



**Marion County
Board of County Commissioners**

Growth Services

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**PLANNING & ZONING SECTION
STAFF REPORT**

Hearing Dates	P&ZC Date: 06/29/2026	BCC Date: 07/21/2026
Case Number	260706ZC	
Plan Number	PL ZoneChg 000656-2026	
Type of Case	Rezoning: from expired Planned Unit Development (PUD) to Single-Family Dwelling (R-1) for a single-family dwelling	
Owner	PAC3 Properties LLC c/o Felicia Brooks.	
Applicant/Agent(s)	Brooks Construction Service, LLC c/o Akeen Brooks	
Street Address / Site Location	6272 SW 209th Avenue, Dunnellon, FL 34431	
Parcel Number	1754-053-033	
Property Size	±0.91 acres	
Future Land Use	Rural Land (RL)	
Zoning Classification	Planned Unit Development (PUD) - Expired	
Overlay Zone/Scenic Area	Primary Springs Protection Overlay Zone	
Staff Recommendation	APPROVE	
P&ZC Recommendation	APPROVE (6-0)	
Project Planner	Xinyi Cindy Chen and Colin McLaughlin	
Historic/Related Case(s)	N/A	

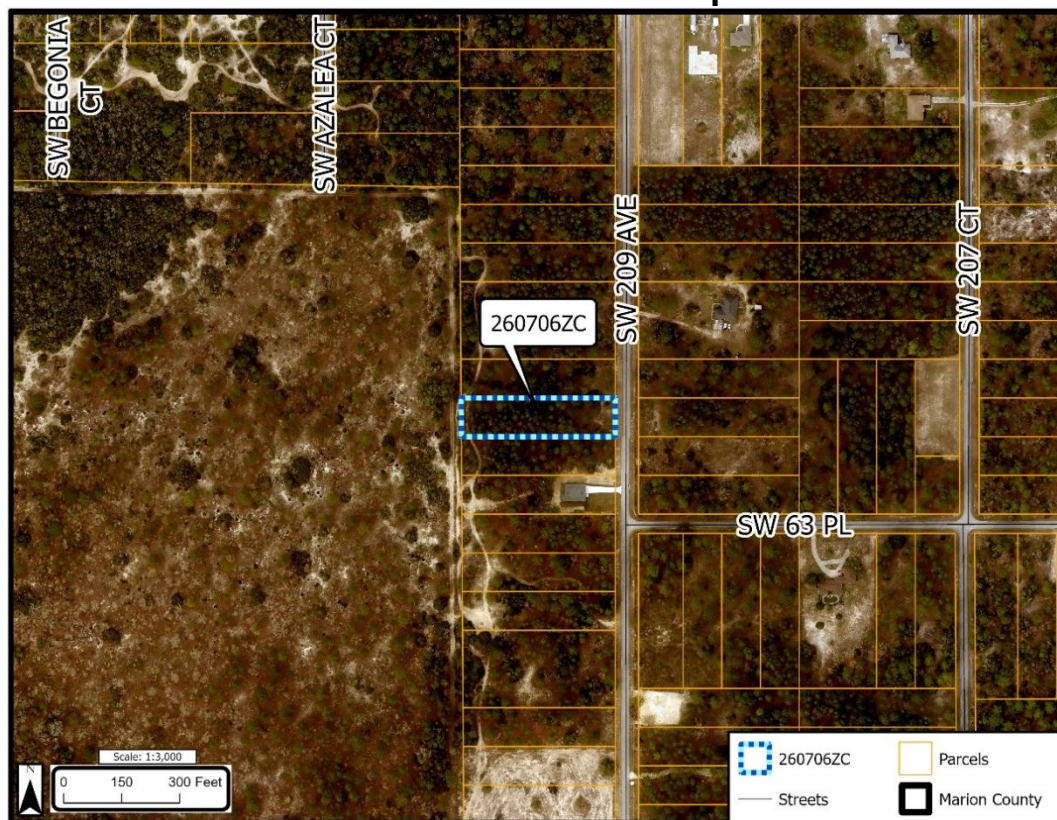
I. ITEM SUMMARY

Additions to this staff report between the scheduled Planning & Zoning Commission and Board of County Commissioner Public Hearings are underlined in green text, whereas removals are denoted in red strikethroughs.

