



**Marion County
Board of County Commissioners**

Growth Services

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Ocala, FL 34470
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**PLANNING & ZONING SECTION
STAFF REPORT**

P&ZC Date: N/A	BCC Date: 06/17/2025
Case Number:	250607RA
CDP-AR:	32600
Type of Case:	Reasonable Accommodation: For two goats in R-1 Zoning
Owner	Sheryl O'Connell
Applicant	Sheryl O'Connell
Street Address	3549 SE 41 st PL, Ocala, FL 34480
Parcel Number	3142-219-000
Property Size	±2.50
Future Land Use	Medium Residential (MR)
Zoning Classification	Single-Family Dwelling (R-1)
Overlay Zone/Scenic Area	Primary Springs Protection Zone
Staff Recommendation	Approval with Conditions
P&ZC Recommendation	N/A
Project Planner	Sarah Wells, Planner
Related Case(s)	N/A

I. ITEM SUMMARY

Sheryl O'Connell, the applicant and property owner, has submitted a Reasonable Accommodation (RA) Special Use Permit (SUP) application to allow two goats on her residential property, located in an R-1 zoning district (Single Family Dwelling). For additional details, refer to Attachment A. Figure 1 provides an aerial view of the general property location. The property at 3549 SE 41st PL, Ocala FL, 34480, within the Urban Growth Boundary (UGB) and within the Primary Springs Protection Zone, is identified by Parcel Number 3142-219-000.

The applicant has stated that the two goats serve a therapeutic role as emotional support animals. The animals are completely contained within an enclosure that offers ample space for the well-being of the animals. Both animals are small in stature and presented docile upon staffs visit. During the site visit, no noticeable odors, waste, or noise were observed; animal waste is properly collected and stored securely on the property.

Figure 1
Aerial Photograph of Subject Property



II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** with conditions 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, and 4.2.6(D).

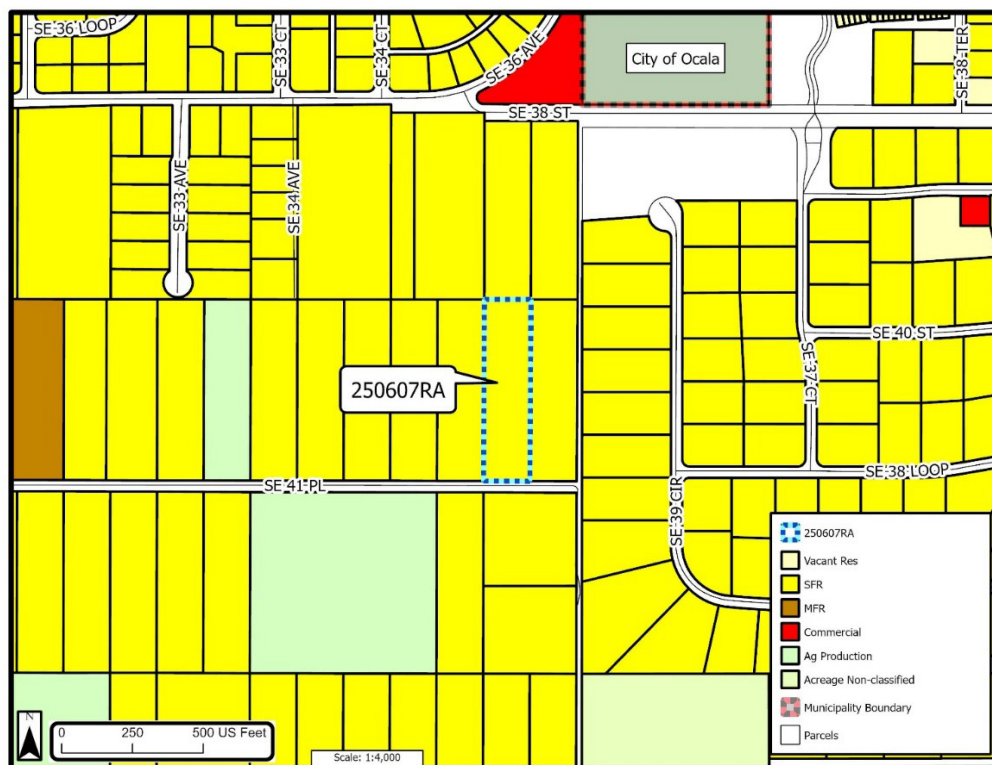
III. NOTICE OF PUBLIC HEARING

Consistent with LDC Section 2.7.3.C, notice of public hearing was mailed to all property owners (18) within 300 feet of the subject property on May 30, 2025. Consistent with LDC Section 2.7.3.B, public notice was posted on the subject property on May 9, 2025, 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 June 2, 2025. 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

