



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&Z Date: 6/30/2025	BCC Date: 7/15/2025
Case Number	250702ZC
CDP-AR	32659
Type of Case	Rezoning from Single-Family Dwelling (R-1) to General Agriculture (A-1).
Owner	Barbara G. Marovich & Kevin A. Marovich
Applicant	N/A
Street Address/Site Location	7600 S Magnolia Avenue, Ocala FL 34472
Parcel Number(s)	36142-000-00
Property Size	±11.78 AC
Future Land Use	Rural Land (RL)
Existing Zoning Classification	Single-Family Dwelling (R-1)
Overlays Zones/Special Areas	Primary Springs Protection Zone (PSPZ)
Staff Recommendation	APPROVAL
P&Z Recommendation	APPROVAL
Project Planner	Jared Rivera-Cayetano
Related Cases	None

I. ITEM SUMMARY

Barbara and Kevin Marovich filed a rezoning application to change the zoning of a ±11.78-acre property at 7600 S Magnolia Avenue, Ocala, FL from Single-Family Dwelling (R-1) to General Agriculture (A-1). The Parcel Identification Number for the subject property is 36142-000-00. Vacated from the nearby Hamblen, H.A. subdivision in 2004, the legal descriptions are provided within the rezoning application (see Attachment A). The site is located outside the Urban Growth Boundary (UGB) and within the Primary Springs Protection Zone (PSPZ). The intention of this zoning change is to allow the use of the property for agricultural purposes including farm animals (such as [mini] cattle, goats, etc.) and orchard crop production. The applicant will sell such agricultural products off-site. The applicant proposes the construction of accessory structures including a storage barn and—in the long term—potentially a dwelling unit for an agricultural employee. All proposed uses would be permitted in A-1 zoning, subject to the applicable development review and permitting processes. Staff believes an A-1 zoning classification would promote the rural activities intended for this area of the county.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of this rezoning application. Staff believes General Agriculture (A-1) zoning would be more appropriate for the area than Single-Family

Dwelling (R-1) zoning because the Future Land Use designation is Rural Land (RL). Approving this request would give the property a zoning classification that will not adversely affect the public interest, is consistent with the Marion County Comprehensive Plan, and is compatible with land uses in the surrounding area.

III. NOTICE OF PUBLIC HEARING

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (33 owners) within 300 feet of the subject property on June 13, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on June 24, 2025, and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on June 16, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of this staff report, one (1) letter of support and two (2) letters of opposition have been received.

IV. ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff's analysis of compliance with these three criteria are addressed below.

A. *Compatibility with Surrounding Area*

"Compatibility" is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." Figure 1, above, is a general location aerial displaying existing and surrounding site conditions.

Figure 2, below, displays shows the location of nearby subdivisions. Per Marion County Property Appraiser (MCPA), surrounding properties are part of the existing Hamblen, H.A. subdivision. However, the subject property itself has been vacated from the subdivision through Resolution 04-R-184 (see Attachment D).

