



MARION COUNTY GROWTH SERVICES

Date: 8/3/2021

P&Z: 7/26/2021 BCC Adoption: 8/17/2021

**Amendment No:
2021-S03**

Type of Application
Small-Scale Comp Plan
FLUM Amendment

Request: Future Land Use Designation Change
From: Low Density Residential
To: Commercial

Concurrent Zoning Case: 20210802Z

Developer's Agreement(s): N/A.

Parcel #/Acreage:
1140-005-000/±1 ac.
1140-006-000/±1 ac
1140-007-000/±1 ac.;
3 AC

Owner: Mary and Stacey Weeks

Applicant: Rodney Rogers

Location:
NE HWY 314, 530' NE of
NE 244th TER

Staff Recommendation:
Approval

P&Z Recommendation:
Denial

Project Planner
Ken Weyrauch, Senior Planner

Existing Use:
Vacant/forested

Code Enforcement Action: N/A



SUMMARY

Staff is recommending Approval for the request to change ±3 acres from Low Residential to Commercial on the north side of NE HWY 314 in Salt Springs. The site was zoned B-5, Heavy Business prior to land use being introduced into Marion County.

Notice of Public Hearing

Property Owners within 300 feet of the subject property: 8

LOCATION

The site consists of Lots 5, 6, and 7 in the Ker View Subdivision on CR HWY 314 in Salt Springs.

BACKGROUND/EXISTING CONDITIONS

The subject property is part of the Ker View Subdivision, a historic subdivision established in July 1976, just south of Lake Ker. The area along Hwy 314 includes a mixture of residential and commercial zonings that pre-date the Marion County Comprehensive Plan. The subject properties were approved for a zoning change from B-2 Community Business to B-5, Heavy Business, in 1989 for a cabinet shop that never developed. The property directly to the west of the

AR: 26886

Development Eligibility for Dwelling Units (DUs):

CURRENT:
Low Res. – 3 DUs

PROPOSED:
COM. – 24 DUs

POTENTIAL NET CHANGE: +21 DUs

subject properties is the Salt Springs Self Storage facility, which was developed in 1988. On the east end of the block, lot 12, there is a Policy 1.20 letter from 2001 for a bait and tackle shop.

The land use designation, zoning, and existing uses for the immediately surrounding properties are provided below:

TABLE 1. ADJACENT PROPERTY CHARACTERISTICS

Direction	FLUM Designation	Zoning	Existing Use per MCPA Property Code
N	Low Residential	R-1 (Single-Family Dwelling)	Vacant Lots
S	ROW/ Preservation	ROW/A-1, General Agriculture	HWY 314/ Ocala National Forest
E	Low Residential	B-2 (Community Business)	Vacant Lots
W	Low Residential	B-2 (Community Business)	Self-Storage

PUBLIC FACILITIES AND SERVICES

Environmental: The site is forested. The site's vacant nature may support Listed Species. According to the *Soil Survey of Marion County, Florida*, the site includes Astatula Sand soil types that can reasonably accommodate development, depending on site characteristics. An Environmental Assessment for Listed Species, along with stormwater and floodplain analysis, is required for all development proposals to address how any such factors will be managed consistent with local, state, and federal requirements

School Facilities: Marion County Public Schools (MCPS) was notified of this Amendment Application and has not provided any objections to the request. The change is to a non-residential use so there are no concerns for school impacts. The schools in the northern part of the County have adequate capacity with no localized overcrowding.

Public Safety: The County's Villages Fire Station #15 is located \pm 2.25 miles north of the site at 14463 NE 250th Avenue. The Sheriff's Northeast District Office is also located \pm 2.25 miles to the north at 25056 NE HWY 316. Site development will be required to address public safety requirements. Public safety service response times will vary based on whether the response units are at the stations or on the road, and service may also be provided by other surrounding facilities. Final conformance with all public safety needs will be coordinated with any site development proposals as part of the development review processes for the site, consistent with Marion County's Land Development Regulations.

Potable Water & Sanitary Sewer: The site is in Marion County's Utility Service Area but outside connection distance to the utility provider's closest available water and sewer at this time. When water and sewer become available from the public utility provider, the subject property shall connect to the respective service(s) within 365 days of notification.

Development of the site will be limited by the lack of utility infrastructure and the concurrent PUD rezoning proposal. The subject property is proposed for commercial only.

Stormwater/Drainage: All proposed development is required to hold stormwater on-site, up to and including a 100-year storm event, along with other site specific conditions in compliance with the County's Land Development Regulations in order to address concerns regarding on-site and off-site flooding. If this amendment is granted, development of the site will be required to address potential flood impacts with the completion of the improvements, potentially including reducing the form, intensity, and/or density of development proposed (e.g., units, building SF, impervious SF), however, such mitigation could create unforeseen impacts to adjoining properties, necessary access, etc.

Recreation: The primary use of the proposed land use change is commercial and will not significantly adversely affect recreation facilities generally. Formally Marion County has ample Federal, State, and County owned lands available for recreational activity and exceeds the currently established LOS standard.

Solid Waste: LOS is 6.2 pounds per person per day (Solid Waste Element, Policy 1.1.2). The proposed land use change would increase potential residential use of the site, but may not significantly adversely affect the County's solid waste operations. The County has identified and arranged for short-term and long-term disposal needs by obtaining a long-term contract reserving capacity with a private landfill in Sumter County. Additionally, the County has the Salt Springs 88 Recycling Site located ± 5 miles west of the site. Further, the County continues to pursue recycling opportunities and other avenues to address solid waste needs based on existing and projected conditions.

