



**Marion County
Board of County Commissioners**

Growth Services

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

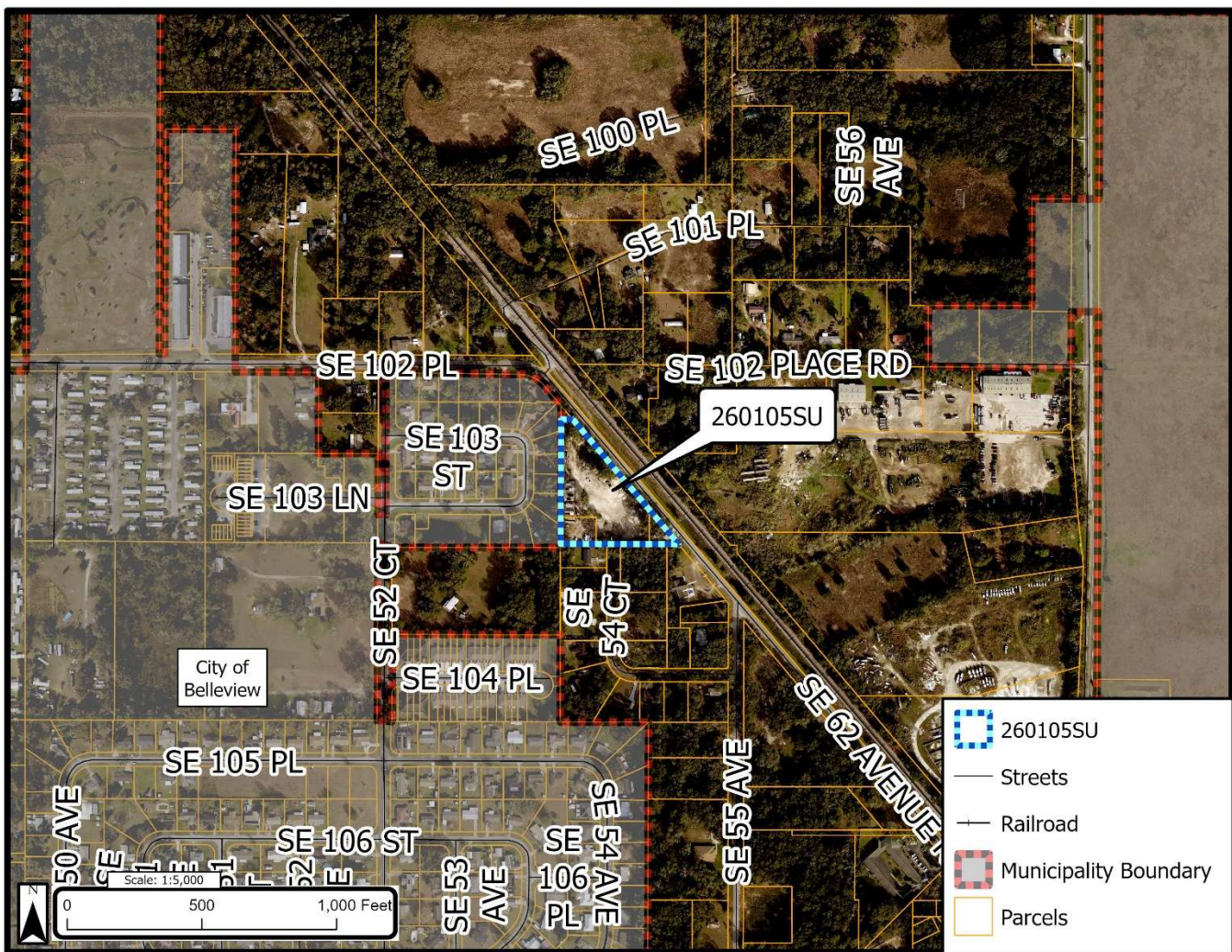
**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: 12/29/2025	BCC Date: 1/06/2026
Case Number:	260105SU
CDP-AR:	33516
Type of Case:	Special Use Permit to allow for commercial plant nursery in Single Family Dwelling (R-1) zoning designation.
Owner	AFMA Ocala LLC
Applicant	Victor Scine
Street Address	10356 SE 62 nd Avenue Road
Parcel Number	37052-000-00, 37053-000-00 & 37056-000-00
Property Size	±3.13-acres
Future Land Use	Medium Residential
Zoning Classification	Single Family Dwelling (R-1)
Overlay Zone/Scenic Area	Primary Springs Protection Overlay Zone (SSPOZ) Urban Growth Boundary (UGB)
Staff Recommendation	APPROVAL WITH CONDITIONS
P&ZC Recommendation	Approval w/ conditions (5-0)
Project Planner	Kenneth Odom, Transportation Planner
Related Case(s)	SUP #180408SU: Retail/Wholesale Plant Nursery in R-1

