

ATTACHMENT C - PUD Approval and Concept Plan (220919ZP)



**Marion County
Board of County Commissioners**

Growth Services

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2600
Fax: 352-438-2601

January 11, 2023

Patrick McLaughlin
Southeast 73rd Avenue, LLC.
PO Box 4394
Ocala FL 34478

RE: PUD Rezoning Case Application No. 220919ZP
Application Request No. 28883

To Whom It May Concern:

We are sending this letter to inform you that your request for zoning change from Planned Unit Development (PUD) to Planned Unit Development (PUD) regarding the Southeast 73rd Avenue LLC. development project was approved by the Board of County Commissioners on September 20, 2022.

Zoning Ordinance, Development conditions and Concept Plan are enclosed.

When contacting the Growth Services Department's Planning and Zoning Division about this action, please refer to file no. 220919ZP.

Sincerely,

Earl R. Hahn, AICP
Growth Services Director

ss

Enclosure: Zoning Ordinance 22-40, Development Conditions and Concept Plan

cc: David Tillman, Tillman & Associates Engineering, LLC.

ORDINANCE NO. 22-40

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

WHEREAS, the Board of County Commissioners of Marion County, Florida (Board), is responsible for and has established the zoning of parcels of property in the unincorporated area of Marion County as reflected on the official Zoning Map, and

WHEREAS, property owner(s) have submitted petition(s) for rezoning and/or special use permits and such applications identify the property by metes and bounds description or by the Marion County Property Appraiser Parcel Account Number and such identifications of property are hereby incorporated into this ordinance by reference, and

WHEREAS, the Board has considered the recommendations of the Marion County Planning and Zoning Commission and has conducted the necessary public hearing and has approved the applications contained in this ordinance. Now therefore,

BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. REZONING AND SPECIAL USE PERMIT APPROVALS. The Board hereby approves the below-listed applications for Rezoning and Special Use Permits. NOTE: The terms and conditions of Board approvals of Special Use Permits are stated in the Board Resolution corresponding to each Special Use Permit Petition shown below.

1. **AGENDA ITEM #15.1.1. 220901SU - Joe and Beverly Bartholomew**, 3390 SE 146th Lane, Summerfield, FL 34491, request a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to Allow Keeping Two (2) Nigerian dwarf goats in a Single-Family Dwelling (R-1) Zone, on an approximate 0.43 acre parcel on Parcel Account Number 4217-227-039.

Subject to all terms and conditions of Resolution 22-R-437 attached hereto and incorporated herein by reference.

2. **AGENDA ITEM #15.1.2. 220904SU - Brett and Patricia Long**, 21500 NE 136th Street, Salt Springs, 32134. Modification of Special Use Permit, 181107SU/18-R-499 to add a proposed (Irrigation) well and electric on a Parcel Without a Primary Use (With an existing 24'x26' shed), in a Mixed Residential (R-4) Zone, on an approximate 0.19 acre parcel on Parcel Account Number 1132-012-007.

Subject to all terms and conditions of Resolution 22-R- 438 attached hereto and incorporated herein by reference.

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3. **AGENDA ITEM #15.1.3. 220905SU - Austin International Realty**, Terri Keogh, 95 Forest Ave, Locust Valley, New York, 11560, request a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, overflow grass parking in conjunction with Golden Hills Center to the North, in a General Agriculture (A-1) and Rural Activity Center (RAC) Zone, on an approximate .09 acre parcel of the total 38.16-acre parcel on Parcel Account Number 13675-000-00.

Subject to all terms and conditions of Resolution 22-R-442 attached hereto and incorporated herein by reference.

4. **AGENDA ITEM # 15.1.4. 220908ZC - Marion County, Ocala Park Estates Park Area**, 601 SE 25th Avenue, Ocala FL 34471, Rezoning, from Single-Family Dwelling (R-1) to Government Use (G-U), on an approximate 1.58 acre parcel on Parcel Account Number 1301-000-000.

5. **AGENDA ITEM #15.1.5. 220909SU - Marion County, Ocala Park Estates Park Area**, 601 SE 25th Avenue, Ocala FL 34471. Special Use Permit, Articles 2 and 4, for a public recreation area/neighborhood park, in a Government Use (G-U) Zone, on an approximate 1.58 acre parcel on Parcel Account Number 1301-000-000.

Subject to all terms and conditions of Resolution 22-R-439 attached hereto and incorporated herein by reference.