Transportation: Amendment 21-S03 was analyzed using the Institute of Transportation Engineers (ITE) Trip Generation Handbook, 10th Edition and/or the Marion County 2015 Transportation Impact Fee Schedule as based on the ITE Trip Generation Handbook, 9th Edition. The proposed ± 3 acre site has the potential to generate a maximum amount of approximately 5,400 daily trips. This would be if the site developed to the maximum 1.0 Floor Area Ratio, which would be out of character for the area. The lack of utility infrastructure and the proposed concurrent rezoning request will greatly limit the development of the site. The traffic analysis of the site's proposed use showed that the proposed general store will generate approximately 439 daily trips and 72 peak hour trips (See Amendment Trip Generation Table). The Level of Service for CR 314 will remain at LOS B. it is expected that the total trip generation for complete buildout, to include any future expansions on the site, would not exceed 150 peak hour trips and the Level of Service will remain acceptable on CR 314.

Development proposals associated with this application will be subject to review and approval under the County's Land Development Code including concurrency and access review processes which may require additional specialized access improvements.

TABLE 4. SURROUNDING ROADWAY CONDITIONS

Road	Class	Maintenance	Existing Conditions			
			Surface	No. Lanes	R/W Width	R/W Deficiency
NE Hwy 314	Collector	County	Paved	2	$\pm 100'$	$\pm 20'$

TABLE 5. AMENDMENT TRIP GENERATION

Scenario	FLUM	ITE Code	Acres (±)	Potential Max Development	Daily Trips	PM PK HR. Trips
Existing	Low Res.*	210	3	3 DU	18.33	3
Proposed	Commercial.*	820	3	130,689 GSF	5,462	485
PUD Proposal	Commercial	820	3	10,500 SF	438	72

Projections based on ITE Trip Gen, 10th Ed. and Marion County 2015 Transportation Impact Fee Study.
*SFR.

STAFF RECOMMENDATION

Growth Services recommends **APPROVAL** of **CPA 21-S03** for the proposed Future Land Use Map Amendment on the following basis:

1. The granting of the amendment will not adversely affect the public interest.
2. The proposed amendment is compatible with land uses in the surrounding area.
3. The proposed amendment is consistent with Chapter 163, Florida Statutes and the Marion County Comprehensive Plan.

PLANNING & ZONING COMMISSION RECOMMENDATION – July 26, 2021:

The Planning & Zoning Commission recommends **Denial** of **21-S03** for the proposed Future Land Use Map Amendment on the following basis:

1. The granting of the amendment will adversely affect the public interest.
2. The proposed amendment is not compatible with land uses in the surrounding area.
3. The proposed amendment is not consistent with Chapter 163, Florida Statutes and the Marion County Comprehensive Plan.

BOARD OF COUNTY COMMISSIONERS – ADOPTION – August 17, 2021:

The Board of County Commissioners acted to [] **21-S03** for the proposed Future Land Use Map Amendment on the following basis:

1. The granting of the amendment will not adversely affect the public interest.
2. The proposed amendment is compatible with land uses in the surrounding area.
3. The proposed amendment is consistent with Chapter 163, Florida Statutes and the Marion County Comprehensive Plan.

