



MARION COUNTY GROWTH SERVICES

Date: 7/28/2021

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

Application No:
210809Z
[CDP-AR# 26833]

Type of Application
Rezoning

Rezoning Request:
From: PUD (Planned Unit Development)
To: R-1 (Single-family Dwelling)

Future Land Use:
Rural Land; Subdivision of Record per FLUE Policy 10.1.4

Parcels #/Acreage:
1752-014-062/1.05 ac.
1752-014-063/1.05 ac.
1752-014-064/2.11 ac.
TOTAL 4.21 ac.

Owner/Applicant(s):
Arron R. Sterling & Maria L. Bithell

Location: 19900 block of SW 69th Place; north side of SW 69th Place, midway between SW 198th Avenue and SW 201st Avenue.

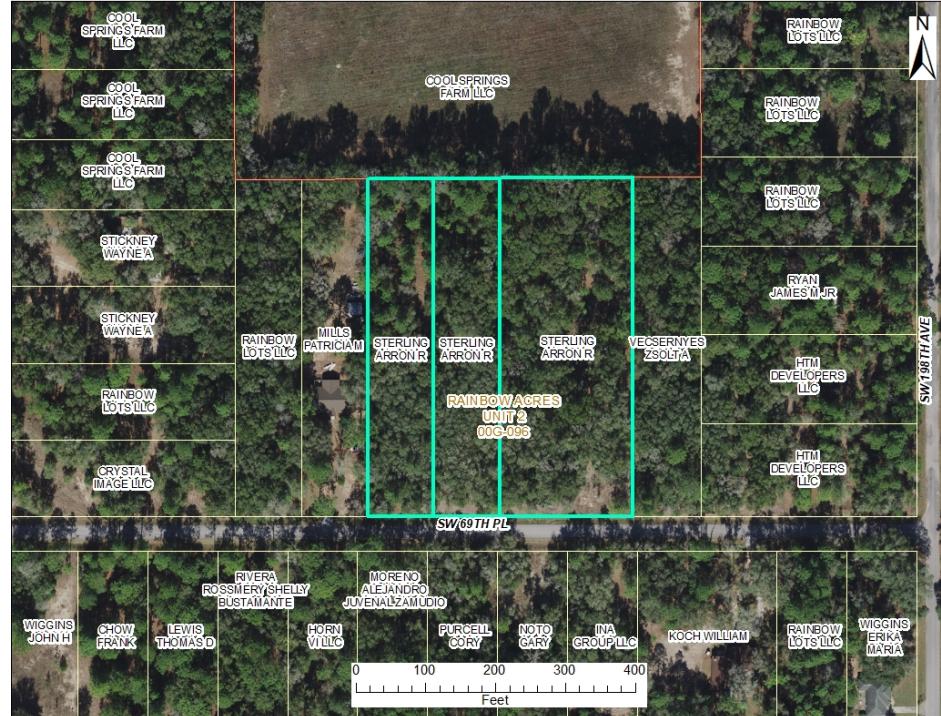
Staff Recommendation:
APPROVAL

P&Z Recommendation
APPROVAL
(ON CONSENT)

Project Planner
Christopher D. Rison,
AICP, Senior Planner

Existing Use:
Vacant

Code Enforcement Action: None.



Item Summary

Staff is recommending **Approval** for a rezoning for a series of three lots in the Rainbow Acres Subdivision Unit 2 from PUD (Planned Unit Development) to R-1 (Single-Family Dwelling) for a total of ±4.21 acres, in accordance with Marion County Land Development Code (LDC), Article 2, Division 7, Zoning Change in the 19900 block of SW 69th Place. This request is one of a series of recent requests resulting from the sale of lots previously part of the discontinued former Cold Springs Villages development.

Public Notice

Notice of public hearing was mailed to seventeen (17) property owners within 300 feet of the overall subject property.

Location

The parcels/ lots are within the 19900 block of SW 69th Place in the Rainbow Acres Subdivision Unit 3, on the north side of SW 69th Place midway between SW 198th Avenue and SW 201st Avenue.

Request

The subject parcels/ lots are located in the historic Rainbow Acres Subdivision, Unit 2, that is eligible for continued development consistent with its original plat. The lots were previously held as part of the Cold Springs Villages development that expired in 2008. The current owners have been offering the historic platted lots for sale, and this request will restore and re-establish R-1 zoning for the lots consistent with the other surrounding historic lots.

