another owner.
4. The site shall be developed and operated consistent with the conditions and concept plan submitted as part of the application.
5. The special use permit shall expire on March 17, 2031 . However, since the previous SUP was revoked, this SUP will be reviewed every six months and one year. It may be renewed administratively for up to 5 years by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), 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' 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, or
 - c. The Growth Service 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).
6. The three Conex boxes, utilized as kennels, shall be moved to the center of the property near the stables and west of the primary residence, and a site plan and a building permit shall be obtained for them prior to any commercial operations commencing on site. They are required to be permitted within six months of this approval. If the permitting for these structures has not been completed within six months, action may be taken by the board to begin revocation of this permit. (Inspections will occur on/about 9/07/2026).
7. Any site improvement and building construction shall comply with the minimum requirements of the Florida Fire Prevention Code.
8. The owners/operators shall reside onsite.
9. The special use permit allows up to 15 canines on site (a combination of breeding, boarding, and training).
10. This permit allows for the sale of puppies bred and delivered onsite directly to clients, but does not allow the sale of puppies or dogs to pet stores, flea markets, or other non-direct or off-site entities.
11. The applicants shall maintain up-to-date licensure with Marion County for all canines intended to remain on-site.
12. Dogs on property under this special use permit shall not be kept in outside runs before 7:00 a.m. or after 10:00 p.m.
13. The six-foot fencing around training areas shall be maintained while this Special Use Permit is active.

15.4.2. 26-S02 - Heather Island, LLC, Small-Scale Land Use Change from Public (P) to High Residential (HR), 0.74 Acre Tract, Parcels 9064-1799+01 and 9064-1793+05, No Address Assigned

The Board considered a petition by Heather Island, LLC, for a Land Use Change, Articles 2 and 4, of the Marion County Land Development Code, from Public (P) to High Residential (HR), on an approximate 0.74 Acre Tract, on Parcel Account Numbers 9064-1799+01, 9064-1793+05, and 9064-0000-02, No Address Assigned

P&Z PUBLIC HEARING ON FEBRUARY 23, 2026

26-S02 Planning and Zoning Commission Recommendation

Motion was made by Mr. Bonner, seconded by Mr. Behar, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously, 4-0.

Senior Planner Chris Rison, Growth Services, advised that Agenda Items 15.4.2 and 15.4.3 (260205ZP) are companion items and will be heard at one time. He provided a brief overview of the request for a Small-Scale Land Use Change from P to HR and the rezoning request from Single-Family Dwelling (R-1) to Planned Unit Development (PUD). Commissioner Bryant commented on the lots that border the north side of the proposed development, noting it is her understanding that they are also owned by the applicant.

Chairman Zalak questioned what will occur relating to the 50/50 landscape buffer split on the south boundary lots. Mr. Rison stated staff would typically recommend they be placed in a tract by themselves, noting there is a tract that will be there due to the 50 foot southern easement that will be split. He commented on the potential long term challenge between the property owners and homeowner's association (HOA) relating to how the easement will be maintained. Mr. Rison advised that there are locations where the landscape buffers were set up as easements on the individual lots and it creates issues with the property owners when they want to clear the property.

Mr. Rison provided an overview relating to the amenities for the proposed project.

Chairman Zalak questioned whether the proposed project will be part of the MSTU in this area. Ms. Straub stated the applicant is paying into the road assessment, but not the recreation; however, individuals can choose to join the recreation area.

In response to Chairman Zalak, Mr. Rison provided a brief overview of the proposed Conditions.

Chairman Zalak commented on the need to make a decision relating to the 40 foot (ft) ROW prior to the Master Plan if development is to start ahead of time. Mr. Rison advised that staff have accepted that type of proposal in some areas, however, concern comes into play regarding the designs and required utilities. He stated staff do not have those specific details at this stage, noting they want the wider ROW width with the smaller easement on certain roads. On other portions it could be an acceptable design. Mr. Rison advised that OCE prefers to see it when working with the complete set of documents and details.

Commissioner McClain out at 3:48 p.m.

Commissioner Curry commented on ballfields located behind the proposed project and questioned what would be appropriate relating to buffers and setbacks.

Mr. Rison noted buffering is focused on it being public property owned by a governmental entity. He stated this is an existing school, so someone who is moving in to that location, ideally will realize they are beside a school.

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It was noted that Growth Services Department staff and the P&Z Commission recommend approval of the Small Scale Comprehensive Plan Amendment request.

David Tillman, Tillman and Associates, Engineering, LLC, SE 16th Avenue, on behalf of the applicant, advised that the County does not have any purview over schools, noting they are able to do what they want. He stated there is not a buffer that can be provided that will guard against the nuisance of a school if it is not properly designed.

In response to Commissioner Curry, Mr. Tillman, opined that moving the amenities area to help buffer would not make any significant difference.

Commissioner McClain returned at 3:51 p.m.

Mr. Tillman advised that the buffer discussed earlier should be a 5 ft Type-E buffer on the outside of the lots on the south side, noting there is an easement on the other side that creates separation from adjacent properties.

In response to Chairman Zalak, Mr. Tillman stated there is no entrance on that side of the proposed development. He advised that a 5 ft buffer with a fence can be done.

Mr. Minter commented on a Developer's Agreement Mr. Rison spoke of, noting there was a challenge raised in a recent case. He stated he wants to ensure this is a non-Chapter 163 Development Agreement.

Mr. Rison advised that staff could utilize the non-Chapter 163 Developer's Agreement due to being a specific focused task for that particular proportionate share activity.

Mr. Tillman stated the applicant has a 100 ft easement to the north and they own the property on the other side and requested not to have a buffer along that boundary.

In response to Commissioner Bryant, Mr. Tillman advised that he believes those lots are currently vacant.

Mr. Tillman stated the project is a standard development with 40 ft lots and a small amenity area, noting there is not a huge number of units being brought forward. He advised that staff requested a bus stop area/transit hub, noting the applicant is proposing a pull off area with a bench. Mr. Tillman addressed Condition 3 relating to buffers being installed prior to the first Certificate of Occupancy (CO) being issued. He stated the development is being constructed in phases and requested to work with the County Landscape Architect on the phasing of the landscape buffers.

Chairman Zalak expressed opposition to phasing in the buffers, noting the time it takes for the plantings to grow. He advised that if the applicant is leaving the trees on the edges he can work with him.

Commissioner Stone stated the applicant owns everything to the north.

In response to Chairman Zalak, Commissioner Stone opined that the rest of the buffers should not be required.

Mr. Tillman requested Condition 10.b be removed.

Mr. Rison advised that the Condition looks to illustrate the areas where pedestrians are and where they might likely encounter a vehicle or something of that nature, trying to create visibility so that someone at the intersection across the road can be seen.

In response to Commissioner McClain, Mr. Rison stated it is something newer that staff are trying to emphasize. He stated this is a requirement that has been in the Code.

Commissioner Bryant commented on the County's mission with the Transportation Planning Organization (TPO) relating to safety.

Chairman Zalak stated unlike some other areas, there are lighting issues within Silver Springs Shores (SSS).

In response to Chairman Zalak, Mr. Rison advised that staff are looking for lighting to be examined as part of the applicant's improvement plans at the minimum or it can be included in the Master Plan.

Commissioner Stone questioned if the lighting will be street lights. Mr. Rison stated staff reviewed the significant intersections, noting the intersection at Oak Road would be a location staff would want to see some illumination. He advised that most of the focus is at the intersections where individuals will likely be walking or potentially conflicting with traffic, in addition to the recreation space.

Commissioner Stone opined that there will be a lot of illumination at night coming from the homes.

Commissioner McClain stated the Condition is very non-specific. He questioned what demonstration will look like. Mr. Rison advised that most of that detail is on the improvement plans.

Chairman Zalak stated there are a lot of tight lots and he does not see the necessary parking for the proposed development included.

