

RESOLUTION NO. 26-R-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, APPROVING A PLANNED UNIT DEVELOPMENT ON A ±33.56 ACRE PARCEL FOR HEATHER ISLAND, LLC, ZONING CASE NUMBER 260205ZP; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application for a Planned Unit Development was duly filed with the Growth Services Department and considered by the Marion County Planning and Zoning Commission at its meeting on February 23, 2026; and

WHEREAS, the aforementioned application was considered at a public hearing held by the Board of County Commissioners of Marion County, Florida, at its meeting on Tuesday, March 17, 2026. Now, therefore,

BE IT RESOLVED by the Board of County Commissioners of Marion County, Florida:

SECTION 1. PLANNED UNIT DEVELOPMENT APPLICATION 260205ZP – Heather Island, LLC, the application requesting a Planned Unit Development, Articles 2 and 4 of the Marion County Land Development Code, as submitted by David Tillman with Tillman & Associates Engineering, LLC, Ocala, FL 34471, to allow for a maximum proposed total of 176 Single-Family residential units, on Parcel Account Number 9064-1799+01, 9064-1793+05 and 9064-0000-02, no address assigned.

SECTION 2. FINDINGS AND DEVELOPMENT CONDITIONS. The Board of County Commissioners has considered the recommendation and findings of the Growth Services staff and the Planning and Zoning Commission regarding approval of the Planned Unit Development, and following public comment, the Board agrees with those affirmative findings and approves the Planned Unit Development subject to the following development conditions:

1. The homeowner's association or the developer must care for and maintain all common areas used by residents of the subdivision, as well as buffers, stormwater, and any other forms of infrastructure within the subdivision. The maintenance responsibility begins at installation and continues in perpetuity. Language and documentation enforcing this condition will be required at the Final Plat stage of Development Review.
2. The County may issue Certificates of Occupancy for up to, but not exceeding, fifty (50) percent of the total residential units prior to construction of required amenities. All required amenities must be fully constructed and operational before any additional Certificates of Occupancy are issued.

3. All required buffers must be installed by the developer before the first (1st) residential Certificate of Occupancy is issued.
4. The street running east-to-west from Oak Road to the proposed amenity area must be designed to include at least one (1) vertical or horizontal traffic calming measure, as outlined in the 2023 Florida Department of Transportation's Greenbook. The chosen traffic calming measure(s) must be shown at the Master Plan stage of development review. The final design and location will be determined at the Improvement Plan stage of development review.
5. Prior to Master Plan approval, the applicant must execute and record a Developer's Agreement to address and secure all transportation improvements identified in the approved Traffic Impact Study.
6. The final roadway designed shall be determined during the Master Plan stage.
7. An internal sidewalk, at least five (5) feet wide, on at least one (1) side of the internal street circulation network is required, consistent with the concept plan dated 02/05/2026. The internal sidewalk must connect to the existing sidewalk along Oak Road and stub out to Locust Pass. The developer must construct and fully complete all required internal sidewalks at the time of internal right-of-way construction. The internal sidewalk required cannot be waived.
8. Prior to Master Plan approval, the Developer/Applicant will work with Staff to determine what multi-modal or transit hub improvements are needed at this location.
9. Each lot and structure within this PUD must comply with the Development Standards listed in Table 2.B of the 260205ZP Board of County Commissioners Staff Report.

TABLE 2.B. DEVELOPMENT STANDARDS	
Standards	Required
Minimum Lot Area	4,800 SF for Interior Lot 5,500 SF for Corner Lot
Minimum Lot Depth	120' for Interior Lot 100' for Corner Lot
Minimum Lot Width	40' for Interior Lot 55' for Corner Lot
Front Setback^{1,2}	20'
Rear Setback	15'
Side Setback	5' for Interior Lot 15' for Corner Lot
Maximum Single-Family Residence and Amenity Structure Height	40'
Maximum Accessory Structure Height	20'
Accessory Structure, Front Setback	20'
Accessory Structure, Rear Setback	5'
Accessory Structure, Side Setback	5' for Interior Lot 15' for Corner Lot
Note:	
1. The front building line of each dwelling unit along the same side of street frontage must vary by at least two (2) feet and no more than five (5) feet from the adjacent unit. No more than two (2) consecutive dwellings may have the same front setback.	
2. Non-habitable extensions building features, such as, but not limited to eaves, roof overhangs, porches, and patios, may encroach 2 feet into the front setback area.	

10. At the time of development review, the improvement plan must include a photometric lighting plan that—
- a. 1) Complies with all applicable Land Development Code outdoor lighting standards in Division 6.19; and
 - b. 2) Demonstrates the subdivision’s pedestrian routes, street intersections, recreational amenity areas, and monument signage are adequately illuminated for safety, visibility, and wayfinding.
11. The developer, or homeowner’s association, must install the buffers listed in Table 3.B of the 260205ZP Board of County Commissioners Staff Report.

TABLE 3.B BUFFERS			
Direction	Adjoining Use	Parcel ID	Required
North	Vacant Residential	9064-1793-(01 to 04 & 12 to 13)	5' E-Type
		9064-1799-(12 to 13)	
North	Drainage Retention Area	9064-1793+01	5' E-Type
		9064-1793+05	
East	Right of Way	N/A	15' C-Type
South	Single Family Residential	37675-002-00	Modified 10' E-Type¹
		37675-001-00	
	Vacant Residential	37675-000-01	
	Agricultural Production	37675-000-00	
Southwest	Lake Weir High School	9064-0000-01	15' C-Type
West	Vacant Residential	37533-001-01	Modified 10' E-Type¹
	Agricultural Production	37533-000-00	
		37533-002-00	
	Single Family Residential	37533-002-02	
Note:			
<p>1. Modified 10' E Type Buffer means: A ten-foot (10') wide landscape strip without a buffer wall. The buffer must contain at least four (4) evergreen shade trees for every one hundred (100) lineal feet or fractional part thereof. Required trees must be planted in a staggered design that blocks views of rooftops at time of maturity. Shrubs must be planted in a double-staggered row and must be capable of reaching a maintained height of six feet within three years. Groundcovers and/or turfgrass must not be used in this buffer. Existing vegetation may be utilized.</p>			

12. The Owner/Applicant must provide a tree survey at the master plan stage and provide tree mitigation plan based on LDC Division 6.7 requirements that demonstrate where tree replacement will occur. Replacement priority is as follows:
- a. High, first-level priority – within internal right-of-way;
 - b. Medium, second-level priority – within the front setback of individual residential lots; and
 - c. Low, third-level priority – within 30 feet of an amenity.

SECTION 3. COMPLIANCE/REVOICATION. Violation or failure to comply with one or more conditions of this Planned Unit Development shall be grounds for code enforcement action and/or repeal, in part and/or total, as related to this Planned Unit Development by the Board at a noticed public hearing.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon the effective date of this Zoning Change’s corresponding Rezoning Ordinance, No. 26-__.

DULY ADOPTED in regular session this 17th day of March, 2026.

ATTEST:

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

GREGORY C. HARRELL, CLERK

CARL ZALAK, III, CHAIRMAN