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	Rural Land	PUD (Planned Unit Development)	Vacant/forested (Cold Springs Villages)
S	Rural Land	R-1 (Single-Family Dwelling)	Vacant
E	Rural Land	R-1 (Single-Family Dwelling)	Vacant
W	Rural Land	R-1 (Single-Family Dwelling)	SFR

This rezoning request will establish R-1 zoning consistent with the historic subdivisions plat and the existing surrounding lots.

Infrastructure

The parcels/lots are part of the Rainbow Acres Subdivision, Unit 2, and will function like the other adjoining and surrounding residential subdivision lots. Development of the parcels/lots will be required to comply with LDC zoning and site development requirements consistent with the surrounding lots and residential homes.

TABLE 2. SURROUNDING ROADWAY CONDITIONS						
Road	Class.	Maint.	Existing Conditions			
			Surface	No. Lanes	R/W Width	R/W Deficiency
S. Hwy 41	Arterial	State	Paved	2	±66'	±84'

The parcel is outside the Urban Growth Boundary and in the Primary Springs Protection Zone for Rainbow Springs. Marion County Utilities notes County service is not readily available in the vicinity, and requirements for connection will be determined upon the submission of development proposals for the site.

TABLE 3: UTILITY SERVICES	
<i>Utility</i>	<i>Service Area</i>
Water	Marion County SW Regional Utility Service Area
Sewer	Marion County SW Regional Utility Service Area

Analysis

In reaching its decision, the Commission must address the following:

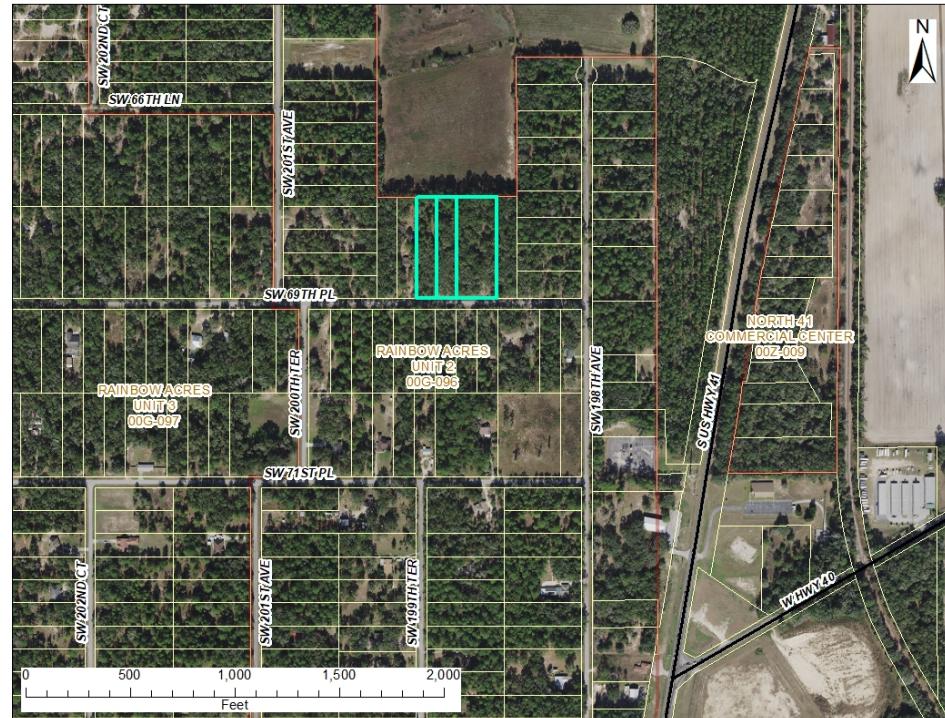
- 1. Granting the proposed zoning change will not adversely affect the public interest.** The parcels/lots a part of the Rainbow Acres Subdivision and the request will accommodate lot development consistent with the remainder of the subdivision. Granting the rezoning will not adversely affect the public interest.
- 2. The proposed zoning change is consistent with the current Comprehensive Plan.** The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates the site as Rural Land while FLUE Policy 10.1.4 acknowledges the Rainbow Acres Subdivision, Unit 2, is eligible for continued development as originally platted. Rezoning the subject property to R-1 will establish a zoning consistent with subdivisions established density and development pattern along with the existing zoning in the majority of the subdivision. Development of the site will be subject to compliance with current LDC requirements (e.g., access, potable water, wastewater, stormwater, etc.) and granting the rezoning will be consistent with the Comprehensive Plan.