Mr. Tillman advised that individuals are able to park 2 vehicles in each of the driveways. Chairman Zalak questioned where guests will park. Mr. Tillman stated the amenity area has 15 additional parking spaces.

Commissioner Bryant advised that families often have more than 2 vehicles nowadays. General discussion ensued relating to parking.

Mr. Tillman commented on the need for a standard, so he knows what he is expected to meet.

Commissioner Bryant stated the new standard of 40 ft lots is where the problem comes into play.

Chairman Zalak commented on the distance between the additional parking at the amenity center and individuals' homes.

Mr. Tillman advised that individuals do on-street parking when they have guests, noting the downtown area is established that way.

Chairman Zalak questioned if the road can be wide enough to accommodate parking on both sides and the ability to get 2 cars down the road. Mr. Tillman stated that is not a reasonable request due to this being an interior subdivision road.

Commissioner Stone advised that this is not a high end subdivision.

Mr. Bouyounes stated when there is a 40 ft ROW with easement and 40 ft wide lots where 2 vehicles can park in the driveway, eventually people will be parking down the street. He advised that staff are already seeing it happen in a lot of new subdivisions. Mr. Bouyounes stated if the Board does not like that, this is the time to decide what they want. He advised that there are 60 ft of ROW, that is the standard or 50 ft with five foot easements on each side. When the easement is expanded, that is less ROW in a way, less frontage, less area for people to park or to handle traffic.

Commissioner Bryant requested staff advise the Board what is an appropriate road width.

Mr. Bouyounes stated if it is a public ROW, staff will be asking to maintain 60 ft of ROW; however, this is private ROW and the Code allows 50 ft plus 5 ft easements on either side.

Mr. Tillman advised that he is requesting 40 ft ROW.

County Engineer Cohoon, OCE, stated as the ROW limits are squeezed, it begins to reduce the ability to place utilities in certain areas outside the confines of the pavement. He advised that this could be one of those examples, noting there is gravity sewer

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beneath the roadway. If something happens the road must be cut open to address some of those areas.

Commissioner Bryant questioned who would be responsible if something happened with sewer or water and it was under the road.

Mr. Bouyounes stated the system will become the County's and if something happens, it will be the County's responsibility to fix the utility and the roadway. He advised that it is the same with every utility system.

In response to Commissioner Bryant, Mr. Cohoon stated based on the cross-section he sees, there is not adequate room for 2 lanes of traffic and a place for someone to park with a 50 ft road ROW. He advised that there are 10 ft lanes in both directions and 8 ft of a grass area with sidewalks that all fits into this area.

Commissioner Stone questioned if there will be curbs. Mr. Tillman stated they will be Miami style curbs.

Mr. Cohoon advised that the Federal Highway Administration (FHWA) assumes 2 to 2.2 vehicles per household; however, the Institute of Transportation Engineers (ITE) does not specify the number of vehicles per household with this ITE land use code.

Chairman Zalak opined that the County needs to get to a point where every so often there is some additional parking.

Mr. Tillman stated it should be done for different lot sizes, noting he will be happy to take the time to work with staff on the criteria. He opined that having cars parked along the side of the road would be a benefit to slow down traffic, noting County staff were right to ask for a speed cushion.

Chairman Zalak opened the floor to public comment.

Commissioner Bryant out at 4:11 p.m.

Jose Duran, Locust Pass, expressed concern relating to SE 108th Terrace Road becoming a cut through road, noting it is narrow and requires 1 vehicle to pull over when there is 2-way traffic.

Mr. Rison advised that there is no access proposed relating to SE 108th Terrace Road.

Ms. Straub stated there is no connection to the north, noting individuals are cutting out through private property. When this neighborhood gets built it will likely block that off.

Carolyn Davis, SE 108th Terrace Road, read a letter she wrote to Commissioner Curry into the record relating to traffic concerns.

Commissioner Bryant returned at 4:16 p.m.

Chairman Zalak advised that public comment is now closed.

(The Deputy Clerk did not receive a copy of the letter Ms. Davis sent to Commissioner Curry.)

In response to Chairman Zalak, Mr. Rison stated it is anticipated that this site will have a different traffic generation that will be much lower than the prior proposal. The traffic study indicated it would be acceptable with the exception of the intersection at SE Maricamp Road/County Road (CR) 464 and Emerald Road.

Mr. Tillman advised that he understands the concerns of neighbors relating to SE 108th Terrace Road, noting once the houses are built he hopes that activity ends.

Mr. Rison commented on the applicant's request relating to Condition 3. It was the general consensus of the Board to allow for recognition of phasing relating to the buffers and CO issuance.

Chairman Zalak stated when the ROW is brought back, it should accommodate street parking at some level.

Mr. Rison advised that it can be an additional Condition.

Commissioner Bryant commented on the additional parking at the amenities area and questioned if more can be added towards the other end of the subdivision. Mr. Tillman stated it can be done, as well as adding a few parallel parking spaces along the way that pull outside the lane every 15 to 20 homes.

Chairman Zalak stated there is a way to solve the problem including widening the ROW, bringing back a different plan, etc.

In response to Chairman Zalak, Ms. Straub advised that the detail in the Master Plan is often done when the Improvement Plan has been laid out. She stated as long as the applicant is committing to the Board that it is being done as part of the Improvement Plan it could come back with the Master Plan at that stage; however, staff recommend that it not be approved until it came back and the Board confirmed they are comfortable.

Mr. Tillman provided a brief overview relating to the Master Plan process and requested to move forward with the 40 ft ROW.

Chairman Zalak expressed concern relating to the 40 ft ROWs.

In response to Chairman Zalak, Ms. Straub advised that the Utilities Department experienced constraints relating to 40 ft ROWs in some subdivisions in the southwest portion of the County.

Mr. Tillman stated in areas where there were any utility lines that fell within a specified number of feet from any structure were addressed with the Utility Director Tony Cunningham or a staff member to ensure there was no issue, noting the Utilities Department signed off on those issues.

Utilities Director Tony Cunningham advised that a 40 ft ROW is typically a tight fit, but not impossible. He stated without the details relating to the design for utilities, it is difficult to answer.

Chairman Zalak advised that there should be a caveat that there will be a review by Utilities prior to any guarantee. He questioned why there cannot be a 50 ft easement.

In response to Chairman Zalak, Mr. Tillman stated for this project it would not impact the number of units; however, the 45 ft of separation between adjacent properties would decrease to 25 ft. He advised that it would reduce lot and buffer size.

Commissioner Bryant stated the LDC has a standard and moving forward PUD's need to come in at that standard relating to ROWs.

Mr. Bouyounes advised that the standard is 60 ft for public ROW and 50 ft for private plus a 5 ft easement on each side. He stated the benefit of the easement is that it is part of the lot and the owner can use it in addition to being included as part of the setback.

In response to Chairman Zalak, Mr. Tillman advised that the project has 40 ft of ROW with 10 ft utility easements on each side, which equals 60 ft.

Mr. Cunningham stated he is good providing he has that easement.

Ms. Straub referred to the applicant's typical section on page 2414 of the Agenda packet, which shows the 40 ft ROW and easement on either side. She commented on tree requirements for single family lots, noting the Board will soon be asked to contemplate that issue as it relates to utilities.

In response to Chairman Zalak, Mr. Cunningham advised that there are ways to protect from a tree. He requested the right to review the details relating to this project due to 5 ft of the easement being dedicated to electric.

Chairman Zalak requested there be a Condition stipulating that the County Engineer and Utilities Director must approve the final roadway design prior to Master Plan approval.

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In response to Commissioner Stone, Mr. Tillman stated he is requesting to provide a bus pullout bay with accompanying bench, noting the applicant is not asking to provide a shelter.

Commissioner Stone requested clarity relating to Condition 10.b. Mr. Rison advised that the key for staff would include lighting at the amenities center and at least the 2 major intersections at the eastern and western ends of the main road running east/west.