I. ITEM SUMMARY

Victor Scine, on behalf of property owner AFMA Ocala LLC, has filed an application for a special use permit to allow for a commercial plant nursery at 10356 SE 62nd Avenue Road, Belleview, FL 34420. The Property Identification Number associated with the property is 37052-000-00, 37053-000-00 and 37056-000-00 and the legal description is displayed on the deed included as part of the application. The subject property is located within the Silver Springs Primary Protection Overlay Zone (SSSPOZ) and is also within the Urban Growth Boundary (UGB).

Figure 1
Aerial Photograph of Subject Property



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL WITH CONDITIONS** due to the request being consistent with the Marion County Comprehensive Plan and F.S. 559.955, compatible with the surrounding area, and will not adversely affect the public interest specified in Section VI.B. of this Staff Report. The recommended conditions are being imposed to address compliance with the requirements in LDC Sections 2.8.2.D and 2.8.3.B in case recommendation of approval is given.

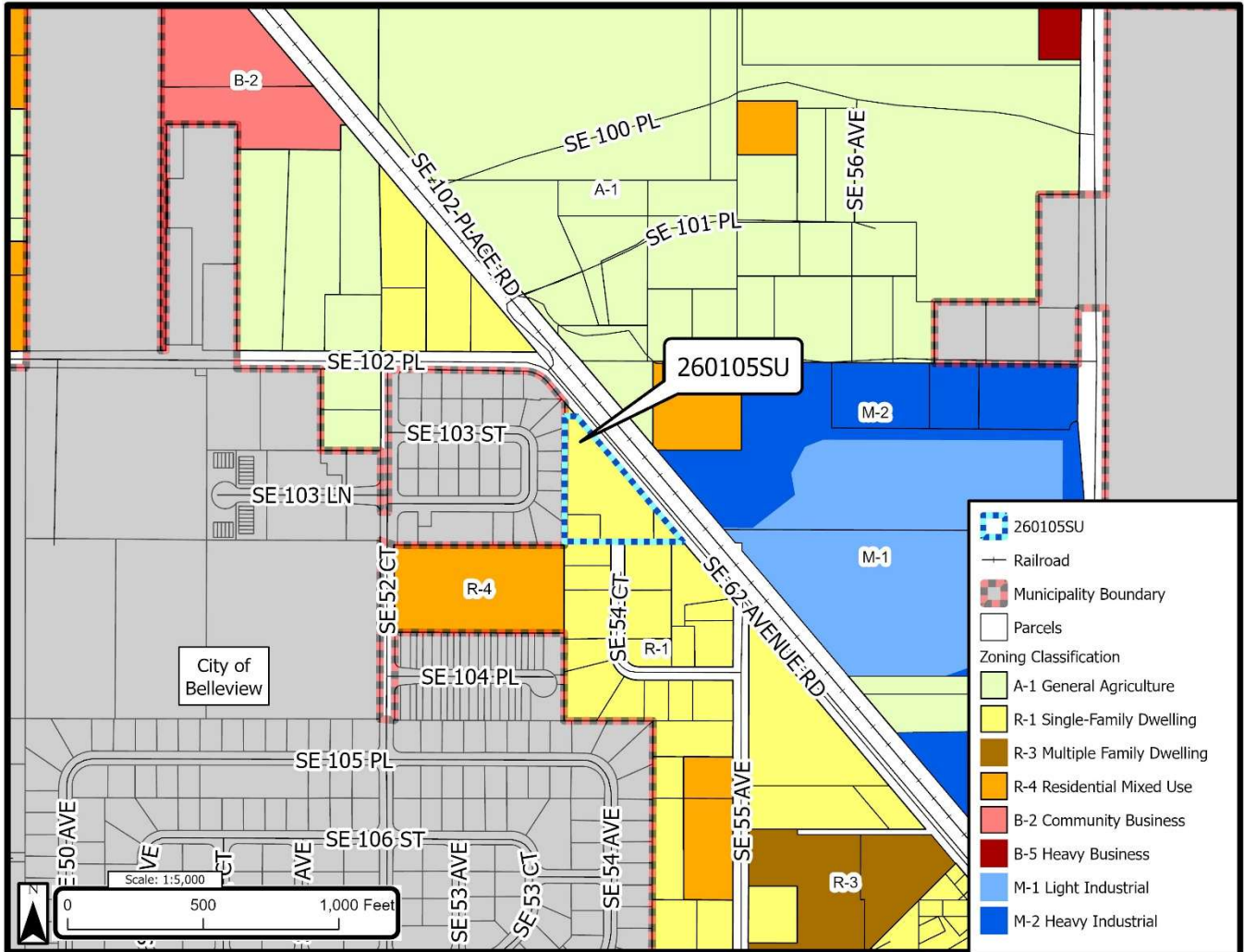
III. NOTICE OF PUBLIC HEARING

The Growth Services Director has interpreted the requirements of Land Development Code (LDC) Sections 2.7.3.C and 2.7.3.B to apply to SUP applications. LDC Section 2.7.3.C requires notice of public hearing be mailed to all property owners within 300 feet of the subject property and notice was mailed to (33) property owners on December 12, 2025. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on November 19th, 2025 and consistent with LDC Section 2.8.3.E. due public notice was published in the Ocala Star-Banner on December 15, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference.