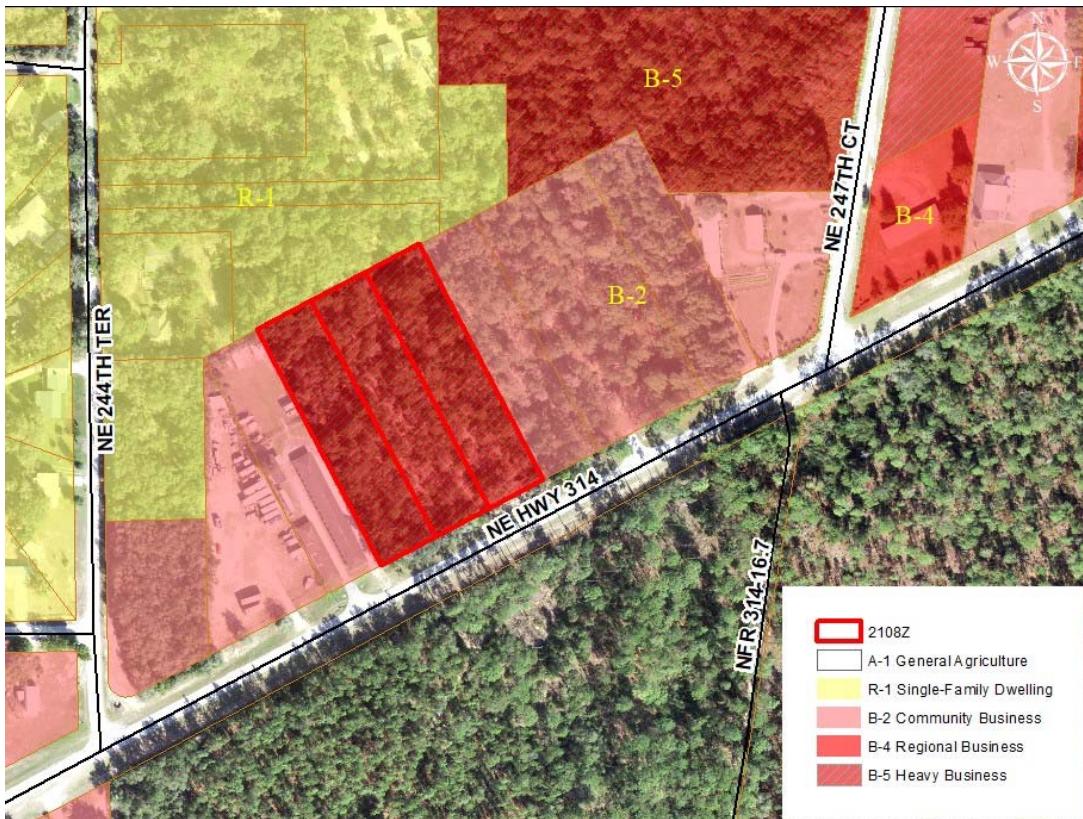
CURRENT FUTURE LAND USE DESIGNATION



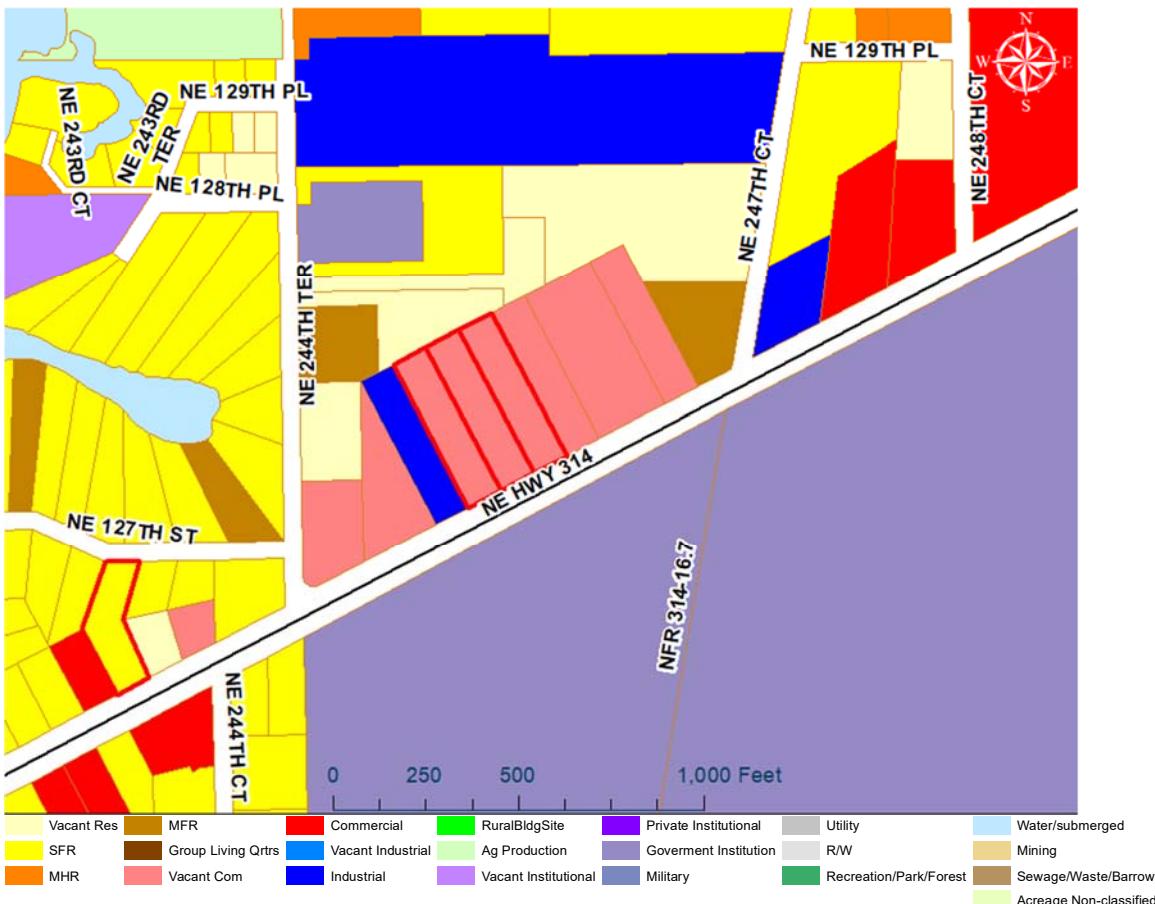
PROPOSED FUTURE LAND USE DESIGNATION



CURRENT ZONING



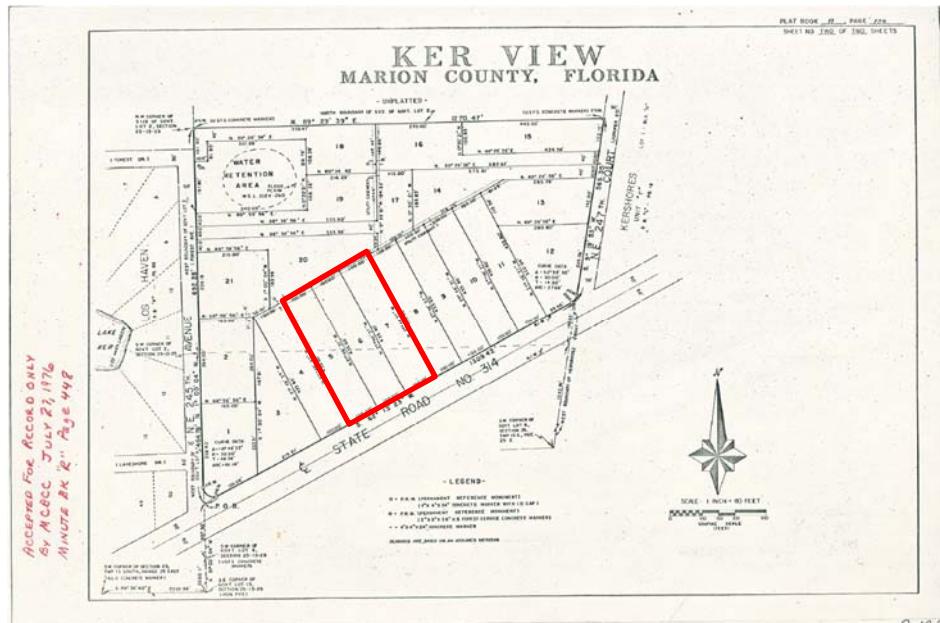
EXISTING USE PER MCPA



Local Commerical Uses



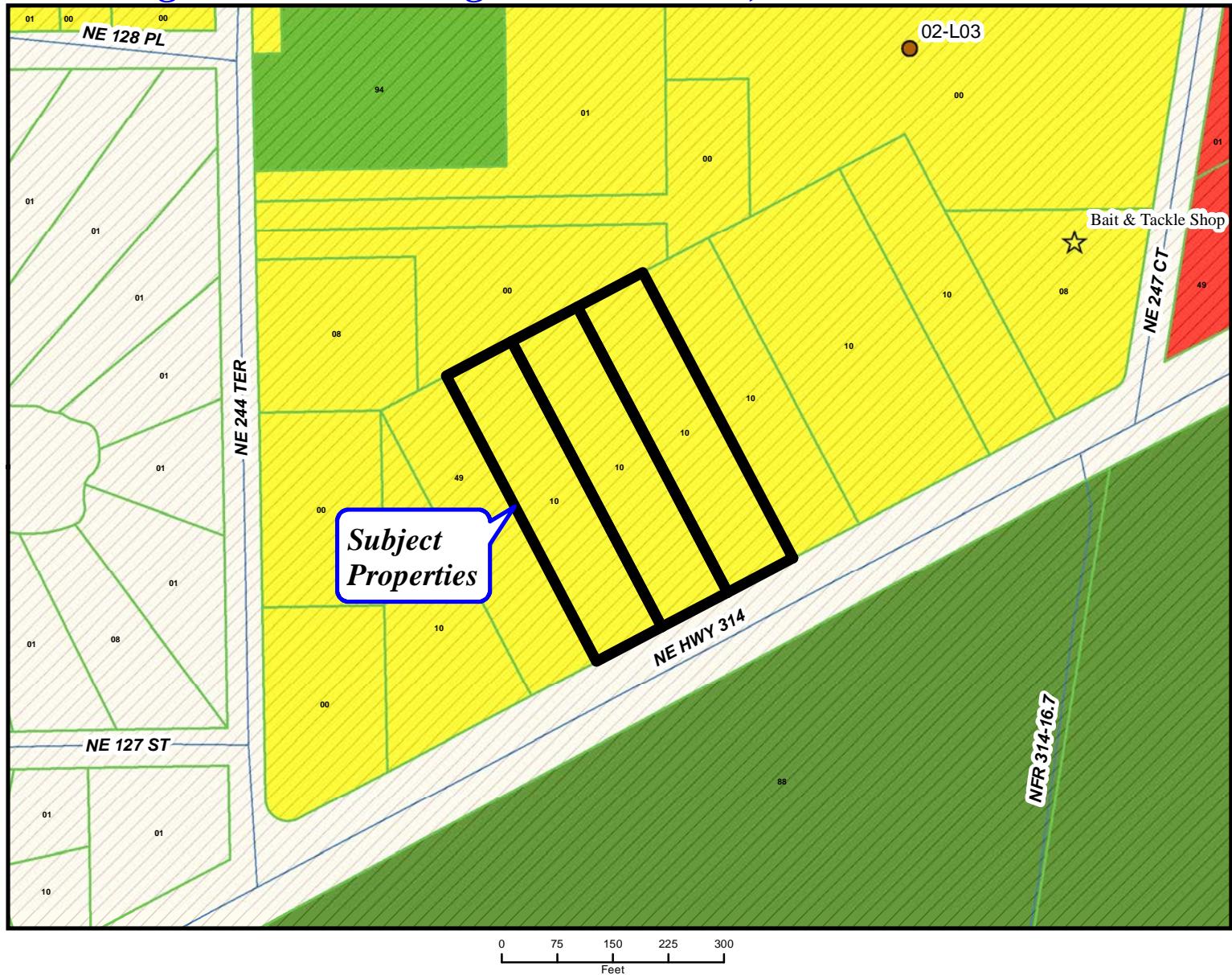
**Ker View,
Subdivision Plat
PB R, Page 129**



Aerial: 21-S03, 210802Z



Existing Land Use Designation 21-S03, 210802Z



Use per MC Property Appraiser	
01	Single Family Res
50-69/99	Agricultural
00/10/40/70	Vacant
71	Church
02	Mobile Home
06-07/11-39	Commercial
41-49	Industrial
83-98	Public
82	Recreation
03-05/08	Multi-Family
77	Club/Lodge/Union Hall

OWNER(S): Mary and Stacy A. Weeks

AGENT: Rodney Rogers - Rogers Engineering

PARCEL(S): 1140-005-000, 1140-006-000, 1140-007-000

All provided GIS data is to be considered a generalized spatial representation, which is subject to revisions. The feature boundaries are not to be used to establish legal boundaries. For specific visual information, contact the appropriate county department or agency. The information is provided visual representation only and is not intended to be used as legal or official representation of legal boundaries.