In response to Commissioner Stone, Mr. Rison stated there will be no buffer to the north, and the question relating to the southern buffer is whether there will be a Type-E buffer or a modified Type-E just in the 5 ft space.

Mr. Tillman advised that the applicant is agreeable to adding the fence on the property line of the lots and planting the 5 ft buffer.

Ms. Straub stated there are 23 feet shown on the north side where there is no buffer that can be contemplated as part of the ROW needs.

Mr. Tillman advised that it would not be the same on the east side; however, on that roadway there is room to make it a 50 foot ROW.

Chairman Zalak commented on the additional ROW helping with additional parking. Mr. Rison stated the County Engineer has indicated for the proportionate share work should be completed within a year to allow time to address signalization and proportionate share questions. He advised that the County Engineer is also requesting the HOA be responsible for maintaining the bench.

Chairman Zalak reiterated that the County Engineer and Utilities Director will approve the ROW plans. Mr. Rison concurred.

Mr. Rison stated staff did not recommend this matter come back to the Board for review and questioned if that should be changed.

Commissioner Stone advised that she will not include that in her motion.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to approve the land use change, agreeing with Growth Services staff and the P&Z Commission, based on findings and recommendations that the proposed use will not adversely affect the public interest, is consistent with the Comprehensive Plan and is compatible with the surrounding land uses. The motion was unanimously approved by the Board (5-0).

Commissioner Curry commented on ongoing discussions relating to parking, noting the applicants should know what the Board expects. He questioned if there is an appetite from the Board to take him up on his suggestion to work with staff relating to this issue and obtain some analytics.

Commissioner Stone stated applicants should get credit for a 2 car garage, noting individuals can choose whether or not to utilize the space for vehicles.

Commissioner Curry stated parking in some of the newer multi-family neighborhoods is a mess and individuals are parking everywhere.

Commissioner Bryant advised that anything not meeting standards should be required to go through the waiver process, noting that is already included in the LDC. She stated the Board is deviating from that through the PUD process.

Chairman Zalak advised that there should be a benefit related to a PUD. He stated the Board has the right to ask for what it wants just like an applicant.

Commissioner Bryant opined that the Board is giving away too much through the PUD process. She commented on previous discussion, noting it was stated that 40 ft lots would end up being the standard.

Commissioner McClain advised that it has become the standard due to individuals no longer being able to afford a home on a 70 ft lot. He stated the County's Code has failed to adapt. Commissioner McClain advised that applicants come in looking for predictability, reliability and transparency, but instead are met with the PUD process that lacks those things.

In response to Commissioner Bryant, Mr. Tillman stated the amount that was reduced on lot sizes was very minimal. He advised that the reason the lot size was left so large was due to the Board wanting to be involved in the projects coming through the Growth Services Department.

Commissioner Curry requested the Board allow staff to work with Mr. Tillman to bring back recommendations.

Commissioner Stone commented on housing surveys and reports that support smaller lot sized for baby boomers and younger generations.

Chairman Zalak expressed concern relating to the inability to have a pool or swing set on the smaller lots, noting if that is the standard then the community as a whole has an obligation to provide amenities. He directed staff to include this matter in LDC issues so it can be brought back and made Code.

Mr. Tillman stated he likes the option of working with staff onsite to brainstorm ideas, noting the result is generally better when the public and private sectors are working together.

15.4.3. 260205ZP- Heather Island, LLC, Zoning Change from Single-Family Dwelling (R-1) to Planned Unit Development (PUD), for a Maximum Proposed Total of 176 Single-Family Residential Units, 33.56 Acre Tract, Parcels 9064-0000-02, 9064-1799+01, and a Portion of 9064-1793+05, No Address Assigned

The Board considered a petition by Heather Island, LLC, for a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from Single-Family Dwelling (R-1) to Planned Unit Development (PUD), for a maximum proposed total of 176 Single-Family Residential Units, on an approximate 33.56 Acre Tract, on Parcel Account Numbers 9064-1799+01, 9064-1793+05 and 9064-0000-02, No Address Assigned

P&Z PUBLIC HEARING ON FEBRUARY 23, 2026

260205ZP Planning and Zoning Commission Recommendation

Motion was made by Mr. Bonner, seconded by Mr. Lourenco, to agree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously, 4-0.

It was noted that Growth Services Department staff and the P&Z Commission recommend approval with the following Conditions:

1. The homeowner's association or the developer must care for and maintain all common areas used by residents of the subdivision as well as buffers, stormwater, and any other forms of infrastructure within the subdivision. The maintenance responsibility begins at installation and continues in perpetuity. Language and documentation enforcing this condition will be required at the Final Plat stage of Development Review.

2. The County may issue Certificates of Occupancy for up to, but not exceeding, fifty (50) percent of the total residential units prior to construction of required amenities. All required amenities must be fully constructed and operational before any additional Certificates of Occupancy are issued.
3. All required buffers must be installed by the developer before the first (1st) residential Certificate of Occupancy is issued.
4. The street running east-to-west from Oak Road to the proposed amenity area must be designed to include at least one (1) vertical or horizontal traffic calming measure, as outlined in the 2023 Florida Department of Transportation's Greenbook. The chosen traffic calming measure(s) must be shown at the Master Plan stage of development review. The final design and location will be determined at the Improvement Plan stage of development review.
5. Prior to Master Plan approval, the applicant must execute and record a Developer's Agreement to address and secure all transportation improvements identified in the approved Traffic Impact Study.
6. The final roadway designed shall be determined during the Master Plan stage.
7. An internal sidewalk, at least five (5) feet wide, on at least one (1) side of the internal street circulation network is required, consistent with the concept plan dated 02/05/2026. The internal sidewalk must connect to the existing sidewalk along Oak Road and stub out to Locust Pass. The developer must construct and fully complete all required internal sidewalks at the time of internal right-of-way construction. The internal sidewalk required cannot be waived.
8. Prior to Master Plan approval, the Developer/Applicant will work with Staff to determine what multi-modal or transit hub improvements are needed at this location.
9. Each lot and structure within this PUD must comply with the Development Standards listed in Table 2.B of the 260205ZP Board of County Commissioners Staff Report.

TABLE 2.B. DEVELOPMENT STANDARDS	
Standards	Required
Minimum Lot Area	4,000 SF
Minimum Lot Depth	100'
Minimum Lot Width	40' for Interior Lot 55' for Corner Lot
Front Setback ^{1,2}	20'
Rear Setback	15'
Side Setback	5' for Interior Lot 15' for Corner Lot
Maximum Single-Family Residence and Amenity Structure Height	40'
Maximum Accessory Structure Height	20'
Accessory Structure, Front Setback	20'
Accessory Structure, Rear Setback	5'
Accessory Structure, Side Setback	5' for Interior Lot

	15' for Corner Lot
<p>Note:</p> <p>1. The front building line of each dwelling unit along the same side of street frontage must vary by at least two (2) feet and no more than five (5) feet from the adjacent unit. No more than two (2) consecutive dwellings may have the same front setback.</p> <p>2. Non-habitable architectural features, such as, but not limited to, eaves, roof overhangs, porches, and patios, may encroach 2 feet into the front setback area.</p>	

10. At the time of development review, the improvement plan must include a photometric lighting plan that—
 - a. 1) Complies with all applicable Land Development Code outdoor lighting standards in Division 6.19; and
 - b. 2) Demonstrates that the subdivision's pedestrian routes, street intersections, recreational amenity areas, and monument signage are adequately illuminated for safety, visibility, and wayfinding.
11. The developer, or homeowner's association, must install the buffers listed in Table 3.B of the 260205ZP Board of County Commissioners Staff Report.