3. The proposed zoning change is compatible with land uses in the surrounding area. Adjoining properties to the south, west, and east are currently zoned R-1. The parcel to the north continues to be held by the current owner of the historic Cold Springs Villages holdings, who is the party that has sold a number of lots similar to these in recent months. The proposed R-1 zoning will be compatible with land uses in the surrounding area.

STAFF RECOMMENDATION: APPROVAL

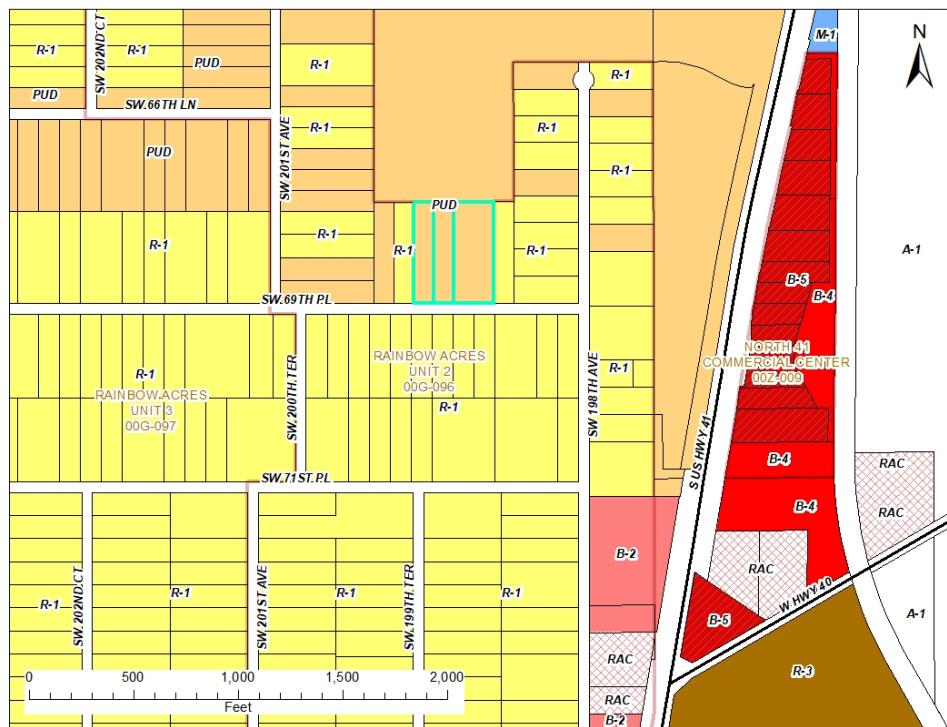
PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL

EXPANDED AERIAL VIEW



Existing residence west of the series of lots.