The Applicant Brooks Construction Service, LLC, on behalf of the Owner PAC3 Properties LLC, filed a rezoning application to change from expired Planned Unit Development (PUD) to Single-Family Dwelling (R-1) for a ± 0.91 -acre parcel (see Attachment A). The Parcel Identification Number for the property is 1754-053-033. The site address is 6272 SW 209th Ave, Dunnellon, FL 34431. The subject property is located on the west side of S US Highway 41, about 4 miles from the Dunnellon city limits. The site is within the Primary Springs Protection Overlay Zone (PSPOZ) and outside the Urban Growth Boundary.

The application proposes rezoning the entire ± 0.91 -acre site to Single-Family Dwelling (R-1) for all uses permitted within the proposed zoning classification. The intent provided within the rezoning application is for the use of a single-family dwelling.

Figure 1
General Location Map



II. STAFF SUMMARY RECOMMENDATION

Based on the analysis in this report, staff find that the rezoning request is consistent with LDC Section 2.7.3.E.2, which requires the Planning & Zoning Commission (P&Z) to make written findings that the proposed rezoning:

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

As such, staff recommend **approving** case no. 260706ZC.

III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C and 2.7.3.B to apply to zoning change applications. LDC Section 2.7.3.C requires notice of public hearing be mailed to all property owners within 300 feet of the subject property and notice was mailed to property owners on June 12, 2026. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on June 9, 2026, and consistent with LDC Section 2.8.3.E. due public notice was published online on Marion County's website under Legal Notices on June 15, 2026. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference.

IV. REZONING ANALYSIS

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that the rezoning:

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

Staff's analysis of compliance with these three criteria is addressed below.

- A. *Compatibility with surrounding uses.* Compatibility is defined 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.

Site and Surrounding Characteristics

Figures 1 and 2 are aerial photographs displaying general location as well as existing and surrounding site conditions. Figure 3 illustrates the site and nearby properties' future land use designations as depicted in Map 1 of the Comprehensive Plan Future Land Use Map Series (FLUMS). It shows the subject property as well as surrounding properties to the north, east, and south being Rural Land with some properties designated Public to the north and east.

