



**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**

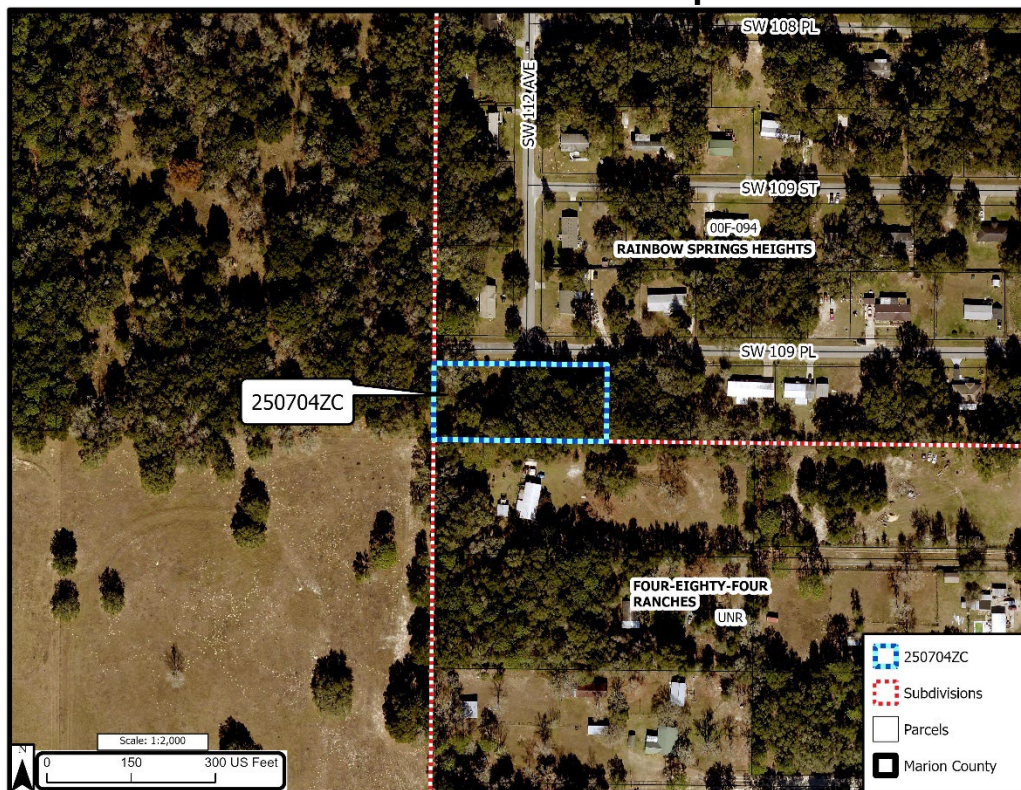
<b>P&amp;Z Date: 06/30/2025</b>	<b>BCC Date: 07/15/2025</b>
<b>Case Number</b>	250704ZC
<b>CDP-AR</b>	32712
<b>Type of Case</b>	<b>Rezoning</b> from Single-Family Dwelling (R-1) to Mixed Residential (R-4) for two manufactured homes.
<b>Owner</b>	Sicurezza LLC c/o Randy Barney
<b>Applicant</b>	Centerstone Development LLC c/o Joe Brown
<b>Street Address/Site Location</b>	11212 and 11252 SW 109th PL., Dunnellon, 34432
<b>Parcel Number(s)</b>	3500-001-040, 3500-001-046
<b>Property Size</b>	±0.47 acres, ±0.39 acres
<b>Future Land Use</b>	Rural Land
<b>Existing Zoning Classification</b>	Single-Family Dwelling (R-1)
<b>Overlays Zones/Special Areas</b>	Secondary Springs Protection Zone (SSPZ)
<b>Staff Recommendation</b>	Approval
<b>P&amp;Z Recommendation</b>	<b>Approval</b>
<b>Project Planner</b>	Sarah D. Wells, Planner II
<b>Related Cases</b>	230302ZC from Single-Family Dwelling (R-1) to Mixed Residential (R-4) Ordinance 23-05 Approved

## I. ITEM SUMMARY

Joe Brown, filed a rezoning application to change from Single-Family Dwelling (R-1) to Mixed Residential (R-4) on April 8, 2025, for two adjacent parcels, a  $\pm 0.39$ -acre parcel with a Parcel Identification Number of 3500-001-046 addressed 11252 SW 109<sup>th</sup> PL, Dunnellon, FL, and a  $\pm 0.47$ -acre parcel with a Parcel Identification Number of 3500-001-040 addressed 11212 SW 109<sup>th</sup> PL Dunnellon, FL 34432. The legal descriptions and deeds are contained within the application (Attachment A). Both of the subject properties front SW 109<sup>th</sup> Place and SE 112<sup>th</sup> Place, in the Rainbow Springs Heights Subdivision, which is a subdivision of record not subject to aggregation so assembled lots of sufficient size are eligible for continued residential development. The overall subdivision is located outside the Urban Growth Boundary (UGB) and is also in the Secondary Springs Protection Overlay Zone.

