



**Marion County  
Board of County Commissioners**

Growth Services

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

**PLANNING & ZONING SECTION  
STAFF REPORT**

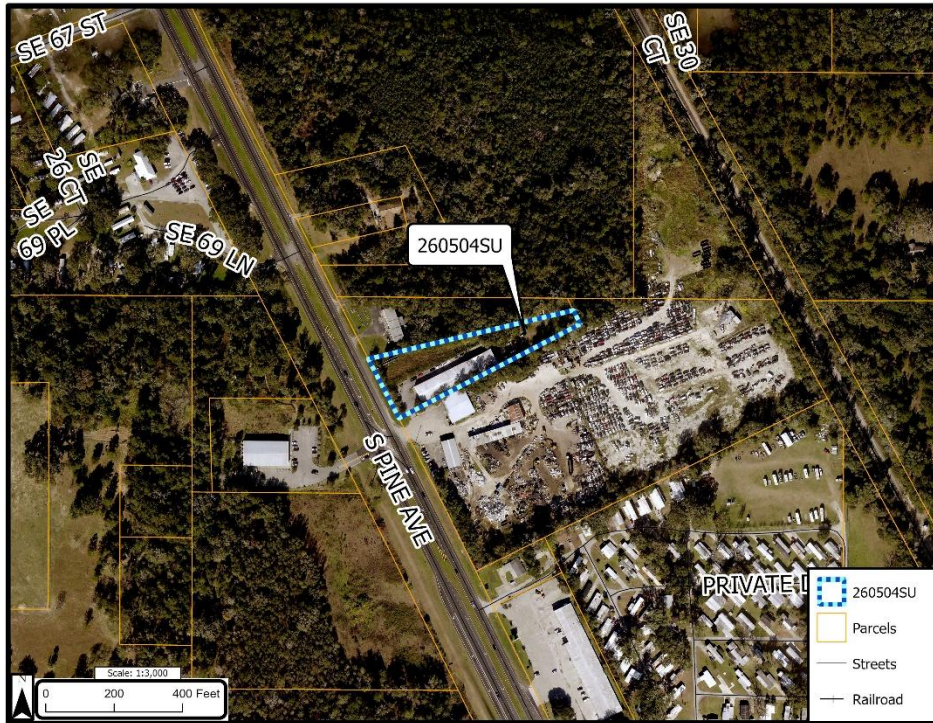
<b>P&amp;ZC Date: 04/27/2026</b>	<b>BCC Date: 05/19/2026</b>
<b>Case Number:</b>	260504SU
<b>Plan Number:</b>	PL SUP-000416-2026
<b>Type of Case:</b>	<b>Special Use Permit:</b> to allow a crematorium within a Heavy Business (B-5) zone
<b>Owner</b>	848 Broadway LLC
<b>Applicant</b>	Christopher Hamilton, Spencer Fane, LLP
<b>Street Address</b>	7075 S Pine Avenue, Ocala, Fl, 34480
<b>Parcel Number</b>	36459-001-00
<b>Property Size</b>	±1.65- acres
<b>Future Land Use</b>	Employment Center (EC)
<b>Zoning Classification</b>	Heavy Business (B-5)
<b>.Overlay Zone/Scenic Area</b>	Primary Springs Protection Zone
<b>Staff Recommendation</b>	<b>Approval with Conditions</b>
<b>P&amp;ZC Recommendation</b>	<b>Approval with Conditions (on consent)</b>
<b>Project Planner</b>	Sarah Wells
<b>Related Case(s)</b>	N/A

## I. ITEM SUMMARY

Christopher Hamilton, on behalf of the owner, 848 Broadway LLC, has filed an application for a Special Use Permit to request permission for a crematorium on a 1.65-acre, B-5 (Heavy Business) zoned vacant parcel. Figure 1 is an aerial photograph showing the general location of the subject property. The Parcel Identification Number associated with the property is 36459-001-00, and the street address is 7075 S Pine Avenue, Ocala, FL, 34480. The parcel is located southeast of Ocala, north of the Historic Santos Park. The legal description is displayed in the deed included in the application (See Attachment A). The parcel is located inside of the Urban Growth Boundary and within the Primary Springs Protection Zone. The future land use designation for the parcel is Employment Center (EC) . Figure 2 shows the conceptual plan provided by the applicant. The Conceptual Site Plan shows the layout of proposed crematorium. Staff is recommending **Approval with Conditions** of the Special Use Permit request.