Figure 2
Existing Subdivisions

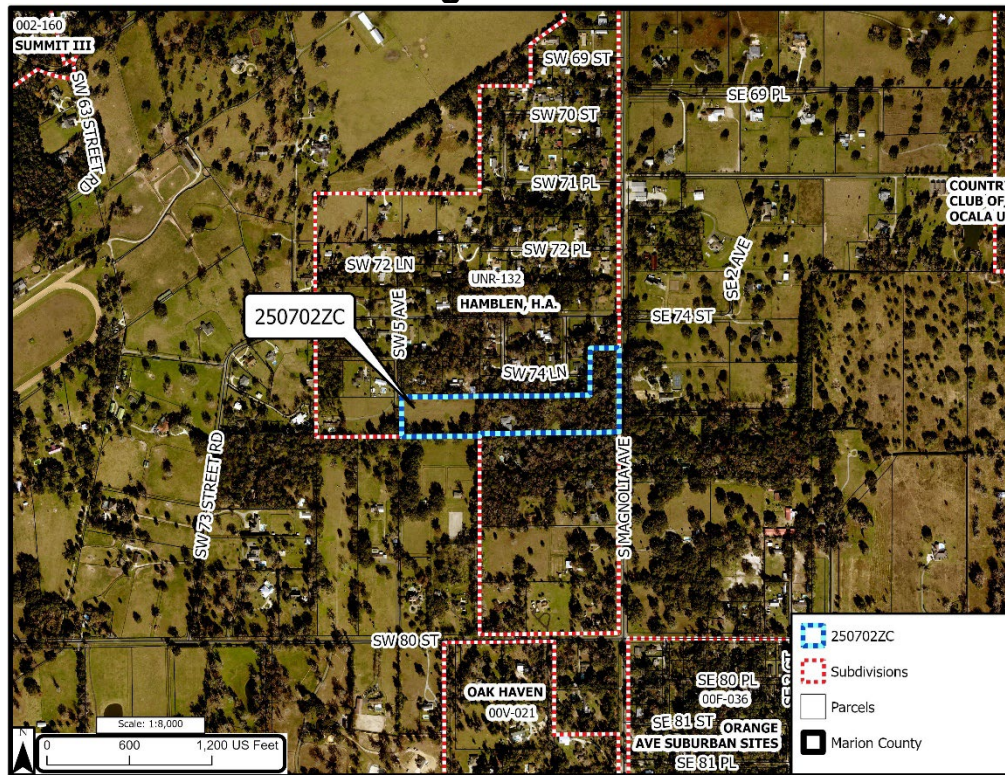


Figure 3, below, shows the Future Land Use (FLU) designation of the subject property, designated as Rural Land (RL), along with virtually all properties in the surrounding area. The surrounding properties are all outside the Urban Growth Boundary (UGB) and inside the Primary Springs Protection Overlay Zone (PSPOZ).