Figure 2
Existing Site



Figure 3
Existing FLUMS Designation

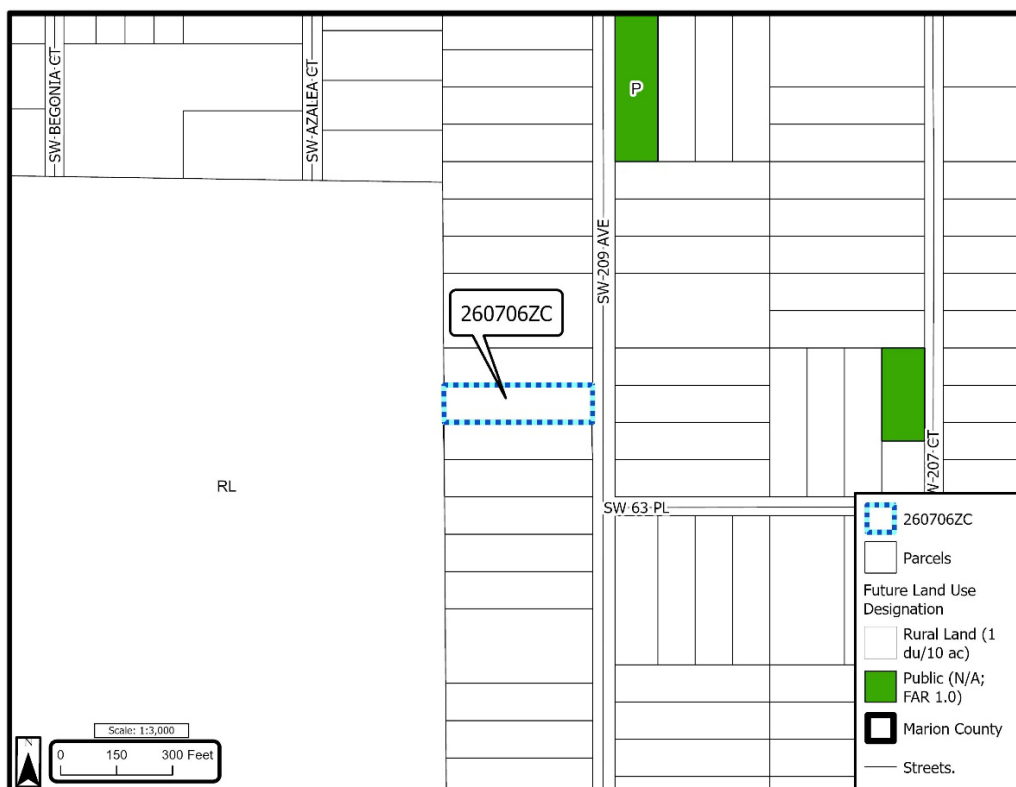


Figure 4 shows the currently adopted zoning classifications for the site and surrounding area, while Figure 5 displays the proposed zoning for the subject property in relation to the existing zoning of the surrounding properties. All parcels in this area are zoned Single-Family Dwelling (R-1) or are part of a historic Planned Unit Development (PUD) that has expired ([Attachment D](#)). The request for a zoning change to R-1 is consistent with the surrounding area within the pre-existing Rainbow Acres subdivision. All parcels around the subject parcel to the east are zoned Single-Family Dwelling (R-1), which is the same zoning being requested with the application to conform to the surrounding area as much as possible. To the south, the majority of the parcels are R-1, as well as a few Planned Unit Development (PUD), and to the north, there are similar PUD parcels and R-1. The subject site rezoning to R-1 will adhere more to the surrounding areas.

The site is located within the Primary Springs Protection Overlay Zone (PSPOZ). While this area is not within the Urban Growth Boundary (UGB) or the Farmland Preservation Area, this proposed zoning change will not affect any issues with the comprehensive plan.

Figure 6 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC). Table 1 displays the information of Figures 2, 4, 5, and 6 in tabular form.