6. **AGENDA ITEM # 15.1.6. 220910ZC - Marion County, Norm Westbrook Park**, 601 SE 25th Avenue, Ocala FL 34471, Rezoning from General Agriculture (A-1) to Government Use (G-U), for all permitted uses, on an approximate 102.78 acre parcel on Parcel Account Number 12710-003-00.

7. **AGENDA ITEM #15.1.7. 220911SU - Marion County, Norm Westbrook Park**, 601 SE 25th Avenue, Ocala FL 34471, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code for a public recreation area/county park ("Norm Westbrook Park"), in a Government Use (G-U) Zone, on an approximate 102.78 acre parcel on Parcel Account Numbers 12710-003-00.

Subject to all terms and conditions of Resolution 22-R-440 attached hereto and incorporated herein by reference.

8. **AGENDA ITEM # 15.1.8. 220912ZC - USA Ymor Lime Investments Limited Partnership**, Maud Chevalier, 1 Des Haurds Street, Verdun, Quebec, H3E 1X9, Canada. Rezoning from General Agriculture (A-1) to Community Business (B-2), on an approximate 4.12 acres of 6.30-acre parcel on Parcel Account Number 35314-000-00.

9. **AGENDA ITEM #15.1.9. 220913SU - USA Ymor Lime Investments Limited Partnership**, Maud Chevalier, 1 Des Haurds Street, Verdun, Quebec, H3E 1X9, Canada. Special Use Permit to allow outside storage of boats, RV's, trailers, etc., in conjunction with a self-storage facility, in a Community Business (B-2) Zone, on an approximate 6.30-acre parcel on Parcel Account Number 35314-000-00.

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Subject to all terms and conditions of Resolution 22-R-443 attached hereto and incorporated herein by reference.

10. **AGENDA ITEM #15.1.10. 220914ZC – NCS 40/I-75, LLC**, 2441 NE 3rd Street, Ste 101, Ocala, FL 34470. Rezoning from Community Business (B-2) to Heavy Business (B-5), on an approximate 1.52 acre parcel on Parcel Account Number 22899-001-00.

11. **AGENDA ITEM # 15.1.11. 220916ZC - Mario and Joy Bauer**, 3840 NE 13th Ave, Ocala, FL 34479. Rezoning from Community Business (B-2) to Multiple-Family Dwelling (R-3), for all permitted uses, 1.03 acre parcel on Parcel Account Number 15552-001-00.

12. **AGENDA ITEM #15.1.12. 220919ZP - Southeast 73rd Avenue, LLC**. Patrick McLaughlin, P.O. Box 4394, Ocala, FL 34478. Rezoning from Planned Unit Development (PUD) to Planned Unit Development (PUD), for a proposed 158-unit (maximum) Single Family Residential (SFR) development, on an approximate 39.67-acre parcel on Parcel Account Number 48347-000-00.

13. **AGENDA ITEM #15.1.13. 220921ZC - DeHaven Enterprises, LLC**. Jason DeHaven, 555 E Leffel Lane, Springfield, OH 45505. Rezoning change from Community Business (B-2) to Rural Activity Center (RAC), on an approximate 5.80 acre parcel on Parcel Account Number 07357-002-00.

14. **AGENDA ITEM #15.1.14. 220923SU - Connor Auto Services, LLC**. - Jeremy Connor, 1400 NW 70TH Street, Ocala FL 34475. Special Use Permit for outside display of tractors/agricultural equipment for sale and repair, in a Community Business (B-2) zone, on an approximate 1.94 acre parcel on Parcel Account Numbers 1470-001-004 and 1470-001-003.

Subject to all terms and conditions of Resolution 22-R-441 attached hereto and incorporated herein by reference.

15. **AGENDA ITEM #15.2.1. 220903SU - Catherine A. Shaw Rev. Living Trust** -8201 SE 180th Street, Oxford, FL 34484. Special Use Permit for an Agency for Persons with Disabilities (ADP) home with three (3) residents and a live-in caregiver, in a General Agriculture (A-1) zone, on an approximate 10.0 acre parcel on Parcel Account Number 48491-000-00.

Subject to all terms and conditions of Resolution 22-R-444 attached hereto and incorporated herein by reference.