**Figure 3
FLUMS Designation**

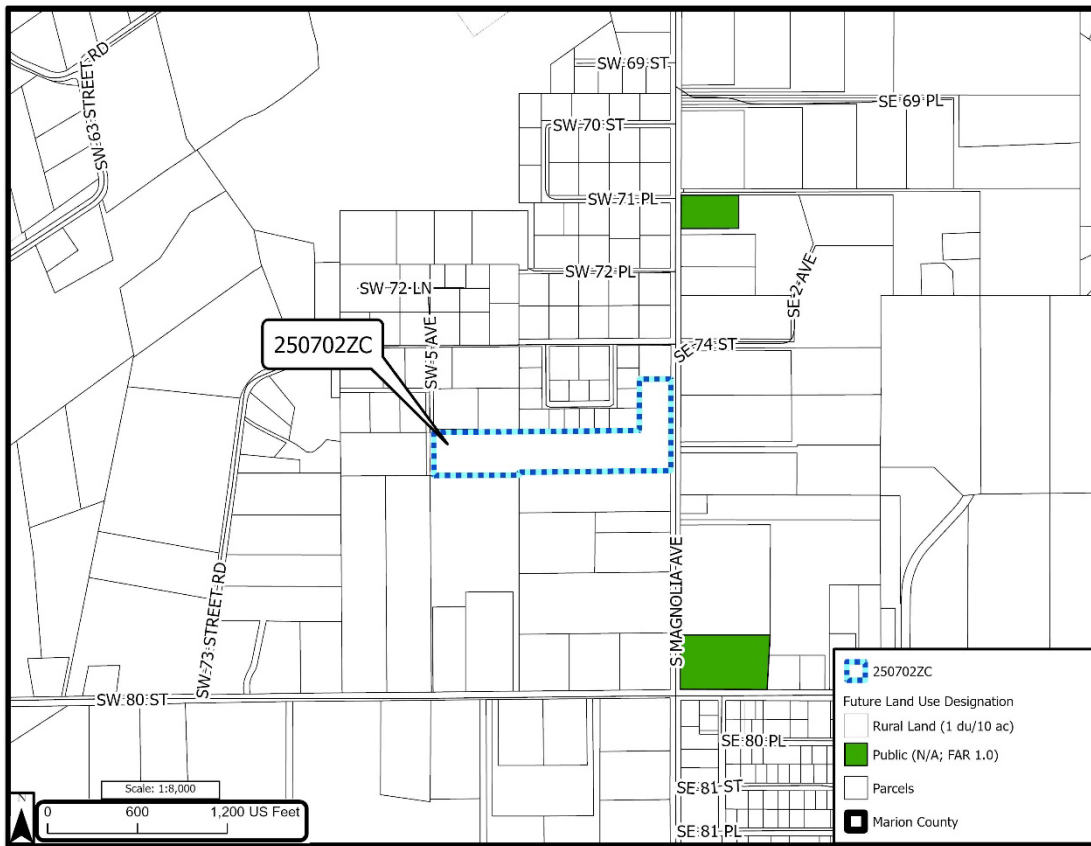


Figure 4, below, displays the existing zoning classifications for the subject properties in relation to the existing zoning classifications of the surrounding properties, and Figure 5 shows the zoning classification proposed by the applicant. There is one (1) property (PID 36105-000-00) directly to the North zoned for Neighborhood Business (B-1). This specific property was rezoned in 1987.

In general, the subject property's North, West, and South—as part of the Hamblen, H.A. subdivision—are zoned for residential uses. That said, the subject property has been vacated from this subdivision since 2004. The subject site's East and Southwest is primarily zoned for agricultural uses.