Figure 4
Existing Zoning Classifications

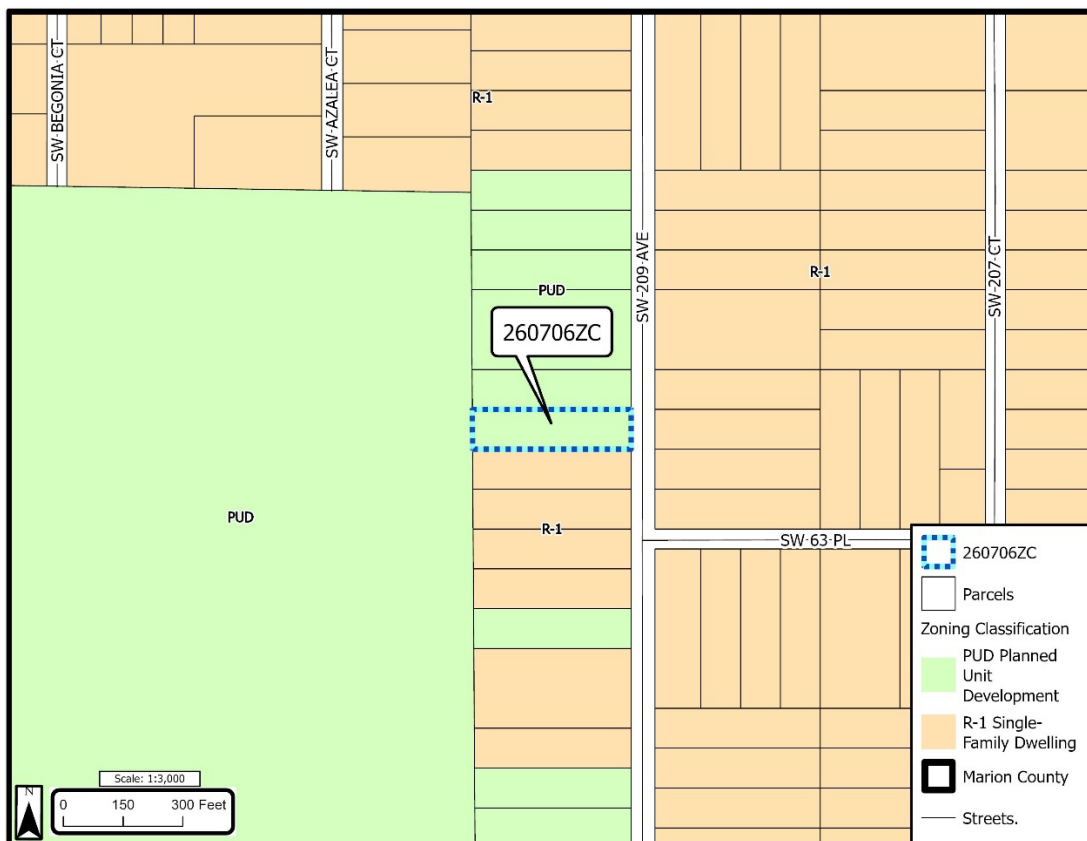


Figure 5