The application proposes rezoning both parcels for a total of  $\pm 0.86$ -acres to Mixed Residential (R-4) for placement of two manufactured homes and for all uses permitted within the proposed zoning classification.

**Figure 1**  
**General Location Map**



## II. STAFF SUMMARY RECOMMENDATION

Staff recommends **APPROVAL** of the applicant's request because it is consistent with Land Development Code Section 2.7.3.E.2, which requires that granting a rezoning will not adversely affect the public interest, that the rezoning is consistent with the Marion County Comprehensive Plan, and that the rezoning is compatible with land uses in the surrounding area

### **III. NOTICE OF PUBLIC HEARING**

Consistent with Land Development Code (LDC) Section 2.7.3.C., notice of public hearing was mailed to all property owners (13 owners) within 300 feet of the subject property on June 13, 2025. Consistent with LDC Section 2.7.3.B., public notice was posted on the subject property on June 19, 2025 and consistent with LDC Section 2.7.3.E., due public notice was published in the Ocala Star-Banner on June 16, 2025. Evidence of the above-described public notices are on file with the Growth Services Department and is incorporated herein by reference. As of the date of the initial distribution of this staff report, no letters of opposition or support have been received.

### **IV. ANALYSIS**

LDC Section 2.7.3.E.(2) provides that in making a recommendation to the Board, the Planning and Zoning Commission shall make a written finding that granting the rezoning will not adversely affect the public interest, that the proposed zoning change is consistent with the current Comprehensive Plan, and that it is compatible with land uses in the surrounding area. Staff's analysis of compliance with these three criteria are addressed below.

#### **A. *How is the request compatible with surrounding uses?***

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 a general location aerial displaying existing and surrounding site conditions.

Figure 3 shows both of the subject properties as well as all surrounding properties to the designated as Rural Land (RL).

**Figure 2**  
**Close up of parcel**



**Figure 3**  
**FLUMS Designation**

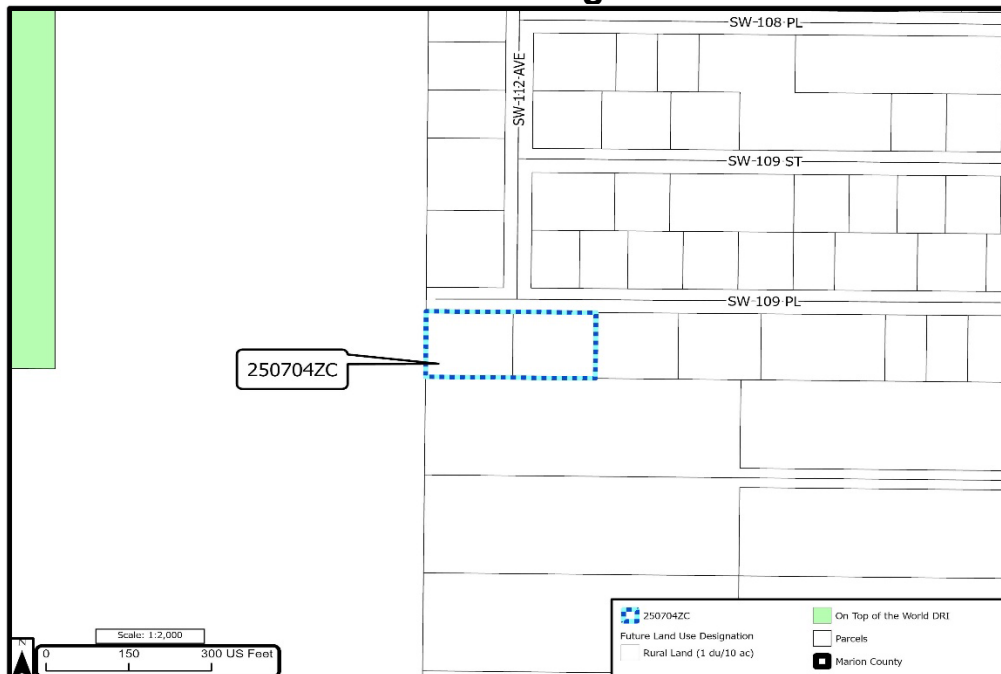




Figure 4 displays the current zoning for the subject properties and the existing zonings of the surrounding properties. The parcels to the south and west are zoned General Agriculture (A-1), the parcels to the north are zoned Single-Family Dwelling (R-1) and Mixed Residential (R-4), and the parcel to the east is zoned Mixed Residential (R-4).