IV. BACKGROUND/CHARACTER OF THE AREA

- A. *Existing site conditions.* Figure 2 provides zoning classification information while Figure 3 shows the FLUMS designation for the area. Table 1 outlines the existing uses of the surrounding area, while Figure 4 illustrates those uses in relation to the subject property. As illustrated, the subject property is currently listed as Vacant Residential (00) by the MCPA's office. The surrounding area is a mix of single family site built residential homes with vacant industrial uses to the east on eth other side of SR 35 (Baseline Road and the CSX 'S'-Line).
- B. *Zoning district map.* Figure 2 shows the subject property designated as Single Family Dwelling (R-1), with all other surrounding properties being of residential uses in A-1 or R-1 or vacant industrial in Heavy Industrial (M-2).

Figure 2
Zoning Classification



C. *FLUMS designation.* Figure 3 is the FLUMS and shows the subject property as Medium Residential (MR). This land use designation is intended to recognize areas suited for primarily single-family residential units for existing and new development within the UGB, a PSA or Urban Area. Parcels outside of, but contiguous to the UGB and outside of the FPA are eligible for conversion to Low Residential designation through density bonus programs consistent with FLU Policy 2.1.3. The density range shall be up to one (1 to 4) dwelling unit per one (1) gross acre, as further defined in the LDC. This land use designation is considered suitable for the the Urban Area.

