

ORDINANCE NO. 23-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING REZONING AND SPECIAL USE PERMIT APPLICATIONS AND AUTHORIZING IDENTIFICATION ON THE OFFICIAL ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Marion County, Florida (Board), is responsible for and has established the zoning of parcels of property in the unincorporated area of Marion County as reflected on the official Zoning Map, and

WHEREAS, property owner(s) have submitted petition(s) for rezoning and/or special use permits and such applications identify the property by metes and bounds description or by the Marion County Property Appraiser parcel number and such identifications of property are hereby incorporated into this ordinance by reference, and

WHEREAS, the Board has considered the recommendations of the Marion County Planning and Zoning Commission and has conducted the necessary public hearing and has approved the applications contained in this ordinance. Now therefore,

BE IT ORDAINED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. REZONING AND SPECIAL USE PERMIT APPROVALS. The Board hereby approves the below-listed applications for Rezoning and Special Use Permits. NOTE: The terms and conditions of Board approvals of Special Use Permits and Planned Unit Developments are stated in the Board Resolution corresponding to each Special Use Permit and Planned Unit Development Petition shown below.

1. **AGENDA ITEM #15.2.2. 230108ZP** – Sandy Clay, LLC. Floyd Salser, III, 4349 SE 20th Street, Ocala FL 34471, application for a Zoning Change, Articles 2 and 4 of the Marion County Land Development Code, from General Agriculture (A-1) to Planned Unit Development (PUD), for a development with maximum of 452 units - Townhomes and Single-Family Residences, on an approximate 104.23-acre parcel, on Parcel Account Number 37896-000-00.
Subject to all terms and conditions of Resolution 23-R-23 attached hereto and incorporated herein by reference.

Attachment E

2. **AGENDA ITEM #15.2.1. 230104SU**– Counts Construction Company, Inc. Glenn Counts, 3021 NW 21st Street, Ocala FL 34475, application for a Special Use Permit, Articles 2 and 4 of the Marion County Land Development Code, for expansion of an existing sand extraction site (mining), in a General Agriculture (A-1) zone, on an approximately 64.0-acre tract on Parcel Account Numbers 19948-000-01 and 19948-000-02.

Subject to all terms and conditions of Resolution 23-R-24 attached hereto and incorporated herein by reference.

SECTION 2. The Board hereby authorizes the official zoning map to be revised to reflect the above described re-zonings and special use permits.

SECTION 3. EFFECTIVE DATE. A certified copy of this Ordinance as enacted shall be filed by the Clerk of the Board with the Office of the Secretary of State of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect in accordance with Section 125.66(2), Florida Statutes.

DULY ADOPTED in regular session this 7th day of February, 2023.

ATTEST:



GREGORY C. HARRELL, CLERK

BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA



CRAIG CURRY, CHAIRMAN

RECEIVED NOTICE FROM SECRETARY
OF STATE ON FEBRUARY 16, 2023
ADVISING ORIDINANCE WAS FILED
ON FEBRUARY 16, 2023.

RESOLUTION NO. 23-R-23

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A ZONING CHANGE FROM GENERAL AGRICULTURE (A-1) TO PLANNED UNIT DEVELOPMENT (PUD) ON A ±104.23-ACRE PARCEL FOR SANDY CLAY, LLC. FLOYD SALSER III., ZONING CASE NUMBER 230108ZP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Planned Unit Development was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on December 28, 2022; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, February 7, 2023. Now therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. PLANNED UNIT DEVELOPMENT APPLICATION 230108ZP – Sandy Clay, LLC. Floyd Salser, III. The application requesting a Planned Unit Development, Articles 2 and 4 of the Marion County Land Development Code, as submitted by Tillman & Associates Engineering, Ocala FL 34471 for a zoning change from General Agriculture (A-1) to Planned Unit Development (PUD), for a development with maximum of 452 units -Townhomes and Single-Family Residences, on an approximate 104.23-acre parcel, on Parcel Account Number 37896-000-00.

SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS. The Board of County Commissioners agrees with the recommendation and findings of the Planning and Zoning Commission recommending approval of the Planned Unit Development and the Board approves the Planned Unit Development subject to the following development conditions:

1. The maximum development of the PUD is limited to a total maximum of 344 single-family detached dwelling units and a maximum of 108 multiple-family dwelling units (series of attached townhome structures with residential units of up to two-stories and including garages in the western portion of the PUD site) and accompanying accessory amenities consistent with the Marion County Land Development Code, the PUD Application, and the PUD Concept Plan (dated 11/1/2022; attached)

2. The PUD's Type C Buffer shall be provided and maintained consistent with the provisions of LDC Section 6.8.6 along the PUD's full north boundary, full west boundary, and along the site's SE 92nd Loop and SE 110th Street Road frontages forming a continuous buffer except for accommodations for the site's two access points. Along the north and west boundary, the applicant may propose an alternative buffer and or providing minimum 6-foot high opaque vinyl privacy fencing, with the alternative design proposed as part of the final PUD Master Plan final review consideration required by condition #11 below.
3. A continuous minimum 6-foot high opaque vinyl privacy fence shall be provided and maintained along the full length of the PUD's east boundary shared with the adjoining Silver Springs Shores Unit 12 Subdivision, consistent with the provisions of LDC Section 6.8.6 regarding buffer fences.
4. Prior to completion and approval of the final PUD Master Plan, or equivalent, a project Traffic Methodology shall be submitted, to then be followed by the final project Traffic Study, with each subject to review and approval consistent with the LDC. Development of the PUD shall be completed and adequate provision shall be made to provide for the dedication of thoroughfare and major local collector rights-of-way along with necessary supporting transportation system and/or access improvements, consistent with applicable County and State provisions.
5. Development of the PUD shall provide for sidewalks along SE 100th Street Road and internal sidewalks consistent with the LDC, including connecting the internal sidewalks to the external sidewalks, subject to review and approval by the County Engineer; in lieu of providing a sidewalk along SE 110th Street Road, the PUD developer may provide a fee-in-lieu of construction subject to the review and approval of the County Engineer.
6. Final parking requirement calculations and provision shall be provided consistent with the LDC with the project's final PUD Master Plan, or equivalent.
7. The PUD shall be connected to central water and central sanitary sewer services provided by the City of Belleview.
8. The final PUD Master Plan, or equivalent, shall address the design and placement of exterior lighting for the PUD's common property and its improvements as well as the exteriors of the townhouses to demonstrate compliance with the provisions of LDC Article 6, Division 19.
9. The final PUD Master Plan, or equivalent, shall display the size of the recreational amenity area(s) and demonstrate five percent improved open space (IOS) is provided and established.
10. The final PUD Master Plan, or equivalent, shall address the ownership and maintenance of the recreational amenity area(s) to ensure they are maintained in perpetuity with the PUD, pursuant to LDC Section 4.2.31.E(7)(c)1.
11. The final PUD Master Plan, or equivalent, shall require approval by the Marion County Board of County Commissioners, including being duly noticed and advertised consistent with the Land Development Code's notice provisions at the applicant's expense.
12. Development Conditions Attachments:
 - a. Conceptual PUD Concept Plan


SECTION 3. COMPLIANCE/REVOCATION. Violation or failure to comply with one or more condition(s) of this Planned Unit Development shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

Attachment E

DULY ADOPTED in regular session this 7th day of February, 2023.

ATTEST:



GREGORY C. HARRELL, CLERK

**BOARD OF COUNTY COMMISSIONERS
MARION COUNTY, FLORIDA**



CRAIG CURRY, CHAIRMAN

SECTIONS 28 TOWNSHIP 16 SOUTH, RANGE 23 EAST
MARION COUNTY, FLORIDA

PROJECT AREA: 104.23 ± ACRES

EXISTING LAND USE: HIGH RESIDENTIAL (8 UNITS PER AC.)