**Figure 4**  
**Current Zoning Classification**

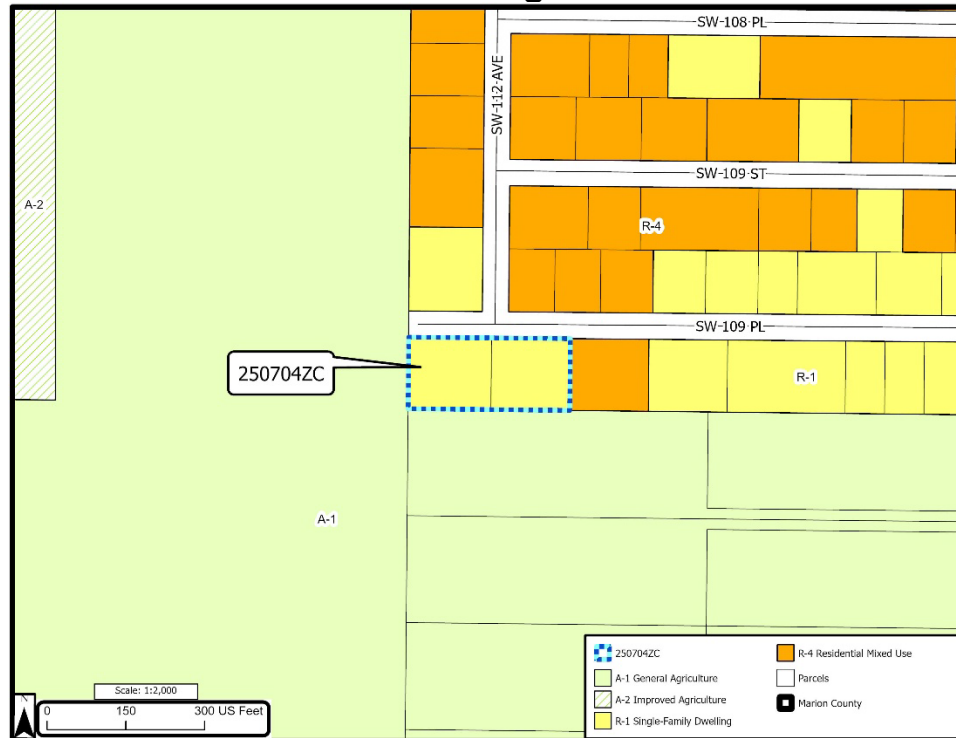
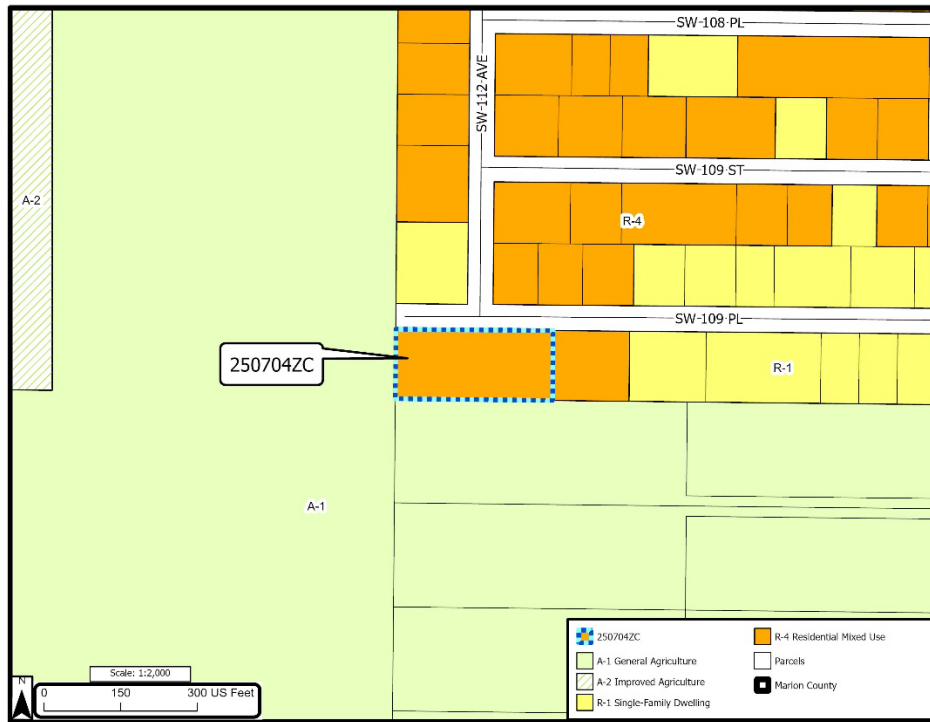