Figure 3
Future Land Use Map Series

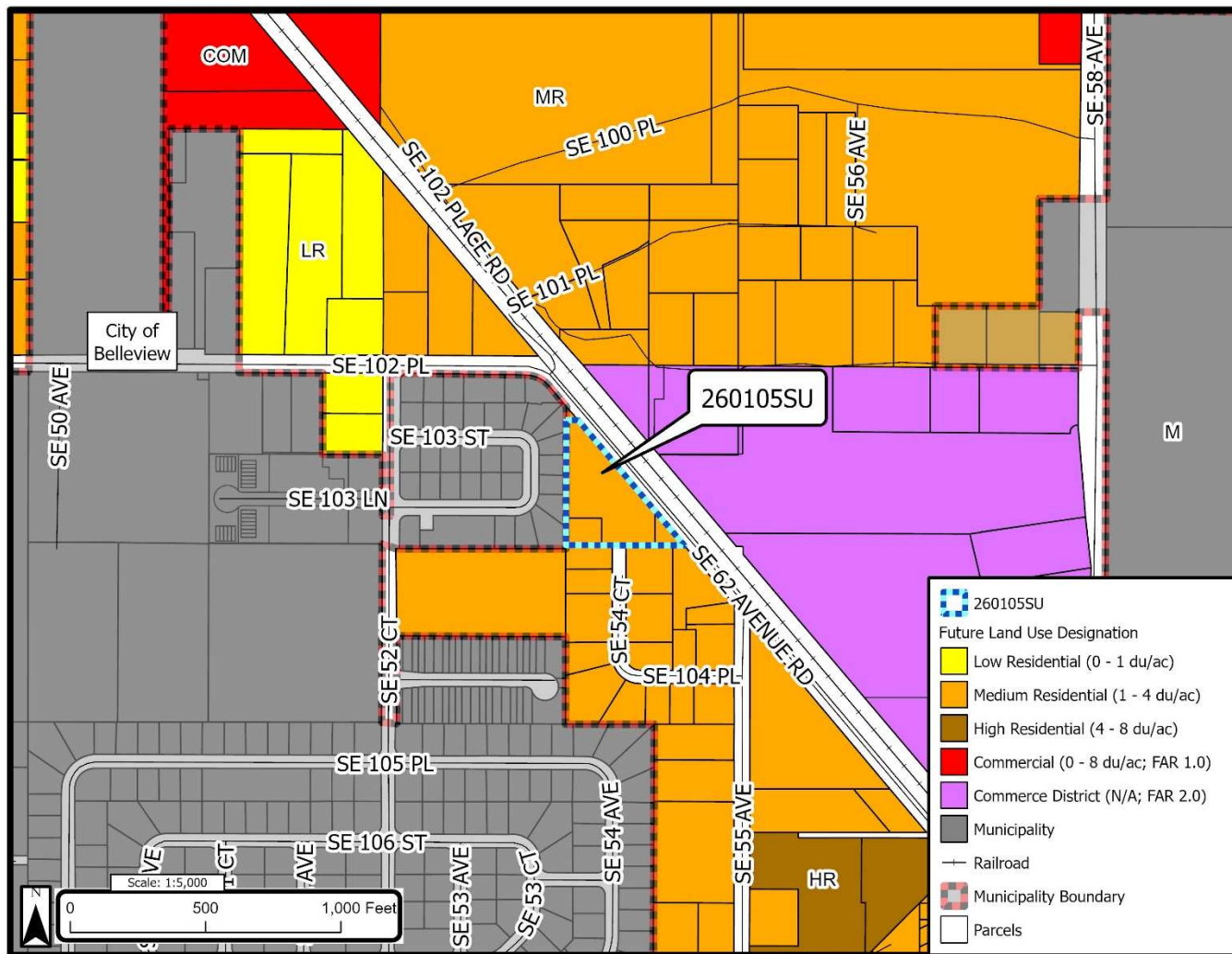
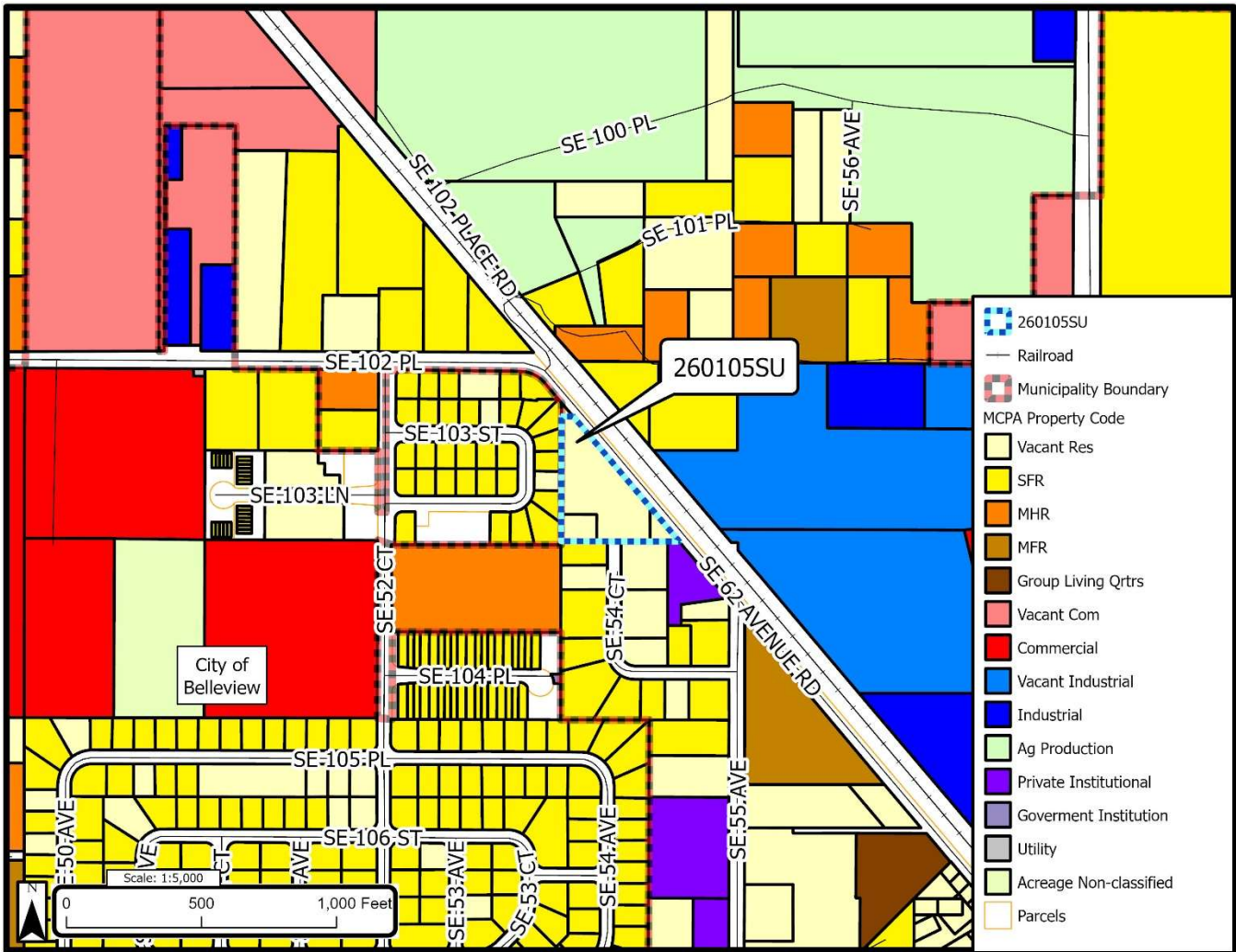
