



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

P&Z Date: 7/27/2026	BCC Date: 8/18/2026
Case Number	260805ZC
EPL Number	PL ZoneChg-000733-2026
Type of Case	Rezoning from General Agriculture (A-1) to Residential Estate (R-E)
Owner	Anjana Singh
Applicant	W. James Gooding III
Street Address/Site Location	No Address Assigned
Parcel Number(s)	45849-002-01
Property Size	±1.68 AC
Future Land Use	Low Residential (LR)
Existing Zoning Classification	General Agriculture (A-1)
Overlays Zones/Special Areas	Secondary Springs Protection Zone (SSPZ) and (Little) Lake Weir Environmentally Sensitive Overlay Zone (ESUZ)
Staff Recommendation	APPROVAL*
P&Z Recommendation	TBD
Project Planner	Jared Rivera-Cayetano
Related Cases	N/A

I. ITEM SUMMARY

W. James Gooding, on behalf of Anjana Singh., filed a rezoning application to change the zoning of a ±1.68-acre property in Summerfield, FL from General Agriculture (A-1) to Residential Estate (R-E). The Parcel Identification Number for the subject property is 45849-002-01; the site has not been assigned an address. The subject property is not part of an existing subdivision; the legal descriptions are provided within the rezoning application (see Attachment A). The site is located outside the Urban Growth Boundary (UGB), within the Secondary Springs Protection Zone (SSPZ), and within the (Little) Lake Weir Environmentally Sensitive Overlay Zone (ESOZ). The rezoning request is in response to an illegal division used to create the subject property in 2005/2006 from agriculturally-zoned parent parcel(s) to the north, as A-1 zoning currently establishes a minimum lot size of ten (10) acres. A prescriptive road on private property(ies) was established by continuous use over a statutory period of time and serves as legal access to surrounding properties.

If rezoned, staff notes that LDC standards for properties within the Lake Weir ESOZ would allow up to one (1) residential unit per two (2) acres* if well and septic systems are utilized and a limited number of livestock on-site.

II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL*** of this rezoning application because Residential Estate (R-E) zoning is consistent with the subject property's Low Residential (LR) Future Land Use (FLU) designation. The R-E zoning classification is intended to allow low-density residential development with limited livestock that is compatible with the surrounding residential and agricultural properties. Staff therefore finds the request is consistent with the Marion County Comprehensive Plan, is compatible with the surrounding area, and will not adversely affect the public interest.

As of the initial distribution of this staff report, the proposed 1.68 acres of land is not sufficient for a buildable lot (for the purposes of a single-family residence or other non-agricultural building) according to current ESOZ standards (Attachment D). Additional land must be rezoned to create a buildable lot (a total of two acres minimum). **Staff support for the submitted rezoning application should not be misconstrued to be County approval to deviate from current ESOZ density standards. Regardless of whether this rezoning application is approved, staff would enforce ESOZ density standards upon the time of building permitting (i.e. a single-family residence could only be permitted upon the time that a total of two (2) acres of land is obtained and rezoned accordingly). Staff is currently working with the applicant to include additional land in the rezoning application(s)—including the non-conforming parent parcels less than ten (10) acres in size, which have been made even smaller as a result of the illegal division (i.e. increased non-conformity).*

Figure 1
General Location Map



III. NOTICE OF PUBLIC HEARING

Consistent with Marion County Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (7 owners) within 300 feet of the subject property on July 10, 2026. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on July 14, 2026, and consistent with LDC Section 2.7.3.E., public notices were published through the Marion County website on July 13, 2026, for the Planning and Zoning Commission. Evidence of the above-described public notices is on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support 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.

1. Zoning Classification. Figure 3 displays the existing zoning classifications for the subject properties in relation to the existing zoning classifications of the surrounding properties. Figure 4 shows the zoning classification proposed by the applicant.

In general, properties in the surrounding area are defined by a mix of residential and agricultural zoning, primarily Residential Estate (R-E) and General Agriculture (A-1) zoning. Most parcels along Little Lake Weir, to the north of SE 144th Place, are agriculturally zoned, with select waterfront parcels and properties within the unrecorded A.M. Streeter subdivision (see Figure 5) with R-E or Single Family Dwelling (R-1) zoning. Most parcels to the south of SE 144th Place have an R-E zoning. Staff notes that R-E zoned waterfront parcels and a collection of "flag lots" to the west of the subject property along SE 100th Avenue were previously rezoned in the early 2000s.