Figure 5 reflects the proposed rezoning request to change the site's zoning classification from R-1 to R-4 in relation to the surrounding zoning districts. The subject properties are part of a recorded subdivision, Rainbow Springs Heights. Throughout the subdivision, a number of lots have been rezoned from R-1 to R-4. Zoning changes that have occurred in the last ten years for this subdivision are shown in figure 6.

**Figure 5**  
**Proposed Zoning Classification**



**Figure 6**  
**Zoning Changes nearby**

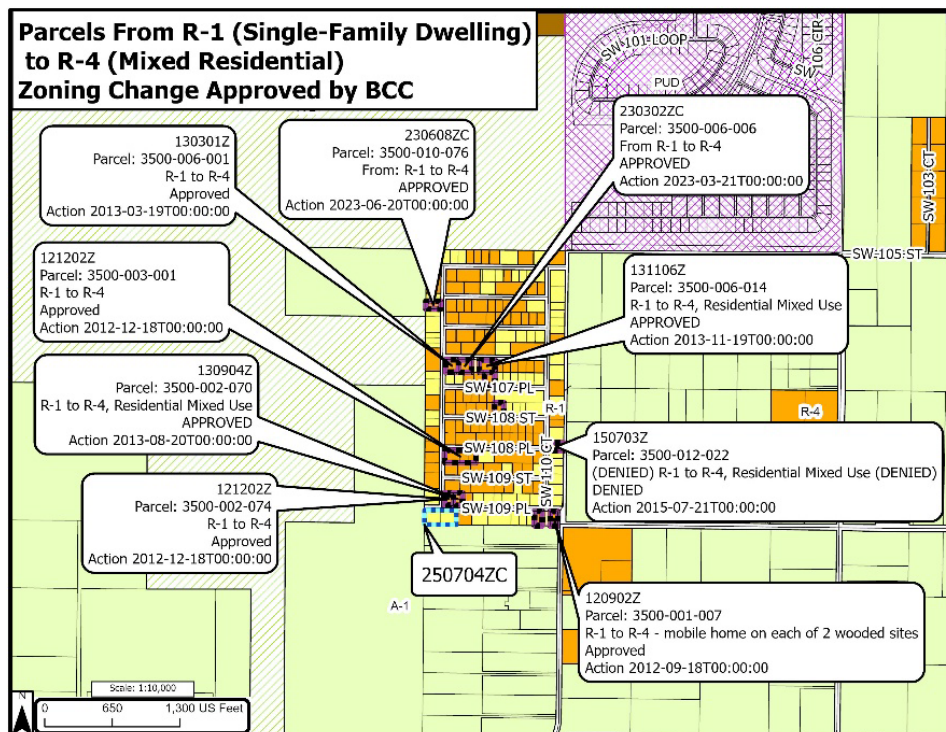


Figure 7 displays the subject and surrounding properties' existing uses as established by the Marion County Property Appraiser Office's Property Code (PC). The two subject parcels are Vacant Residential, along with the parcel on the east. The western parcel is listed as Ag Production, the northern parcels as Single-Family Residential, Manufactured Home Residential, and vacant residential, while the southern parcel is Manufactured Home Residential.

Table A summarizes the existing site and adjacent property characteristics as reflected in prior Figures 3, 4, 5, and 7.