Legend

Policy 1.20



- All Amendments
- Rural Land (1 du/10 ac)
- Urban Residential (8 - 16 du/ac)
- Employment Center (0 - 12 du/ac; FAR 2.0)
- Low Residential (0 - 1 du/ac)
- Rural Activity Center (0 - 2 du/ac; FAR 0.35)
- Commerce District (N/A; FAR 2.0)
- Medium Residential (1 - 4 du/ac)
- Rural Community (0 - 3 du/ac; FAR 0.70)
- Public (N/A; FAR 1.0)
- High Residential (4 - 8 du/ac)
- Commercial (0 - 6 du/ac; FAR 1.0)
- Preservation (N/A; N/A)
- Farmland Preservation Area
- Environmentally Sensitive Overlay Zone (ESOZ)
- Municipality



**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
www.marioncountyfl.org

21-503

OFFICE USE ONLY:	
Project Number:	2688P
App Request No.:	
Case Number:	
Received Date:	6-3-21
Received By:	KO
Submission Complete Date:	

**LARGE- AND SMALL-SCALE
COMPREHENSIVE PLAN AMENDMENT APPLICATION**

PLEASE CHECK THE APPLICABLE AMENDMENT APPLICATION TYPE BELOW:

<input type="checkbox"/> LARGE-SCALE MAP AMENDMENT	<input checked="" type="checkbox"/> SMALL-SCALE MAP AMENDMENT*
<input type="checkbox"/> LARGE-SCALE TEXT AMENDMENT	<input type="checkbox"/> SMALL-SCALE TEXT AMENDMENT**
<small>*Map Amendment site must be 10 acres or less.</small>	
<small>**Text amendment must be directly associated with, and only be applicable to, an accompanying Small-Scale Map Amendment</small>	

APPLICATION FEE: SMALL-SCALE AMENDMENT (Map or Map with Text) = \$3,000
LARGE-SCALE AMENDMENT (Map or Text) = \$5,000

REQUIRED DOCUMENTS TO ATTACH TO APPLICATION (add additional pages if necessary):

- 1) Certified legal description with a boundary sketch signed by a Florida registered surveyor for the specific property proposed to be amended. *Certified legal description must include the acreage.*
- 2) Copy of the most recent deed covering the property included within the proposed amendment.
- 3) Notarized owner/applicant affidavit(s) – see third page of this form.
- 4) Application fee; cash or check made payable to "Marion County Board of County Commissioners."
- 5) Additional information, including proposed text amendment language, necessary to complete application.

(NOTE: If applying for text amendment only, the applicant and/or authorized agent contact information must be completed as requested on this page, then proceed to the bottom of Page 2.)

Marion County Tax Roll Parcel Number(s) Involved	Parcel Acreage	Future Land Use Designation per FLUMS	
		Current	Proposed/Requested
1140-005-000 & 1140-006-000	3	Low Density Residential	Commercial
& 1140-007-000			

Please add an additional sheet(s) if more table entries are required.

CONTACT INFORMATION (PLEASE LEGIBLY PRINT ALL INFORMATION)		
Info	Property owner/applicant	Authorized agent (if not the owner/applicant)
NAME	Mary Weeks <i>and Staley A. Weeks</i>	Rodney K. Rogers
ADDRESS	25291 E. Hwy 314, Salt Springs, FL 32134	1105 S.E. 3rd Avenue, Ocala, Fla 34471
PHONE	352-685-2468	352-622-9214
EMAIL	weeksrealty314@earthlink.net	rkrogers@rogerseng.com

CONCEPTUAL PLAN FOR SITE AVAILABLE? YES NO
(IF YES, PLEASE ATTACH TO APPLICATION)

EXISTING USE OF SITE:

Vacant

PROPOSED USE OF SITE (IF KNOWN):

Retail Store

WHICH UTILITY SERVICE AND/OR FACILITY WILL BE UTILIZED FOR THE SITE?

Well X Centralized water _____ Provider _____

Septic X Centralized sewer _____ Provider _____

**PROVIDE DIRECTIONS TO THE SITE FROM THE GROWTH SERVICES BUILDING
(2710 E. SILVER SPRINGS BLVD., OCALA):**

Highway 40 east, 16 miles to County Rd 314. County Road 314 east 9 miles to property.

TEXT AMENDMENTS: If applying for a text amendment, provide the proposed text amendment in an underline (new text) and strike-out (deleted text) format. The text amendment **must** include the appropriate citation for the amendment's location within the Comprehensive Plan (e.g., goal, objective, policy, map series, etc.) if amending an existing Plan item, or proposing a new item's location within the Plan. The text amendment must also be accompanied by data and analysis describing the purpose, intent, effect, and impact of the proposed text amendment.

PROPERTY OWNER AFFIDAVIT

21-S03

STATE OF FLORIDA
COUNTY OF MARION

BEFORE ME THIS DAY PERSONALLY APPEARED MARY WEEKS,
Property owner's name, printed
WHO BEING DULY SWORN, DEPOSES AND SAYS THAT:

1. He/she is the owner of the real property legally identified by Marion County Parcel numbers:
1140-005-000, 1140-006-000, 1140-007-000.
2. He/she duly authorizes and designates Rodney K. Rogers to act in his/her behalf for the purposes of seeking a change to the future land use map designation of the real property legally described by the certified legal description that is attached with this amendment request;
3. He/she understands that submittal of a Comprehensive Plan map and/or text amendment application in no way guarantees approval of the proposed amendment;
4. The statements within the Comprehensive Plan map and/or text amendment application are true, complete and accurate;
5. He/she understands that all information within the Comprehensive Plan map and/or text amendment application is subject to verification by county staff;
6. He/she understands that false statements may result in denial of the application; and
7. He/she understands that he/she may be required to provide additional information within a prescribed time period and that failure to provide the information within the prescribed time period may result in the denial of the application.
8. He/she understands that if he/she is one of multiple owners included in this amendment request, and if one parcel is withdrawn from this request, it will constitute withdrawal of the entire amendment application from the current amendment cycle.