16. **AGENDA ITEM #15.2.3. 220915ZC - Lloyd James, Sr. and Lloyd James, Jr.**, 2705 SE 156th Place Road, Summerfield, FL 34491. Rezoning from Community Business (B-2) to Rural Commercial (RC-1), on an approximate 1.14 acre parcel on Parcel Account Number 07570-103-00.

17. **AGENDA ITEM #15.2.4. 220918ZP - Bruce Fishalow, TR and SHS Properties, LLC.**, Floyd S. Salser, III, 5025 NE 36th Avenue Road Ocala, FL 34499/ 1240 SE 12th Court, Ocala, FL 34471. Rezoning from Community Business (B-2) and Residential Estate (RE) to Planned Unit Development (PUD), for a proposed 157-unit (maximum) townhome

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development, including up to 3.0 acres of commercial development, on an approximate 22.12 acre parcel on Parcel numbers 15841-004-00, 15841-001-01, 15841-002-03, and 15841-005-00.

SECTION 2. The Board hereby authorizes the official zoning map to be revised to reflect the above described re-zonings and special use permits.

SECTION 3. EFFECTIVE DATE. A certified copy of this Ordinance as enacted shall be filed by the Clerk of the Board with the Office of the Secretary of State of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect in accordance with Section 125.66(2), Florida Statutes.

DULY ADOPTED in regular session this 20th day of SEPTEMBER 2022.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



GREGORY C. HARRELL, CLERK



CARL ZALAK III, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY
OF STATE ON SEPTEMBER 27, 2022
ADVISING ORDINANCE WAS FILED ON
SEPTEMBER 27, 2022.

220919ZP (SE 73rd Ave.) Development Conditions:

1. The PUD shall consist of a total of 39.67 acres with a maximum of 158 residential homes and accompanying accessory amenities consistent with the Marion County Land Development Code, the PUD Application, and PUD Concept Plan (Dated 07/06/2022; attached).
2. Residential building heights shall be limited to 40' in height, consistent with residential uses within the LDC. Accessory structures shall be limited to 20' in height.
3. Buffers shall be consistent with the LDC.
4. All project-wide walls, fences, and buffers, including all vegetative plantings, shall be installed and maintained in perpetuity consistent with professionally accepted landscape practices, unless & until modified through the appropriate Land Development Code PUD Amendment Process.
5. The PUD shall provide at least 20% Open Space, consistent with the LDC.
6. Amenities shall include a dog park, community park/walking trail, playground, and clubhouse.
7. Prior to completion and approval of the final PUD Master Plan, the project Traffic Study shall be completed to the satisfaction of the County Engineer and Planning director, adequate provision shall be made for the coordination of the improvements with the PUD.
8. Two full accesses on SE 73rd Avenue shall be provided consistent with concept plan (Dated 07/06/2022; attached).
9. A sidewalk or multimodal path shall be developed, in accordance with the LDC.
10. All project development shall be served by Marion County Utilities for central potable water services. Adequate capacity shall be demonstrated prior to the approval of Improvement Plans.
11. All project development shall be served by Marion County Utilities for central sanitary sewer services. Adequate capacity shall be demonstrated prior to the approval of Improvement Plans.
12. The final PUD Master Plan shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Codes notice provisions at the applicant's expense.

LEGAL DESCRIPTION:
SEC 29 TWP 17 RGE 23
NW 1/4 OF SW 1/4 OF NE 1/4 &
NE 1/4 OF SE 1/4 OF SW 1/4 &
NW 1/4 OF SE 1/4 OF NW 1/4 EXC W 25 FT FOR RD &
S 1/4 OF NE 1/4 OF NW 1/4 EXC W 25 FT FOR RD &

PARCEL #: 48347-000-00

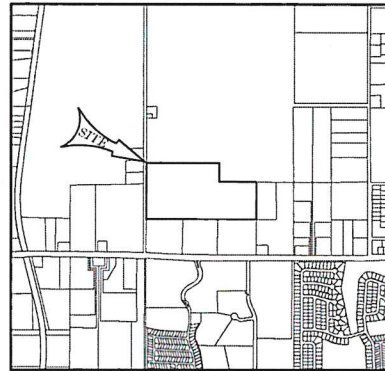
PROJECT AREA: 39.67 ACRES

EXISTING LAND USE: MEDIUM RESIDENTIAL (4 UNITS PER AC.)

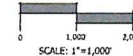
* EXISTING ZONING: A-1

PROPOSED ZONING: PUD (PLANNED UNIT DEVELOPMENT)

* BASED ON EXPIRATION OF PREVIOUS P.U.D.