Per the narrative provided by the applicant, the building that is located on the site currently will remain and act as the crematorium, with renovations taking place on the interior only. The applicant proposes to perform cremations using flame-based units which have internal combustion processes that limit particulate matter from the stack. The applicant will source cremation units from vendors who carry Environmental Protection Agency (EPA) stack test results that outline the amounts of particulate that will be released from the stack. The cremator is proposed to have the following dimensions: 12'8" L X 7'2" W X 9'8" H, with some variation dependent on the type of cremator used. Decedents awaiting the cremation process will be held in large walk-in refrigeration units. The applicant does not propose to hold funeral services on-site; however, family may come into the building for the purpose of identifying the decedent. The policy held by the applicant allows this service for a maximum of fifteen (15) minutes, with a small room that the family would use to positively identify the deceased. The applicant does not propose the sale of any items, such as urns, statues, or other funeral memorabilia.

**Figure 1**  
**Aerial Photograph of Subject Property**



**Figure 2**  
**Conceptual Site Plan Submitted by Applicant**



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **Approval with Conditions** as specified in Section VII.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in Land Development Code (LDC) Sections 2.8.2.D and 2.8.3.B, in the event of approval.

## III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C, notice of public hearing was mailed to 5 property owners within 300 feet of the subject property on April 10, 2026. Consistent with LDC Section 2.7.3.B, public notice was posted on the subject property on April 14, 2026, where site photos were also collected (Attachment B) and consistent with LDC Section 2.7.3.E due public notice was published in the Ocala Star-Banner on April 13, 2026. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Evidence of the above-described public notices are on file with the Growth Services Department and are incorporated herein by reference.