Mary Weeks
Property owner's signature

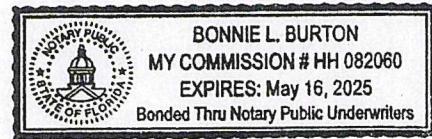
6-1-21
Date

Signed and sworn to (or affirmed) before me on JUNE 1, 2021 by
(Date)
MARY WEEKS. He/she is personally known to me or has produced
(Property owner's name)

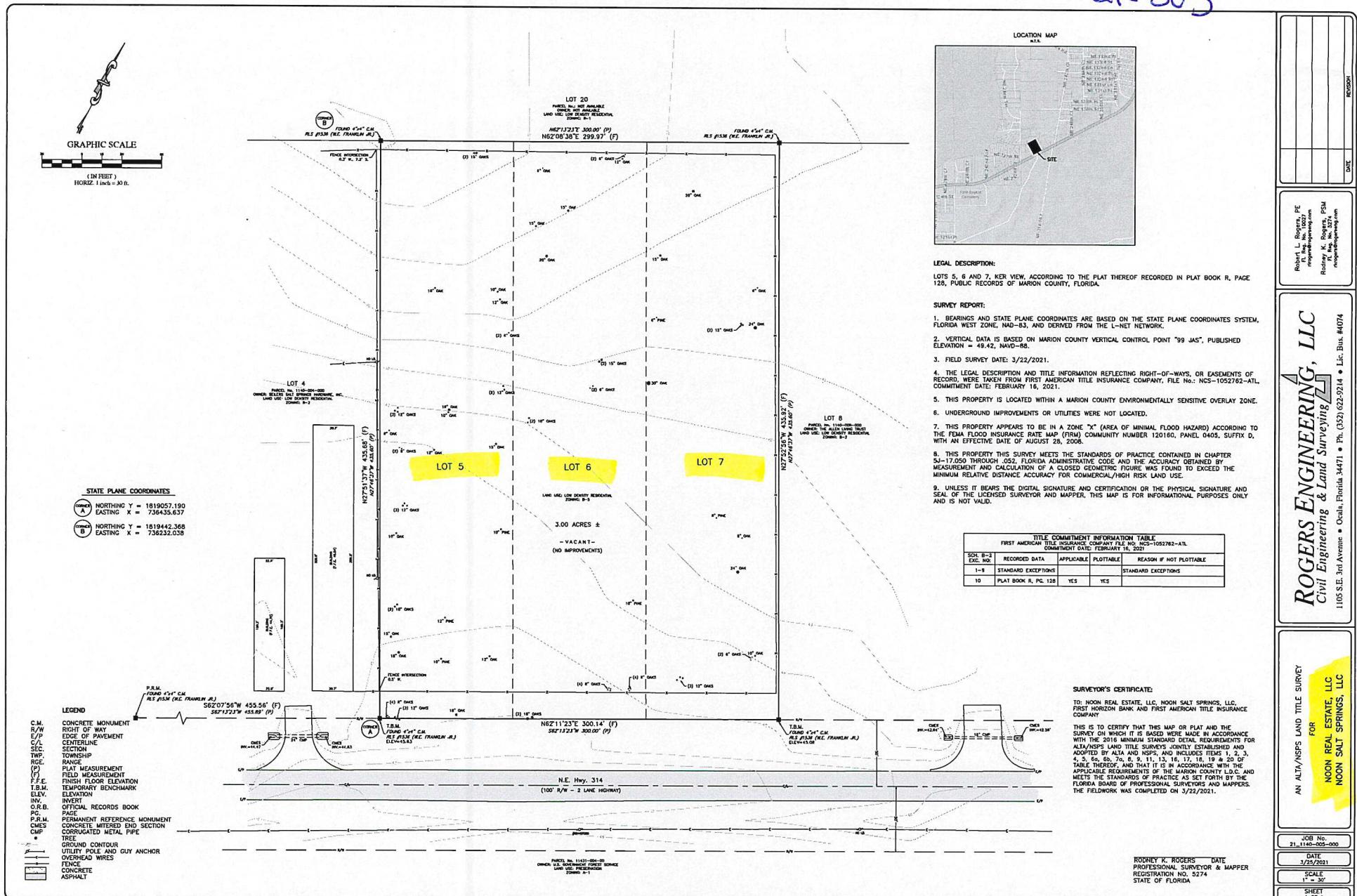
W200-588-48-602-0 as identification.
(Driver's license, etc.)