VICINITY MAP
SCALE: 1" = 1,000'



1	COVER SHEET
2	DETAILS
3	CONCEPT PLAN

PUD REZONING REQUIREMENTS

AT A MINIMUM, THE PUD REZONING APPLICATION SHALL BE ACCOMPANIED BY A CONCEPTUAL PLAN, IN COMPLIANCE WITH DIVISION 2.13 AND THIS SECTION, ALONG WITH ACCOMPANYING DOCUMENTATION FOR REVIEW BY THE COUNTY GROWTH SERVICES DEPARTMENT AND SHALL PROVIDE DOCUMENTATION ADDRESSING THE FOLLOWING:

1. THE NAME OF THE PROPOSED PUD SHALL BE CENTERED AT THE TOP OF THE SHEET ALONG THE LONG DIMENSION OF THE SHEET: SEE COVER SHEET - SHEET 1.
2. VICINITY MAP THAT DEPICTS RELATIONSHIP OF THE SITE TO THE SURROUNDING AREA WITHIN A 1 MILE RADIUS: SEE VICINITY MAP - SHEET 1.
3. DRAWING OF THE BOUNDARIES OF THE PROPERTY SHOWING DIMENSIONS OF ALL SIDES: SEE P.L.D. CONCEPT PLAN - SHEET 3.
4. PROVIDE THE ACREAGE OF THE SUBJECT PROPERTY ALONG WITH A LEGAL DESCRIPTION OF THE PROPERTY: SEE COVER SHEET - SHEET 1.
5. IDENTIFY THE COMPREHENSIVE PLAN FUTURE LAND USE AND EXISTING ZONING OF THE SUBJECT PROPERTY AND FOR ALL PROPERTIES IMMEDIATELY ADJACENT TO THE SUBJECT PROPERTY: SEE P.L.D. CONCEPT PLAN - SHEET 3.
6. IDENTIFY EXISTING SITE IMPROVEMENTS ON THE SITE: NO EXISTING IMPROVEMENTS ON SITE.
7. A LIST OF THE USES PROPOSED FOR THE DEVELOPMENT: SEE SITE DATA - SHEET 3.
8. A TYPICAL DRAWING OF AN INTERIOR LOT, CORNER LOT, AND CUL-DE-SAC LOT NOTING SETBACK REQUIREMENTS. FOR RESIDENTIAL DEVELOPMENT, THE TYPICAL SIZES WILL SHOW A STANDARD HOUSE SIZE WITH ANTICIPATED ACCESSORY STRUCTURE: SEE DETAILS - SHEET 2.
9. PROPOSED ZONING AND DEVELOPMENT STANDARDS (SETBACKS, FAR, BUILDING HEIGHT, ETC.): SEE TABLE 1 ON SHEET 2.
10. IDENTIFY PROPOSED PHASING ON THE PLAN: TO BE DETERMINED.
11. IDENTIFY PROPOSED BUFFERS: SEE BUFFER DETAILS - SHEET 2 & SHEET 3 FOR LOCATION.
12. IDENTIFY ACCESS TO THE SITE: SEE P.L.D. CONCEPT PLAN - SHEET 3.
13. PRELIMINARY BUILDING LOT LOCATIONS WITH REQUIRED YARD SETBACKS AND PARKING LOT LOCATIONS: SEE DETAILS - SHEET 2.
14. PRELIMINARY SIDEWALK LOCATIONS: SEE P.L.D. CONCEPT PLAN - SHEET 3 NOTE 2.
15. PROPOSED PARALLEL ACCESS LOCATIONS: NONE TO BE PROVIDED.
16. SHOW 100 YEAR FLOODPLAIN ON THE SITE: SEE FLOODPLAIN MAP - SHEET 2.
17. SHOW ANY PROPOSED LAND OR RIGHT OF WAY DEDICATION: SEE P.L.D. CONCEPT PLAN - SHEET 3.
18. IDENTIFY ANY PROPOSED PAVES OR OPEN SPACES: SEE OPEN SPACE EXHIBIT - SHEET 2.
19. A NOTE DESCRIBING HOW THE CONSTRUCTION AND MAINTENANCE OF PRIVATE ROADS, PARKING AREAS, DETENTION AREAS, COMMON AREAS, ETC. WILL BE COORDINATED DURING DEVELOPMENT AND PERPETUALLY AFTER THE SITE IS COMPLETE: SEE NOTE 3 - SHEET 3.
20. ARCHITECTURAL RENDERINGS OR COLOR PALETTE DETAILING THE DESIGN FEATURES, COLOR PALETTE, BUFFERING DETAILS: SEE ARCHITECTURAL STYLES - SHEET 2.