TABLE 3.B BUFFERS			
Direction	Adjoining Use	Parcel ID	Required ²
North	Vacant Residential	9064-1793-(01 to 04 & 12 to 13)	5' E-Type
		9064-1799-(12 to 13)	
North	Drainage Retention Area	9064-1793+01	5' E-Type
		9064-1793+05	
East	Right of Way	N/A	15' C-Type
South	Single Family Residential	37675-002-00	Modified 10' E-Type ¹
		37675-001-00	
	Vacant Residential	37675-000-01	
	Agricultural Production	37675-000-00	
Southwest	Lake Weir High School	9064-0000-01	15' C-Type
West	Vacant Residential	37533-001-01	Modified 10' E-Type ¹
	Agricultural Production	37533-000-00	
		37533-002-00	
	Single Family Residential	37533-002-02	

Note:

1. Modified 10' E Type Buffer means: A ten-foot (10') wide landscape strip without a buffer wall. The buffer must contain at least four (4) evergreen shade trees for every one hundred (100) lineal feet or fractional part thereof. Required trees must be planted in a staggered design that blocks views of rooftops at time of maturity. Shrubs must be planted in a double-staggered row and must be capable of reaching a maintained height of

six feet within three years. Groundcovers and/or turfgrass must not be used in this buffer. Existing vegetation may be utilized.

2. All required buffers must be located on a tract owned by the developer/HOA. The tract(s) must be accessible to all residents of the PUD.

12. The Owner/Applicant must provide a tree mitigation plan based on LDC Division 6.7 requirements. The Owner/Applicant must also provide a landscape plan that demonstrates where the replacement trees will be located. The first-level priority for replacement is within the front or rear setback of individual residential lots. Once each lot has at least one tree, the second-level priority for replacement is in common areas and amenity areas.

This matter was addressed with Agenda Item 15.4.2.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to adopt Resolution 26-R-76 granting the SUP request with Conditions 1 through 12, as amended below, agreeing with Growth Services staff and the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (5-0).

Resolution 26-R-76 contains the following Conditions:

1. The homeowner's association or the developer must care for and maintain all common areas used by residents of the subdivision, as well as buffers, stormwater, and any other forms of infrastructure within the subdivision. The maintenance responsibility begins at installation and continues in perpetuity. Language and documentation enforcing this condition will be required at the Final Plat stage of Development Review.
2. The County may issue Certificates of Occupancy for up to, but not exceeding, fifty (50) percent of the total residential units prior to construction of required amenities. All required amenities must be fully constructed and operational before any additional Certificates of Occupancy are issued.
3. For each phase of development, all required buffers must be installed by the developer before the first (1st) residential Certificate of Occupancy is issued for the corresponding phase of development.
4. The street running east-to-west from Oak Road to the proposed amenity area must be designed to include at least one (1) vertical or horizontal traffic calming measure, as outlined in the 2023 Florida Department of Transportation's Greenbook. The chosen traffic calming measure(s) must be shown at the Master Plan stage of development review. The final design and location will be determined at the Improvement Plan stage of development review.
5. The applicant must execute and record a Developer's Agreement within one (1) year of approval of this PUD zoning change to address and secure all transportation improvements identified in the approved Traffic Impact Study.
6. The final roadway design shall be finalized during the Master Plan stage. The County Engineer and Utilities Director must approve the final roadway design before the Master Plan is approved.

- 7. An internal sidewalk, at least five (5) feet wide, on at least one (1) side of the internal street circulation network is required, consistent with the concept plan dated 02/05/2026. The internal sidewalk must connect to the existing sidewalk along Oak Road and stub out to Locust Pass. The developer must construct and fully complete all required internal sidewalks at the time of internal right-of-way construction. The internal sidewalk required cannot be waived.
- 8. The developer must provide a bus pullout bay with accompanying bench consistent with the location shown. The homeowner's association is responsible for maintenance of the bench.
- 9. Each lot and structure within this PUD must comply with the Development Standards listed in Table 2.B.

Standards	Required
Minimum Lot Area	4,000 SF
Minimum Lot Depth	100'
Minimum Lot Width	40' for Interior Lot 55' for Corner Lot
Front Setback ^{1,2}	20'
Rear Setback	15'
Side Setback	5' for Interior Lot 15' for Corner Lot
Maximum Single-Family Residence and Amenity Structure Height	40'
Maximum Accessory Structure Height	20'
Accessory Structure, Front Setback	20'
Accessory Structure, Rear Setback	5'
Accessory Structure, Side Setback	5' for Interior Lot 15' for Corner Lot

Note:

1. The front building line of each dwelling unit along the same side of street frontage must vary by at least two (2) feet and no more than five (5) feet from the adjacent unit. No more than two (2) consecutive dwellings may have the same front setback.
2. Non-habitable extensions building features, such as, but not limited to eaves, roof overhangs, porches, and patios, may encroach 2 feet into the front setback area.

- 10. At the time of development review, the Improvement Plan must include a photometric lighting plan that—1) Complies with all applicable Land Development Code outdoor lighting standards in Division 6.19; and b. 2) Demonstrates the subdivision's street intersections and amenity areas are adequately illuminated for safety, visibility, and wayfinding.
- 11. The developer, or homeowner's association, must install the buffers listed in Table 3.

Direction	Adjoining Use	Parcel ID	Required
		9064-1793-	

North	Vacant Residential	(01 to 04 & 12 to 13)	None
		9064-1799-(12 to 13)	
North	Drainage Retention Area	9064-1793+01	None
		9064-1793+05	
East	Right of Way	N/A	15' C-Type
South	Single Family Residential	37675-002-00	Modified 5' E-Type ¹
		37675-001-00	
	Vacant Residential	37675-000-01	
Agricultural Production	37675-000-00		
Southwest	Lake Weir High School	9064-0000-01	15' C-Type
West	Vacant Residential	37533-001-01	Modified 10' E-Type ¹
	Agricultural Production	37533-000-00	
		37533-002-00	
	Single Family Residential		
<p>Note:</p> <p>1. Modified E Type Buffer means: A landscape strip without a buffer wall. The buffer must contain at least four (4) evergreen shade trees for every one hundred (100) lineal feet or fractional part thereof. Required trees must be planted in a staggered design that blocks views of rooftops at time of maturity. Shrubs must be planted in a double-staggered row and must be capable of reaching a maintained height of six feet within three years. Groundcovers and/or turfgrass must not be used in this buffer. Existing vegetation may be utilized.</p>			

12. At the time of development review, the Owner/Applicant must provide a tree mitigation plan based on LDC Division 6.7 requirements at the Improvement Plan stage. The Owner/ Applicant must also provide a landscape plan at the Improvement Plan stage that demonstrates where the replacement trees will be located. The first-level priority for replacement is within the front or rear setback of individual residential lots. Once each lot has at least one tree, the remaining required replacement trees must be planted in common areas and amenity areas.

15.4.4. 260102SU - Trina Lester & Roy Lester, Jr, Special Use Permit to Allow D & D Tree & Land Clearing, Inc. to Use the Property to Store Business Vehicles and Equipment, in a Mixed Residential (R-4) Zone, 0.88 Acre Parcel, Parcel 1029-005-010, Site Address 14100 NE 154th Avenue, Ft. McCoy, FL 32134

The Board considered a petition by Trina Lester & Roy Lester, Jr., for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow D & D Tree & Land Clearing, Inc. to use the property to store business vehicles and equipment, in a Mixed Residential (R-4) zone, on an approximate 0.88 Acre Parcel, on Parcel Account Number 1029-005-010, Site Address 14100 NE 154th Avenue, Ft. McCoy, FL 32134

P&Z PUBLIC HEARING ON FEBRUARY 23, 2026

260102SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Behar, seconded by Mr. Bonner, to disagree with staff's findings and recommendation, and recommend approval of the SUP based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously, 4-0.

Commissioner Bryant was excused at 4:45 p.m.

