



MARION COUNTY GROWTH SERVICES

Date: 7/28/2021

P&Z: 7/26/2021 BCC: 8/17/2021

Application No:
210803Z
[CDP-AR# 26884]

Type of Application
Rezoning

Rezoning Request:
From: A-1 (General
Agriculture)
To: B-2 (Community
Business)

Concurrent Comp Plan
Amendment App.:
2021-S04

Future Land Use –
Current: Rural Land
Requested: Commercial

Parcel #/Acreage:
48402-000-00/±0.62 ac.
of ±5.49 ac.

Owners: Gregory S. and
Debra C. Martin

Applicant: Robert W.
Batsel, Jr., Esq.

Location:
14999 SE 32nd Court

Location:
Part of 6910 SE Hwy 42;
along west side of the
CSX Rail Road, south of
SE Hwy 42.

Staff Recommendation:
APPROVAL

P&Z Recommendation
APPROVAL
(ON CONSENT)

Project Planner
Christopher D. Rison,
AICP, Senior Planner



Item Summary

Staff is recommending **Approval** for a rezoning from A-1 (General Agriculture) TO B-2 (Community Business) on ±0.62 acres of an overall ±5.49 acre property, in accordance with Marion County Land Development Code (LDC), Article 2, Division 7, Zoning Change for part of 6910 SE Hwy 42. This request is subject to a concurrent Comprehensive Plan Amendment to change the site's future land use designation to Commercial; in the event that amendment is not granted, this request will not be consistent with the Comprehensive Plan.

Public Notice

Notice of public hearing was mailed to twelve (12) property owners within 300 feet of the overall subject property.

Location

The site is part of 6910 SE Hwy 42 and is a strip of land immediately east of the CSX Railroad immediately south of SE Hwy 42.

Request

The subject property is a strip of land located between the CSX Railroad and two currently Commercial designated and zoned properties, including the overall property that includes the subject property. The subject property was previously owned by the Florida Department of Transportation (FDOT) that sold the holding to the current owner (3/2021) who joined the site with their overall property holding to the east.

This rezoning request is will establish a commercial zoning classification consistent with the requested future land use designation for the site (21-S04) and establish a single uniform zoning across the owner's complete property holdings as the east part of the site is currently Commercial designated and zoned B-2.

Existing Use:

Vacant

Code Enforcement**Action:** None current; 2015 unsafe structure that was demolished.**Development Eligibility for Commercial Use:****CURRENT:**Public - ±0.62 AC
(None, accessory to public use)**PROPOSED:**Commercial
±0.62 ac. @ 1 FAR =
27,007 SF**Policy 2.1.16:
Rural Land (RL)**

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. The base density shall be (1) dwelling unit per ten (10) gross acres, and the designation is a Rural Area land use.

The area east of the site is currently zoned B-2, while the areas west are zoned B-4 and the area north is zoned B-5. Larger acreage tracts zoned A-1 are to the south.

The land use designation, zoning, and existing uses for the immediately surrounding properties are provided below:

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS

Direction	FLUM Designation	Zoning	Existing Use per Appraiser Property Code
N	Commercial	B-5 (Heavy Business)	Residence
S	Public	A-1 (General Agriculture)	Vacant
E	Commercial	B-2 (Community Business)	Artman's BBQ / Vacant
W	Commercial	B-4 (Regional Business)	Vacant

The requested B-2 zoning will establish a zoning classification consistent with the site's Rural future land use designation and the other adjoining large tracts to the west and south.

Infrastructure

The site has been joined with an adjoining property to the west that currently has access to SE Hwy 42. The overall site including the subject property is currently vacant and its development will be required to comply with LDC access management requirements such as driveway spacing, design, and cross access.

TABLE 2. SURROUNDING ROADWAY CONDITIONS

Road	Class.	Maint.	Existing Conditions			
			Surface	No. Lanes	R/W Width	R/W Deficiency
SE Hwy 42	Arterial	County	Paved	4	±80'	±40'

The parcel is outside the Urban Growth Boundary and Primary Springs Protection Zone. Marion County Utilities notes County service is available in the SE Hwy 42 and requirements for connection will be determined upon the submission of development proposals for the site.