Tillman & Associates
—ENGINEERING, LLC.—
CIVIL ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE • ENVIRONMENTAL
1720 SE 16th Ave. Bldg. 100, Ocala, FL 34471
Office: (352) 387-4540 Fax: (352) 387-4545

SOUTHEAST 73rd AVENUE LLC
P.U.D. CONCEPT PLAN
MARION COUNTY, FLORIDA

COVER SHEET

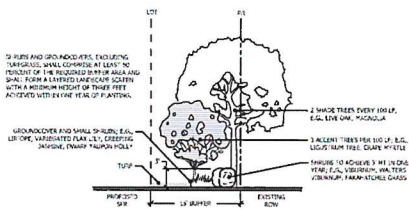
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7/6/2022
 VN BY IGH
 O. BY JMM
 O. 22-S069

SFR



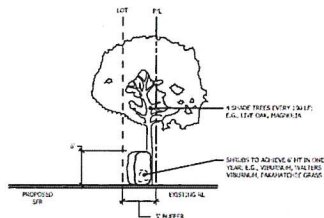
NOTES: FAÇADE COLORS SHALL BE LOW REFLECTANCE, SUBTLE, OR NEUTRAL TONE COLORS. BUILDING TRIM AND ACCENT AREAS MAY FEATURE BRIGHTER COLORS, INCLUDING PRIMARY COLORS.



TYPE 'C' BUFFER

High-Yield Points

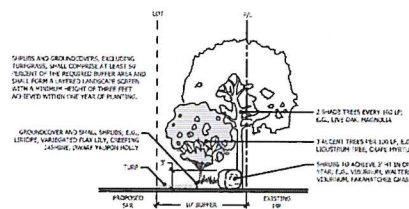
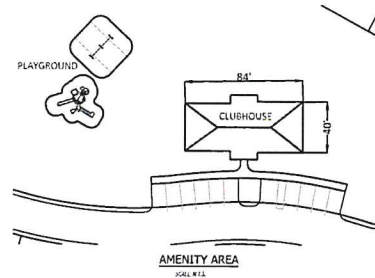
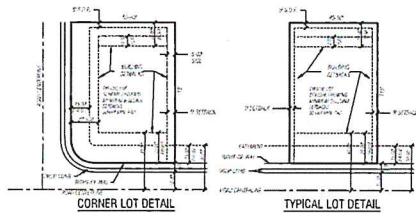
G-TYPE BUFFER SHALL CONSIST OF A 15-FOOT WIDE LANDSCAPE STRIP WITHOUT A BUFFER WALL. THE BUFFER SHALL CONTAIN AT LEAST TWO SPACE TREES AND THREE ADJACENT ORNAMENTAL TREES FOR EVERY 100 LINEAL FEET OF PRACTICAL PART THEREOF. SHRUBS AND GROUNDCOVERS, EXCLUDING FLAKGRASS, SHALL COMprise AT LEAST 50 PERCENT OF THE REQUIRED BUFFER AND FORM A LAYERED LANDSCAPE SCREEN WITH A MINIMUM HEIGHT OF THREE FEET ACHIEVED WITHIN ONE YEAR.



TYPE 'E' BUFFER

NOT TO SCALE

5-TYPE BUFFER SHALL CONSIST OF A FIVE-FOOT WIDE LANDSCAPE STRIP ADJACENT A BUFFER WALL. THE BUFFER SHALL CONTAIN AT LEAST FOUR SHADE TREES FOR EVERY TEN LINEAL FEET OF FRACTIONAL PART THEREOF. SHRUBS SHALL BE PLANTED IN A DOZEN-FOOT SPACED ROW AND BE CAPABLE OF REACHING A MAINTAINED HEIGHT OF SIX FEET WITHIN THREE YEARS. CLOVERCOVERS AND/OR TURFGRASS SHALL NOT BE USED IN THIS BUFFER.

