



**Marion County  
Board of County Commissioners**

**Growth Services**

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

**ZONING SECTION STAFF REPORT  
February 2nd, 2026  
BOARD OF ADJUSTMENT PUBLIC HEARING**

<b>Case Number</b>	260201V
<b>Plan Number</b>	Z Variance-000023-2025
<b>Type of Case</b>	<b>Variance</b> to reduce front setback from 25' to 16.3 for an existing 20' X 21' permitted carport in a Single-Family Dwelling (R-1) zone.
<b>Owner</b>	Yanelis Diaz Blondin and Denmys Gutierrez Ledesma
<b>Applicant</b>	Yanelis Diaz Blondin
<b>Street Address</b>	4074 SW 103 <sup>rd</sup> LN, Ocala
<b>Parcel Number</b>	3578-019-002
<b>Property Size</b>	.46 acres
<b>Future Land Use</b>	Medium Density Residential
<b>Zoning Classification</b>	Single Family Dwelling (R-1)
<b>Overlay Zone/Scenic Area</b>	Secondary Springs Protection Overlay Zone (SPOZ), Urban Growth Boundary
<b>Project Planner</b>	Cristina Franco, Zoning Technician I
<b>Related Case(s)</b>	Open Code Case 989244- Accessory structure does not meet front setbacks.

## I. ITEM SUMMARY

This is a variance request filed by the applicant Yanelis Diaz Blondin from the Land Development Code (LDC) Section 4.2.10 E, attached structures to the home are required to meet the Single-Family Residential (SFR) setbacks. The Land Development Code states that in R-1 zoning, the SFR setbacks are 25' from the front property line, 25' from the rear property line, and 8' from both side property lines. The applicant is requesting a front setback reduction from the required 25' to 16.3' for an existing attached carport. The carport was built and permitted (permit number 2021072758) in 2021. Attached carports must meet the 25' front setback required for R-1 zoning.

**FIGURE 1  
GENERAL LOCATION MAP**



## II. PUBLIC NOTICE

Notice of public hearing was mailed to (29) property owners within 300 feet of the subject property on January 16, 2026. A public notice sign was posted on the subject property on December 16, 2025 (Figure 2) and the notice of the public hearing was published in Marion County website on January 19th, 2026. Evidence of the public notice requirements is on file with the Department and is incorporated herein by reference.

### III. PROPERTY CHARACTERISTICS

The subject .46-acre lot is located within the recorded subdivision, Ocala Waterway Estates. The property has a Medium Residential Future Land Use Map Series (FLUMS) designation with an R-1 Zoning Classification. LDC Section 4.2.10.E provides the determined setbacks to be a minimum 25' front setback, minimum 25' rear setback, and minimum 8' sides setback.

The .46-acre subject property is displayed as Lot 2, Block 19, Plat Book K Page 052 in Ocala waterway estates. The property has 200' depth with 100' width.