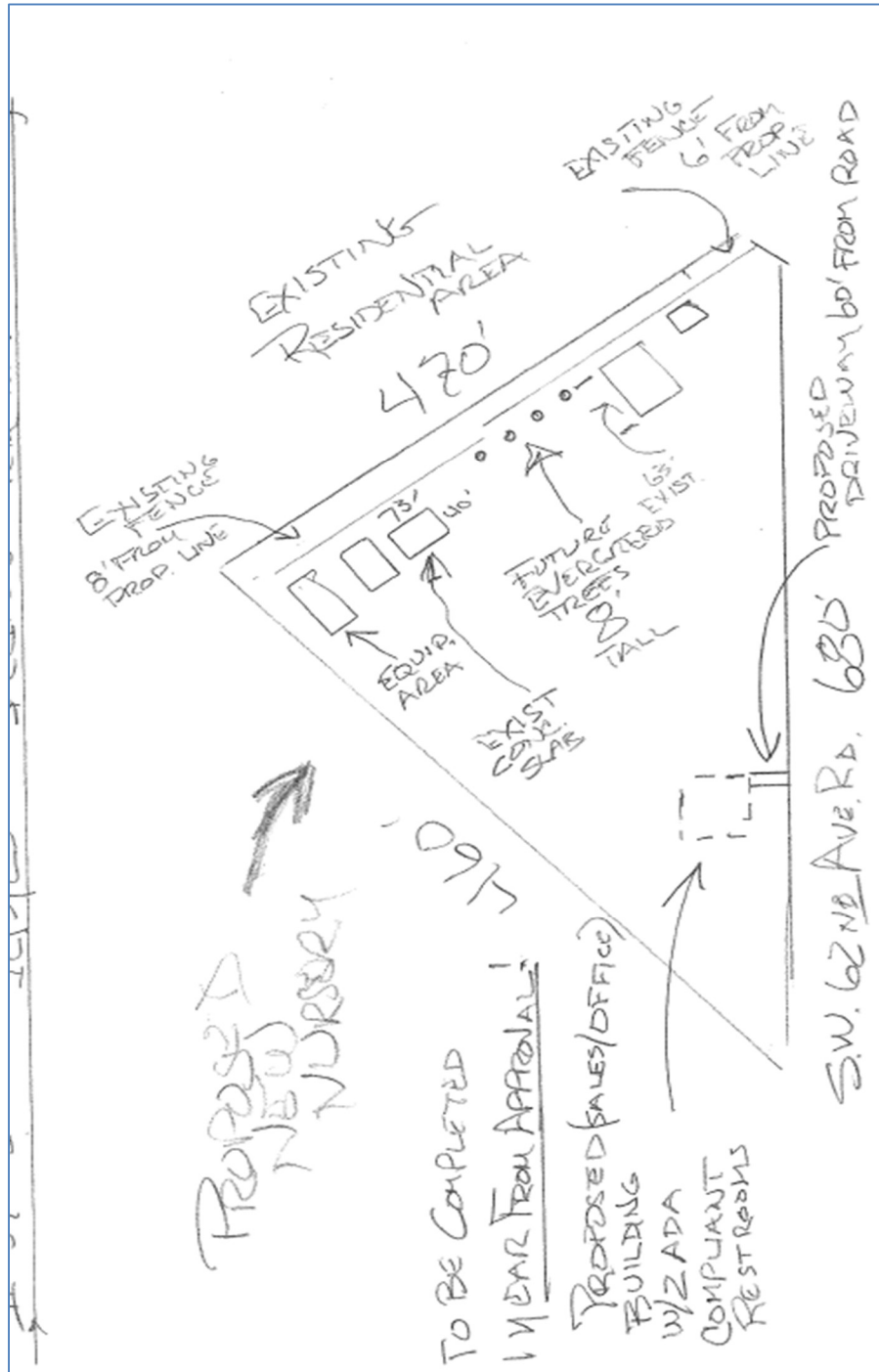