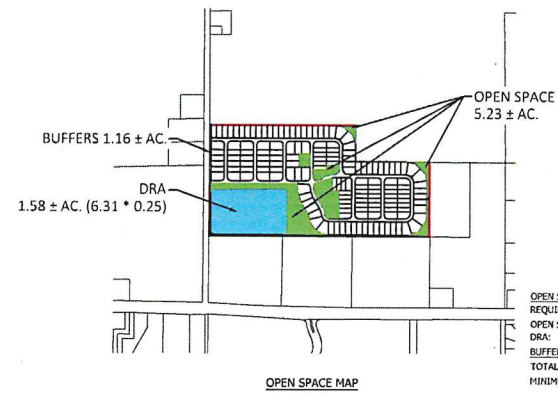
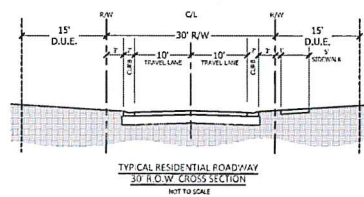


MOD. TYPE 'C' BUFFER

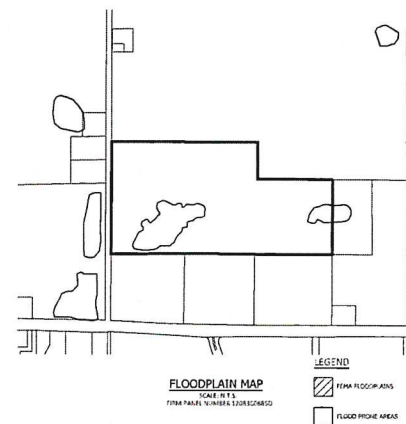
NOT TO SCALE

1100. C-TYPE BUFFER SHALL CONSIST OF A 134-FOOT WIDE LANDSCAPE STRIP WITHOUT A BUFFER WALL. THE BUFFER SHALL CONTAIN AT LEAST 150 SHADY TREES AND THREE ACCOMPANIMENTAL TREES PER EVERY SIX LINEAL FEET OF THE TOTAL PART THUS REQUIRED. SHRUBS AND GRASSLANDS, EXCLUDING TURFGRASS, SHALL COMPOSE AT LEAST 50 PERCENT OF THE REQUIRED BUFFER AND FORM A LAYERED LANDSCAPE SCHEME WITH A MINIMUM HEIGHT OF THREE FEET 1 ADDED WITHIN ONE YEAR.

TABLE 1: PROPOSED DEVELOPMENT STANDARDS				
LAND USE	MINIMUM SETBACKS			MIN. HEIGHT
	FRONT	REAR	SIDE, SIDE YARD	
SFR	25'	10'	5'	50'



OPEN SPACE:	
REQUIRED:	7.93 ± AC (39.67 X 0.20)
OPEN SPACE :	5.23 ± AC.
DRA:	1.58 ± AC. (6.31 * .25)
BUFFERS:	1.16 ± AC.
TOTAL AS SHOWN:	7.97 ± AC.
MINIMUM TO BE PROVIDED:	7.93 ± AC.



FLOODPLAIN MAP
SCALE: N.T.S.
FIRM PANEL NUMBER: 1208308AS

LEGEND

 FEMA FLOOD PLAINS FLOOD PRONE AREA

DETAILS

Tillman & Associates
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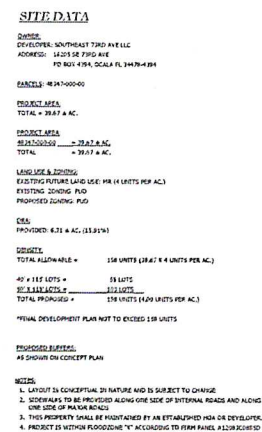
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**SOUTHEAST 7th AVENUE LLC
P.U.D. CONCEPT PLAN
MARION COUNTY, FLORIDA**

DATE 7/6/2022
DRAWN BY JGH
CHKD. BY JMM
JOB NO. 22-8069

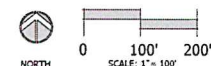
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MARION COUNTY, FLORIDA



10' X 115' LOTS - (A)

50' X 115' LOTS - (B)



NOT VALID UNLESS SIGNED AND SEALED BY AUTHORIZED PROFESSIONAL

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— ENGINEERING, LLC. —
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SOUTHEAST 73rd AVENUE LLC
P.U.D. CONCEPT PLAN
MARION COUNTY, FLORIDA

DATE 3/5/2012
DRAWN BY JGH
CHKD BY JMM
JOB NO. 22-S069

3 of 3

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