Bonnie L. Burton
Notary public signature

State of FLORIDA County of MARION
My commission expires: MAY 16, 2025

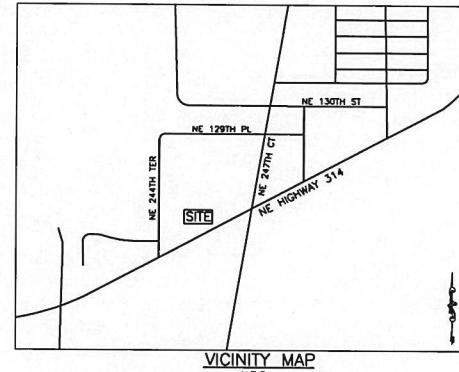
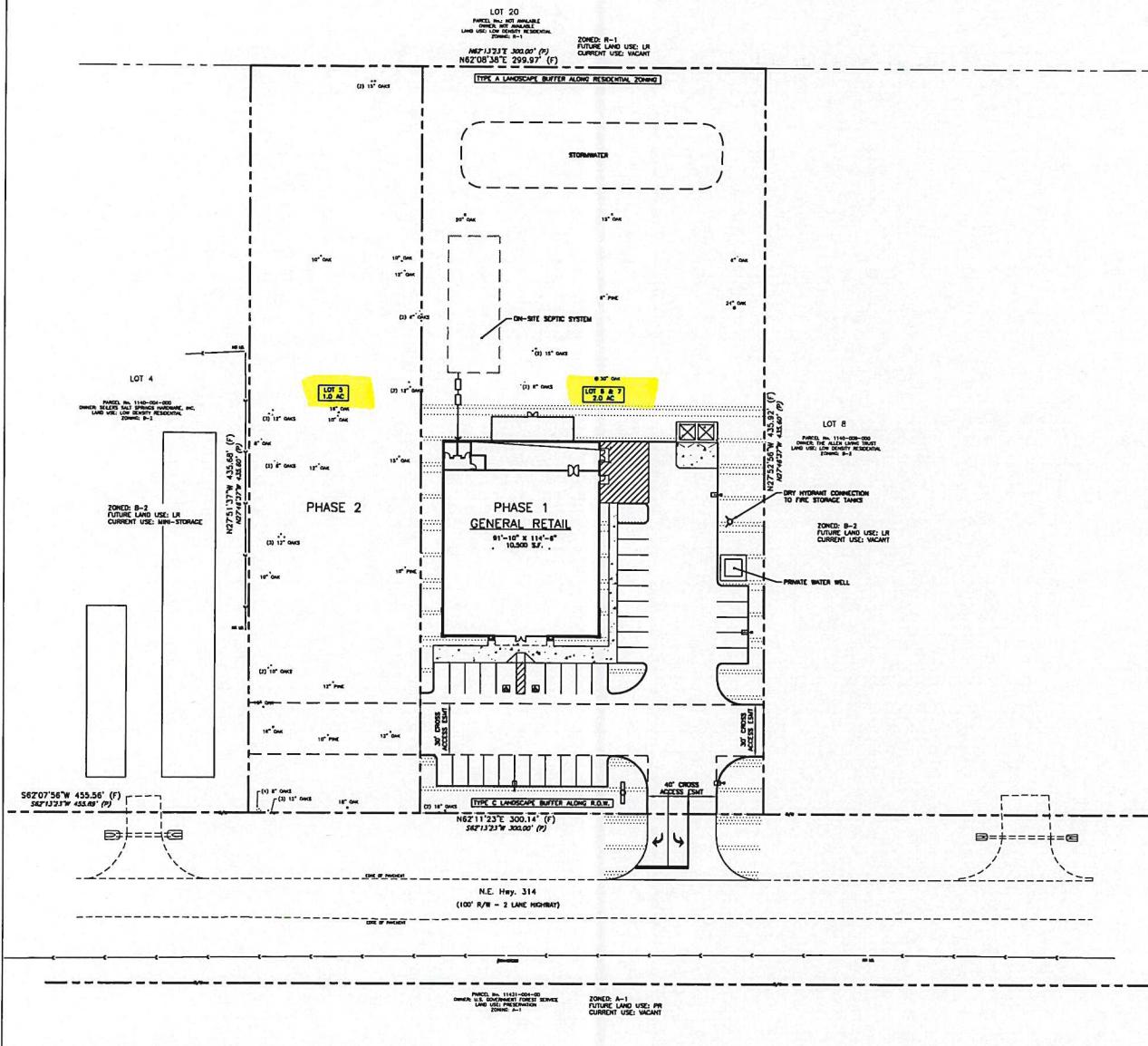


21-S03



NOON RETAIL — SALT SPRINGS

A COMMERCIAL PLANNED UNIT DEVELOPMENT



PROJECT DATA

PARCEL: NE HIGHWAY 314, SALT SPRINGS, FL
PARCEL: 110-005-000 | 1140-006-000 | 1140-007-000
CURRENT ZONING: B-5 (HEAVY BUSINESS)
PROPOSED ZONING: PUD (PLANNED UNIT DEVELOPMENT)
CURRENT FUTURE LAND USE: LR (LOW RESIDENTIAL)
PROPOSED FUTURE LAND USE: COM (COMMERCIAL)
OVERLAY ZONE: SOUTHERN SPRINGS PROTECTION ZONE
FLOOD ZONE: X, AS SHOWN ON MAP NO. 12180C04050 DATED 08/28/2000
LAND COVERAGE (LOTS 6 & 7)
BUILDING AREA COVERAGE 10,500 SF (12%)
OH-SITE IMPERVIOUS 0.82 ACRES (41%)
OH-SITE LANDSCAPE 1.08 ACRES (59%)
BUILDING SETBACKS:

	REQUIRED	PROVIDED
FRONT (S)	40'	102.6'
REAR (R)	25'	218.2'
SIDE (L)	10'	12.0'
SIDE (C)	10'	93.0'

GENERAL NOTES:

1. DEVELOPMENT SHALL BE SERVED BY OH-SITE PRIVATE WELL AND OH-SITE PRIVATE SEPTIC SYSTEM.
2. DEVELOPMENT SHALL PROVIDE OH-SITE FIRE STORAGE TANK WITH DRY HYDRANT CONNECTION; CONNECTION TO AND USE OF FIRE STORAGE WATER SUPPLY BY LOCAL EMERGENCY AGENCIES SHALL BE PERMITTED.
3. BUFFERS SHOWN SHALL BE IN ACCORDANCE WITH MARION COUNTY CODE.
4. NO BUILDING LOCATIONS SHALL BE IN ACCORDANCE WITH MARION COUNTY CODE.
5. NO PORTIONS OF THIS PROPERTY LIE WITHIN A 100-YEAR FLOOD ZONE.
6. PUD SETBACKS, HEIGHT LIMITS, & DENSITY SHALL BE ACCORDING TO B-2 ZONING CLASSIFICATION.
7. PROPOSED USES SHALL BE ACCORDING TO B-2 ZONING CLASSIFICATION, EXCLUDING THE FOLLOWING USES:
 - BAR
 - CLUB, PRIVATE, LODGE, FRATERNITY, SORORITY
 - BARBERSHOP
 - HOTEL, MOTEL
 - NIGHTCLUB
 - POOL HALL
 - TATTOO, BODY-PIERCING PARLOR
 - TAKEDEMIST