TABLE 1. ADJACENT PROPERTY CHARACTERISTICS			
Direction	FLUMS	Zoning	Existing Use
Site	Medium Residential (LR)	Single Family Dwelling (R-1)	Vacant Residential (00)
North	Commerce District (CD)	General Agriculture (A-1)	Improved Residential (01)
South	Medium Residential (MR)	Single Family Dwelling (R-1)	Improved Residential (01) Unimproved Residential (00)
East	Commerce District (LR)	Light Industrial (M-1)	Vacant Industrial (40) Improved Residential (01)
West	Medium Residential (MR)	Single Family Dwelling (R-1) (City of Belleview)	Improved Residential (01)

Figure 4
MCPA Property Uses



**Figure 5
Conceptual Plan**



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. *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: Access to the subject parcel will remain on SE 62nd Avenue Road , but will be moved from its currently location at parcel 37056-000-00 to 37052-000-00. This will be a a commercial access ingress/egress that meets all requirements per the Office of the County Engineer. (See Figure 5) With the aforementioned provisions, staff concludes that the application **is consistent** with provisions for ingress and egress.

- A commercial driveway that meets the requirements of the Office of the County Engineer will be required to access SE 62nd Avenue Road.

- B. *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.*

Parking and loading areas will be generally located as depicted in Figure 5, away from residential parcels as musg a reasonably feasible. Staff concludes that the provision for parking and loading areas is **consistent**

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

Analysis: A commercial service will be utilized to manage refuse and garbage services. Receptacles will place towards the front of the property in order to separate them from residential parcels to the greatest extent possible. Staff concludes the application **is consistent** with the provision of refuse and servie areas.

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

Analysis: Electric services are currently provided by Duke Energy. The City of Belleview water transmission lines are located in front of the property and the subject parcel will be required to hook up that service. The existing well may be maintained on site but for irrigation purposes only. A gravity sewer line is within 300' feet of the subject parcel and the applicant is required to hook up to that service also. Staff concludes the application **is consistent** with the provision of utilities.

- The primary office will be required to hook up to the City of Belleview municipal water services as water line is currently available on SE 62nd Avenue Road adjacent to the subject parcels.
- The existing well may be used for irrigation and general water services until such time that the primary building receives a Certificate of Occupancy. The existing well may continue to be utilized for irrigation of plant inventory afterwards.

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

Analysis: The subject parcel is residentially zoned but Special Use Permit considerations are permitted for limited commercial uses, including the proposed plant nursery outlined in this request. Buffer requirements are then to be considered as a commercial use, not that of a residential use. After staff inspection of the site, it is our position that the proposed use and the existing physical characteristics of the subject parcel merit consideration of potential modifications to standard buffering requirements as long as they still fulfill the intent of the Land Development Code.

The property currently has a six-foot tall wooden stockade fence around the entire perimeter of the property with the rear of the property also having a three foot concrete retaining wall which allows for additional height against the residential uses on the west side of the property.

- A modified Type 'C' buffer will be required on the east side of the subject parcel, fronting SE 62nd Avenue Road. Due to ROW limitations and the an existing stockade fence, this buffer shall be required to five feet (5') in width, but shall be comprised of the requirements that would be normally required in a typical Type 'C' buffer. (i.e fifteen feet in width).
- The southern and western buffers shall utilize evergreen ornamental trees on the interior border of the existing fence. The type of tree is at the discretion of the applicant but the tree line canopy shall be continuous with no gaps in order to block line of sight and help mitigate dust from the subject parcel. Where green houses are to be constructed, the applicant shall utilize the spaces between the green houses and the western border wall as the storage area for larger plants in the inventory in order to provide additional buffering.

F. *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: No signage or additional lighting is to be installed at this location in support of the propose use, at this time. If any signage or additional lighting is installed at a later date, the applicant shall be required to adhere to all requirements per the Marion County Land Development Code. It is concluded that the application is **consistent** with the signs and exterior lighting requirements of this section.

G. *Provision for **required yards and other green space**.*

Analysis: The subject parcel is proposed to be developed as a retail garden nursery. Much of the open areas will be filled with potted plants and trees.. No additional green space or yard is required. It is concluded that the application is **consistent** with LDC requirements.

H. *Provision for general **compatibility** with adjacent properties and other property in the surrounding area.*

Analysis: Compatibility is defined in Chapter 163.3164(9) of the Florida Statutes, under the Community Planning Act, 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.*”

Figure 1 is an aerial photograph displaying existing and surrounding properties. Figure 4 displays the same properties based on their use code per Marion County Property Appraiser. The proposed use is a low impact retail nursery, but it is located adjacent to residential parcels to the west and south. A six-foot wooden stockade fence currently exists around the perimeter of the subject parcels. Additional buffering, as described will mitigate impacts to the surrounding properties.

- The primary office building shall be permitted and under construction within one year of the approval of this SUP. Until that time, the temporary building currently serving as the office shall be permitted to continue to operate in that capacity. An ADA compliant parking stall and a temporary ADA bathroom shall be available on site before the business is open to the public.
- The existing paver pads shall be permitted to be utilized for storage. However, stored materials, other than plants shall not be stored more than six feet high within eight feet of the southern or western fence lines.
- Commercial vehicles that are not operational and/or are not for specific use by the nursery operations shall not be stored on site.