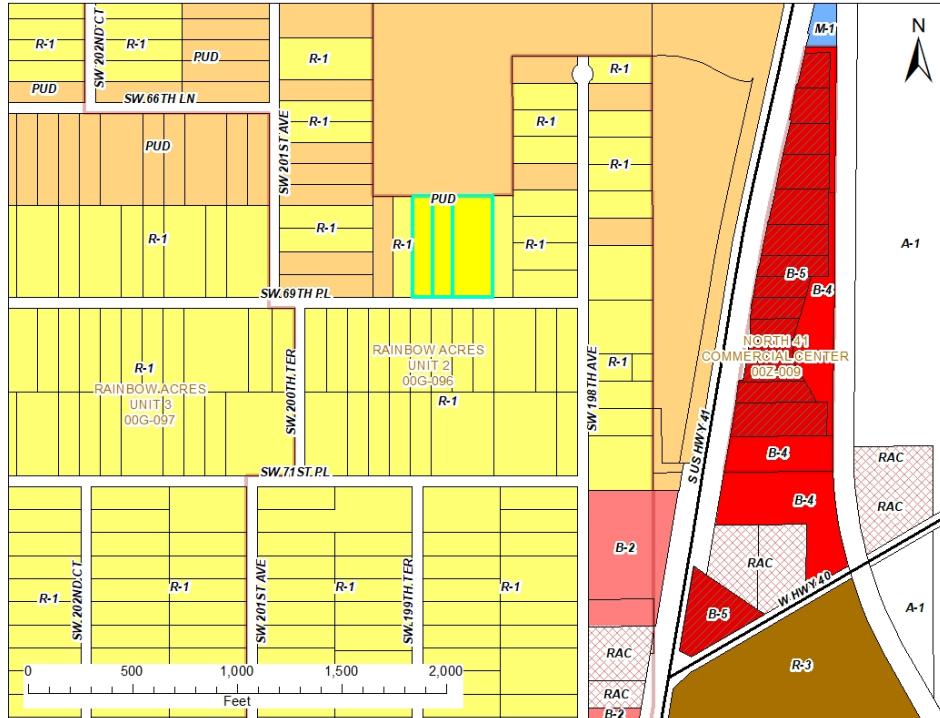
CURRENT ZONING



ZONING DISTRICT

A-1 General Agriculture	R-3 Multiple Family Dwelling	R-O Residential Office	RI Rural Industrial
A-2 Improved Agriculture	R-4 Residential Mixed Use	B-1 Neighborhood Business	M-1 Light Industrial
A-3 Residential Agricultural Estate	MH Manufactured Housing	B-2 Community Business	M-2 Heavy Industrial
RR-1 Rural Residential	P-MH Mobile Home Park	B-3 Specialty Business	I-C Industrial Complex
R-E Residential Estate	P-RV Recreational Vehicle Park	B-4 Regional Business	G-U Government Use
R-1 Single-Family Dwelling	RR Recreational Resort	B-5 Heavy Business	RC-1 Rural Commercial
R-2 One-and Two-Family Dwelling	RAC Rural Activity Center	R-PUD Residential Planned Unit Development	PUD Planned Unit Development