REVISIONS		
1		
2		
3		
4		
5		

SHEET NAME:
PUD CONCEPT PLAN

DATE: 05/18/2021

DRAWN BY: CMB

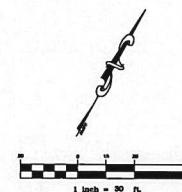
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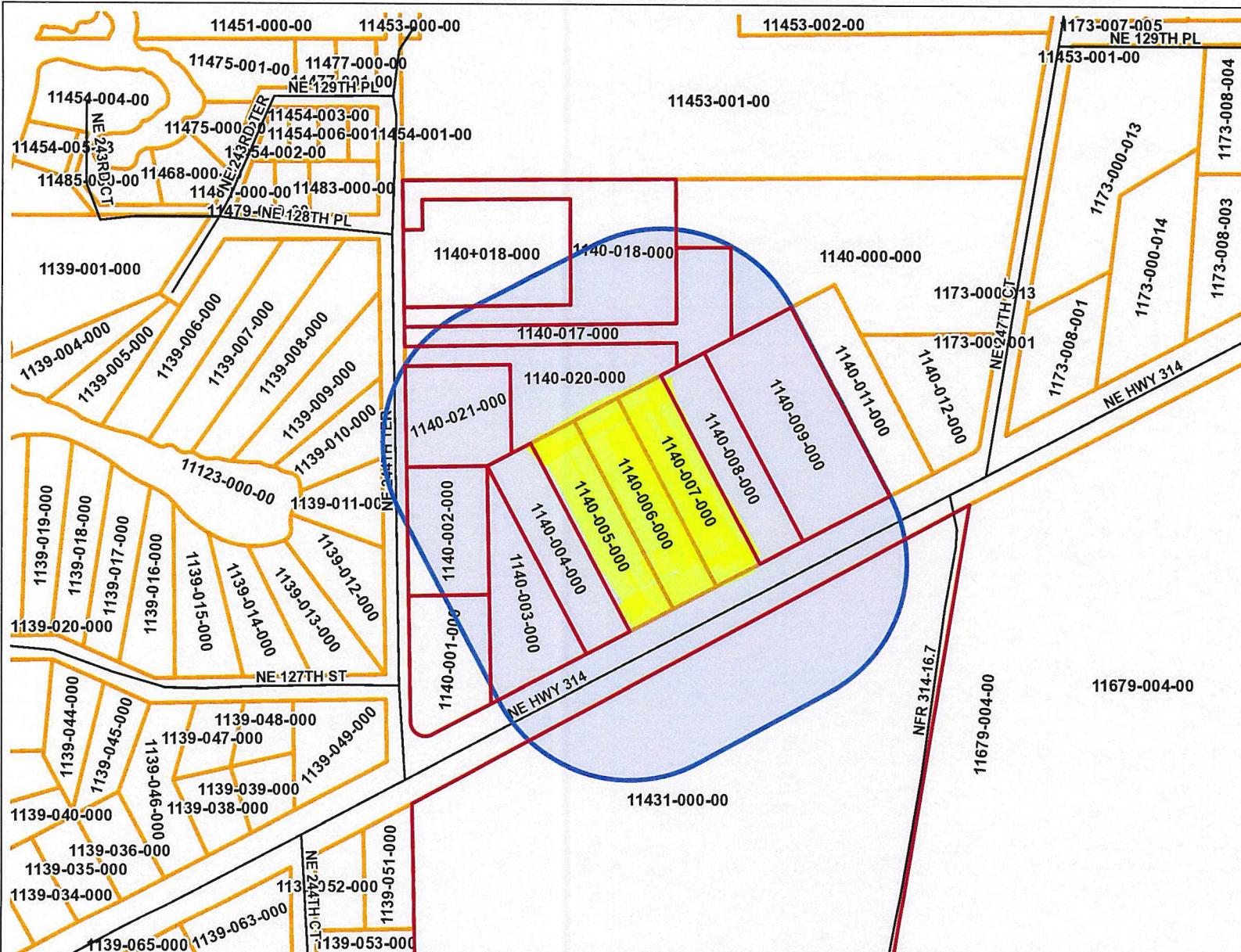
PROJECT NO.: 21015

SHEET NUMBER: 1

EXHIBIT

THE BOSTONIAN





0.1 0 0.06 0.1 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By: dp

This map was produced by a Marion County employee using an online internal mapping viewer. All GIS features provided through the Marion County online internal mapping viewer are to be considered a generalized spatial representation which is subject to revisions. The GIS features shown hereon are not to be used as legal descriptions. For confirmation of details related to the GIS features, please contact the appropriate department or constitutional office.



Legend

- Urban Growth Boundary
- Address Search Results
- Streets
- Parcels
- Municipalities
- Marion County

1: 3,678

1 in = 0.06 Miles



Notes

AGENT: RODNEY K. ROGERS,
C/O: ROGERS ENGINEERING, LLC

Creation Date: 6/14/2021