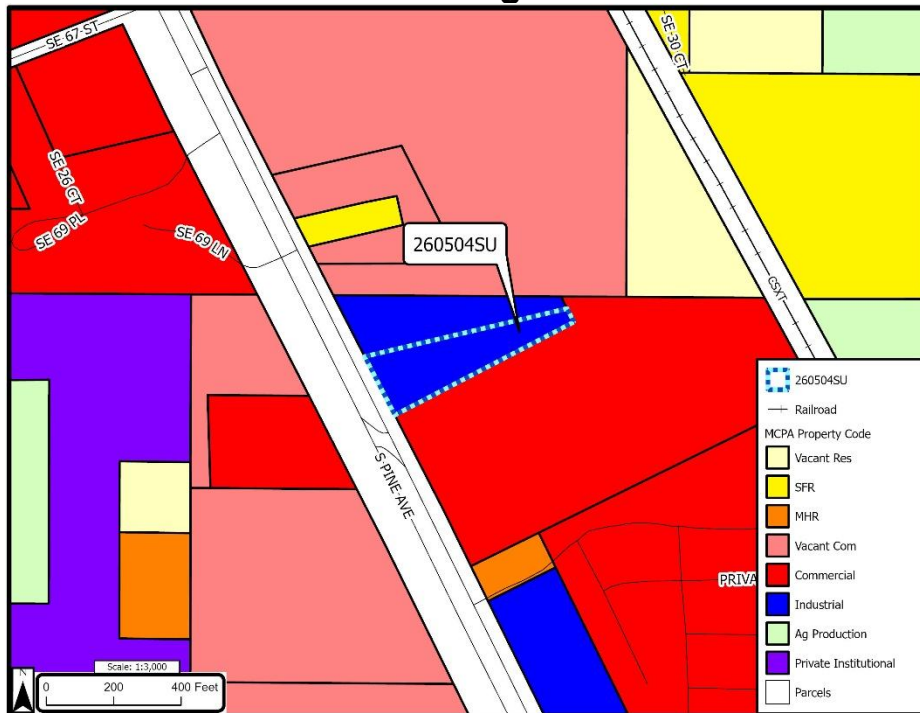
## IV. BACKGROUND/CHARACTER OF THE AREA

- A. *Existing site conditions.* Figure 4 shows the property in its existing condition. The site is currently being utilized as Scrog's Hot Rods, an automotive repair and restoration shop. Figure 5 shows that per the Marion County Property Appraiser the property has an industrial use classification. The northern adjacent parcel, Ocala Marble and Granite Works, also has an industrial classification. This shop specializes in granite and marble headstones. The adjacent property to the south as well as east of the subject parcel, Mark's Metal Recycling Inc., has a commercial classification and is a scrap yard for scrap metal and junk vehicle recycling. The west of the subject parcel is South Pine Ave, with a commercial classification property (a Dollar General) and a vacant commercial classification property. The vacant commercial property has been approved under Special Use Permit for RV sales.

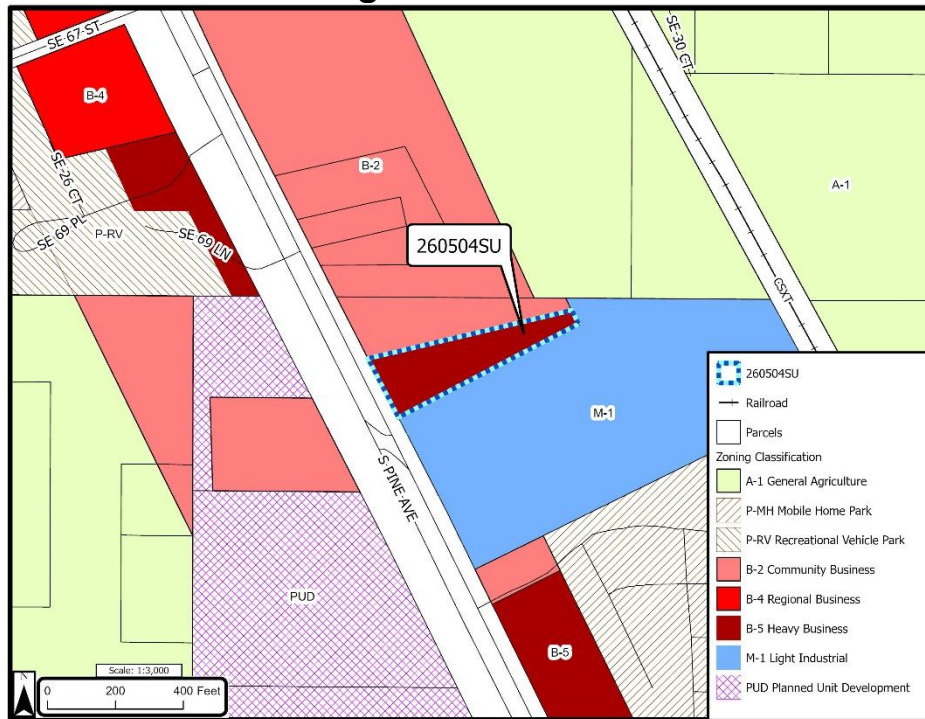
**Figure 4**  
**Existing Conditions Map**