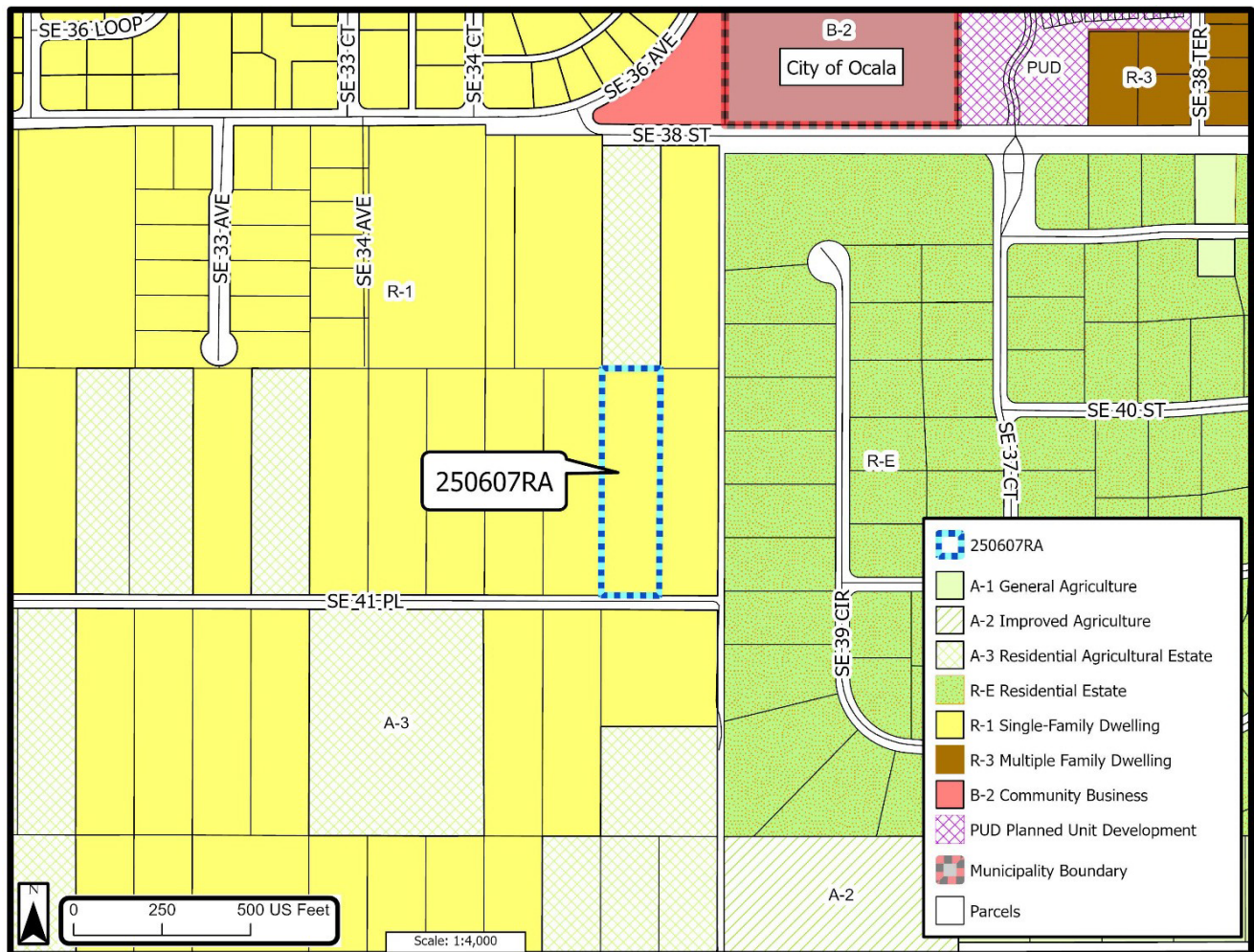
A. *Existing site conditions.* Figure 2 shows that the property is currently listed as SFR Single-Family Residential by the Marion County Property Appraiser's Office. The site is surrounded by vacant parcels, with nearby uses being SFR as well.