Proposed Zoning Classification

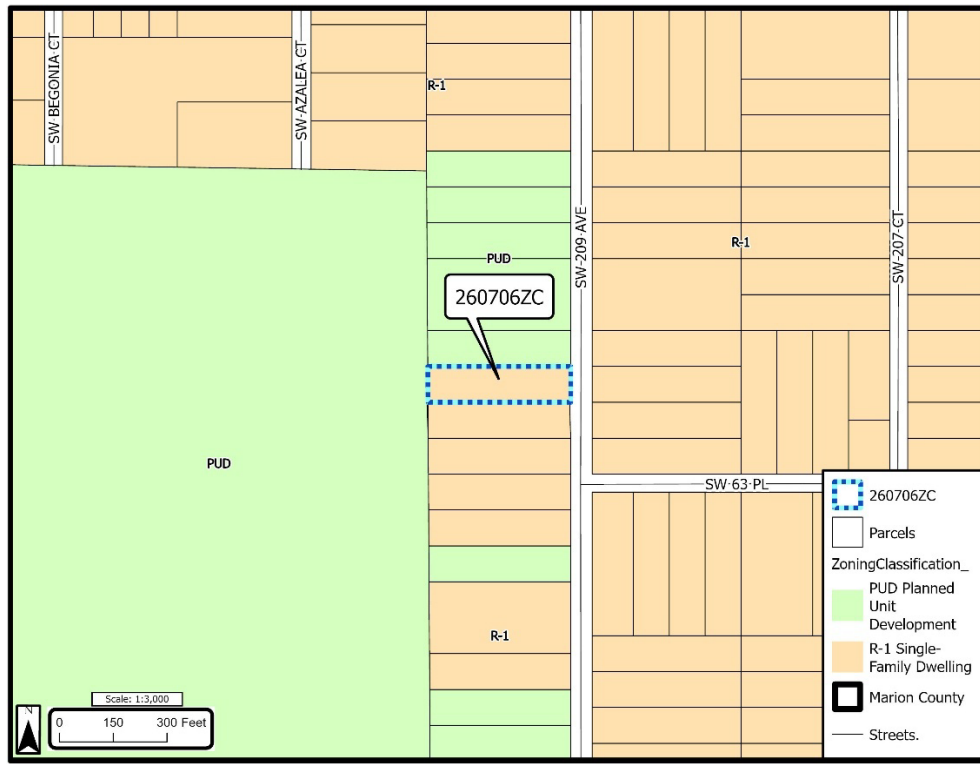


Figure 6
Existing Use per Property