Senior Transportation Planner Odom, Growth Services, commented on the SUP request to allow D & D Tree & Land Clearing, Inc., to use the property to store business vehicles and equipment, in an R-4 Zone. He advised of two adjacent unrecorded subdivisions, noting when the areas were platted, the corridors were not built. Eventually, the roads were abrogated and divided between the adjacent sites. There are no public corridors, and the County has no maintenance of any corridors located within these subdivisions. Mr. Odom stated the corridors were all turned into easements and approximately 10 feet of those roadways went to each adjacent property. He stated there have been two resolved Code Enforcement cases on this property and one that remains open pending this SUP request.

Mr. Odom referred to photographs on the overhead screens that show the subject property and proposed vehicles currently transiting the corridors. He provided a brief overview relating to the vehicles that are included in the SUP request, noting there are Conditions stating the trailers cannot come onto the premises or the corridors while they are loaded.

Mr. Odom addressed staff concerns relating to access and road maintenance.

It was noted that Growth Services Department staff recommended denial; however, the P&Z Commission recommends approval. If the Board grants the Special Use Permit, staff recommends the following Approval Conditions:

1. Vehicles and trailers used by D&D Tree and Land Clearing, Inc., or any future business operated by the Property Owner or Applicant, must use legal access routes to reach the subject property.
2. The Property Owner is responsible for maintaining the legal access routes used by commercial vehicles, trailers, and equipment to access NE 150th Ave from the subject property.
3. All vehicles and equipment used for commercial purposes will be parked and stored entirely on parcel 1029-005-010.
4. Commercially used trucks, trailers, and equipment are prohibited from parking in the front yard of the property. The front yard is defined as the distance between the eastern property line of parcel 1029-005-010 and the nearest exterior wall of the property's primary structure (currently a mobile-home residence).
5. No debris generated by the commercial use is allowed on site. Any storage or burning of debris on site.
6. Commercial vehicles and equipment must be parked on an improved asphalt or concrete surface. Within 30 days of SUP approval, the owner must submit a site plan demonstrating the location and dimensions of the improved parking surface. Within 120 days of SUP approval, the improved parking surface must be installed.

7. The applicant may provide and maintain one (1) of three (3) options to screen the view of the vehicles and trailers used for commercial purposes from surrounding properties. The dimensions of the chosen option must be sufficient to properly screen the vehicles and trailers. The Applicant will submit a permit application to Building Safety within 30 days of receiving SUP approval. If the permit application expires without approval, this SUP is revoked. The Applicant will construct the structure for the chosen option within 60 days of receiving the necessary permit(s).
 - a. Option A: A solid opaque privacy fence reaching a minimum of eight (8) feet in height that provides at least three (3) opaque surfaces facing east, north, and west
 - b. Option B: A carport, or similar structure, that provides at least three (3) opaque surfaces facing east, north, and west. Multiple structures may be used to ensure all commercially used vehicles and equipment are adequately screened.
 - c. Option C: A combination of open-air carport, or similar structure, and a solid opaque privacy fence reaching a minimum of six (6) feet in height that provides an opaque enclosure effect facing east, north, and west around the open-air carport or similar structure.
8. Any exterior lighting installed for the parking area associated with commercial use must be shielded, direct light downwards, and not cast light onto adjacent properties.
9. This SUP runs with the Property Owner (Trina Lester and Roy Lester Jr). If the parcel account number 1029-005-010 is transferred to David Craft, the Applicant, the SUP remains effective, contingent on compliance with other conditions. Any sale of the property, or change of ownership, to any other person or entity other than the Applicant will void this SUP.
10. The SUP shall expire on March 17, 2029; however, this SUP may be eligible for administrative renewal three (3) times for up to three (3) years. 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:
 - a. There are unresolved violations of the Land Development Code, the County Code of Ordinances, and/or the conditions of this SUP.
 - b. 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.
 - c. The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the SUP review process (or review process equivalent at that time).

Commissioner Stone commented on proposed Condition 1 relating to utilizing legal access and questioned if that would involve everyone with an easement along the path to the subject property granting them access. Mr. Odom stated that is the case.

In response to Chairman Zalak, Mr. Odom stated there are no prescriptive roads. He clarified that there are easements that are assigned on a lot of the north/south roads;

however, the one on NE 140th Street is in bits and pieces. Staff can verify a portion of it is there but cannot verify it all.

Commissioner Stone questioned if the Condition is doable.

Commissioner Curry out at 4:53 p.m.

Chairman Zalak questioned what the court considers access when there is not a defined or prescriptive easement.

Mr. Minter commented on a case relating to an easement in Commissioner Bryant's District.

Chairman Zalak questioned whether the Board could grant a SUP over a non-existent easement.

Mr. Odom advised that the applicant indicated that they would provide evidence that there were easements at this location; however, it has not been received by staff at this point.

Mr. Minter stated it is a significant issue for approving the SUP.

Commissioner Curry returned at 4:57 p.m.

Trina Lester, NE 154th Avenue, Fort McCoy, applicant, stated David Craft is the owner of D & D Tree & Land Clearing Inc., as well as the tenant in her home. She advised that it is Mr. Craft's intention to purchase the property. Ms. Lester stated she has continued to work closely with County staff since the P&Z Commission hearing to address all issues including the legal access. She has worked with a licensed surveyor to establish legal access along NE 140th Street, noting there are 3 sections of NE 140th Street that do not have a recorded easement. Ms. Lester advised that she will be recording an exclusive easement for D & D Tree & Land Clearing Inc., specifically to the support of this SUP. She stated as long as the SUP exists that exclusive easement exists. Ms. Lester addressed a road maintenance participation approach that reflects how the road has historically been maintained. She stated this is not a dirt road, noting it was previously the north entrance to Gore's Landing for many years. Ms. Lester advised that closing that, the Florida Fish and Wildlife Conservation Commission (FWC) put down material making this a very durable road. She commented on Mr. Craft's participation in maintaining that road with other homeowners. Ms. Lester stated the request is very limited in scope, noting the work performed occurs offsite at the customers' locations. At the residence the activity is limited to parking. She stated Mr. Craft uses his truck for personal and business purposes, and it is not the applicant's desire to park it at the northern end of the property on the improved surface with the equipment. Ms. Lester advised that the goal has been to work cooperatively with staff and neighbors to ensure the property continues to look and function as a residence. She stated it has been suggested that the improved parking area's west, north and eastern sides be opaque; however, the applicant is requesting the area where the equipment is pulled in and out be facing east. Mr. Craft's wife also has a truck for personal use.

Chairman Zalak requested additional information relating to how the applicant will make the endeavor conform to the County's Comprehensive Plan. He commented on commercial vehicles/assets traversing dirt roads, noting it is not allowed even in subdivisions with Municipal Service Taxing Units (MSTUs).

Commissioner Stone out at 5:04 p.m.

Ms. Lester commented on maintaining the road proportionately with other homeowners as has been done historically.

In response to Chairman Zalak, Ms. Lester advised that there have been 3 individuals in the neighborhood who have participated in the maintenance of the road, noting Mr. Craft

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is one of them. She stated there are records showing he has participated by providing over \$3,000.00 in materials, as well as his labor in the last 3 years.

Chairman Zalak requested staff display Future Land Use Element (FLUE) 2.1.5 on the overhead screens.

In response to Chairman Zalak, Mr. Odom advised that there should not be any commercial signage on a residential property.

Ms. Lester stated the signage has already been removed.

Mr. Odom read FLUE Policy 2.1.5 aloud.

Commissioner Stone returned at 5:08 p.m.

In response to Chairman Zalak, Mr. Odom advised that legal access was the primary issue, noting there was no legal access defined to this point. He stated staff were promised they would have that information prior to the hearing today.

Ms. Lester advised that she believed obtaining and recording exclusive use easements would satisfy the legal access issue for the SUP.

In response to Chairman Zalak, Ms. Lester stated she has the documentation; however, it has not been recorded. She advised that it can be recorded based on any timeframe the Board sets forth.