Figure 2
Existing Conditions Map



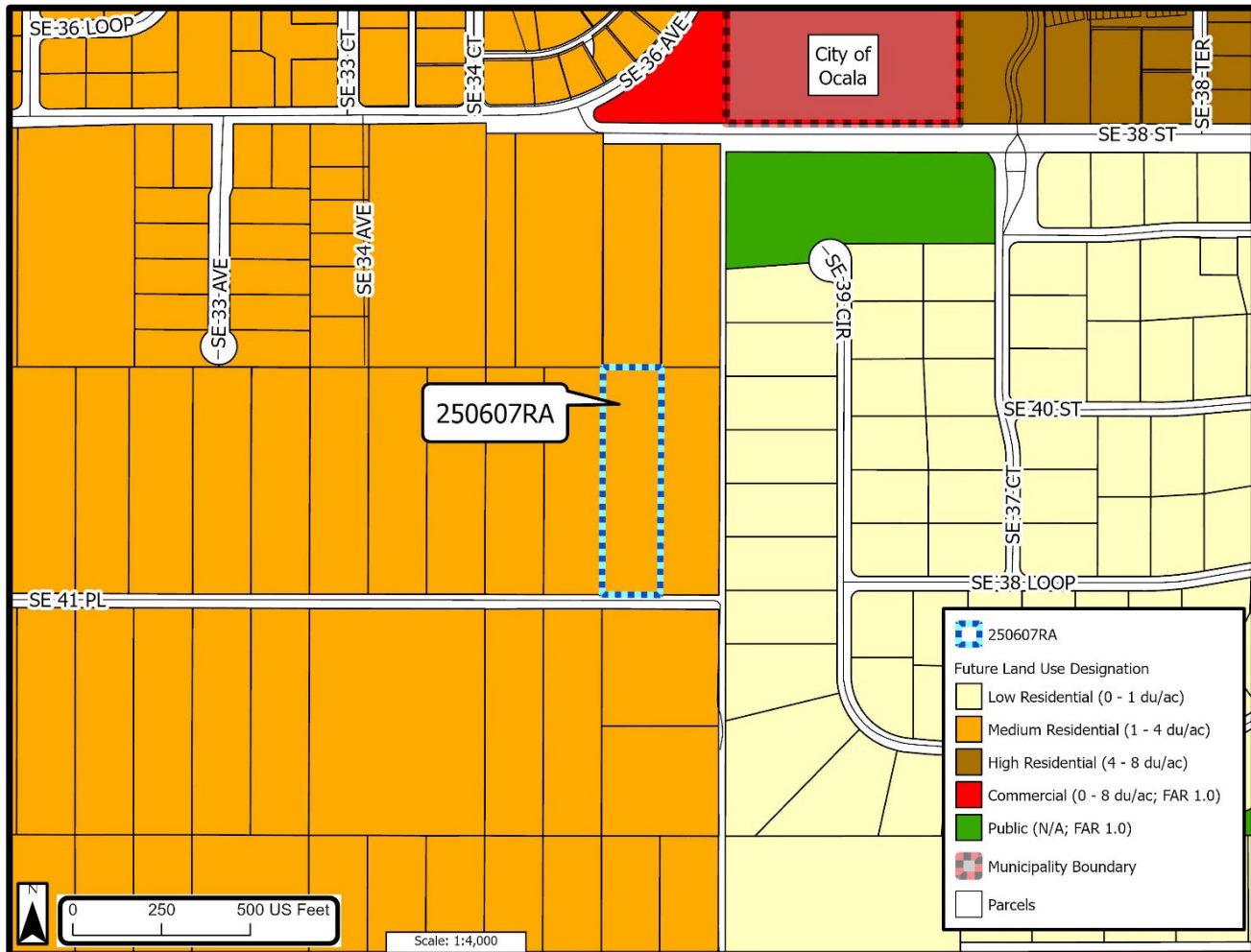
- B. *Zoning district map.* Figure 3 shows the subject property is classified as Single-Family Dwelling (R-1). Parcels to the south, east, and west share the R-1 zoning classification while the parcel to the north is zoned as Residential Agricultural Estate (R-3).