Figure 4
Zoning Classification

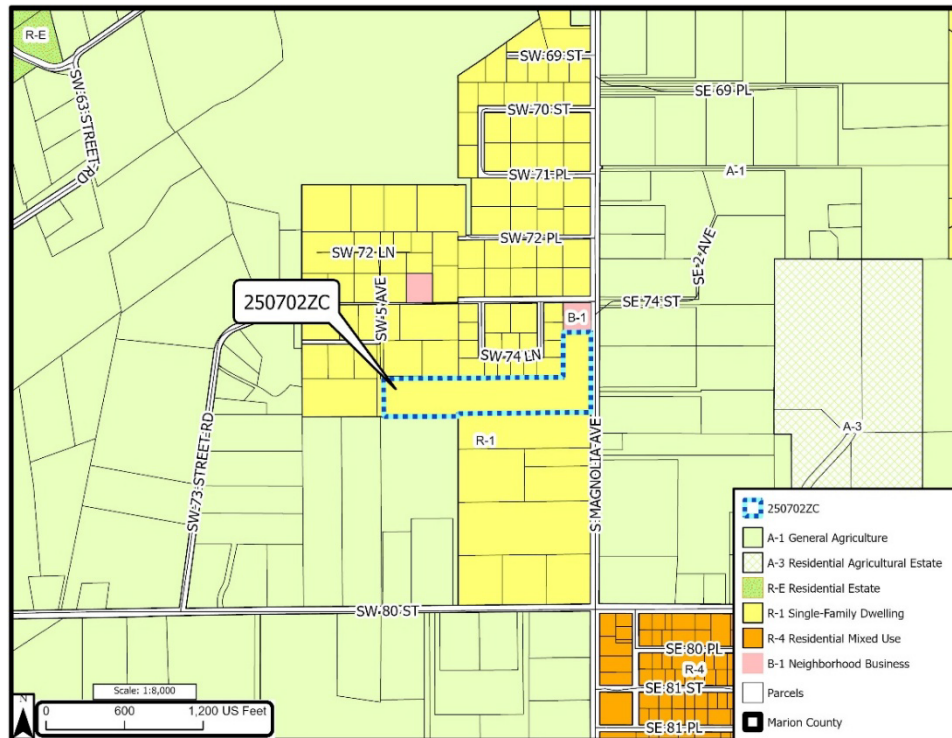


Figure 5.
Proposed Zoning Classification

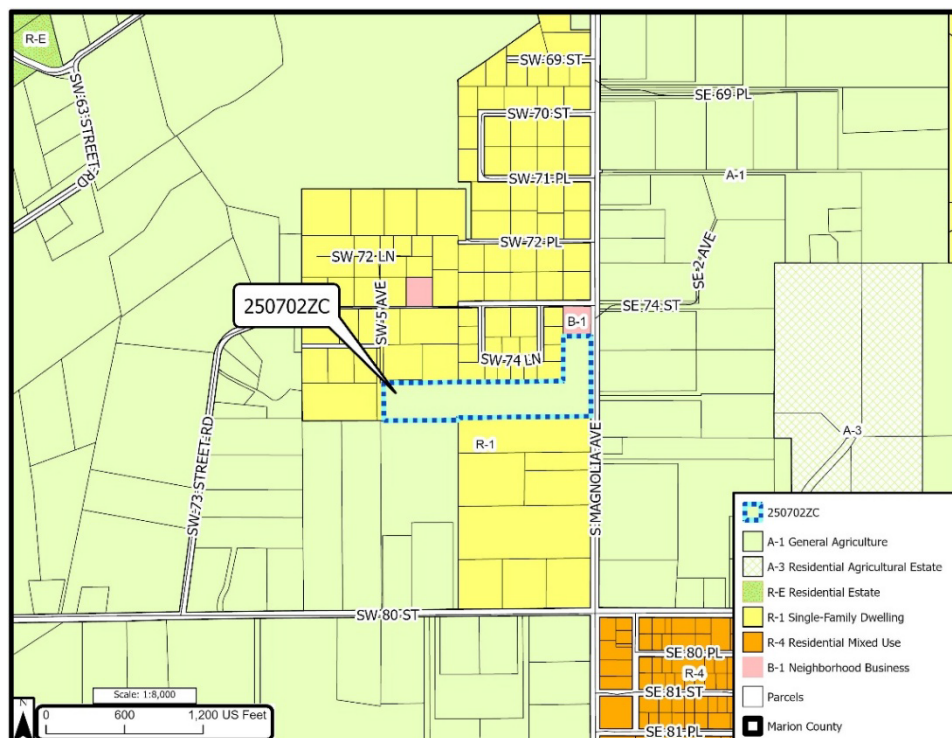


Figure 6, below, displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

Figure 6.
Existing Use per Property Appraiser Property Code

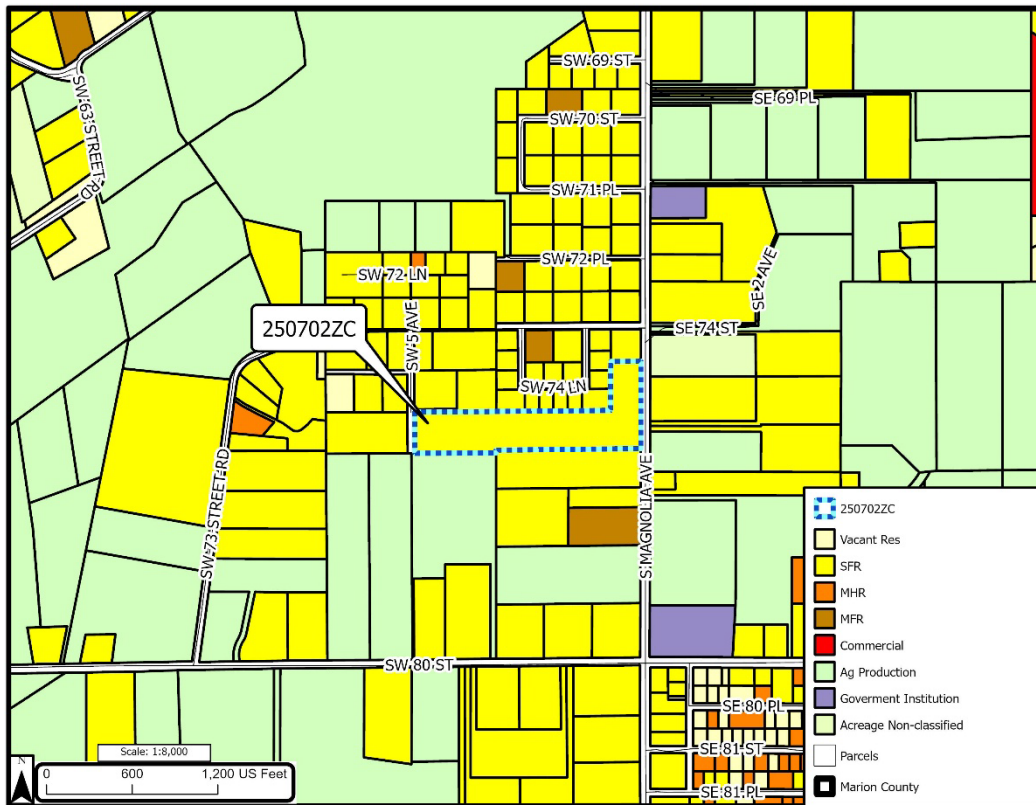


Table A, below, assembles the information in Figures 3, 4, 5, and 6 in tabular form. In general, the area surrounding the subject property is low-density. There are no properties used for commercial purposes nearby. Properties sitting to the North, West, South, and East of the subject property are primarily used for residential purposes, with some parcels characterized by agricultural production.

Consistent with LDC Section 2.7.3.D, staff conducted a site visit on June 19, 2025 and later on June 24, 2025. Staff found that the subject property is highly vegetated along S Magnolia Ave (and in the eastern section of the property generally). The subject property contains a primary single-family house. The western section of this property, as seen from a dead end of SW 5th Avenue located northwest of the parcel, is vacant. There are several ranch-style properties nearby. Site photos are attached to this report (see Attachment C).

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	MCPA Existing Use
Subject Property	Rural Land (RL)	Single-Family Dwelling (R-1)	Single Family Residential
North	Rural Land (RL)	Single-Family Dwelling (R-1), Neighborhood Business (B-1)	Single Family Residential