Ms. Straub expressed concern relating to Ms. Lester recording an easement on other individuals' property.

Ms. Lester stated the impacted homeowners will need to sign it and record the document.

In response to Mr. Minter, Ms. Lester advised that the homeowners have not yet signed.

Mr. Odom stated staff does not have an issue with the proposed vehicles, noting much larger vehicles have been approved.

Chairman Zalak questioned how long it will take Ms. Lester to have the legal access recorded, noting it should have been done prior to today's hearing.

Mr. Minter requested staff be provided a copy of the unsigned document to ensure it covers all of the necessary access.

Chairman Zalak advised that the applicant needs access from the paved road all the way to the subject property.

Mr. Minter stated the property owners who will grant the access all need to provide an easement.

In response to Ms. Lester, Chairman Zalak advised that he is unsure why the applicant would propose an exclusive access easement being tied specifically to this SUP, noting she should ask for a permanent access.

Mr. Minter stated the applicant should clarify why the access would be limited to just this use.

Shannon Guinther, NE 174th Court, Silver Springs, advised he is the owner of CFL Surveying Solutions, LLC, and has been conducting all of the research. He stated there is legal access from the north via NE 141st Street for a majority of the properties. Mr. Guinther advised that he sent information to staff showing the existing and proposed easements. He provided an overview of the proposed access easement, noting the entire subdivision is landlocked. Mr. Guinther stated he has written the legal descriptions and plotted it out. He advised that all that is left is to have the property owner sign off and have the documents recorded.

In response to Mr. Minter, Mr. Guinther stated the language relating to exclusive easement is due to everyone else already having access through NE 141st Street and the property owner granting the 40 foot easement only wanted to grant it for Mr. Craft to come

across the western section. He advised that the property owner wants the right to revoke access if she so chooses.

Chairman Zalak stated the Board can approve the SUP request contingent upon Mr. Minter being satisfied with the easement and providing it is recorded.

Chairman Zalak opened the floor to public comment.

Samuel Story, NE Fort King Place, commented on a possible 20 foot easement on his property and questioned if he will be required to give up a portion of it and if so, how much.

Mr. Bouyounes advised that the surveyor can meet with the property owners.

In response to Mr. Story, Chairman Zalak stated every property owner on the deed or is part of the parcel of record will have to sign.

Mr. Minter advised that he is not giving legal advice to private citizens.

Chairman Zalak stated the only thing Mr. Minter will sign off on is whether or not the easement agreement is legally established.

Frank Garrito, NE 140th Street, Fort McCoy, expressed concern with an easement being blocked off and opined that he should not have to go to court to resolve the matter.

Chairman Zalak advised that many cases have resulted in having to go to court to get legal access. He stated just because an easement exists does not mean it guarantees cross access or vehicular access, noting there are many different types of easements.

Mr. Odom advised that Growth Services staff have previously advised multiple members of this community that this is a civil matter separate from this SUP request.

Jonathan Groot, NE 152nd Court, expressed opposition to Mr. Craft having a contractor's yard on the subject parcel, noting it is not compatible with the R-4 zoning. He stated the applicant is only allowed 1 commercial vehicle on the property with no trailer.

Ronna Groot, NE 152nd Court, Fort McCoy, presented a 2 page letter dated February 11, 2026; a 6 page handout entitled, "Opposition to operations of D&D Tree and Land Clearing Inc. at 14100 NE 154th Ave, Fort McCoy, FL 32134"; a 2 page handout entitled, "Request for Restoration of Enjoyment of Property per R-4 Zoning Classification Expectations"; and a 38 page time log of vehicular activity on the subject property between November 3, 2025 and March 13, 2026. She commented on commercial vehicle activity on the property, the applicant crossing her easement to gain access from the subject parcel to a County Road (CR), future expansion of the roadway, encroachment on a gopher tortoise den, removal of reflectors to protect the den until otherwise directed by a sheriff's deputy, and maintenance of the road.

Rose Smith, NE 151st Terrace, Fort McCoy, expressed support for the SUP, noting Mr. Craft is a blessing.

Butch Smith, NE 151st Terrace, Fort McCoy, commented on the lime rock road he helps to maintain along with Mr. Craft, noting he is an asset to the neighborhood.

Toni Dutton, NE 140th Street, Fort McCoy, expressed support for the SUP, noting Mr. Craft is a great neighbor. She stated she will be one of the property owners willing to grant the exclusive easement.

David Craft, NE 154th Avenue, Fort McCoy, applicant, advised that he agrees to any Conditions relating to the SUP request. He commented on maintenance of the road, noting there is a lot of traffic on the road.

Chairman Zalak stated the applicant is asking for something that does not have to be granted, so it is necessary to go above and beyond. He questioned if there is still an outstanding Code Enforcement issue.

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Code Enforcement Supervisor Tom Sapp advised that there is an open Code Enforcement case that was filed after another case cleared, noting Mr. Groot filed the complaint. Mr. Sapp stated there was a Big Tex trailer on the property with a front-end loader. He advised that he believed the trailer met the weight limit to not be a commercial motor vehicle; however, he later learned that it was overweight and advised Mr. Craft it had to be removed. Mr. Sapp stated it was moved and he has not seen it back on the property.

In response to Chairman Zalak, Mr. Sapp advised that the front-end loader was also removed. He stated a small towable manlift was removed from the property once Mr. Craft was made aware it could not be onsite. The U-Dump trailer is allowed onsite and there is no offloading of debris on the property. Mr. Sapp advised that Mr. Groot has a game camera that captures anyone driving by, noting he has received approximately 200 pictures on his cell phone. He stated the case went to the Code Enforcement Board (CEB) on February 11, 2026 for finding of fact after being cleared, which allows the matter to go back to the CEB as a repeat violation if it reoccurred. The Code Board found Mr. Craft in violation for finding of fact. Mr. Sapp commented on a case Mr. Groot opened relating to a contractor's yard on the subject parcel. He advised that staff has been out to inspect on several occasions and all that was seen coming out was a small tractor registered to Mr. Lester. Mr. Sapp stated he was onsite every day from September 1st through 5th, and September 8th through 12th and found no violations relating to the approximate 23 inspections he performed. He advised that the Code case is open pending the outcome of this SUP request.

Terry Jordan, NE 140th Street, Fort McCoy, expressed support for the SUP request.

Chairman Zalak advised that public comment is now closed.

Ms. Lester commented on the support from neighbors who live on the road and are the most impacted by traffic. She stated she intends to screen the equipment as well as add an improved parking area. The use and maintenance of the road is respectful.

In response to Chairman Zalak, Mr. Odom advised that items that will be registered include the Big Tex trailer, skid steer, U-dump if associated with the business and the man lift.

Commissioner Stone commented on Condition 9, noting Ms. Lester stated the property was going to be sold to Mr. Craft. Mr. Odom advised that the Condition can be rewritten to ensure it can be transferred to Mr. Craft only.

In response to Commissioner Stone, Mr. Odom stated it will clearly stipulate that it may transfer to Mr. Craft and his wife Amber Kirkland.

Mr. Odom advised that the skid steer is no longer being requested.

Commissioner Stone questioned the options relating to parking.

Mr. Minter stated there is still a question as to whether there will be an easement connecting all the pieces. He commented on the exclusive easement, noting it had better include both Mr. Craft and his wife Amber Kirkland.

Chairman Zalak directed staff to work with Mr. Minter to ensure the SUP has the property owner's name and is transferable to Mr. Craft and Ms. Kirkland, the exclusive easement includes both Mr. Craft and his wife, the SUP is contingent on legal access within 60 days, and if that does not happen, Mr. Craft has 90 days to move the equipment off of the property.

Mr. Minter commented on the staff report acknowledging that there is a Florida Statute (FS) dealing with home based businesses.

Chairman Zalak advised that if the applicant can get the easement, staff believes the SUP would be compliant.