Appraiser Property Code

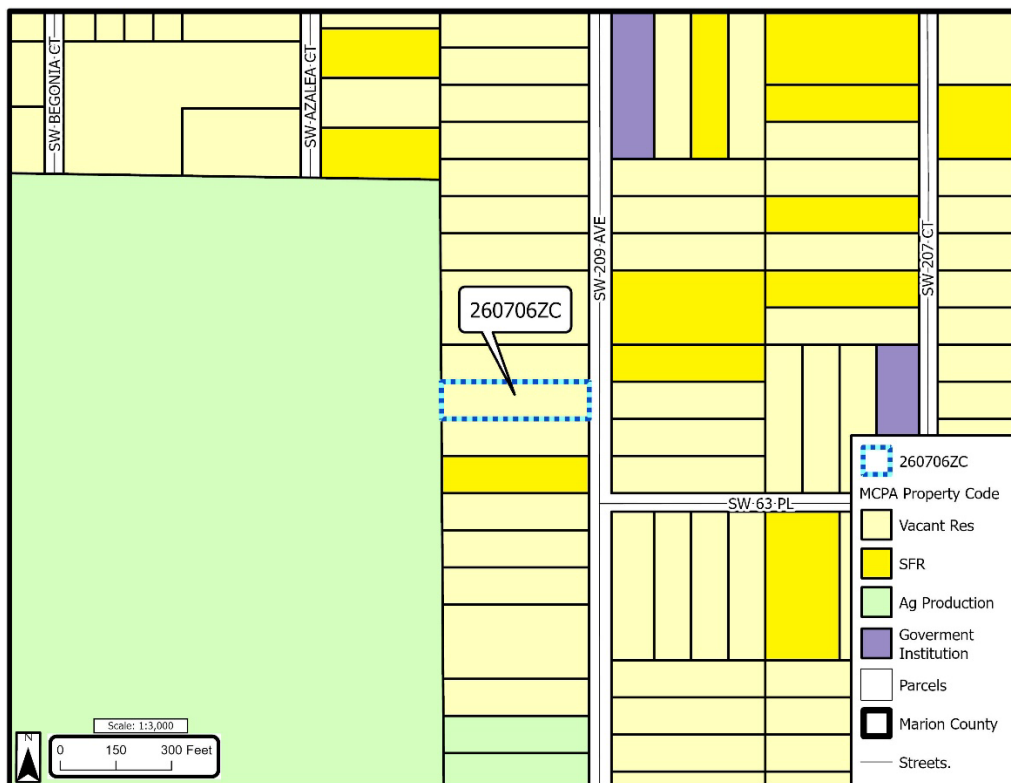
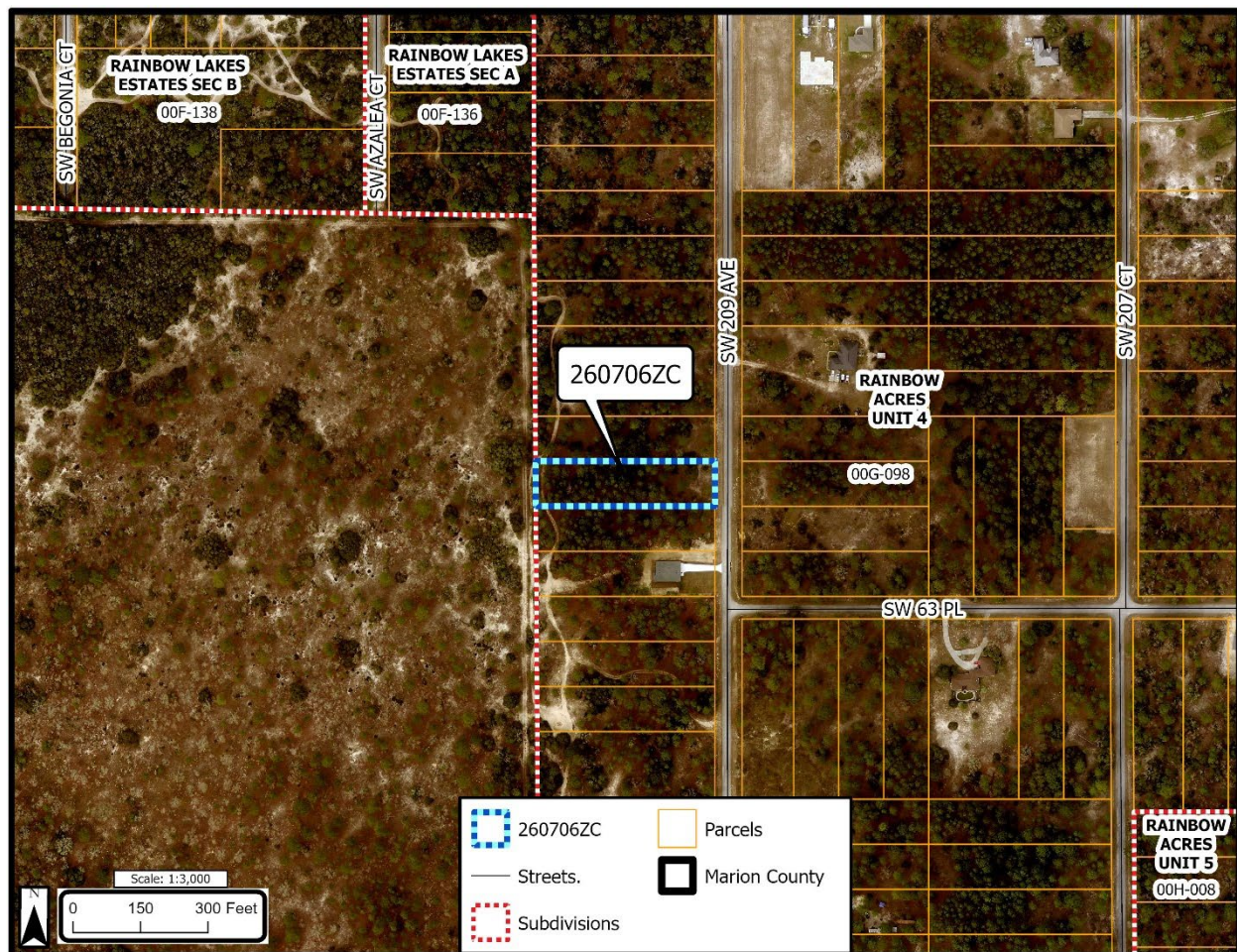