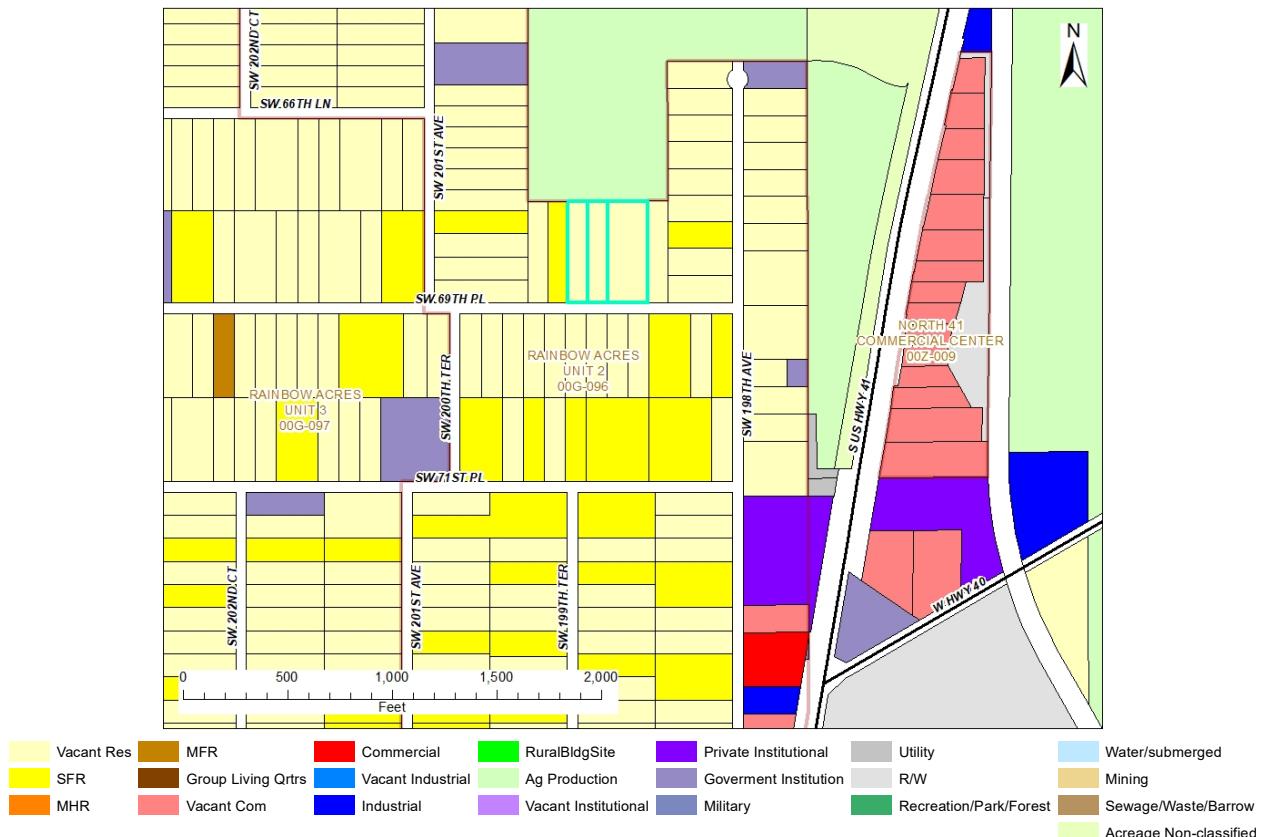
PROPOSED ZONING



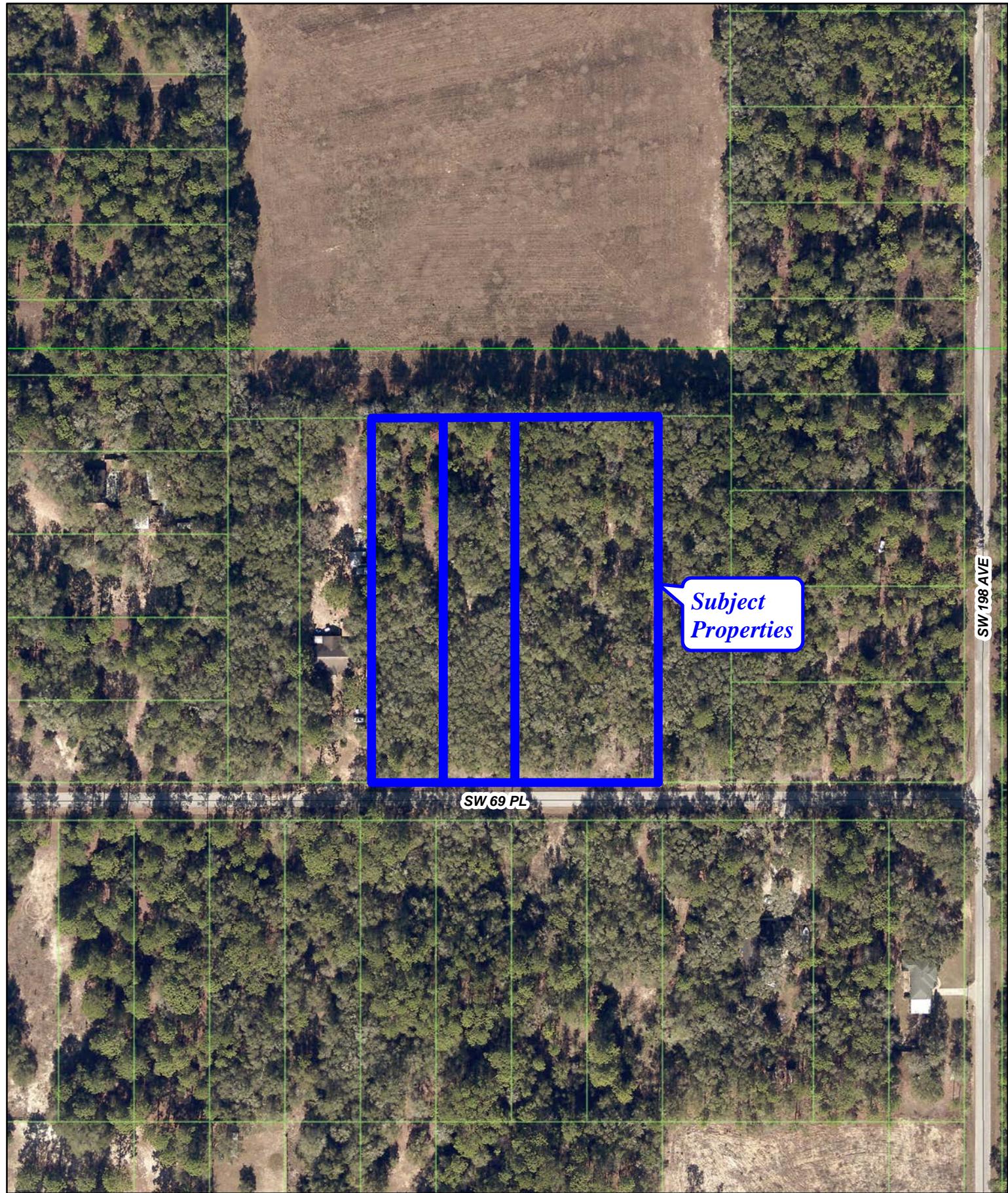
FUTURE LAND USE DESIGNATION



EXISTING USES PER MCPA PROPERTY CODE



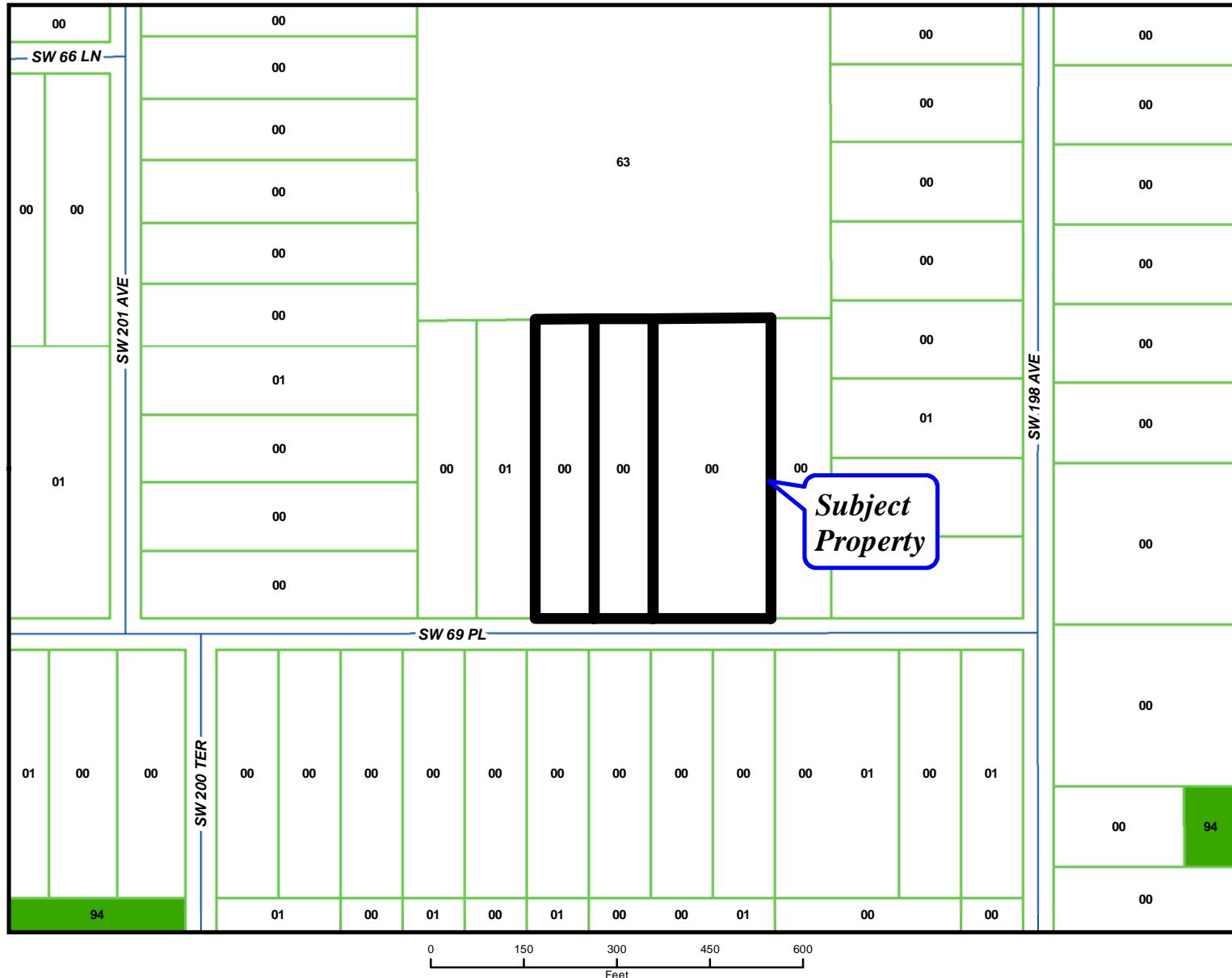
Aerial: 210809Z



0 100 200 300 400
Feet



Existing Land Use Designation 210809Z



Use per MC Property Appraiser		OWNER(S): Aaron R. Sterling and Maria L. Bithell
01	Single Family Res	
50-69/99	Agricultural	AGENT: Same
00/10/40/70	Vacant	
71	Church	
02	Mobile Home	PARCEL(S): 1752-014-062, 1752-014-063, 1752-014-064
06-07/11-39	Commercial	
41-49	Industrial	
83-98	Public	
82	Recreation	
03-05/08	Multi-Family	
77	Club/Lodge/Union Hall	



Legend

- All Amendments Rural Land (1 du/10 ac)

Policy 1.20



The legend consists of two rows of colored squares with corresponding labels. The first row includes 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), and Public (N/A; FAR 1.0). The second row includes 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), and Municipality.

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
FLORIDA

Marion County
Board of County Commissioners

Growth Management • Zoning

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2675
Fax: 352-438-2676

