

**RESOLUTION NO. 26-R-\_\_\_\_\_****A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING MODIFICATIONS TO THE MARION OAKS SUBDIVISION, A DEVELOPMENT WITH VESTED RIGHTS PURSUANT TO SECTION §380.06, FLORIDA STATUTES; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Development of Regional Impact (DRI) program was established and implemented through §380.06, Florida Statutes (“F.S.”), to provide for the coordinated planning of large-scale development projects, effective June 3, 1973; and

**WHEREAS**, on June 5, 1973, the Board of County Commissioners of Marion County, Florida (“Board”) approved the subdivision plat for the Marion Oaks Unit Seven (“MOU7”) as recorded Marion County Official Records Plat Book O, Pages 140-153; and

**WHEREAS**, on July 25, 1986, the State Land Planning Agency, then known as the State of Florida Department of Community Affairs, determined and rendered Binding Letter of Interpretation for Vested Rights for a Development of Regional Impact (“BLIVR”) No. 586-041 that MOU7 qualified for vested rights pursuant to §380.06, F.S., thereby acknowledging MOU7 as a Vested Development of Regional Impact (“VDRI”); and

**WHEREAS**, the State of Florida Division of Land Planning, and its successor agencies the Florida Department of Community Affairs (“DCA”) and Florida Department of Economic Opportunity Division of Community Planning (“DEO”), subsequently determined and rendered a Binding Letter of Interpretation for Modification to a Development of Regional Impact with Vested Rights (“BLIM”) Application No. BLIM-05-2007-017, Final Order No. DCA09-BL-258) for Marion Oaks Unit One, along with a Clearance Letter, File No. CL-0502-015 for Marion Oaks Unit Eight, authorizing and acknowledging various modifications to the Marion Oaks VDRI’s development entitlements and plan; and

**WHEREAS**, §380.06, F.S. was amended in 2018 to require that local governments, rather than the State Land Planning Agency, review and approve requested modifications to a BLIVR; and

**WHEREAS**, on February 25, 2026, W. James Gooding, III, Esq., on behalf of the Deltona Corporation (“Deltona”), filed with Marion County Growth Services a letter of application for an additional MOU7 VDRI BLIM, identified as File No. 260508BL, providing for further modifications to the MOU7 VDRI pursuant to the §380.06(06), F.S.; and

**WHEREAS**, BLIM 260508BL proposes to change the established uses for a portion of the MOU7 VDRI from Greenbelt/Preservation to Commercial to create two additional access points across said Greenbelt/Preservation lands to an existing Commercial use area, wherein that change will be reflected on Marion County’s Comprehensive Plan Future Land Use Map #1 titled Marion

County 2045 Future Land Use Map by concurrent Comprehensive Plan Amendment Application (20)26-S03 (“CPA 2026-S03), with the eastern access point representing  $\pm 0.14$  acres and the western access point representing  $\pm 0.15$  acres for a total of  $\pm 0.29$  acres; and

**WHEREAS**, the proposed BLIM will enable additional vehicular roadway connections which represent potential operational and capacity impacts that may affect the function of the SW Hwy 484 and Marion Oaks Course roadways and their intersection, along with the function of existing alley routes “in-line” with the BLIM site locations, it is agreed among the parties, that specific efforts to direct and mitigate the potential operational and capacity impacts are necessary to appropriately guide the planning and development of the MOU7 VDRI; and

**WHEREAS**, the parties agree that BLIM 260508BL does not propose any additional units or non-residential square footage, as the BLIM change will solely be utilized for the establishment of additional vehicular roadway connections; and

**WHEREAS**, the Marion County Planning and Zoning Commission (“P&Z), the Local Planning Agency, considered the MOU7 VDRI BLIM 260508BL in a public hearing held on April 27, 2026, at 5:30 p.m. and the P&Z recommended the Board approve the requested BLIM subject to affirmative resolution, concurrent with CPA 2026-S03 and PUD Rezoning Application No. (20)180909Z (“20180909Z”), upon which the requested BLIM 260508BL is dependent and/or coordinated; and

**WHEREAS**, the Board is the local governing body having jurisdiction over the review of the MOU7 VDRI and applications related to the development’s vested rights pursuant to amended §380.06, F.S.; and

**WHEREAS**, the Board considered the MOU7 VDRI BLIM 260508BL in a public hearing held on June 2, 2026, at 2:00 p.m.; and

**WHEREAS**, the Board has reviewed the MOU7 VDRI BLIM 260508BL documents concurrent with CPA 2026-S03, as well as all related testimony and evidence submitted by the parties and members of the general public; and

**WHEREAS**, there was competent substantial evidence presented that the changes set forth in the proposal do not meet or exceed any of the substantial deviation criteria in §380.06(19), F.S.

**NOW THEREFORE BE IT RESOLVED BY THE MARION COUNTY BOARD OF COUNTY COMMISSIONERS, MARION COUNTY, FLORIDA:**

**SECTION 1. VESTED STATUS.** The changes proposed by the MOU7 VDRI BLIM 260508BL, filed by the Deltona Corporation, are intended to be utilized for the establishment of additional vehicular roadway connections, and do not propose any additional units or non-residential square footage, or intend to increase the impacts of the MO VDRI, and the MO VDRI remains vested from §380.06, F.S. and Marion County concurrency requirements

**SECTION 2. APPROVAL.** The MOU7 VDRI BLIM 260508BL Application, as amended, and attached as Exhibit “A,” is hereby approved and is accompanied by a Concept Plan and Specific Site Design Standards, attached as Exhibit “B,” serving to establish site design standards intended to address potential operational and capacity impacts that may affect the function of the SW Hwy 484 and Marion Oaks Course roadways and their intersection, along with the function of existing alley routes “in-line” with the BLIM site locations.

**SECTION 3. BLIMS.** Marion County hereby incorporates by reference, as part of the MOU7 VDRI BLIM 260508BL and this approval, the complete series of prior BLIMS as issued by the State Land Planning Agency, under its various titles, as referenced above.

**SECTION 3. CERTIFIED COPY.** A certified copy of this Resolution shall be furnished by the Marion County Growth Services Department to the Developer and the DEO within ten (10) working days of its receipt from the Marion County Clerk of Court Commission Records Office.

**SECTION 4.** This Resolution shall take effect upon its adoption.

**DULY ADOPTED** this 2<sup>nd</sup> day of June, 2026.

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

\_\_\_\_\_  
CARL ZALAK, III, CHAIRMAN

**ATTEST:**

\_\_\_\_\_  
GREGORY C. HARRELL, CLERK OF  
COURT AND COMPTROLLER

**APPROVED AS TO LEGAL FORM AND SUFFICIENCY**

\_\_\_\_\_  
MATTHEW GUY MINTER, COUNTY  
ATTORNEY

**EXHIBIT "A"**  
**MARION OAKS VDRI**  
**UNIT SEVEN**  
**BLIM**  
**260508BL**  
**APPLICATION PACKAGE**

DRAFT

**EXHIBIT “B”**  
**MARION OAKS VDRI**  
**UNIT SEVEN**  
**BLIM**  
**260508BL**  
**CONCEPTUAL PLAN**  
**AND**  
**SPECIFIC SITE DESIGN STANDARDS**

DRAFT