I. *Provision for meeting any **special requirements** required by the site analysis for the particular use involved.*

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. Permitting of any internal physical improvements will be required. Staff concludes that no special requirements are needed beyond the conditions provided in this report.

J. *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: Plant nursery is a permissible as an SUP in Single Family Dwelling (R-1).

Sec. 4.2.9. - Single Family Dwelling (R-1) zoning classification.

A. Intent of classification. The Single Family Dwelling Zoning Classification is intended to provide areas for medium-density residential development.

B. Residential Zoning Classification Permitted and Special Uses. See table 4.2-3 below.

C. C.Property Development Regulations. See table 4.2-4 and figure 4.2-2 below.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017; Ord. No. 24-08, § 1(Att. 1), 4-16-2024)

Based on the above findings, staff concludes the SUP is consistent with LDC Sections 2.8.2.D and 2.8.3.B, even with the provided conditions to attempt to address the ten (10) requirements imposed.

VI. ALTERNATIVE RECOMMENDATIONS

- A. Enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to the Commission to adopt a proposed Ordinance to **DENY** the special use permit.
- 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 Commission 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

Commission 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 Board enter into the record the Staff Report and all other competent substantial evidence presented at the hearing, and make a recommendation to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** the special use permit based on compatibility in the area, compliance with the Comprehensive Plan, and a lack of adverse impacts to the surrounding area.
- B. To address compliance with LDC Sections 2.8.2.D and 2.8.3.B, the following conditions are imposed in the event that the Board chooses to agree with staff recommendation and approve the special use with conditions:
1. A commercial driveway that meets the requirements of the Office of the County Engineer will be required to access SE 62nd Avenue Road.
 2. The Special Use Permit runs with the the owner and not the property.
 3. A modified Type 'C' buffer will be required on the east side of the subject parcel, fronting SE 62nd Avenue Road. Due to ROW limitations and an existing stockade fence, this buffer shall be required to five feet (5') in width, but shall be comprised of the requirements that would be normally required in a typical Type 'C' buffer. (i.e fifteen feet in width).
 4. The southern and western buffers shall utilize evergreen ornamental trees on the interior border of the existing fence. The type of tree is at the discretion of the applicant but the tree line canopy shall be continuous with no gaps in order to block line of sight and help mitigate dust from the subject parcel. Where green houses are to be constructed, the applicant shall utilize the spaces between the green houses and the western border wall as the storage area for larger plants in the inventory in order to provide additional buffering.
 5. The applicant must begin the site plan process within six months of approval of this SUP. And the primary office building shall be permitted and under construction within one year of the approval of this SUP. Until that time, the temporary building currently serving as the office shall be permitted to continue to operate in that capacity. An ADA compliant parking stall and a temporary ADA bathroom shall be available on site before the business is open to the public.
 6. The primary office will be required to hook up to the City of Belleview municipal water services as water line is currently available on SE 62nd Avenue Road adjacent to the subject parcels.
 7. The existing well may be used for irrigation and general water services until such time that the primary building receives a Certificate of Occupancy. The

existing well may continue to be utilized for irrigation of plant inventory afterwards.

8. The existing paver pads shall be permitted to be utilized for storage. However, stored materials, other than plants shall not be stored more than six feet high within eight feet of the southern or western fence lines.
9. Commercial vehicles that are not operational and/or are not for specific use by the nursery operations shall not be stored on site.
10. The Special Use Permit shall expire January 20, 2031; however it may be renewed administratively for up to 3 consecutive times 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 Director 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).

VIII. PLANNING AND ZONING COMMISSION RECOMMENDATION

Approval w/ conditions (5-0).

IX. BOARD OF COUNTY COMMISSIONERS ACTION

To be determined.

X. LIST OF ATTACHMENTS

- A. SUP application.
- B. Site Photos