There are several subdivisions beyond the immediate vicinity, including Edgewater Estates, Little Lake Weir Estates, Lake Weir Shores, and select unrecorded subdivisions to the east of the subject property. Lots within these subdivisions are mostly residentially zoned.

2. FLUMS Designation. Figure 6 shows the Future Land Use (FLU) designation of the subject property in relation to the existing FLU designation of the surrounding properties.

In general, the subject property and all properties in the immediate vicinity are designated as Low Residential (LR). Select waterfront properties, properties within the unrecorded A.M. Streeter subdivision, and properties in select subdivisions to the south and east of the subject property are designated as Medium Residential (MR) or High Residential (HR).

3. Nearby Development. Figure 7 identifies nearby under-review, DRC-approved, or permitted residential developments. Although there are several large residential developments along the major S US Highway 441 and SW Highway 42 corridors, no large active development projects are in the immediate vicinity (to the south of Little Lake Weir).

4. Existing Uses. Figure 8 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC).

The area surrounding the subject property is characterized by residential and agricultural uses. Specifically, large swaths of land to the south and east of the subject property are classified as agricultural production. Meanwhile, both the collection of "flag lots" to the west of the subject property and most waterfront properties to the north are currently used for single-family residences.

Consistent with LDC Section 2.7.3.D, staff conducted a site visit on July 14, 2026, and found that the subject property itself is currently vacant. Staff observed several trees and significant underbrush along the western half of the subject property. The eastern half contains limited trees but remains overgrown. A fence spans the entirety of the subject property into an adjacent lot to the west (PID 45849-003-00), which is owned by the previous owner of the subject property and other properties across SE 114th Place.

The surrounding area is low-density, with nearby residential properties often fenced and with large pasture-like areas. Site photos are attached to this report (see Attachment C).

Table 1, below, assembles the information in Figures 3, 6, and 8 in tabular form. The applicant has indicated that the intent of the rezoning is to rectify a previous illegal division by allowing a parcel less than the minimum ten (10) acres required by A-1 zoning. Other non-residential uses (such as churches) are permitted by R-E but would not be easily developed due to the width of SE 114th Place as a substandard prescriptive road. Staff therefore only realistically foresees the construction of a single-family residence approved by a building permit.

The subject property is located within the (Little) Lake Weir Environmentally Sensitive Overlay Zone (ESOZ) and is within the circumscribed area between E Highway 25, Sunset Harbor Road, SE 105th Avenue, Luffman Road, and SE 115th Avenue. If rezoned, staff notes that LDC standards for properties within the Lake Weir ESOZ would prohibit any residential development unless a maximum density of one (1) residential unit per two (2) acres is met. In effect, the rezoning would result in up to one (1) single-family residence (no accessory guest home/apartment) if two (2) acres of land can be obtained and rezoned to meet minimum lot requirements.

Any development within the subject property will need to meet R-E zoning standards during building permitting, which staff notes are also similar to those required by A-1 zoning (e.g. 25 foot setbacks). The rezoning would also allow a limited number of livestock on-site, similar to A-1 zoning (up to 6 animals; see LDC Sec. 4.2.6.F).

Given the low-density surrounding the subject property, staff finds that R-E zoning **is compatible** with the existing and future surrounding land uses.

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUM Designation	Zoning Classification	MCPA Existing Use
Subject Property	Low Residential (LR)	General Agriculture (A-1)	Vacant Residential
North	Low Residential (LR) & Right-of-Way (SE 114th Place)	General Agriculture (A-1) & Right-of-Way (SE 114th Place)	Single Family Residential, Vacant Residential & Right-of-Way (SE 114 th Place)
South	Low Residential (LR)	Residential Estate (R-E)	Agricultural Production
East	Low Residential (LR)	Residential Estate (R-E)	Acreage Non-Classified (Vacant)
West	Low Residential (LR)	General Agriculture (A-1)	Agricultural Production