Figure 3
Zoning Classification



- C. *FLUMS designation.* Figure 4 depicts the Future Land Use Map Designation for the parcel, Medium Residential (MR). allowing a maximum development of 4 dwelling units per acre. Parcels to the north, south, east, and west share this designation (MR).

Figure 4
FLUMS Designations



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 reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Analysis: The property has one access point off SE 41st Place.

- B. *Provision for **off-street parking and loading areas**, where required, with 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: The property owner has a personal driveway, and no additional parking is expected to be needed for this specific use. No noise, glare, or odor impacts are anticipated to affect surrounding properties.

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

Analysis: The provided site plan indicates that the house will remain unchanged, not altering any of the existing conditions on site. The applicant has stated that all waste will be collected personally when removing it from the property. Notwithstanding, staff imposes the following condition.

- *The property owner will maintain a well-kept area for the goats which is fenced in and away from property lines.*
- *Waste produced by the animals shall be collected twice per week to reduce negative impacts to neighbors on surrounding properties.*
- *The property owner will maintain the structure of the fenced pen for the goats to ensure it is always secure and in good condition.*

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

Analysis: There is an existing well and septic on the property. Water is found to be available for the animals.

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

Analysis: The Findings of Facts provided states that there is a fence around the whole property and pool area. Notwithstanding, staff imposes the following condition:

- *The fencing around the property shall be maintained in good condition.*

- 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: There will not be any additional signs or exterior lighting because of this use.

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

Analysis: The pen and animal shelter are found to be consistent with required yard setbacks of 8 ft.

H. *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. Figure 1 is an aerial photograph displaying existing and surrounding properties. Figure 5 is an aerial photograph showing the subject property, adjacent properties, and the existing residential area. At this time, this area is comprised of medium density residential with some low density uses in the general vicinity.

I. *Provision for meeting any **special requirements** required by the site analysis for the 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. Staff has recommended a condition that will void the SUP if the property changes hands. To ensure that the SUP stays in compliance and has a system of periodic reviews, Staff recommends a list of conditions provided at the end of this report to mitigate the possibility of any negative impacts from this special use.

- The Reasonable accommodation runs with the owner, and not the property.
- The Applicant acknowledges that only two (2) goats, as prescribed by her doctor, are permitted on the property.
- The applicant agrees that this permit applies solely to the two (2) goats listed.
- The applicant must notify Growth Services Planning and Zoning if either goat passes away.
- Under this Reasonable Accommodation. Marion County Code Enforcement may access the property for inspections as necessary, with prior notification provided to the applicant.

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: LDC Section 4.2.9 requires a Special Use Permit for goats in R-1 zoning. Thus, the application is consistent with FLUE Policy 2.1.5.

Based on the above findings, Staff concludes the SUP is consistent with LDC Sections 2.8.2.D and 2.8.3.B 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 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 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 the Board of County Commissioners to adopt a proposed Ordinance to **APPROVE AS CONDITIONED** 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 property owner will maintain a well-kept area for the goats which is fenced in and away from property lines.*
 - 2. *Waste produced by the animals shall be collected twice per week to reduce negative impacts to neighbors on surrounding properties.*
 - 3. *The property owner will maintain the structure of the fenced pen for the goats to ensure it is always secure and in good condition.*
 - 4. *The fencing around the property shall be maintained in good condition.*
 - 5. *The Reasonable accommodation runs with the owner, and not the property.*

6. *The Applicant acknowledges that only two (2) goats, as prescribed by her doctor, are permitted on the property.*
7. *The applicant agrees that this permit applies solely to the two (2) goats listed.*
8. *The applicant must notify Growth Services Planning and Zoning if either goat passes away.*
9. *Under this Reasonable Accommodation. Marion County Code Enforcement may access the property for inspections as necessary, with prior notification provided to the applicant.*

VIII. BOARD OF COUNTY COMMISSIONERS' ACTION

To be determined.

IX. LIST OF ATTACHMENTS

- A. SUP Application for the RA.
- B. Site Photos and animal photos.
- C. DRC Comments.