210809 3

AR #: 26833

PA'S : 1752-014-062

1752-014-063

and 1752-014-064

APPLICATION FOR REZONING

Application No.: 210809 3

The undersigned hereby requests a zoning change of the Marion County Land Development Code, Article 4, Zoning, on the below described property and area, from PUD to R 7, for the intended use of:

Legal description: (please attach a copy of the deed and location map)

Parcel account number(s): 1752-014-062|1.05, 1752-014-063|1.05, 1752-014-064|2.11

Property dimensions: _____ Total acreage: 4.21 ✓ R-1

Directions: 91 TO 75TH ST THEN RIANT ON 199TH LEFT ON 69TH BEAR

The property owner must sign this application unless he has attached written authorization naming an agent to act on his/her behalf.

Arron R Sterling and

Property owner name (please print)

PO Box 350984

Mailing address

JACKSONVILLE FL 32235

City, state, zip code

360-473-6223

Phone number (please include area code)

Arron R Sterling

Signature

MARIA B. THELL

Applicant or agent name (please print)

PO Box 350984

Mailing address

JACKSONVILLE FL 32235

City, state, zip code

360-599-0649

Phone number (please include area code)

Maria B. Thell

Signature

Please note: the zoning change will not become effective until 14 days after a final decision is made by the Marion County Board of County Commissioners. The owner, applicant or agent is encouraged to attend the public hearing where this application will be discussed. 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 \$1,000.00, and is non-refundable. For more information, please contact the Zoning Division at 352-438-2675.

FOR OFFICE USE ONLY

RECEIVED BY: KO

DATE: 5/25/21

ZONING MAP NO.: _____

Rev. 07/03/2019

"Meeting Needs by Exceeding Expectations"

AR # 26833

www.marioncountyfl.org

Sec. 01-16-18

"Rainbow Acres-Unit 2"



#2108093

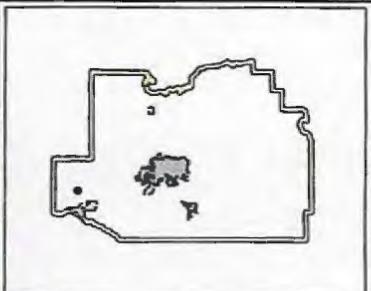


0.0 0 0.02 0.0 Miles

Projected Coordinate System: NAD_1983_StatePlane_Florida_West_FIPS_0902_Feet

Created By:

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
- Road Maintenance
- OCE Maintained, Paved
- OCE Maintained, Unpaved
- OCE Maintained, MSTU, Paved
- Other
- Streets
- Special Flood Hazard Areas - Chance Flood
- A - No Base Flood Elevation Determined
- AE - Base Flood Elevation Determined
- AH - Area of Pending 1-3 ft
- 2008 FIRM Panel
- Flood Prone Areas
- Parcels
- Environmentally Sensitive Overlays
- Policy 120 Letters