Figure 3
Zoning Classification

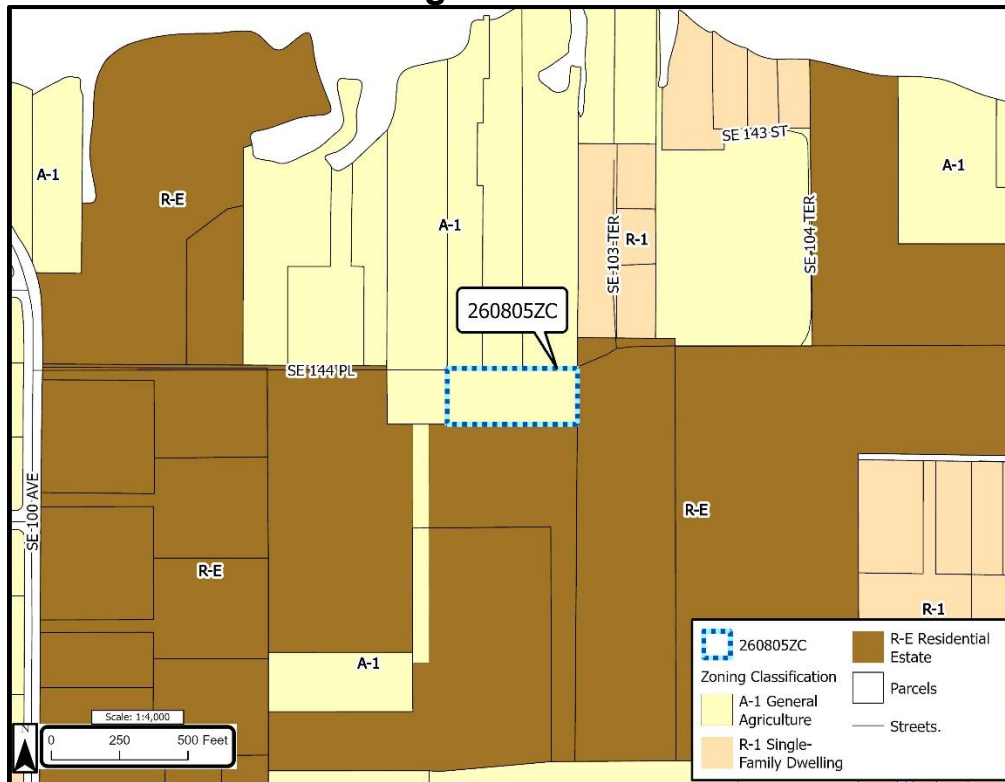