EXISTING ZONING: A-1

PROPOSED ZONING: PUD (PLANNED UNIT DEVELOPMENT)



VICINITY MAP
SCALE: 1" = 100'

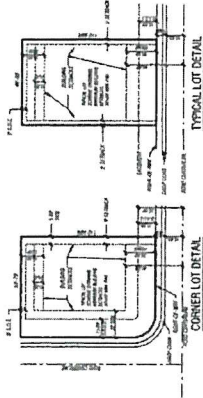


1	COVER SHEET
2	DETAILS
3	CONCEPT PLAN

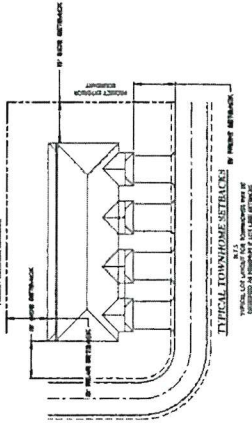
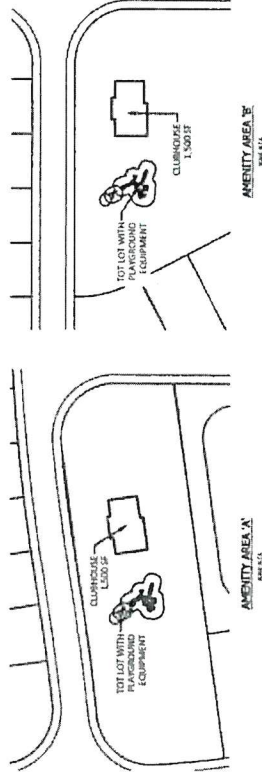
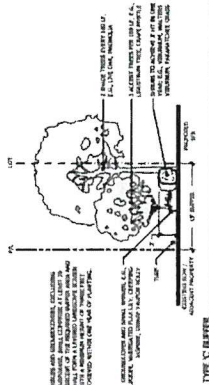
- RUID REZONING REQUIREMENTS**
- AT A MINIMUM, THE RUID REZONING APPLICATION SHALL BE ACCOMPANIED BY A CONCEPTUAL PLAN, IN COMPLIANCE WITH DIVISION 2.1.3 AND THIS SECTION, ALONG WITH ACCOMPANYING DOCUMENTATION FOR REVIEW BY THE COUNTY GOVERNING AGENCIES. THE CONCEPTUAL PLAN SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR REVIEW AND APPROVAL. THE CONCEPTUAL PLAN SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR REVIEW AND APPROVAL. THE CONCEPTUAL PLAN SHALL BE SUBMITTED TO THE COUNTY ENGINEER FOR REVIEW AND APPROVAL.
1. THE SHEET OF THE PROPOSED PLAN SHALL BE CENTERED AT THE TOP OF THE SHEET ALONG THE LONG DIMENSION OF THE SHEET. SEE COVER SHEET - SHEET 1.
2. VICINITY MAP THAT IDENTIFIES LOCATIONS OF THE SITE TO THE SUBDIVISIONS AREA WITHIN A CITY BLOCK. SEE VICINITY MAP - SHEET 1.
3. SEE ALSO CONCEPT PLAN - SHEET 1.
4. PROVIDE THE ADDRESS OF THE SUBJECT PROPERTY ALONG WITH A LEGAL DESCRIPTION OF THE PROPERTY. SEE COVER SHEET - SHEET 1.
5. IDENTIFY THE COMPENSATION PLAN FROM LAND USE AND EXISTING ZONING OF THE SUBJECT PROPERTY. SEE ALSO CONCEPT PLAN - SHEET 1.
6. IDENTIFY EXISTING SITE IMPROVEMENTS ON THE SITE. NO EXISTING IMPROVEMENTS ON SITE.
7. A LIST OF THE USES PROPOSED FOR THE DEVELOPMENT. SEE SITE DATA - SHEET 1.
8. A TYPICAL DRAWING OF AN INTERIOR LOT, CORNER LOT, AND A LOT-TO-LOT LOT. SEE TYPICAL DRAWING - SHEET 1.
9. DRAWINGS WILL SHOW A STANDARD HAZARD SIZE WITH ANTICIPATED ACCESS STRUCTURE. SEE DETAILS - SHEET 2.
10. EXISTING ZONING AND DEVELOPMENT STANDARDS (STREETS, FAN, BUILDING, HEIGHT, ETC.) WILL APPLY TO THE SITE. SEE STANDARDS - SHEET 1.
11. EXISTING PROPOSED IMPROVEMENTS. SEE IMPROVEMENTS - SHEET 1.
12. IDENTIFY ACCESS TO THE SITE. SEE ALSO CONCEPT PLAN - SHEET 1.
13. PRELIMINARY BUILDING LOT TYPICAL WITH REQUIRED YARD SETBACKS AND PARKING LOT LOCATIONS. SEE DETAILS - SHEET 2.
14. PRELIMINARY STANDARD LOCATIONS. SEE ALSO CONCEPT PLAN - SHEET 1.
15. SHOW 100' WIDE BUFFER ZONE ON THE SITE. SEE BUFFER ZONE - SHEET 1.
16. SHOW ANY PROPOSED AND OR RIGHT OF WAY DEDICATION. HOME REQUIRED.
17. IDENTIFY ANY PROPOSED PARKS OR OPEN SPACES. SEE OPEN SPACE IMPROVEMENT - SHEET 1.
18. A SITE DESCRIBING HOW THE CONSTRUCTION AND MAINTENANCE OF PRIVATE DRIVEWAY SHALL BE ACCOMPLISHED. SEE PRIVATE DRIVEWAY - SHEET 1.
19. COMPLETE THE SITE. SEE SHEET 1.
20. ARCHITECTURAL RENDERINGS OR COLOR PHOTOS DETAILING THE DESIGN OF THE PROPOSED BUILDING. SEE ARCHITECTURAL RENDERINGS - SHEET 1.