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use
Site	Rural Land (RL)	Exist: Planned Unit Development (PUD) <i>Proposed: Single-Family Dwelling (R-1)</i>	Vacant Residential
North	Rural Land (RL)	Planned Unit Development (PUD)	Vacant Residential
South	Rural Land (RL)	Single-Family Dwelling (R-1)	Vacant Residential
East	ROW	ROW	ROW
West	Rural Land (RL)	Planned Unit Development (PUD)	Ag Production

Figure 7
Current Subdivisions Aerial Map



The rezoning site lies within Rainbow Acres Unit 4 Subdivision (Figure 7), platted in 1962. The site has historically been Rural Land west of S US Highway 41. The LDC defines the intent of R-1 zoning as, “to provide areas for medium-density residential development.” The subject parcel meets the intent of R-1 in that it is within Rainbow Acres Unit subdivisions that are zoned as Single-Family Dwelling (R-1).

Consistent with LDC Section 2.7.3.D, staff conducted a site visit and took site photos (Attachment B) on 06/09/2026. The parcel is undeveloped and covered by trees and natural elements. The majority of the neighboring parcels have the similar characteristics and several surrounding parcels have a single-family house built on them.

Based on the findings above, staff conclude that the uses permitted under the proposed rezoning **are compatible** with existing and future surrounding land uses.

B. Impact on the public interest.

1. Transportation impacts. These include roadways, public transit, and other mobility features.

Roadways. SW 209th Ave is a county paved road. S US Highway 41 is a paved two-lane Florida Department of Transportation (FDOT) roadway that can be taken south towards Dunnellon. A change to R-1 will not adversely affect the public interest.

Public transit. There are currently no fixed route services available in the area.

Other mobility features. No sidewalks currently exist within the Rainbow Acres Unit 4 subdivision; it is concurrent with the LDC since it is not commercial.

Based on the above findings, staff find the **transportation impacts generated by this zoning change will not adversely affect public interest.**

2. Sanitary sewer impacts. The subject parcel is within the Marion County Utility service area but is not currently connected to county utilities. MCU will review the future site plan for utility connections.

Staff find that **sanitary sewer impacts generated from this zoning change would not adversely affect the public interest.**

3. Potable water impacts. The subject parcel is within the Marion County Utility service area but is not currently connected to county utilities. MCU will review the future site plan for utility connections.

Staff find that **potable water impacts generated from this zoning change would not adversely affect the public interest.**

4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand. The proposed change would add one single-family unit to the area.

Based on the above, staff find that **solid waste impacts generated from this zoning change would not adversely affect the public interest.**

5. Stormwater impacts. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. There are no FEMA Special Flood Hazard Areas or Flood Prone Areas on the property. Per the MCPA, this parcel currently has zero square feet of impervious coverage. This site will be subject to a Major Site Plan when its existing and proposed impervious coverage exceeds 9,000 SF.

Based on the above, staff find that **stormwater impacts generated by this zoning change would not adversely affect the public interest.**

6. Fire rescue/emergency services. The Comprehensive Plan does not establish a LOS standard for fire rescue/emergency services, but staff has established a 5-mile radius from the subject property as evidence of the availability of such services.

The site is officially located in the service district for Marion County's Rainbow Lakes Estates Fire Station #14, located at 2805 SW IVY PL, roughly 1.9 miles northwest of the subject property.

Based on the above, staff find that the **fire rescue/emergency impacts generated by this zoning change will not adversely affect the public interest.**

7. Law enforcement. The Comprehensive Plan does not establish a LOS standard for law enforcement, but staff has established a 5-mile radius from the subject property as evidence of the availability of such services.

The nearest law enforcement is The Dunnellon District Sherriff's Office, located at 19995 SW 86th Street, Dunnellon, FL 34431, which is roughly 2.1 miles southeast from subject property.

Based on the above, staff find that the **law enforcement impacts generated by this zoning change will not adversely affect the public interest.**

8. Public schools. The proposed rezoning is for a single-family residential lot, which is what the original PUD would have allowed. This proposed rezoning does not increase the amount of potential students generated from this site. The impacted school zones are the following: Dunnellon Elementary (113%), Dunnellon Middle (69%), Dunnellon High (93%).

Based on the above, staff find that the **public school impacts generated by this zoning change would not adversely affect the public interest.**

To conclude, staff determines the rezoning will not adversely impact the public interest.

C. *Consistency with Marion County Comprehensive Plan.*

Future Land Use Element (FLUE).

1. *Policy 2.1.6: Protection of Rural Areas.* Rural and agricultural areas shall be protected from premature urbanization and a vibrant rural economy shall be encouraged outside the UGB and Planned Service Areas. Urban and suburban uses incompatible with agricultural uses shall be directed toward areas appropriate for urban development such as within the UGB and PSAs.

Analysis: The subject site is located within an existing node of Residential uses. Rezoning this parcel from Expired PUD to R-1 would make this parcel conform with the contiguous residential parcels around it. Changing the zoning would not affect rural and agricultural areas.

As such, staff find this application is **consistent** with FLUE Policy 2.1.6.