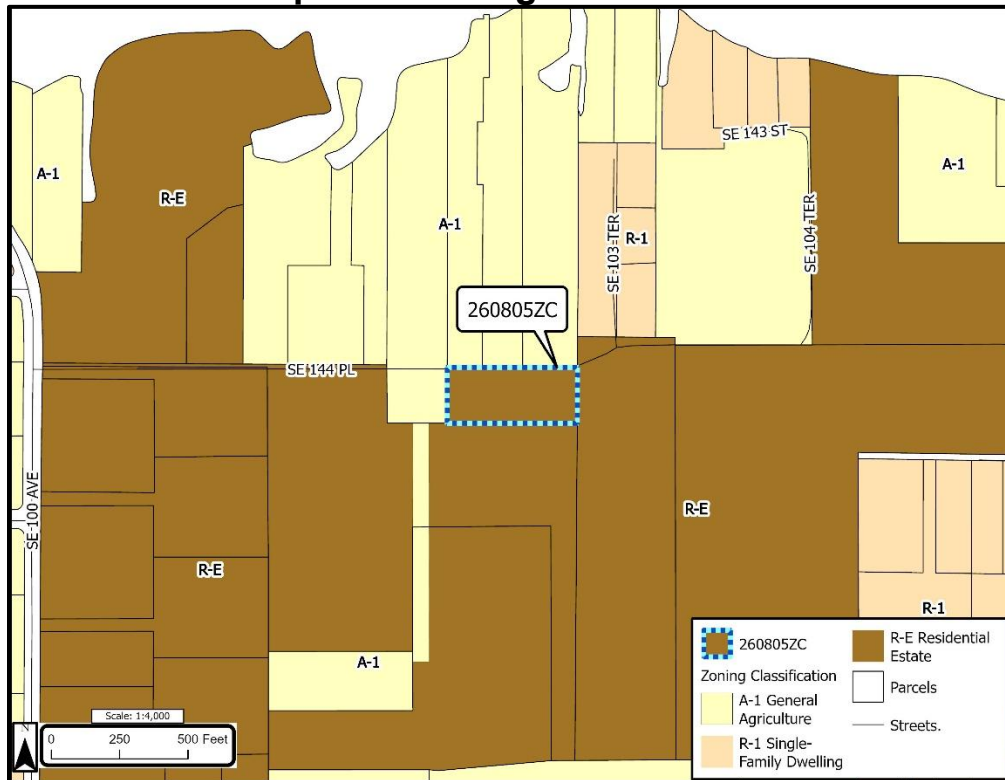
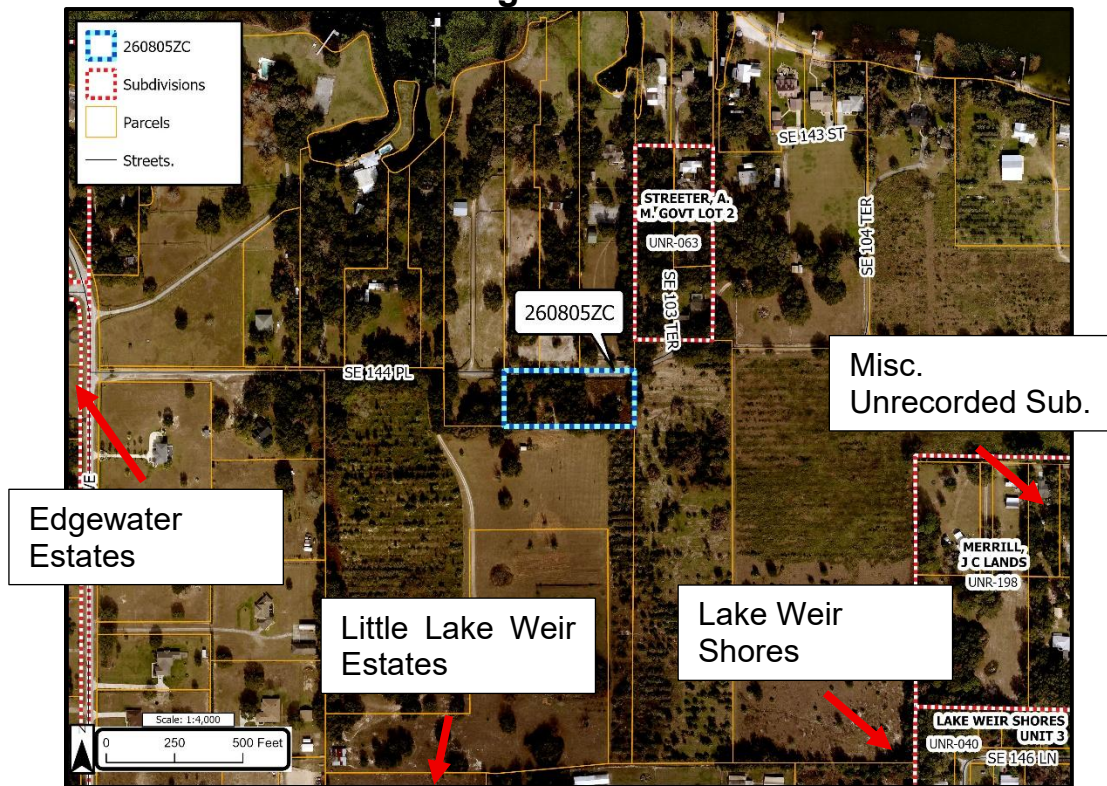