[illegible]

SFR

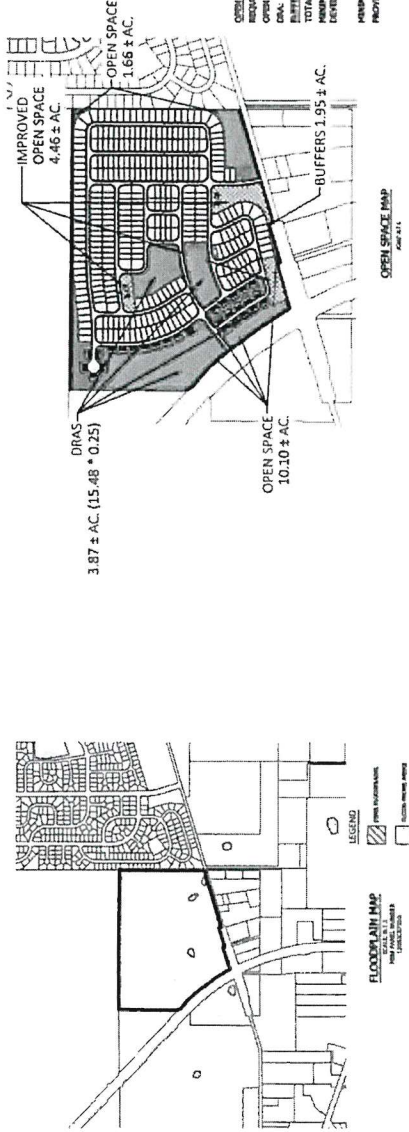


NOTES: FACADE COLORS SHALL BE LOW REFLECTANCE, SUBTLE, OR NEUTRAL TONE COLORS. BUILDING TRIM AND ACCENT AREAS MAY FEATURE BRIGHTER COLORS, INCLUDING PRIMARY COLORS.



LAND USE	MINIMUM SETBACKS				MAX. HEIGHT
	FRONT	BACK	REAR AND SIDE	REAR AND SIDE	
SFR (ACCESSORIES)	20'	10'	5'	40'	20'
TOWNHOMES (BUILDING LOT LINE SETBACK)	15'	15'	15/10'	50'	50'

OPEN SPACE
REQUIRED: 20.00 ± AC (10.00 X 0.20)
OPEN SPACE: 14.32 ± AC
GVA: 3.67 ± AC (15.00 ± 0.25)
PARKING: 1.95 ± AC
TOTAL PROVIDED AS SHOWN: 22.94 ± AC
MINIMUM OF 20.00 ± AC OPEN SPACE TO BE PROVIDED AT TIME OF DEVELOPMENT
MINIMUM IMPROVED OPEN SPACE TO BE PROVIDED: 1.81 ± AC (0.05 ± 0.05)
PROVIDED IMPROVED OPEN SPACE: 1.46 ± AC



NOT VALID UNLESS SIGNED AND SEALED BY A AUTHORIZED PROFESSIONAL.