Mr. Minter stated it is the Statute that goes beyond the County's Code.

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to adopt Resolution 26-R-77 granting the SUP request with Conditions 1 through 11 as amended below, disagreeing with Growth Services staff and agreeing with the P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was unanimously approved by the Board (4-0).

Resolution 26-R-77 contains the following Conditions:

1. Vehicles and trailers used by D&D Tree and Land Clearing, Inc., or any future business operated by the Property Owner or Applicant, must use recorded legal access easements to reach the subject property from NE 150th Avenue. If an exclusive legal access easement is recorded to fulfill this condition, then the exclusive easement must be granted to Trina Lester, Roy Lester, David Craft, and Amber Kirkland. A continuous route for legal access must be recorded within 60 days of approval of this Special Use Permit, and a copy must be submitted to planning@marionfl.org. If continuous legal access is not recorded within 60 days of approval of this Special Use Permit, then this Special Use Permit is revoked, and commercial trailers and equipment must be removed within 90 days of approval of this Special Use Permit.
2. The Property Owner is responsible for maintaining the legal access routes used by commercial vehicles, trailers, and equipment to access NE 150th Avenue from the subject property.
3. All vehicles and equipment used for commercial purposes will be parked and stored entirely on parcel 1029-005-010.
4. Commercially used trucks, trailers, and equipment are prohibited from parking in the front yard of the property. The front yard is defined as the distance between the eastern property line of parcel 1029-005-010 and the nearest exterior wall of the property's primary structure (currently a mobile-home residence).
5. No debris generated by the commercial use is allowed on the site. Any storage or burning of debris on site is prohibited.
6. The applicant may provide and maintain one (1) of three (3) options to screen the view of the vehicles and trailers used for commercial purposes from surrounding properties. The dimensions of the chosen option must be sufficient to properly screen the vehicles and trailers. The Applicant will submit a permit application to Building Safety within 30 days of receiving Special Use Permit approval. If the permit application expires without approval, this Special Use Permit is revoked. The Applicant will construct the structure for the chosen option within 60 days of receiving the necessary permit(s).
 - a. Option A: A solid opaque privacy fence reaching a minimum of eight (8) feet in height that provides at least three (3) opaque surfaces facing east, north, and west.

- b. Option B: A carport, or similar structure, that provides at least three (3) opaque surfaces facing east, north, and west. Multiple structures may be used to ensure all commercially used vehicles and equipment are adequately screened.
 - c. Option C: A combination of open-air carport, or similar structure, and a solid opaque privacy fence reaching a minimum of six (6) feet in height that provides an opaque enclosure effect facing east, north, and west around the open-air carport or similar structure.
7. Any exterior lighting installed for the parking area associated with commercial use must be shielded, direct light downwards, and not cast light onto adjacent properties.
8. This Special Use Permit runs with the Property Owner (Trina Lester and Roy Lester Jr). If the parcel account number 1029-005-010 is transferred to David Craft and/or Amber Kirkland, the Special Use Permit remains effective. Any sale of the property, or change of ownership, to any other person or entity other than David Craft or Amber Kirkland will void this Special Use Permit.
9. Commercial vehicles and equipment must be parked on an improved asphalt or concrete surface. Within 60 days of Special Use Permit approval, the improved surface must be permitted and installed. The location of the improved surface must be consistent with other conditions of approval.
10. This Special Use Permit allows for the following equipment. A like-for-like replacement may be permitted, subject to David Craft providing a photo and VIN/model number for the replacement equipment.
 - a. One (1) small low-sided dump trailer; VIN 4YNBN1223GC077834
 - b. One (1) 25' flat deck Big Tex trailer; VIN 16VHX2021J6030171
 - c. One (1) pull behind 50' lift; Model #TM50HG
11. The Special Use Permit shall expire on March 17, 2029; however, this Special Use Permit may be eligible for administrative renewal three (3) times for up to three (3) years by filing a Special Use Permit 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 Special Use Permit will not be eligible for administrative renewal and may be subject to revocation:
 - a. There are unresolved violations of the Land Development Code, the County Code of Ordinances, and/or the conditions of this Special Use Permit.
 - b. Property owners within 300 feet of the subject property have submitted complaints to Growth Services or other relevant departments regarding activities conducted under this Special Use Permit.
 - c. 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).

15.4.5. 260303SU - Andres Hernandez and Gladisleidys Gonzalez, Special Use Permit to Allow Two (2) Horses for Personal Use, in a Single-Family Dwelling (R-1) Zone, 1.29 Acre Parcel, Parcel 3490-059-007, Site Address 13516 SW 80th Street, Dunnellon, FL 34432

The Board considered a petition by Andres Hernandez and Gladisleidys Gonzalez, for a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to allow two (2) horses for personal use, in a Single-Family Dwelling (R-1) zone, on an approximate 1.29 Acre Parcel, on Parcel Account Number 3490-059-007, Site Address 13516 SW 80th Street, Dunnellon, FL 34432

P&Z PUBLIC HEARING ON FEBRUARY 23, 2026

260303SU Planning and Zoning Commission Recommendation

Motion was made by Mr. Bonner, seconded by Mr. Behar, to disagree with staff's findings and recommendation, and recommend approval of the zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed unanimously, 4-0.

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

Commissioner Zalak out at 5:47 p.m.

Planner Kathleen Brugnoli, Growth Services, commented on the SUP request to allow two (2) horses for personal use, in an R-1 Zone.

Commissioner Zalak returned at 5:49 p.m.

Chairman McClain returned the gavel to Commissioner Zalak, who resumed the Chair. Ms. Brugnoli presented a 17 page package including a letter from Agricultural Investigator Juston McClure, Marion County Sheriff's Office (MCSO), Florida Department of Agriculture and Consumer Services (FDACS) Best Management Practices (BMP), and a University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) checklist relating to some BMPs relevant to this case. She stated the applicant is meeting the size requirement based on the LDC; however, staff want to provide the BMPs.

It was noted that Growth Services Department staff and the P&Z Commission recommends approval of the SUP with the following Conditions:

1. The site shall be developed and operated consistent with the concept plan. Any required improvements, including the expansion of the existing fenced area, shall be provided within ninety (90) days of approval.
2. The Special Use Permit shall run with the property owner(s), Andres Hernandez and Gladisleidys Gonzalez.
3. No commercial activity related to the horses shall be permitted within the subject property. This condition shall not restrict family members or friends invited by the subject property owner, from time to time and without compensation, to interact with the horses.
4. All accessory structures, including horses stables and sheds, shall meet minimum zoning requirements as provided in the Marion County Land Development Code (LDC). Consistent with Section 5.5-33 of the Marion County Code of Ordinances, permits shall not be required for any pre-fabricated structures less than 168 square feet and any other improvements valued below five thousand dollars.

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5. All manure shall be stored within an enclosed container or on an impervious surface covered by waterproof material. Manure shall be collected and removed from the subject property at least once every week.
6. Up to two (2) horses shall be permitted on at least 39,800 square feet of pasture area, with feed to be supplemented by hay.*
7. The Special Use Permit shall expire on March 17, 2031; 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).

*Planning & Zoning (P&Z) Commission recommends that the two (2) horses be allowed within the existing fenced area. For clarification, the applicant currently provides a fenced area approximately 17,300 square feet in size, as estimated by Staff. During the P&Z Commission hearing, approximately 29,000 SF was incorrectly interpreted to be the current amount of pasture area on-site.

In response to Chairman Zalak, Ms. Brugnoli stated there is limited grass in the paddock area due tree coverage.

Commissioner McClain questioned the size of the paddock area. Ms. Brugnoli advised that it is close to 17,000 square feet (sf).

Agricultural Investigator Justin McClure, MCSO, stated he was unable to conduct a site visit due to scheduling conflicts, noting he is confident the applicants take good care of the horses. He advised that based on this specific area, he would recommend 3 to 4 acres per horse. Mr. McClure stated from an exercise perspective there is plenty of room on the property; however, the horses are solely reliant on what the applicant is providing them relating to feed.