**Figure 5**  
**MCPA Existing Uses**

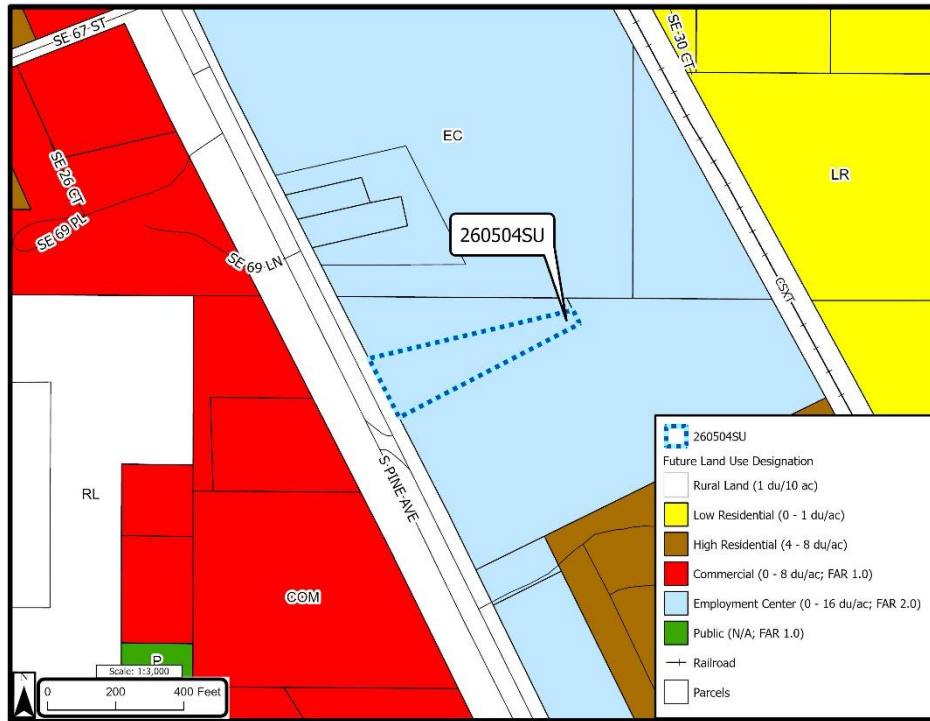


**Figure 6**  
**Zoning Classification**



B. *Zoning district map.* Figure 6 shows the subject property currently has Heavy Business (B-5) zoning. The adjacent parcel to the north has Community Business (B-2) zoning. The adjacent parcel to the south and east has Light Industrial (M-1) zoning. The parcels to the west and opposite South Pine Avenue have B-2 and Planned Unit Development (PUD) zoning.

**Figure 7**  
**FLUMS Designations**



C. *FLUMS designation.* Figure 7 is the FLUMS and it shows that the subject property and abutting properties to the north, south, and east are designated Employment Center (EC). The EC Land Use allows for a FAR of 2.0 and sixteen (16) dwelling units per one (1) acre. Parcels to the west of the subject property have a Commercial (COM) Land Use designation.

## V. ANALYSIS

LDC Section 2.8.2.D provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding the SUP addresses nine (9) specific requirements. LDC Section 2.8.3.B requires consistency with the Comprehensive Plan. Staff's analysis of compliance with these ten (10) requirements are addressed below.

### A. *Consistency with the Comprehensive Plan.*

1. Policy 2.1.5: **Permitted & Special Uses** – The county shall identify permitted and special uses for each land use designation and zoning classification, as further defined in the Comprehensive Plan, Zoning, and LDC.

**Analysis:** LDC Section 4.2.21 requires a special use permit to allow a crematorium within B-5 zoning. A Conceptual Site Plan is provided by the applicant in Attachment A, and in figure 2.

- The site shall be developed and operated consistent with the proposed uses, submitted Conceptual Site Plan, and the conditions as provided with this approval.
- The crematorium shall comply with all applicable federal, state, and local regulations, including air quality permitting requirements.
- No outdoor storage or processing of materials associated with the crematorium shall be permitted.
- The proposed cremation and processing operation shall be conducted indoors.