Figure 4
Proposed Zoning Classification



**Figure 5
Existing Subdivisions**



**Figure 6
FLUMS Designation**

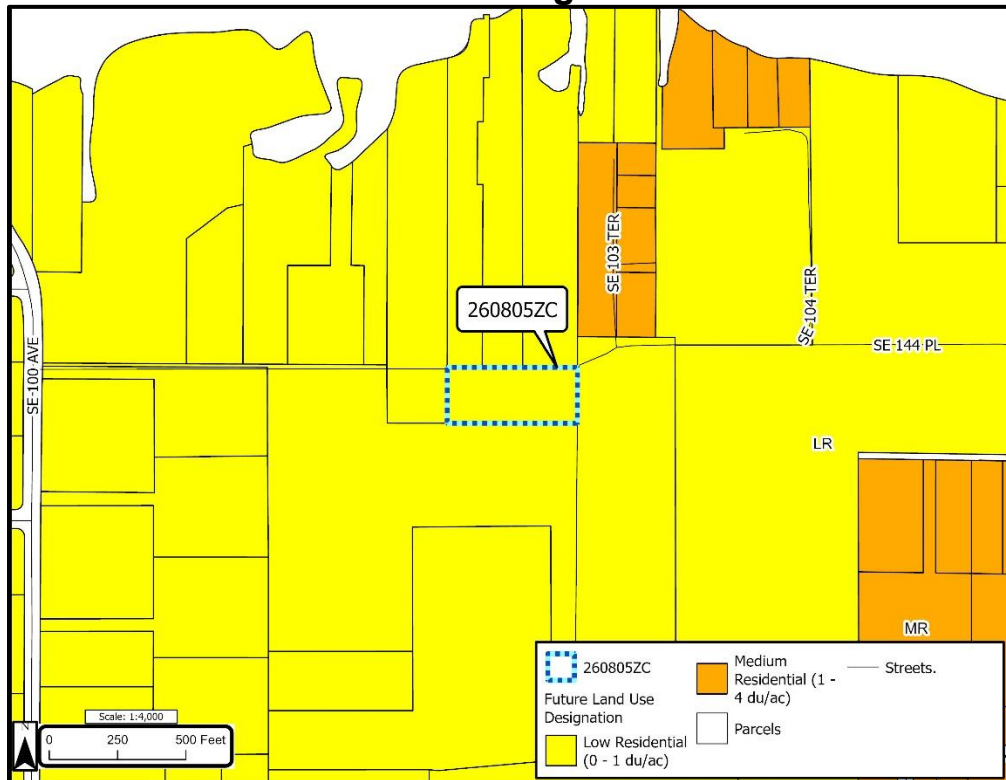
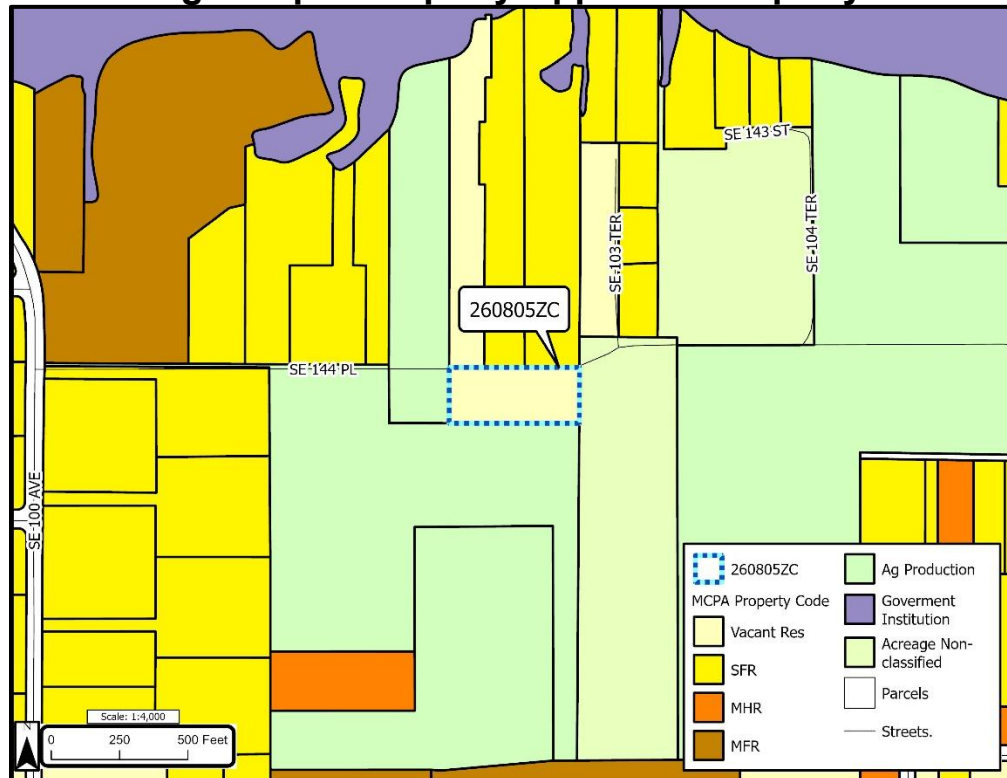


Figure 7
Surrounding Residential Development



Figure 8
Existing Use per Property Appraiser Property Code



B. Effect on Public Interest

1. Transportation impacts. These include roadways, public transit, and other mobility features.
 - a. Roadways. The subject property fronts SE 114th Avenue, a paved, relatively thin prescriptive road that was established over private property due to continuous use over a statutory period of time. The prescriptive road was established in 1989 and is the legal access for the subject property.