South	Rural Land (RL)	Single-Family Dwelling (R-1), General Agriculture (A-1)	Single Family Residential, Ag Production
East	Right-of-Way, Rural Land (RL)	Right-of-Way, General Agriculture (A-1)	Single Family Residential, Ag Production, Vacant Residential
West	Rural Land (RL)	Single-Family Dwelling (R-1)	Single Family Residential

Based on the above findings, the proposed rezoning application is **compatible** with the existing and future surrounding land uses.

B. Effect on Public Interest

1. Transportation impacts. These include roadways, public transit, and other mobility features. No concerns were indicated by the Office of the County Engineer.

- a. Roadways. The subject parcel is located along S Magnolia Avenue—also known as County Road 475—an arterial road maintained by Marion County. Both the current and proposed zoning change would allow, at most, a single residential unit and a single guest home, along with its associated trips; the applicant has indicated to construct—at most—an additional dwelling unit for an agricultural employee.

The applicant does not intend to use a gate—except for emergency reasons—in the western section of the property. Instead, all activity will pass through the driveway along S Magnolia Avenue.

- b. Public transit. There are no fixed route services in the area.

- c. Other mobility features. No sidewalks exist along any roadways listed as contiguous to this parcel. Sidewalks would not be required upon redevelopment along S Magnolia Ave.