TABLE 3: UTILITY SERVICES

Utility	Service Area
Water	Marion County SE Regional Utilities (Stonecrest)
Sewer	Marion County SE Regional Utilities (Stonecrest)

Analysis

In reaching its decision, the Commission must address the following:

- 1. Granting the proposed zoning change will not adversely affect the public interest.** The site is a ±0.62-acre portion of a larger overall acreage tract. It has been joined with the tract following its acquisition. Rezoning the site will establish uniform zoning across the overall property holding that is also consistent with the other adjoining commercially zoned property. Granting the rezoning will not adversely affect the public interest.
- 2. The proposed zoning change is consistent with the current Comprehensive Plan.** The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates the site as Commercial, subject to approval of concurrent Amendment 21-S04. Rezoning the subject property to B-2 will establish a zoning consistent with the Commercial future land use granted.

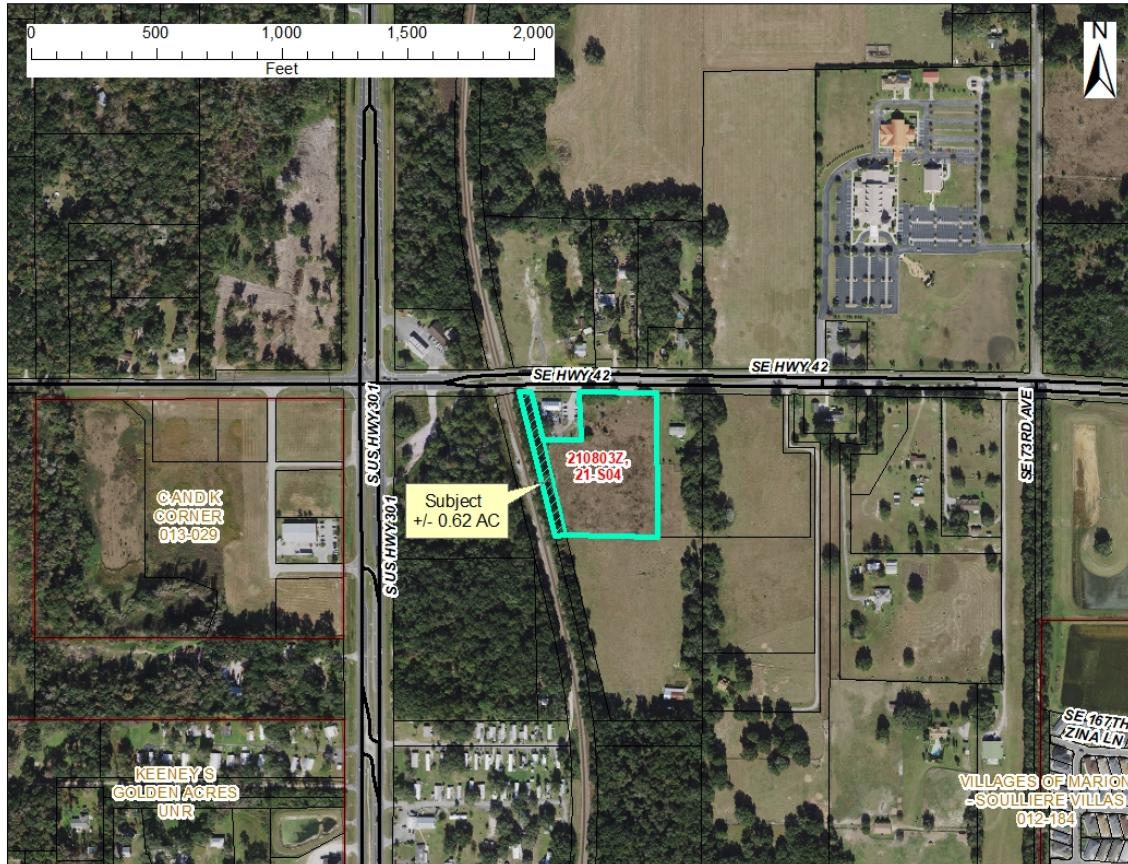
Use and development/redevelopment of the site will be subject to compliance with current LDC requirements (e.g., access, water, sewer, etc.) and granting the rezoning will be consistent with the Comprehensive Plan.

3. The proposed zoning change is compatible with land uses in the surrounding area. Adjoining properties east, west, and north are commercial designated and zoned, with the immediately adjoining properties being similarly zoned B-2. Use of the site will be required to comply with the requested B-2 zoning standards and appropriate provisions of the County's LDC. The proposed B-2 zoning will be compatible with land uses in the surrounding area.