If rezoned, the parcel is eligible for up to one (1) single-family residence (if a total of two acres can be obtained and rezoned accordingly), its associated trips, and no accessory guest home/apartment. Office of the County Engineer (OCE) staff indicates no traffic concerns with the rezoning request.
 - b. Public transit. There are no fixed route services in the area.
 - c. Other mobility features. No sidewalks exist along SE 114th Place, nor would sidewalks be required by County code.

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

TABLE 2. ZONING TRANSPORTATION IMPACTS			
Zoning	Units	Trip Rate (per unit)	Estimated Daily Trips
General Agriculture (A-1)	0 dwelling unit*	9.44 trips/day (ITE code 210) x 0	± 0 trips/day
Residential Estate (R-E)	1 dwelling unit**	9.44 trips/day (ITE code 210) x 1	± 9.44 trips/day

*No building permits may be approved for A-1 zoned property as an illegal division.

*Assuming a total of two (2) acres of land can be obtained and rezoned accordingly.

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. The proposed zoning (assuming a total of two acres is obtained and rezoned accordingly) could result in a maximum water

demand of 600 gallons per day, assuming a single four-person household; the proposed zoning could result in a maximum demand of 1,320 gallons per day.

The subject property is within the Marion County Utilities service area; however, the site is not within connection distance. An individual well will therefore be required to serve the site and all nearby residential properties. Staff notes that any new wells would be required to meet County and Department of Health (DOH) standards at the time of permit review. DOH staff did not indicate any concerns during the review of this rezoning request.

Given the limited number of dwelling units enabled by the rezoning request, if approved, the potable water impacts of a request for R-E zoning **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. The proposed zoning (assuming a total of two acres is obtained and rezoned) would result in a maximum wastewater demand of 440 gallons per day, assuming a single four-person household.

The subject property is within the Marion County Utilities service area; however, the site is not within connection distance of any central wastewater facilities. An individual septic system will therefore be required to serve this site. Staff notes that any new septic systems would be required to meet County and Department of Environmental Protection (DEP) standards at the time of permit review.

Given the limited number of dwelling units enabled by the rezoning request, 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. The proposed zoning (assuming a total of two acres is obtained and rezoned) would generate about 24.8 pounds of solid waste per day, assuming a single four-person household.

Given the limited number of dwelling units enabled by the rezoning request, the request's 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. The proposed zoning change, if approved, would allow up to one (1) single-family residence and no accessory guest home/apartment. Given the limited number of dwelling

units enabled by the rezoning request, 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 entirely within FEMA Flood Zone X. The proposed zoning change, if approved, would allow up to one (1) single-family residence. If the proposed impervious coverage for a specific lot exceeds 9,000 SF or 35% of the lot area, whichever is less, the lot would be subject to the Major Site Plan review process. Any development of the site that undergoes Marion County's formal development review processes will be required to comply with a 100-year frequency 24-hour duration design storm.

Therefore, the stormwater/drainage impacts of a request for an R-E zoning, if approved, **will not adversely affect the public interest.**

7. Fire rescue/emergency services. The subject property is within Fire District #30, which is served by Spruce Creek Fire Station at 7900 SE 135th Street, Summerfield, FL 34491. Spruce Creek Fire Station is approximately 3.4 road-miles northwest of the subject property.

The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services; however, 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 Marion County Sheriff's Office (MSCO) substation is located roughly 4.6 road-miles southwest of the subject property at 8230 SE 165th Mulberry Lane, The Villages, FL 32162. 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 allow up to one (1) dwelling unit (if a total of two acres is obtained and rezoned). In total, up to one (1) student is expected to be generated at maximum buildout. Given the limited number of students generated, the public schools impacts of the rezoning request **would not adversely affect the public interest.**

Based on the above findings, the public interest **will not be adversely affected** if this rezoning request is approved.