Based on the above findings, the transportation impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

Zoning	Units	Trip Rate (per unit)	Estimated Daily Trips
Existing: Single-Family Dwelling (R-1)	1 dwelling unit + 1 guest home	9.44 trips/day (ITE code 210) x 2	± 20 trips/day
Proposed: General Agriculture (A-1)	1 dwelling unit + 1 agricultural employee unit	9.44 trips/day (ITE code 210) x 2	± 20 trips/day

Source: ITE Trip Generation Manual, 10th Edition, LU Code 210-Single Family Detached Housing

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of approximately 150 gallons per person per day for residential demand and 2,750 gallons per acre per day for non-residential demand. Although the applicant indicates potential long-term plans of constructing an additional dwelling unit for an agricultural employee, the applicant has no immediate plans to do so if the rezoning were approved. Therefore, assuming a single four-person household, the proposed rezoning would result in a potential demand of 600 gallons per day.

The property is outside connection distance. Any new development shall meet County potable water standards, including for any potential wells, at the time of permit review. Based on the above findings, if approved, the potable water impacts of the rezoning request **would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of approximately 110 gallons per person per day for residential demand and 2,000 gallons per acre per day for commercial and industrial demand. Assuming a four-person household, the proposed rezoning would result in a potential demand of 440 gallons per day.

The property is outside connection distance. Any new development shall meet County wastewater standards, including for septic tanks, at the time of permit review. Based on the above findings, if approved, the wastewater impacts of the rezoning request **would not adversely affect the public interest.**

4. Solid waste impacts. SWE Policy 1.1.1 provides "The LOS standard for waste disposal shall be 6.2 pounds of solid waste generation per person

per day. Assuming a four-person household, the proposed zoning change would generate about 24.8 pounds of solid waste per day. In comparison, any non-residential use would likely generate more total waste. Based on the above, the solid waste impacts of the rezoning request, if approved, **would not adversely affect the public interest.**

5. Recreation. Recreation Element Policy 1.1.1 adopts a level of service standard of two (2) acres per 1,000 persons. Given that the proposed zoning would allow, at most, a single residential unit and a single guest house, the recreation impacts of the rezoning request **would not adversely affect** the public interest.
6. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site is indicated to be entirely within FEMA flood zone X. There is a large flood prone area along S Magnolia Ave; however, there are no structures in such areas. Any development of the site that undergoes Marion County's formal site review processes will be required to comply with a 100-year frequency 24-hour duration design storm. Furthermore, the site would be subject to the Major Site Plan review process if the proposed impervious coverage exceeds 9,000 SF. Based on the above, the stormwater/drainage impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
7. Fire rescue/emergency services. The Shady Fire Station #16, located at 7151 S Magnolia Avenue, Ocala, FL 34476 is less than half a mile (by automobile) southwest of the subject property. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services. Staff has established a 5-mile drive time from the subject property as evidence of the availability of such services. Based on the above, the fire rescue/emergency impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
8. Law enforcement. The nearest Sherriff substation is located roughly 3.4 miles (by automobile) southeast of the subject property at 8311 N Hwy 441, Ocala. The Comprehensive Plan does not establish a level of service standard for law enforcement services; however, staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, the law enforcement impacts of the rezoning request, if approved, **would not adversely affect the public interest.**
9. Public schools. The proposed zoning change, if approved, would result in a single agricultural parcel allowing for, at most, one (1) single-family home. Therefore, the public schools impact of the rezoning request, if approved, **would not adversely affect the public interest.**

When weighing the totality of the circumstances, **the public interest will not be adversely affected** if this rezoning request is approved.

C. *Consistency with the Comprehensive Plan*

1. Policy 2.1.16 on Rural Land (RL) provides, "This land use designation is intended to be used primarily for agricultural uses, associated housing related to farms and agricultural-related commercial and industrial uses."

Analysis: The subject site is designated as Rural Land (RL) and proposes to use the land for farm animals, the production and sale of orchard crops, and any associated accessory structures. This aligns with the definition of Agricultural Use in Policy 2.1.14. This use thus aligns with the intent of the Rural Land use and is **consistent** with Policy 2.1.16.