STAFF RECOMMENDATION: APPROVAL

**PLANNING & ZONING COMMISSION RECOMMENDATION:
TBD**

EXPANDED AERIAL VIEW



CURRENT ZONING



ZONING DISTRICT

A-1 General Agriculture	R-3 Multiple Family Dwelling	R-O Residential Office	RI Rural Industrial
A-2 Improved Agriculture	R-4 Residential Mixed Use	B-1 Neighborhood Business	M-1 Light Industrial
A-3 Residential Agricultural Estate	MH Manufactured Housing	B-2 Community Business	M-2 Heavy Industrial
RR-1 Rural Residential	P-MH Mobile Home Park	B-3 Specialty Business	I-C Industrial Complex
R-E Residential Estate	P-RV Recreational Vehicle Park	B-4 Regional Business	G-U Government Use
R-1 Single-Family Dwelling	RR Recreational Resort	B-5 Heavy Business	R-PUD Residential Planned Unit Development
R-2 One-and Two-Family Dwelling	RAC Rural Activity Center	RC-1 Rural Commercial	PUD Planned Unit Development

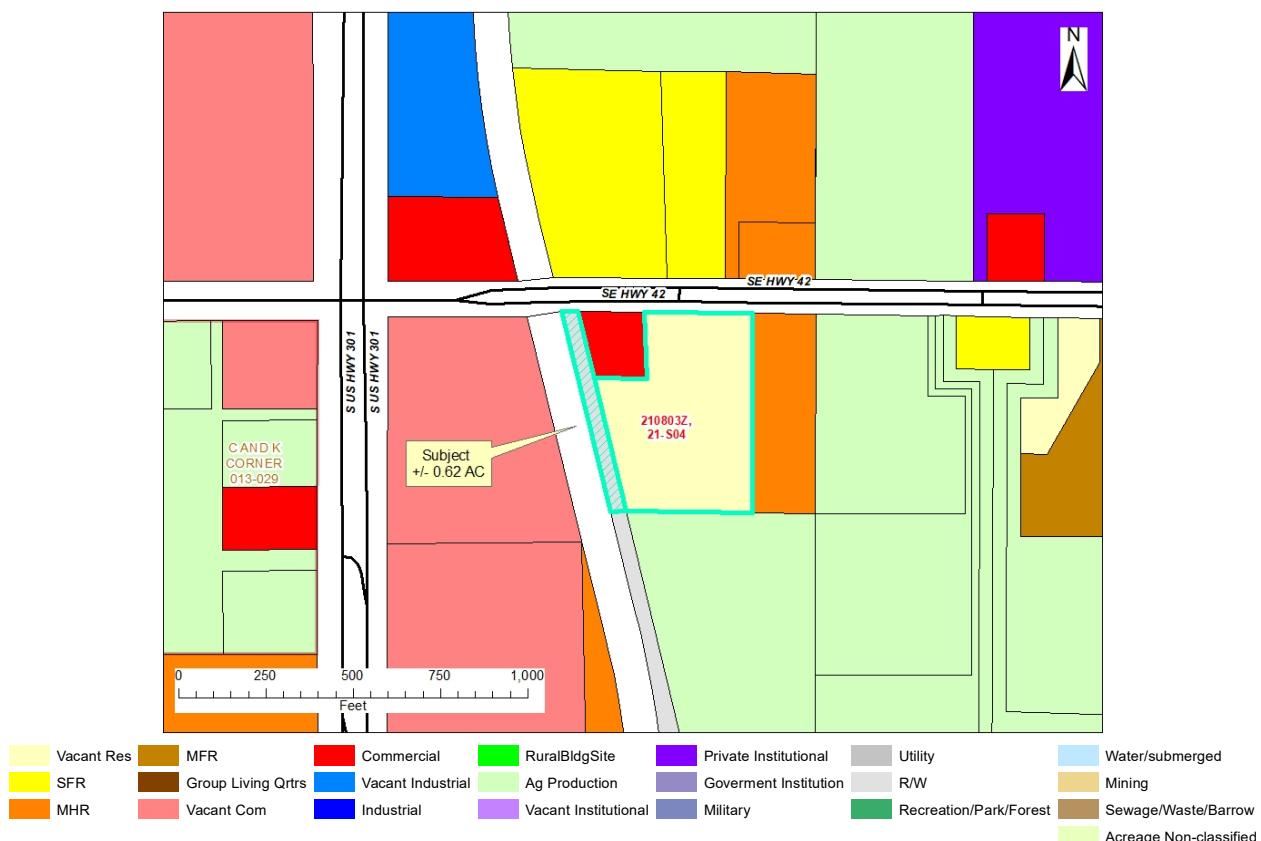
PROPOSED ZONING



FUTURE LAND USE DESIGNATION AS PROPOSED BY 2021-S04



EXISTING USES PER MCPA PROPERTY CODE



Aerial: 21-S04, 210803Z



0 100 200 300 400
Feet



Existing Land Use Designation 21-S04, 210803Z



Use per MC Property Appraiser		OWNER(S): Gregory S. and Debra C. Martin
01	Single Family Res	
50-69/99	Agricultural	
00/10/40/70	Vacant	
71	Church	
02	Mobile Home	
06-07/11-39	Commercial	
41-49	Industrial	
83-98	Public	
82	Recreation	
03-05/08	Multi-Family	
77	Club/Lodge/Union Hall	

OWNER(S): Gregory S. and Debra C. Martin

AGENT: Robert W. Batsel, Jr., Esquire

PARCEL(S): 48402-000-00

Marion County, Florida
IN GOD WE TRUST

All provided GIS data is to be considered a generalized spatial representation, which is subject to revisions. The feature boundaries are not to be used to establish legal boundaries. For specific visual information, contact the appropriate county department or agency. The information is provided visual representation only and is not intended to be used as legal or official representation of legal boundaries.



Legend

• All Amendments	Rural Land (1 du/10 ac)	Urban Residential (8 - 16 du/ac)	Employment Center (0 - 12 du/ac; FAR 2.0)
Policy 1.20	Low Residential (0 - 1 du/ac)	Rural Activity Center (0 - 2 du/ac; FAR 0.35)	Commerce District (N/A; FAR 2.0)
☆	Medium Residential (1 - 4 du/ac)	Rural Community (0 - 3 du/ac; FAR 0.70)	Public (N/A; FAR 1.0)
	High Residential (4 - 8 du/ac)	Commercial (0 - 6 du/ac; FAR 1.0)	Preservation (N/A; N/A)