C. *Consistency with the Comprehensive Plan*

1. **FLUE Policy 2.1.17** on Low Residential (LR) provides, “This land use designation is intended to recognize areas suited for primarily single-family residential units for existing and new development within the UGB, a PSA, or Urban Area. Parcels outside of, but contiguous to the UGB and outside of the FPA, are eligible for conversion to Low Residential designation through density bonus programs consistent with FLU Policy 2.1.3. The density range shall be up to one (1) dwelling unit per one (1) gross acre, as further defined in the LDC. This land use designation is considered the Urban Area. Where Low Residential abuts the Farmland Preservation Area or other Rural Area, hamlet, clustered or other development methods to preserve large tracts of open space are encouraged.”

Analysis: The subject property is designated as Low Residential (LR), and the applicant is proposing to rezone the site to Residential Estate (R-E). Section 4.2.8 of the Marion County Land Development Code (LDC) explicitly indicates that the R-E zoning classification is explicitly intended to provide for “low-density urban residential development with large lot home sites and certain agricultural uses.” The R-E zoning classification would enable up to one (1) dwelling unit if up to two (2) acres can be obtained and rezoned.

Staff therefore concludes that a rezoning request for R-E zoning **is consistent** with the Low Residential (LR) FLU designation and FLUE Policy 2.1.17.

2. **FLUE Policy 3.1.5** on Urban Areas outside of UGB provides, “The County shall maintain existing Future Land Use designations that have been previously adopted that are outside of the UGB to recognize vested development rights. Any expansion or creation of new Urban Areas outside the UGB shall require a Comprehensive Plan Amendment, analysis to demonstrate the potential need for the creation of such new Urban Areas, and other appropriate documentation in accordance with Policy 3.1.3. It shall not be necessary to modify the UGB to expand or create Urban Areas outside the UGB unless the expansion or creation of a new urban area is within the FPA.”

Analysis: Staff notes that the subject property and all other nearby properties are located within an existing urban area between the western coast(s) of Little Lake Weir/Lake Weir and S US Highway 441.

As previously discussed in Subsection A, the area surrounding the subject property is characterized by low-density residential and agricultural uses. The surrounding area is specifically defined by a mix of residential and agricultural zoning, with most parcels to the south of SE 114th Place, select waterfront properties, and properties within the unrecorded A.M. Streeter subdivision (see Figure 5) with R-E or R-1 zoning.

Simultaneously, there are several parcels to the north of SE 114th Place with agricultural zoning. Staff notes that R-E zoning still enables limited agricultural uses.

Staff therefore concludes that a rezoning request for R-E zoning **is consistent** with FLUE Policy 3.1.5.

3. **FLUE Policy 4.1.1** on Consistency between Comprehensive Plan, Zoning, and LDC provides, “The County shall amend and maintain an official land use and zoning map, appropriate land use designations and zoning classifications, and supporting LDC that shall be consistent with each other.”

Analysis: The subject property is designated as Low Residential (LR), and the subject property is currently zoned as General Agriculture (A-1). The applicant is proposing to rezone the site to Residential Estate (R-E).

Compared to A-1 zoning, the R-E zoning classification enables smaller parcels at least 32,560 SF (0.75 acres) in size. However, minimum R-E standards for lot sizes are still larger than other residential classifications (e.g., R-1, R-4) to ensure low-density development. Any single-family residence or other non-agricultural building within the subject property will need to meet R-E zoning standards, which staff notes are also similar to those required by agricultural zoning classifications (e.g., 25-foot setbacks).

Staff therefore finds that a rezoning request to R-E zoning is consistent with the Low Residential (LR) land use designation and **is thus consistent** with FLUE Policy 4.1.1.