2. *Policy 2.1.13: Protection of Rural Neighborhoods.* “Marion County shall recognize “rural neighborhoods” that occur within or outside of the UGB deserve special protection from the intrusion of urban uses, densities and intensities where new development occurs within the immediate vicinity. For the purpose of this policy, a rural neighborhood is an existing recorded or unrecorded subdivision where the overall density does not exceed one unit per three acres and the subdivision has a predominant Future Land Use Designation of Rural Land or Low Residential.”

Analysis: The subject site is located within an existing node of Residential uses. Rezoning this parcel from Expired PUD to R-1 would make this parcel conform with the contiguous residential parcels around it. Changing the zoning would not affect since the subject parcel is within an existing rural subdivision “Rainbow Acres Unit 4”.

As such, staff find this application is **consistent** with FLUE Policy 2.1.13.

3. *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 following special provisions shall apply for new development not meeting the base density, as further defined in the LDC.”

Analysis: The subject site is located within an existing node of Residential uses. Rezoning this parcel from Expired PUD to R-1 would make this parcel

conform with the contiguous Residential parcels around it. Changing the zoning would not affect the base density since the subject property will be a Single-Family Dwelling (R-1) on a ±0.91-acre parcel.

As such, staff find application is **consistent** with FLUE Policy 2.1.16.

4. *Policy 3.1.4: Rural Area Outside of UGB.* “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 subject site is located within an existing node of residential uses. Rezoning this parcel from Expired PUD to R-1 would make this parcel conform with the protection of the existing rural character of the area and acknowledge that a certain portion of the County's population desire to live in the Rural Area. Changing the zoning would not affect the base density since the subject property will be a Single-Family Dwelling (R-1) on a ±0.91-acre parcel.

As such, staff find application is **consistent** with FLUE Policy 3.1.4.

5. *Policy 4.1.2: Conflicts between Comprehensive Plan, Zoning, and LDC.* “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: The subject site is compatible with the Rezoning application to Single-Family Dwelling (R-1) as the current Land Use is Rural Land (RL) and is compatible. Rezoning this parcel from Expired PUD to R-1 would make this parcel conform with the contiguous Residential parcels around it. Changing the zoning would not affect the base density since the subject property a Single-Family Dwelling (R-1) on a ±0.91-acre parcel.

As such, staff find this application is **consistent** with FLUE Policy 4.1.2.

6. *Policy 5.1.3 on Planning & Zoning Commission (P&Z).* “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: This application was scheduled to appear in front of the Planning & Zoning Commission on June 29, 2026. This item was passed on the consent agenda with an unanimous recommendation of approval 6-to-0.

As such, staff find this application is **consistent** with FLUE Policy 5.1.3.

7. *Policy 5.1.4 on Notice of Hearing.* “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, the proposed rezoning is **consistent with the Comprehensive Plan**.

V. STAFF RECOMMENDATION

Staff recommends **approval** based on the following findings:

- A. **Staff find that overall the proposed rezoning will not adversely** affect the public interest;
- B. **Is consistent** with the following Comprehensive Plan provisions:
 - 1. FLUE Policies 2.1.6, 2.1.13, 2.1.16, 3.1.4, 4.1.2, 5.1.3, and 5.1.4
- C. **Is compatible** with the surrounding uses.

VI. PLANNING & ZONING COMMISSION RECOMMENDATION

260706ZC was scheduled for the first public hearing on June 29, 2026 at 5:30 PM and due to staff’s recommendation of approval 260706ZC and no public opposition being received, 260706ZC was placed on the consent agenda. Michael Behar motioned for a recommendation to APPROVE the consent agenda as read. Danny Gaekwad seconded the motion. The motion passed unanimously 6-0.

VII. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined. [Scheduled for July 21, 2026 at 2:00 PM.](#)

VIII. LIST OF ATTACHMENTS

- A. Application Package
- B. Site Photos
- C. DRC Comments
- D. Cold Springs Village PUD Original 1992 Development Order