**Figure 7**  
**Existing Use per Property Appraiser Property Code**

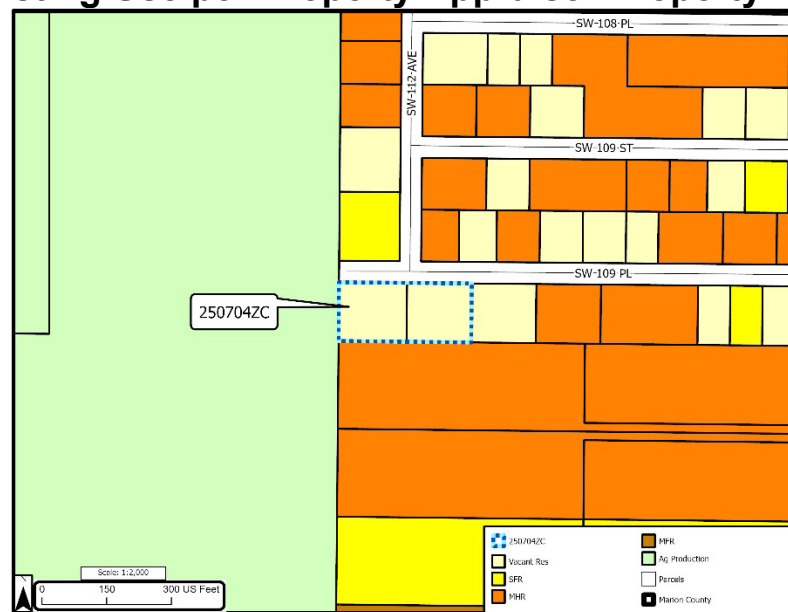


TABLE A. Adjacent Property Characteristics			
Direction	FLUM Designation	Zoning Classification	Existing Use per MCPA Property Code
Site(s)	Rural Land	Single-Family Dwelling (R-1)	Vacant Residential
North	Rural Land	Single-Family Dwelling (R-1) Mixed Residential (R-4)	Single-Family Residential, Manufactured Home Residential, Vacant Residential

<b>South</b>	Rural Land	General Agriculture (A-1)	Manufactured Home Residential
<b>East</b>	Rural Land	Single-Family Dwelling (R-1)	Vacant Residential
<b>West</b>	Rural Land	General Agriculture (A-1)	Ag Production

Based on the above findings, the proposed rezoning application **is compatible with the existing and future surrounding land uses.**

*B. How does the request affect the public interest?*

1. Transportation impacts. These include roadways, public transit, and other mobility features.
  - a. Roadways. The subject property is located on SW 109<sup>th</sup> Place, a paved Office of the County Engineer (OCE) maintained local road. The proposed zoning change will not result in an adverse impact from the change to the subject property as the current R-1 zoning allows for both a primary home and a guest home, while the proposed R-4 zoning only allows for a primary home making the potential for development less intense with the change in zoning.
  - b. Public transit. The property is not along any existing transit routes. No transit routes are currently projected to extend to the vicinity of the project.
  - c. Other mobility features. Sidewalks and multi-modal paths do not currently exist along the site's SW 109<sup>th</sup> Place frontage or within the Rainbow Springs Heights Subdivision.

Based on the above findings, the rezoning roadway **impacts would not adversely affect the public interest.**

2. Potable water impacts. Potable Water Element Policy 1.1.1 adopts a level of service (LOS) standard of 150 gallons per person per day for residential demand and approximately 2,750 gallons per acre per day for nonresidential demand. Based on the non-residential calculation, the proposed rezoning would result in a potential demand of 720 gallons per day. The property is within the Marion County Utility Service Area but



currently outside connection distance requirements. LDC Section 6.14.2.C addresses the provision of utility services for areas lacking central services wherein on-site services, may be provided. Since the proposed zoning change would not increase the residential development allowance of the site, it is concluded that **potable water impacts would not adversely affect the public interest.**

3. Sanitary sewer impacts. Sanitary Sewer Element Policy 1.1.1 adopts a LOS standard of 110 gallons per person per day for residential demand and approximately 2,000 gallons per acre per day for commercial and industrial demand. Based on the proposed rezoning, the potential service demand would be 528 gallons per day. The property is within the Marion County Utility Service Area but currently outside connection distance requirements. LDC Section 6.14.2.C addresses the provision of utility services for areas lacking central services wherein on-site services, may be provided. Since the proposed zoning change would not increase the residential development allowance of the site, it is concluded that **sanitary sewer impacts would not adversely affect the public interest.**
4. Solid waste impacts. Solid Waste Element Policy 1.1.1 adopts a LOS standard of 6.2 pounds of solid waste generation per person per day for residential demand. A commercial/industrial level of service standard is not currently in place for Marion County as such operations are required to provide for individual commercial collection wherein disposal within Marion County is alternatively addressed. The proposed zoning change would generate 29.76 pounds of solid waste per day, it is concluded that **solid waste impacts would not adversely affect the public interest.**
5. Recreation. Recreation Element Policy 1.1.1. adopts a level of service standard of two (2) acres per 1,000 persons. Marion County features a variety of federal, state, and local recreation lands satisfying the general level of service standard.
6. Since the proposed zoning change would not increase the residential development allowance of the site, it is concluded that **recreation impacts would not adversely affect the public interest.**
7. Stormwater/drainage. Stormwater Element Policy 1.1.1 adopts varying levels of service standards based on the characteristics of the development site. The site does not include any flood plain or flood prone areas. Development of the site will be required to comply with required to comply with a 100-year frequency 24-hour duration design storm as the site development proceeds through Marion County's site development review processes. Based on the above, it is concluded **stormwater management effects would not adversely affect the public interest.**