	Farmland Preservation Area	Environmentally Sensitive Overlay Zone (ESOZ)	Municipality



Marion
County
FLORIDA

Marion County
Board of County Commissioners
Growth Management • Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2675
Fax: 352-438-2676

2108033

AR #: 260884

PA #: 48402-000-00

(w/ 21-504)

APPLICATION FOR ZONING CHANGE

Application No.: 2108033

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from A-1

to B-2, Community Business, for the intended use of:

Medical office/plaza or any permissible Intended use under Section 4.2.18 - Community Business (B-2) classification

Legal description: (please attach a copy of the deed and location map)

Parcel account number(s): A portion of PID#48402-000-00

Property dimensions: 26.816.66 square feet Total acreage: 0.62 acres "Portion of" 5.49 ac.

Directions: From Belview, travel south on US 301 to the intersection of US 301 and SE Hwy 42. Turn left (east bound). Property is other than corner cut Parcel (see attached Map).

the first Parcel on the south side of Hwy 42 immediately east of the railroad tracks. The subject property lies along the railroad tracks and was the old CSX service road previously owned by FDOT.

Situated: 6910 SE Highway 42, Summerville, FL
The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

Gregory S. Martin and Debra C. Martin

Property owner name (please print)

555 Winderley Plaza, Suite 415

Mailing address

Maitland, FL 32751

City, state, zip code

(407) 860-4488 x205

Phone number (please include area code)

Email Address: gsm@marinhltd.com (Gregory S. Martin); rbatsel@ocalalaw.com (Robert W. Batsel, Jr.)

Robert W. Batsel, Jr., Esq.

Applicant or agent name (please print)

1531 SE 38th Avenue

Mailing address

Ocala, FL 34471

City, state, zip code

(352) 867-7707

Phone number (please include area code)

Signature

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. If no representative is present and the board requires additional information, the request may be postponed or denied. Notice of said hearing will be mailed to the above-listed address(es). All information given by the applicant or agent must be correct and legible to be processed. The filing fee is \$1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

FOR OFFICE USE ONLY

RECEIVED BY: _____

DATE: _____

ZONING MAP NO.: _____

Rev. 07/02/2019

LAND USE: _____

ZONING: _____

SEC/TWP/RGE: _____ / _____ / _____

"Meeting Needs by Exceeding Expectations"