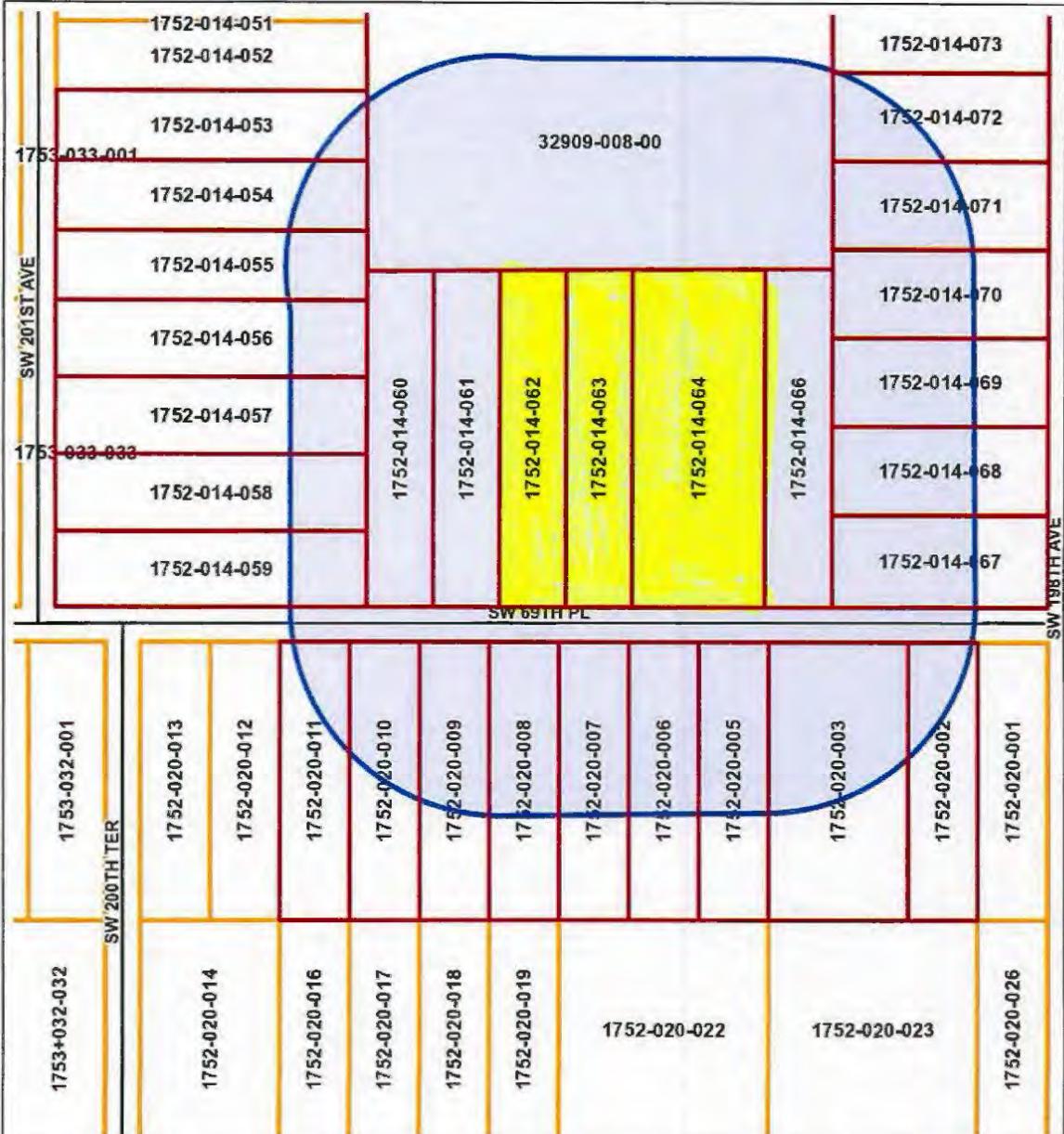
1: 1,063

1 in = 0.02 Miles



Notes

Creation Date: 4/14/2021



0.1
0
0.05
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 herein 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

32909-010-03

1752-019-003 1752-019-003

1752-019-004 1752-019-004

1752-019-005 1752-019-005

1752-019-006 1752-019-006

1752-019-007 1752-019-007

1752-019-008

1752-019-008

1752-019-010

1752-019-010

1752-019-012 1752-019-011

1752-019-013 1752-019-013

1752-019-014

1752-019-015

32909-009-00
SUS HWY 41

1: 3,075
1 in = 0.05 Miles

Notes
AGENT: N/A

Creation Date: 6/14/2021