

page 2



Marion County  
Board of County Commissioners  
Growth Services • Planning & Zoning


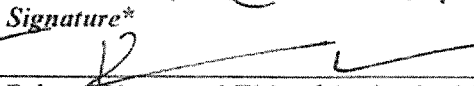
2710 E. Silver Springs Blvd.  
Ocala, FL 34470  
Phone: 352-438-2600  
Fax: 352-438-2601

## VARIANCE APPLICATION – 2025

The undersigned hereby requests a Variance in accordance with the Marion County Land Development Code, Article 2, for the purpose of: to Allow a portion of the front right corner of the home to remain "as built" Encroaching approx 4ft into side setback due  
Section(s) of Code request variance from: MARION county Zoning Sec. 2.16.(b)(1) <sup>to ERROR in</sup> CONSTRUCTION  
Parcel Account Number(s): 8011-1850-36 Sec. 6.5.3(c)

Property/Site Address: 14485 SW 75<sup>th</sup> Circle Ocala FL 34473  
Property Dimensions: Front 94 Depth 125  
Total Acreage: .27 Zoning Designation: R1 Current Use(s): Residential

Each property owner(s) MUST sign this application or provide written authorization naming an Applicant or Agent below to act on his/her behalf. Please print all information, except for the Owner and Applicant/Agent signature. If multiple Owners or Applicants/Agents, please use additional pages.

Property Owner Name (print) <u>Worldwide Alliance LLC</u>	Applicant or Agent Name (print) <u>Worldwide Alliance LLC</u>
Mailing Address <u>1202 SW 17<sup>th</sup> St Ste 102</u>	Mailing Address <u>1202 SW 17<sup>th</sup> St Ste 102</u>
City, State, Zip <u>Ocala FL 34471</u>	City, State, Zip <u>Ocala FL 34471</u>
Phone Number (include area code) <u>352-861-9600</u>	Phone Number (include area code) <u>352-209-6728</u>
E-Mail Address <u>permits@wwaflorida.com</u>	E-Mail Address <u>annetta@wwaflorida.com</u>
Signature* 	Signature* 
Printed Name and Title of Authorized Signer (for corporate, trust & other entities) <u>Richard Barner   Owner MANAGER</u>	Printed Name and Title of Authorized Signer (for corporate, trust & other entities) <u>Richard Barner   owner-manager</u>

\*By signing this application, the Owner, Applicant, and/or Agent hereby authorizes Growth Services to enter onto, inspect, and traverse the property indicated above, to the extent Growth Services deems necessary, for the purposes of assessing this application and inspecting for compliance with County ordinances and any applicable permits.

STAFF/OFFICE USE ONLY			
Project No.: <u>2025 060069</u>	Application Request No.: <u>33005</u>	Code Case No.: <u>                    </u>	
Rcvd by: <u>BM</u>	Rcvd Date: <u>6/26/25</u>	Time: <u>                    </u>	PZ Case No.: <u>                    </u>

Please note: The Variance Permit will not become effective until after a final decision is made by the Marion County Board of Adjustment and any applicable appeal period concludes. The Owner, Applicant or Agent must be present at all pertinent public hearings to represent this application. 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 non-refundable. For more information, please contact the Growth Services Zoning Division at 352-438-2675.

## Written Petition for Variance

A variance from the terms of these regulations shall not be granted by the Board of Adjustment unless the written petition for a variance submitted demonstrates all six criteria per LDC Sec. 2.9.2. Write your answers in the space provided after each statement. Complete all replies using a sentence form to provide your justification of hardship:

**A.** LDC Sec. 2.9.2.C.(1) - Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.

*Applicant's justification:*

While the lot itself offers sufficient buildable area, an unintentional error during construction resulted in the front right corner of the home being placed approximately four (4) feet into the required side setback of 8 feet, four (4) of those feet does include two (2) feet into a utility easement. This situation is not typical of other properties in the area or of us ever as a home builder, and is unique to this parcel due to the specific unintentional as-built placement of the home.

**B.** LDC Sec. 2.9.2.C.(2) - The special conditions and circumstances do not result from the actions of the applicant.

*Applicant's justification:*

The encroachment was not a result of any intentional action by the applicant, but rather a construction oversight by the builder, which was not discovered until construction was well underway. The applicant is now seeking a variance in good faith to resolve the situation responsibly and in compliance with county requirements.

C. LDC Sec. 2.9.2.C.(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 are under the terms of said regulations and would work unnecessary and undue hardship on the applicant.

*Applicant's justification:*

Strict enforcement requiring removal or reconstruction of a portion of the home would place a significant financial and practical hardship on the applicant and/or the current buyers of the property. Other properties we have built within the same zoning classification have been developed without issue, and this minor encroachment does not impact the overall intent of the zoning requirements or neighborhood character.

D. LDC Sec. 2.9.2.C.(4) - The Variance, if granted, is the minimum Variance that will allow the reasonable use of the land, building or structure.

*Applicant's justification:*

The request is limited to the specific portion of the structure that encroaches, and no additional relief is being sought beyond that. The remainder of the home complies with all required setbacks, making this variance the minimum necessary to allow completion and occupancy of the home as built.

**E.** LDC Sec. 2.9.2.C.(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.

*Applicant's justification:*

This request does not seek to establish a special privilege, but rather to resolve a construction error that has already occurred. Approval would simply allow the applicant to finalize the home in a manner consistent with the surrounding community and zoning intent.

**F.** LDC Sec. 2.9.2.C.(6) - The granting of the Variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

*Applicant's justification:*

The encroachment is minimal and limited to one corner of the structure. It does not interfere with neighboring properties, infrastructure, or the visual integrity of the area. Granting this variance will allow for a compliant and completed home without adverse impact to the public or surrounding neighborhood.