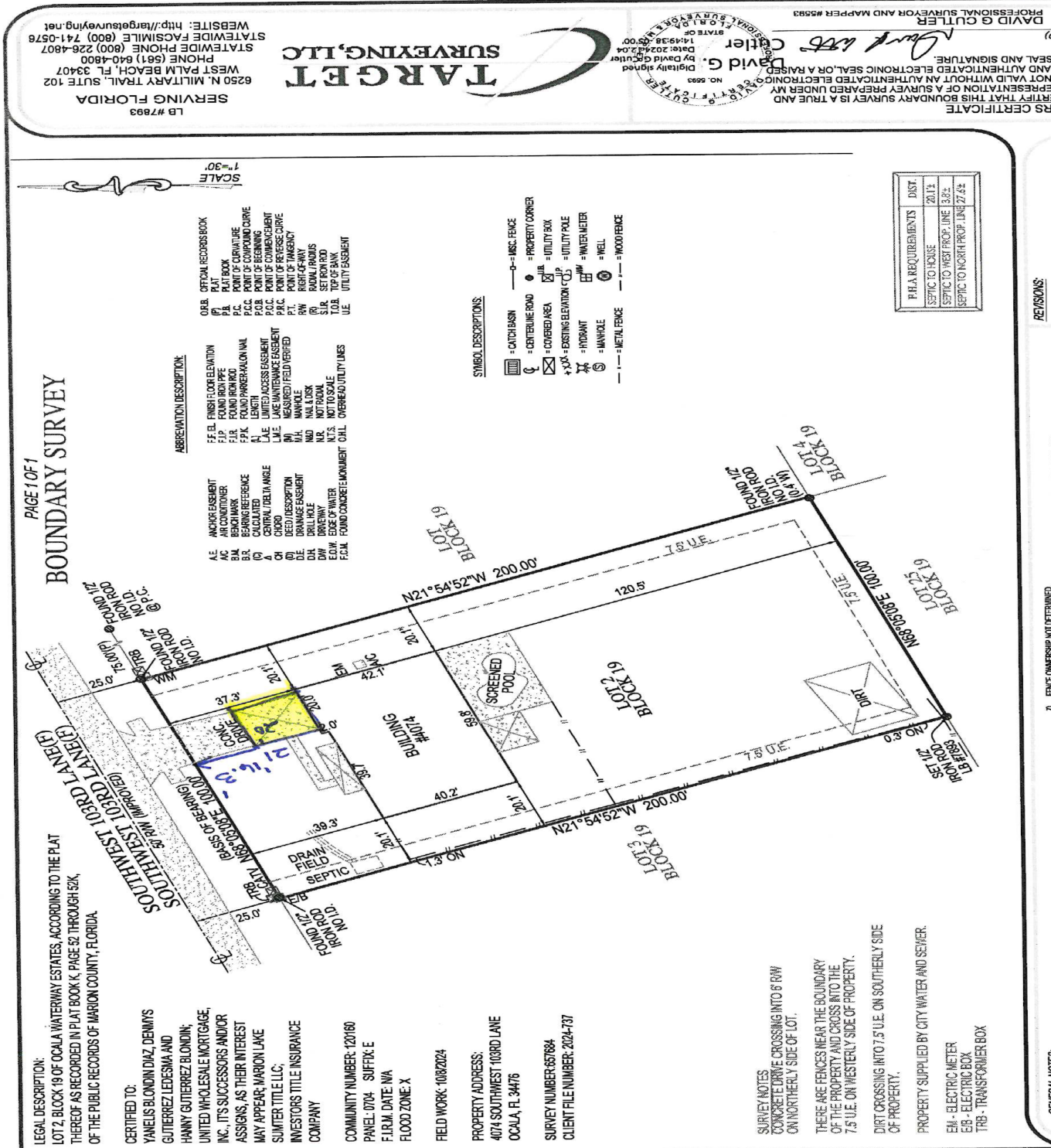
**Figure 2**  
**Roller Property**



### IV. REQUEST STATEMENT

This application requests a variance from LDC Section 4.2.10.E. for the front setback from the required 25' to 16.3' for an existing 21'x20' attached carport. Consistent with LDC Section 2.9.3.B., on December 16<sup>th</sup>, 2025, a site visit was conducted by Growth Services Department staff, and measurements and photographs were taken.





## ANALYSIS

LDC Section 2.9.4.E provides the Board of Adjustment shall not grant a variance unless the petition demonstrates compliance with six (6) criteria. The six (6) criteria and the staff's analysis of compliance with those criteria are provided below.

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which do not apply to other lands, structures, or buildings with the same zoning classification and land use area.

**Analysis:** Applicant states they are requesting a reduction to the front 25' setback to 16.3 for an existing 20' x 21' attached carport. Carport was permitted in 2021 permit number 2021072758. Carport was built with all required permits and inspections and received a letter of occupancy.

**Staff** inspected the property to measure the front setback request and concur with the above 16.3 setback request of the applicant. The site plan provided with the original Building permit 2021072758 which was approved by zoning on 08/09/21 with a setback of 26'.

2. The special conditions and circumstances do not result from the actions of the applicant.

**Analysis:** The applicant states the carport was there before they bought the property with county approval and inspections. They did not build or modify the structure.

**Staff** find that permit was pulled and approved by the zoning department in 2021. The contractor Sauer and Sons provided a site plan with incorrect setback information.

3. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

**Analysis:** Applicant states that granting of the variance would simply allow us to keep a structure that was legally built and approved in 2021, not a special privilege beyond what was allowed under the rules at that time.

**Staff** finds that if contractor had put the correct setbacks at the time of the permitting submittal zoning would have denied the permit for not meeting the setback minimums.

4. The variance, if granted, is the minimum variance that will allow the reasonable use of the land, building, or structure.

**Analysis:** Applicant states that literal enforcement would require demolition of a legally approved structure causing unnecessary hardship and financial loss, despite the fact the structure complied fully with the code at the time of construction.

**Staff** confirms the applicants' request is the minimum variance to allow reasonable use of the land for the detached carport in this location.

5. Granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings, or structures in the same zoning classification and land use area.

**Analysis:** Applicant states this is true.

**Staff** find that granting any variance is a privilege, but this carport has been permitted for 5 years.

6. The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**Analysis:** Applicant states this is true.

**Staff** finds that if variance is granted, it would not be injurious to the neighborhood.

## V. LIST OF ATTACHMENTS

- A. Application
- B. Site Plan
- C. Marion County Property Appraiser Property Record Card
- D. Warranty Deed
- E. Original site plan for permit 2014010819
- F. Notice of violation for code case 989244