8. Fire rescue/emergency services. The site is within Ray Lloyd Jr. Fire Station #31 district, located approximately one mile to the south of the subject property at 11240 SW Hwy 484, Dunnellon. The Comprehensive Plan does not establish a level of service standard for fire rescue/emergency services, but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, it is concluded the rezoning's **fire rescue/emergency impacts would not adversely affect the public interest.**
9. Law enforcement. The Sheriff's Southwest SR 200 substation, located at 9048 SW State Rd. 200, is ±2.6 miles east of the subject property. The Comprehensive Plan does not establish a level of service standard for law enforcement services, but staff has established a 5-mile radius from the subject property as evidence of the availability of such services. Based on the above, it is concluded the rezoning's **law enforcement impacts would not adversely affect the public interest.**
10. Public schools. The proposed rezoning to R-4, allows for less residential development than the existing zoning. It is concluded the application's public-school impacts **would not adversely affect the public interest.**
11. Public schools. The proposed rezoning is within the following listed schools with their 2024-2025 enrollment: Marion Oaks Elementary (108.31%), Liberty Middle (93.26%), and West Port High (120.18%). Therefore, the application's public-school impacts **would not adversely affect** the public interest.

In summation, staff concludes **the proposed rezoning would not adversely affect the public interest.**

C. *How is this request consistent with the Comprehensive Plan?*

1. FLUE Policy 2.1.5: 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:** The R-1 zoning classification lists single-family dwellings and manufactured buildings as permitted uses. Nowhere in permitted or special uses for this zoning are manufactured homes listed. R-4 zoning allows for manufactured homes and states such within the permitted uses. The request being made is **consistent** with FLUE Policy 2.1.5 because it is a listed and permitted use in R-4 and does meet the pattern of development based on frequent rezoning in this subdivision from R-1 zoning to R-4 zoning. See attachment "D" for the ordinance relating to a similar zoning change within the Rainbow Springs Heights Subdivision.

2. FLUE Policy 4.1.1 on Consistency between Comprehensive Plan, Zoning, and LDC provides, “The County shall amend and maintain an official land use and zoning map, appropriate land use designations and classifications, and supporting LDC that shall be consistent with each other.

**Analysis:** The proposed zoning change as well as the current zoning of this property would be considered consistent with the Comprehensive plan. Both R-1 and R-4 zoning classifications can take place in Rural Land use. The application is **consistent** with FLUE Policy 4.1.1.

In summation, staff concludes the rezoning is consistent with the Comprehensive Plan, is compatible with the surrounding area, and will not adversely affect the public interest as listed in Land Development Code (LDC) Section 2.7.3.E.(2).

## V. ALTERNATIVE ACTIONS

- 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 **DENY** the rezoning 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 so as to support a recommendation for the approval of the Ordinance, and make a recommendation to adopt a proposed Ordinance to **APPROVE** the rezoning amendment.
- 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 **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.

## VI. STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission (PZC) 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 **APPROVE** the proposed rezoning because the application:

- A. Will not adversely affect the public interest because the proposed change does not increase the intensity or density of the subject parcel.

- B. Is consistent with the Comprehensive Plan provisions because it is in conformance with FLUE Policies 2.1.5 and 4.1.1
- C. Is compatible with the surrounding uses because the proposed rezoning would not change the maximum amount of density allowed on the property.

## **VII. PLANNING & ZONING COMMISSION RECOMMENDATION**

Approval.

## **VIII. BOARD OF COUNTY COMMISSIONERS ACTION**

To be determined.

## **IX. LIST OF ATTACHMENTS**

- A. Application Package
- B. Site and Area Photographs
- C. DRC Comments
- D. Ordinance of a Related Case