### B. *Provision for **ingress and egress** to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

**Analysis:** There is an existing Ingress/egress to the location which the applicant proposes to continue using without modification. The existing ingress and egress located on Pine Avenue utilizes movements which are right-in, right-out, and left-in, in accordance with the provided conceptual plan, shown in figure 2. Staff concludes that the application **is consistent** with provisions for ingress and egress.

- C. *Provision for **off-street parking and loading areas**, where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the SUP on adjoining properties and properties generally in the surrounding area.*

**Analysis:** Parking will be provided on site as shown in the Conceptual Site Plan utilizing existing parking spaces, of which there are thirteen (13). The application is **consistent** with provisions for off-street parking and loading areas.

- D. *Provisions for **refuse and service area**, with particular reference to the items in (1) and (2) above.*

**Analysis:** The findings of facts state that the applicant will contract with a professional refuse collection service for regular removal and disposal of all refuse. Per the conceptual plan submitted by the applicant, there is an existing dumpster on-site. When the applicant cleans the residue from the cremator, it is collected and packed into an urn, which is then placed in a shared vault at a cemetery owned by the applicant. The application is **consistent** with this provision.

- The dumpster enclosure shall not be used to dispose of materials associated with cremation.

- E. *Provision for **utilities**, with reference to locations, availability, and compatibility.*

**Analysis:** Per the findings of fact, the applicant proposes no modifications to already existing utilities services. Per Marion County Utilities Parcel 36459-001-00 is located within the Marion County Utilities (MCU) service area but is currently outside of the required connection distance. Marion County Utilities has no comments regarding this Special Use Permit. When a building permit is submitted for a change of occupancy or alterations, MCU will evaluate the proposed use and anticipated flows to determine whether the property will be required to connect to public utilities. At this time, the nearest public water main is located approximately 5,700 feet away.

- If public water or sewer becomes available from the public utility provider, connection will be required to services within 365 days of notification.

- F. *Provision for **screening and buffering** of dissimilar uses and of adjacent properties where necessary.*

**Analysis:** Per the Findings of Facts submitted by the applicant, no buffering is proposed and the site currently has no buffering. Comments left during the review process from Landscaping suggest an evergreen hedge maintained at a minimum of 3' in height and evergreen ornamental trees as a buffer along S Pine Ave. Staff agrees with this finding, noting that due to already existing pavement and easements, the applicant does not have room for the required 15' C-Type buffer. As such, staff imposes the following modified buffer.

- A modified C-type buffer along South Pine Avenue consisting of evergreen hedges, which are to be maintained at a minimum of 3' in height, and three (3) ornamental trees per one hundred (100) lineal feet is to be installed and maintained.

- G. *Provision for **signs**, if any, **and exterior lighting** with consideration given to glare, traffic safety, economic effects, and compatibility and harmony with properties in the surrounding area.*

**Analysis:** According to the applicant's Findings of Facts, any new signage will comply with the requirements of the LDC. The applicant has not proposed adding any lighting but states that if lighting is deemed necessary a photometric plan will be provided in accordance with the LDC. Staff finds the application is **consistent** with the provision for signs and exterior lighting.

- H. *Provision for **required yards and other green space**.*

**Analysis:** Per the findings of fact, the applicant proposes to use existing green spaces with no further modifications.

- I. *Provision for general **compatibility** with adjacent properties and other properties in the surrounding area.*

**Analysis:** 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. The proposed special use on B-5 zoning is compatible with adjacent and surrounding properties classified as industrial (marble and granite headstone shop) and commercial (vehicle scrap yard), as depicted and discussed in figure 5. Staff finds the application is **consistent** with the provision for general compatibility with adjacent properties and other properties in the surrounding area.

J. *Provision for meeting any **special requirements** required by the site analysis for*

**Analysis:** Staff notes that unlike a variance which runs with the land and is recorded in the public records, a special use permit is not recorded. As a result, a subsequent owner will not have notice of the requirements. Staff recommends the following conditions that will void the SUP if the property changes hand.