In response to Chairman Zalak, Mr. McClure advised that the grass will not grow at the location.

Commissioner Curry commented on Mr. McClure's recommendation relating to the size of the property and questioned whether it is just for this case or if it is an overall recommendation. Mr. McClure stated it is specific to this case, noting the baseline in Dunnellon starts at roughly 1.5 to 2 acres per horse. He advised that due to the loose soil and difficulty growing grass, 3 to 4 acres per horse would be his recommendation if the horse were to live on the grass.

In response to Commissioner Curry, Mr. McClure stated the current Code allows for 4 horses per acre up to 9.9 acres.

Commissioner Stone opined that should be reviewed.

Mr. McClure commented on conversations with IFAS staff, noting the parties are willing to team up. He advised that UF has a lot of resources. Mr. McClure stated he supports

looking at the Code to change the language, noting the difference in criteria between Code and BMPs.

Chairman Zalak requested Mr. McClure review the matter and bring back recommendations.

Code Enforcement Officer Marianne Lopez, advised that she has performed 2 site visits, including today and found the horses to be very healthy. They had their Coggins test, were wormed yesterday, had feed in the bucket and their hooves were well trimmed.

In response to Chairman Zalak, Ms. Lopez stated despite the paddock/grass system not being ideal, she feels the applicant will be able to care for the horses with feed and hay. She advised that while she was onsite there were 2 big blocks of alfalfa, the feed buckets contained alfalfa and there was still food in the bucket, and no feed was dropped. Ms. Lopez stated when horses drop food that would mean they would start eating sand, leading to colic. She stated the stall was a standard 10X10 size.

Gladisleidys Gonzalez, SW 80th Street, Dunnellon, applicant, stated the request is for 2 horses for personal use only. She advised that she has made an application to 4H for her daughter, which is still under review.

Commissioner McClain questioned how long the horses have been on the property, their ages and whether there are other animals. Ms. Gonzalez stated the horses have been there since November, noting she also has chickens.

In response to Chairman Zalak, Ms. Gonzalez confirmed that the horses are 3 and 3.5 years old.

Chairman Zalak opened the floor to public comment.

Rob Patenaude, SW 80th Street, Dunnellon, urged the Board to consider rezoning the area, noting he supports the request.

Gail Anderson, SW 80th Street, expressed concern relating to leaching, horses being exercised in the road, traffic and safety.

Chairman Zalak stated the applicant should probably take their horses to a trail system and ride them there; however, he does not think the Board will prosecute them for riding in the road.

Commissioner Stone advised that people who ride bikes also use the road and do not contribute to the Gas Tax to help improve the roads.

In response to Ms. Anderson, Chairman Zalak stated the SUP will require the applicant to remove the manure on a weekly basis.

Jill Ye, SW 80th Street, Dunnellon, expressed concern relating to leaching.

In response to Ms. Ye, Chairman Zalak advised that the SUP contains a Condition relating to the removal of manure, noting if it is not adhered to, the Board can revoke the SUP.

Ms. Brugnoli commented on proposed Condition 5, which is based on BMPs received from IFAS. The Condition states, "All manure shall be stored within an enclosed container or on an impervious surface covered by waterproof material. Manure shall be collected and removed from the subject property at least once every week." Ms. Brugnoli advised that was included to address leaching issues and to remove the manure from the property without dragging.

Chairman Zalak reiterated if the applicant does not comply, the SUP will be revoked.

In response to Ms. Ye, Chairman Zalak stated staff will check for compliance if anyone reports an issue.

Ms. Brugnoli advised that there will be follow up inspections at 6 months and 1 year.

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Chairman Zalak commented on there being some agreement relating to the manure removal process. Ms. Brugnoli confirmed that staff does describe what will be done with the storage and removal of the manure.

Chairman Zalak advised that public comment is now closed.

Ms. Gonzalez advised that she is willing to comply with all Conditions imposed as part of the SUP.

Commissioner Curry commented on the need to reevaluate the County Code, noting he does not believe 1.29 acres is adequate to support 2 horses. He addressed the documentation from Mr. McClure. Commissioner Curry stated Mr. McClure's letter addresses the quality of life for the horses. He advised that he cannot support the request. Commissioner Stone commented on the ability of individuals to feed and exercise their horses.

Chairman Zalak opined that the Code should be tweaked to be more aligned with BMPs. Commissioner Stone commented on other requests for horses in that community, including a SUP.

Commissioner McClain stated he does not want to go overboard with BMPs, noting situations vary a lot based on soil and other factors.

Chairman Zalak opined that there should be a BMP for the County that will be the standard.

A motion was made by Commissioner McClain, seconded by Commissioner Stone, to adopt Resolution 26-R-78 granting the SUP request with Conditions 1 through 6, as amended below, agreeing with Growth Services staff and P&Z Commission recommendation, based on findings that the proposed use is compatible with surrounding land uses, is consistent with the Comprehensive Plan and will not adversely affect the public interest. The motion was approved by the Board 3-1 with Commissioner Curry dissenting.

Resolution 26-R-78 contains the following Conditions:

1. Up to two (2) horses shall be permitted within the existing fenced area, at least 17,300 square feet (SF) in size.
2. The Special Use Permit shall run with the property owner(s), Andres Hernandez and Gladisleidys Gonzalez.
3. No commercial activity related to the horses shall be permitted within the subject property. This condition shall not restrict family members or friends invited by the subject property owner, from time to time and without compensation, to interact with the horses.
4. All accessory structures, including horses' stables and sheds, shall meet minimum zoning requirements as provided in the Marion County Land Development Code (LDC). Consistent with Section 5.5-33 of the Marion County Code of Ordinances, permits shall not be required for any pre-fabricated structures less than 168 square feet and any other improvements valued below five thousand dollars.
5. All horse manure shall be stored within an enclosed container or on an impervious surface covered by waterproof material. Horse manure shall be collected and removed from the subject property at least once every week.
6. The Special Use Permit shall expire on March 17, 2031; 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).

Commissioner McClain advised that while looking at BMPs for horses, the same should be done for chickens.

15.5. Adoption of Ordinance

15.5.1 26-S02

A motion was made by Commissioner Stone, seconded by Commissioner McClain, to adopt Ordinance 26-07 adopting Small Scale Comprehensive Plan Amendment No. 26-S02, agreeing with Growth Services staff and the P&Z Commission, based on findings and recommendations that the proposed use will not adversely affect the public interest, is consistent with the Comprehensive Plan and is compatible with the surrounding land uses. The motion was unanimously approved by the Board (4-0).

Ordinance 26-07 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; ADOPTING THE FOLLOWING SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE MARION COUNTY COMPREHENSIVE PLAN:

26-S02, HEATHER ISLAND, LLC
+/- 0.74 ACRE TRACT

PARCEL NO. 9064-1799+01 AND 9064-1793+05
FROM PUBLIC TO HIGH RESIDENTIAL

PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR FINDINGS; PROVIDING FOR APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

15.5.2. The Deputy Clerk presented Affidavits of Mailing and Posting of Notices received from Growth Services Director Charles Varadin and Deputy Clerk Mills-McAllister regarding petitions for rezoning and Special Use Permits heard earlier in the meeting.

A motion was made by Commissioner Stone, seconded by Commissioner Curry, to adopt Ordinance 26-08 amending the Marion County Zoning Map pursuant to individual decisions made by the Board on each application heard in the public hearing. The motion was unanimously approved by the Board (4-0).

Ordinance 26-08 is entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING REZONING, SPECIAL USE PERMIT APPLICATIONS, AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

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There being no further business to come before the Board, the meeting thereupon adjourned at 6:21 p.m.

Carl Zalak, III, Chairman

Attest:

Gregory C. Harrell, Clerk

DRAFT