Jimmy H. Cowan, Jr., CFA

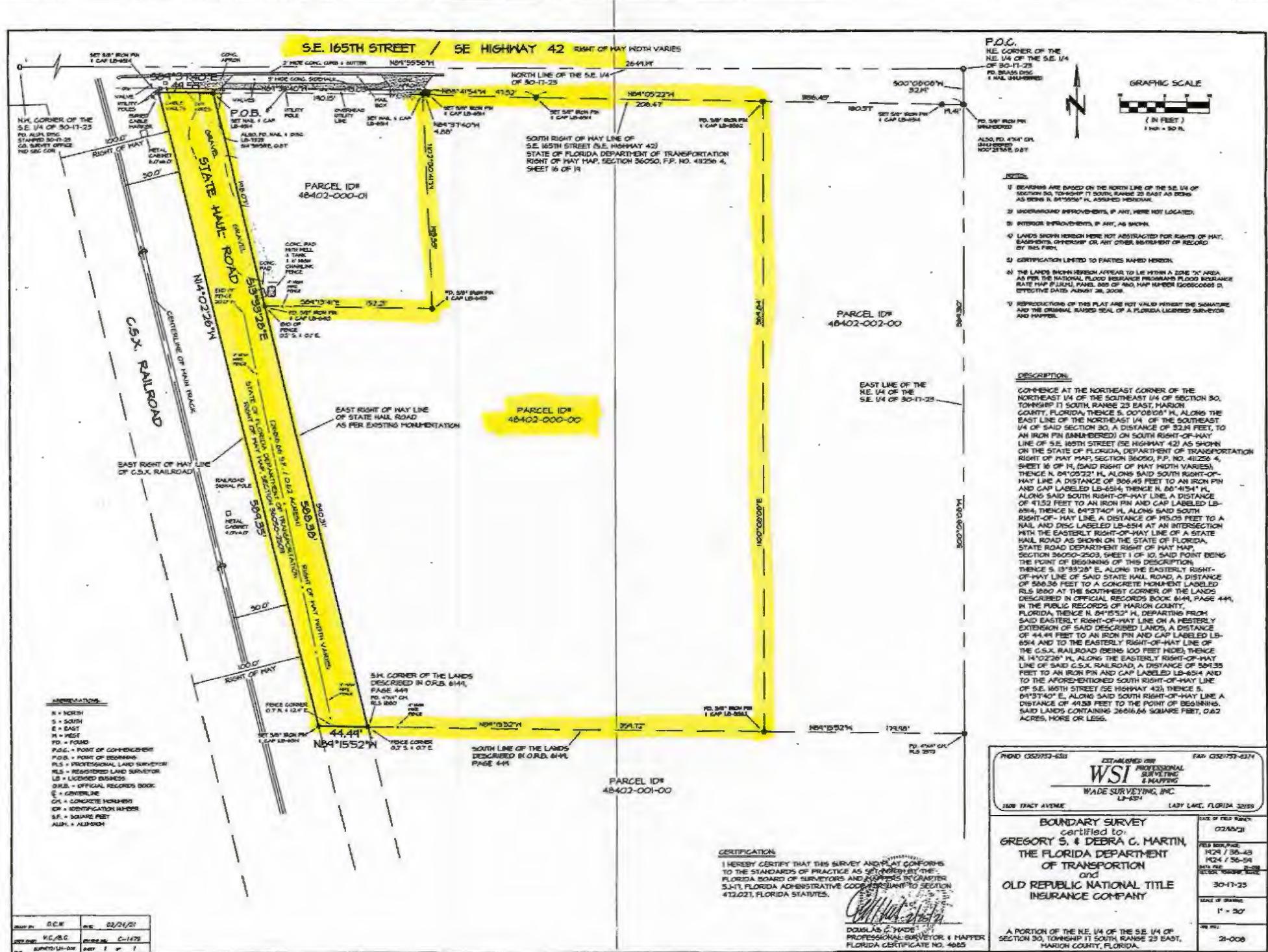
Marion County Property Appraiser

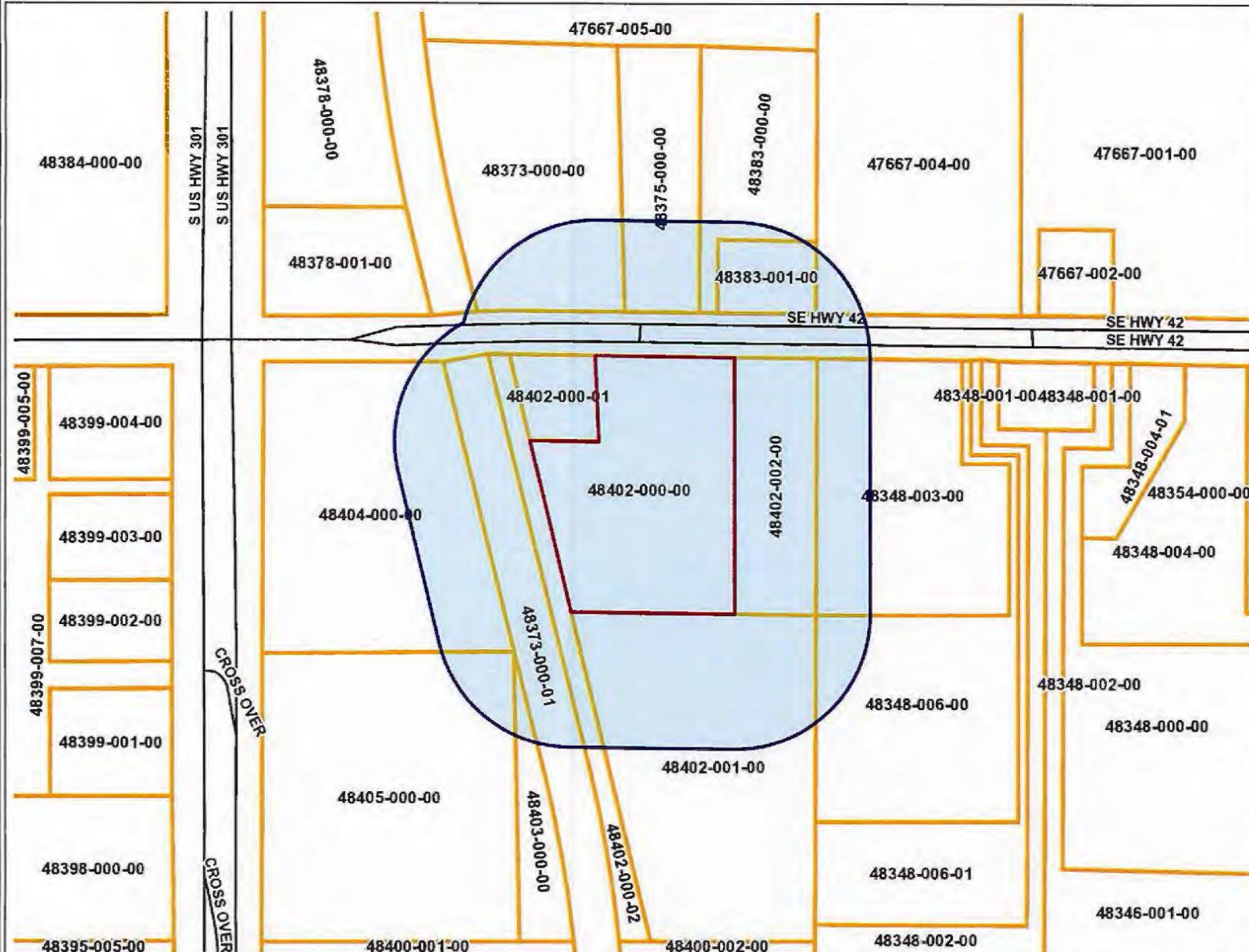
2108032

Last Updated: 05/21/2021



DISCLAIMER: This is a work in progress. This application was compiled by the Marion County Property Appraiser's Office solely for the governmental purpose of property assessment. These are NOT surveys. Our goal is to provide the most accurate data available, however, no warranties, expressed or implied are provided with this data, its use, or interpretation. All information subject to change without notice. Use at your own risk.





Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By: dp

This map was produced by a Marion County employee using an online internal mapping viewer. All GIS features provided through the Marion County online internal mapping viewer are to be considered a generalized spatial representation which is subject to revisions. The GIS features shown hereon are not to be used as legal descriptions. For confirmation of details related to the GIS features, please contact the appropriate department or constitutional office.

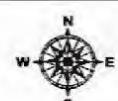


Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Parcels
- Municipalities
- Marion County

1: 3,984

1 in = 0.06 Miles



Notes

AGENT: ROBERT W. BATSEL, JR., ESQ.
C/O: Gilligan, Gooding, Batsel, Anderson & Phelan, P.A.

Creation Date: 6/14/2021