4. **FLUE Policy 5.1.2** on Review Criteria for Changes to Comprehensive Plan and Zoning provides, “Before approval of a Comprehensive Plan Amendment (CPA), Zoning Change (ZC), or Special Use Permit (SUP), the applicant shall demonstrate that the proposed modification is suitable. The County shall review and make a determination that the proposed modification is compatible with existing and planned development on the site and in the immediate vicinity, and shall evaluate its overall consistency with the Comprehensive Plan, Zoning, and LDC and potential impacts on, but not limited to the following:

- (1) Market demand and necessity for the change;
- (2) Availability and potential need for improvements to public or private facilities and services;
- (3) Allocation and distribution of land uses and the creation of mixed use areas;
- (4) Environmentally sensitive areas, natural and historic resources, and other resources in the County;
- (5) Agricultural activities and rural character of the area;

- (6) Prevention of urban sprawl, as defined by Ch. 163, F.S.;
- (7) Consistency with the UGB;
- (8) Consistency with planning principles and regulations in the Comprehensive Plan, Zoning, and LDC;
- (9) Compatibility with current uses and land uses in the surrounding area;
- (10) Water Supply and Alternative Water Supply needs; and
- (11) Concurrency requirements."

Analysis: As previously discussed, the proposed zoning is consistent with the subject property's Low Residential (LR) designation. Amidst the large ten-acre lots required by A-1 zoning and the quarter-acre lots permitted by more intense residential zoning classifications (R-1, R-4, etc.) in nearby subdivisions, an R-E zoning classification promotes a mix of different-sized lots within the area. Simultaneously, R-E zoning allows limited agricultural uses compatible with surrounding residentially-zoned areas and similar to other smaller pre-existing agriculturally-zoned properties. Any single-family residence will also need to meet development standards similar to A-1 zoning. The rezoning request therefore meets Criteria 3, 5, 8, and 9.

Given the subject property's location within the (Little) Lake Weir Environmentally Sensitive Overlay Zone (ESOZ), the rezoning request would allow up to one (1) single-family residence if a total of two (2) acres can be obtained and rezoned. Given the limited maximum buildout permitted on site, existing public facilities—including those related to transportation, potable water, and wastewater—will not be adversely affected. Wells and septic systems will need to be permitted with the appropriate state agencies. The rezoning request therefore meets Criteria 2, 4, and 10.

Therefore, this rezoning request does not violate the criteria above and **is consistent** with FLUE Policy 5.1.2.

- 5. **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 set to be heard on July 27, 2026 by the Planning and Zoning Commission. Therefore, the application **is consistent** with FLUE Policy 5.1.3.

- 6. **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; therefore, the application is being processed **consistent** with FLUE Policy 5.1.4.

7. **FLUE Policy 7.2.10** on Density and Intensity Limitations in the context of Environmentally Sensitive Overlay Zone (ESOZ) provides, “In order to limit stormwater flow and discharge from septic tanks which pose a threat to groundwater and surface water quality through discharges that contain pathogens, toxic materials, phosphorous and nitrogen which can increase eutrophication in surface waters and contaminate groundwater, density restrictions will ensure adequate assimilation and dilution of the contaminants to acceptable concentrations. Density shall be determined by the lesser of the Future Land Use designation or other density restrictions as further stated within this policy, based on the utilization of central or non-centralized water and sewer systems, including use of OSTDS, to meet the development standards within the ESOZ.”

Analysis: The subject property is located within the (Little) Lake Weir Environmentally Sensitive Overlay Zone (ESOZ) and would only allow up to one (1) residential unit per two (2) acres of land in the subject area. Regardless of whether this rezoning application is approved, staff would enforce ESOZ density standards upon the time of building permitting (i.e., a single-family residence could only be permitted upon the time that a total of two (2) acres of land is obtained and rezoned accordingly).

Based on the above findings, granting the proposed rezoning request to R-E zoning **is consistent** with the Comprehensive Plan.

V. STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed rezoning to Residential Estate (R-E) zoning because Residential Estate (R-E) zoning is consistent with the subject property’s Low Residential (LR) Future Land Use (FLU) designation. The R-E zoning classification is intended to allow low-density residential development with limited livestock that is compatible with the surrounding residential and agricultural properties. Staff therefore finds the request is consistent with the Marion County Comprehensive Plan, is compatible with the surrounding area, and will not adversely affect the public interest.

VI. PLANNING & ZONING COMMISSION RECOMMENDATION

To be determined. Scheduled for July 27, 2026, at 5:30 PM.

VII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. Scheduled for August 18, 2026, at 2:00 PM.

VIII. LIST OF ATTACHMENTS

- A. Application
- B. DRC Comments Letter
- C. Site Photos
- D. LDC Article 5, ESOZ Density Standards
- E. Historic Property Appraiser Map 276B-2
- F. Prescriptive Road (PR108)