- To avoid potential noise and limits on emissions that are released through the cremation process, the crematorium hours of operations are limited to 6:00 a.m. to 9:00 p.m.
- No funeral or memorial services shall be conducted on-site.
- The site shall be developed and operated consistent with the proposed uses, submitted Conceptual Site Plan, and the conditions as provided with this approval.
- A new Special Use Permit will be required for any future expansion of the approved cemetery use.
- The Special Use Permit shall run with the current property owner, 848 Broadway LLC, and shall remain in effect until such time as the property is conveyed to SCI Funeral Services of Florida, LLC. The transfer of ownership shall occur within one hundred eighty (180) days from the date of approval of this Special Use Permit, after which the Permit shall run with the new owner.
- The Special Use Permit shall expire on May 19th, 2031; however, it may be renewed administratively three times for up to 5 years each by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
  - There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the permit,
  - Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
  - The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

Based on the above findings, Staff concludes the SUP is consistent with LDC Sections 4.2.28 provided conditions to address the ten (10) requirements are imposed.

## VI. ALTERNATIVE RECOMMENDATIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, adopt the findings and conclusions contained herein, and make a recommendation to the Board of County Commissioners to **DENY** the special use permit amendment.
- B. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, amend the findings and conclusions contained herein so as to support the approval of the Ordinance with amended conditions and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH AMENDED CONDITIONS** the special use permit.
- C. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, identify any additional data and analysis needed to support a recommendation on the proposed Ordinance, and make a recommendation to the Board of County Commissioners to **TABLE** the application for up to two months in order to provide the identified data and analysis needed to make an informed recommendation on the proposed Ordinance.

## VII. STAFF RECOMMENDATION

- A. Staff recommends the Planning and Zoning Commission enter into the record the Staff Report and all other competent substantial evidence presented at the hearing and make a recommendation to the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE WITH CONDITIONS** the special use permit.
- B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed:
  - 1. The site shall be developed and operated consistent with the proposed uses, submitted Conceptual Site Plan, and the conditions as provided with this approval.
  - 2. The crematorium shall comply with all applicable federal, state, and local regulations, including air quality permitting requirements.
  - 3. No outdoor storage or processing of materials associated with the crematorium shall be permitted.
  - 4. The proposed cremation and processing operation shall be conducted indoors.
  - 5. The dumpster enclosure shall not be used to dispose of materials associated with cremation.

6. To avoid potential noise and limits on emissions that are released through the cremation process, the crematorium hours of operations are limited to 6:00 a.m. to 9:00 p.m.
7. No funeral or memorial services shall be conducted on-site.
8. A modified C-type buffer along South Pine Avenue consisting of evergreen hedges, which are to be maintained at a minimum of 3' in height, and three (3) ornamental trees per one hundred (100) lineal feet is to be installed and maintained.
9. If public water or sewer becomes available from the public utility provider, connection will be required to services within 365 days of notification.
10. A new Special Use Permit will be required for any future expansion of the approved crematory use.
11. The Special Use Permit shall run with the current property owner, 848 Broadway LLC, and shall remain in effect until such time as the property is conveyed to SCI Funeral Services of Florida, LLC. The transfer of ownership shall occur within one hundred eighty (180) days from the date of approval of this Special Use Permit, after which the Permit shall run with the new owner.
12. The Special Use Permit shall expire on May 19<sup>th</sup>, 2031; however, it may be renewed administratively three times for up to 5 years each by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
  - a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the permit,
  - b. Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
  - c. The Growth Services Manager determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

**Approval as conditioned (4-0)**

## **VIII. BOARD OF COUNTY COMMISSIONERS' ACTION**

**TBD**

## **IX. LIST OF ATTACHMENTS**

- A. SUP application.
- B. Site Photos.
- C. DRC Comments.