2. FLUE 3.1.4 on Rural Area outside the UGB provides, "The lands outside of the UGB shall generally be referred to as the Rural Area and development in this area shall be guided by the following principles and as further defined in the LDC:

- (1) Protect the existing rural and equestrian character of the area and acknowledge that a certain portion of the County's population will desire to live in a rural setting.
- (2) Promote and foster the continued operation of agricultural activities, farms, and other related uses that generate employment opportunities in the Rural Area.
- (3) Establish a framework for appropriate future opportunities and development options including standards that address the timing of future development.
- (4) Create a focused strategy for the regulation of mining and resource extraction activity.
- (5) Allow for new Rural Land and Rural Activity Center Future Land Use designations with a Comprehensive Plan Amendment (CPA), as further allowed in this Plan and as further defined in the LDC."

Analysis: The proposed zoning change is requesting to allow rural agricultural uses, with the applicant proposing to use the land specifically for farm animals, as well as the production and sale of orchard crops. This is both consistent with the site's Rural Lands (RL) designation and consistent with Comprehensive Plan intentions for Rural Areas outside of the Urban Growth Boundary. Therefore, this rezoning request meets the criteria above and is **consistent** with FLUE Policy 3.1.4.

3. FLUE Policy 4.1.2 on Conflicts between Comprehensive Plan, Zoning, and LDC provides, "The Comprehensive Plan shall be the governing document. In the event of conflict between the Comprehensive Plan, Zoning, and LDC, the more stringent regulation shall apply, unless the County has developed a process to allow a variance or waiver of the regulation where a conflict in

regulations occurs in accordance to the Comprehensive Plan, Zoning, or LDC.”

Analysis: In this situation, the proposed agricultural zoning is more compatible with the Future Land Use designation granted to the parcel than the existing residential zoning classification. The proposed rezoning would thus bring the parcel in to compliance with the governing document, the Comprehensive Plan. As such, the proposed rezoning would be **consistent** with FLUE Policy 4.1.1.

4. FLUE Policy 5.1.3 on Planning and Zoning Commission provides, "The County shall enable applications for CPA, ZC, and SUP requests to be reviewed by the Planning & Zoning Commission, which will act as the County's Local Planning Agency. The purpose of the advisory board is to make recommendations on CPA, ZC, and SUP requests to the County Commissioners. The County shall implement and maintain standards to allow for a mix of representatives from the community and set standards for the operation and procedures for this advisory board.

Analysis: The proposed zoning change is scheduled for consideration on June 30, 2025 by the Planning and Zoning Commission. Therefore, the application is **consistent** with FLUE Policy 5.1.3.

5. FLUE Policy 5.1.4 on Notice of Hearing provides, "The County shall provide notice consistent with Florida Statutes and as further defined in the LDC.”

Analysis: Public notice has been provided as required by the LDC and Florida Statutes and, therefore, the application is being processed **consistent** with FLUE Policy 5.1.4.

Based on the above findings, granting the proposed rezoning request is **consistent with the Comprehensive Plan**.

V. ALTERNATIVE ACTIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **DENY** the rezoning amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

VI. STAFF RECOMMENDATION

Staff recommends the Planning & Zoning (P&Z) Commission enter into the record the Staff Report, and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to **APPROVE** the proposed rezoning because approving the application:

- A. Will not adversely affect the public interest;
 - B. Is consistent with the Comprehensive Plan provisions because it is in conformance with FLUE Policies 2.1.6, 3.1.4, 4.1.2, 5.1.3, and 5.1.4;
- and
- C. Is compatible with the surrounding uses because the proposed zoning change is within the Rural Area.

VII. PLANNING & ZONING COMMISSION RECOMMENDATION

APPROVAL.

VIII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. Scheduled for July 15, 2025 at 2:00 PM.

IX. LIST OF ATTACHMENTS

- A. Application
- B. DRC Comments Letter
- C. Site Photos
- D. Vacation Resolution 04-R-184