

## PLANNING AND ZONING COMMISSION MEETING

June 28, 2021

### MINUTES

The Marion County Planning and Zoning Commission met on June 28, 2021 at 5:30 pm in the Board of County Commissioners Auditorium, 601 SE 25<sup>th</sup> Avenue, Ocala, Florida.

The following members were present: Vice-Chairman Michael Kroitor, Andy Bonner, Robert Colen, Jerry Lourenco, Danny Gaekwad and Alternate Michael Behar.

The following staff members were present: County Attorney, Guy Minter. Director of Growth Services Mary Elizabeth Burgess. Planners- Ken Weyrauch, Chris Rison and Ken Odom. Administrative Staff Assistant-Stephanie Soucey, Staff Assistant IV- Darlene Pocock and Staff Assistant IV-Teresa Brown. Tracy Straub, County Engineer. Jody Kirkman, Environmental Services Director. Charles Rich, Code Enforcement Officer. Stephanie Owen, Animal Services.

Vice-Chairman, Michael Kroitor called the meeting to order at 5:30 pm., Director, Mary Elizabeth Burgess read the Proof of Publication and the Affidavit of Mailing and Posting of Notice, and advised that the meeting was properly advertised. Michael Behar led the Invocation and the Pledge of Allegiance. Stephanie Soucey called the roll and a quorum was confirmed.

*All records pertaining to notice to property owners, all correspondence and other related information pertaining to individual Zoning Change and Special Use Permit requests are located in the Zoning Department files for record purposes.*

Growth Services Director, Mary Elizabeth Burgess explained the item listed on the Consent Agenda. This item received no written opposition within 300 feet and staff recommends approval of the request.

	ITEM	OWNER	FROM-TO	ACREAGE
1	210702Z	Robert Froehling	R-4 to R-3	3.57
2	210703Z	Erika Ann Witt	R-1 to A-1	20.08
3	210704Z	Madeleine Alejandrino and Gabriel Bueno	B-2 to A-1	4.22
4	210705Z	Scott Mullikin and Dennis DeVore	R-1 to R-4	0.5
5	210706Z	Jose Gutierrez and Felsy Quirindongo	A-1 to B-4	9.58
6	210707Z	Derek Grady and Chimere Hunter	R-4 to RR-1	1.82

Motion was made by Robert Colen and seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the following Consent Agenda items (210702Z, 210703Z, 210704Z, 210705Z, 210706Z and 210707Z) based on the following findings of fact:

1. Will not adversely affect the public interest
2. Are consistent with the Marion County Comprehensive Plan
3. Are compatible with the surrounding land uses

**The Motion passed 6-0**

**210715SU – ONCOMAGH, LLC. Maen Hussein, Renewal and Modification of a Special Use Permit in A-1 88.0 Acres was pulled from the consent agenda.**

7. 210715SU- ONCOMAGH, LLC. Maen Hussein, 6850 Silver Charm Court, Leesburg, FL, request a Modification and Renewal of a Special Use Permit - 180207SU (18-R-082), Articles 2 and 4, of the Marion County Land Development Code, for a Soccer Academy and Soccer Field facility and venue for club play, in an A-1 (General Agriculture) zone, on an approximate 88 Acre Tract, on Parcel Account Numbers 48459-000-00 and 48462-000-00.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 42= 0%

Ken Odom, Growth Services, presented this request:

- The request is for a renewal and expansion of an existing soccer academy.
- They wish to expand from 30 to 88 acres. The expansion is to include two additional fields, a soccer-specific stadium, a restroom/concession area, internal roadways and additional parking and lighting.
- This site is located adjacent and to the west of US Hwy. 301, approximately 1/3 of a mile from the southern Marion County line at 17690 SE US 301, Oxford Florida.
- People come from all over the world to use this facility.
- There have been no complaints or code cases.
- There is a single family residence on the property that was historically a family home that is in the process of being refurbished and will be utilized as a visiting coach's or groundkeeper's residence.

Anderson DaSilva, 17690 S. US Hwy 301, Summerfield FL 34491, the applicant:

- Their goal is to move their game field further down to alleviate traffic on 441. Moving the field further down is going to avoid cars coming in too close to the corner.
- They have a waiting list for all of their age groups so there is a need to grow and add more fields so that they can accommodate all of the athletes that are requesting to participate.
- Athletes come from all over the country and the world (9 different countries) and stay in hotels, rent houses and stay with friends in the area.
- Year round-different seasons for different age groups. Age 5 to adult.

PUBLIC COMMENT:

Monica Reno, 17657 SE 58<sup>th</sup> Avenue, Summerfield FL 34491:

- She both supports and has issues with the program at the same time
- Her family sold the property to the applicant
- This facility is being run very well and they are serving their community
- The games are well managed
- Her home is located in the very north east corner next to the property on a piece of the land that her family held onto.
- She wants the Commission to remember that there are agricultural properties around there and to not forget them.
- She is concerned about the water. They are all on wells.
- The fields are kept in very good condition and they are watered.

PUBLIC COMMENT CLOSED

Planning and Zoning Commission Recommendation

Motion was made by Danny Gaekwad seconded by Andy Bonner to agree with staff's findings and recommendation, and recommend approval of the requested Special Use Permit based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

**The Motion passed 6 to 0**

8. 210310SU– Wayne Rhoads, 14100 N. US Highway 441, Citra, FL, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for a Kennel – Breeding and Selling of Yorkshire Terriers, Jack Russell Terriers, Dachshunds & Chihuahuas, in an A-1 (General Agriculture) zone, on an approximate 9.78 Acre Parcel, on Parcel Account Number 06821-001-00.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 14= 0%

Ken Odom, Growth Services, presented this request:

- Request to continue to operate a kennel
- Located just south of Orange Lake
- 9.78 Acres- A-1- Rural land use- surrounded by A-1
- Request to continue canine breeding and sales
- Dachshunds, Jack Russells, Yorkshire Terriers, and Chihuahuas
- Been at this location for over a decade
- Rhoads has been doing this for 50 years; English has been doing it for 13 years
- Approximately one litter per breed per year
- Want to keep up to 24 sires/dames/puppies
- Animal Services found everything clean and the animals in good condition
- They also have 5 donkeys and three goats
- Not a code enforcement case

Alice English, 14100 N US Hwy. 441, Citra FL 32113, the applicant, was in attendance but declined to speak.

**PUBLIC COMMENT:**

There was no one in attendance to speak for or against this item.

PUBLIC COMMENT CLOSED

**Planning and Zoning Commission Recommendation**

Motion was made by Michael Behar seconded by Andy Bonner to agree with staff's findings and recommendation, and recommend approval of the requested special use permit based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 6 to 0

9. 210713SU– Royce Ann Nelson and Randia Anne Sharpe, Labradoodle Country, LLC. 3825 SE 180<sup>th</sup> Street, Summerfield, FL 34491, request a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for a Kennel – Breeding and Selling of Labradoodles, in an A-1 (General Agriculture) zone, on an approximate 16.54 Acre Parcel, on Parcel Account Number 44936-001-01.

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 7= 0%

Ken Weyrauch, Growth Services, presented this request:

- Requesting a special use permit to operate a dog breeding kennel in A-1 on 16.54 acres, Labradoodle Country
- The subject property is located at 3825 SE 180<sup>th</sup> Street, adjacent to the southern border of Marion County
- Land use is rural; zoning is A-1
- Total number of breeding dogs on-site: 29 Female: 24 Male: 5
- Total number of puppies at the time of the site visit: 70 (4 litters)
- Litters per year: 20

- Kennels are converted climate controlled shipping containers with access to outdoor runs. All future sales and meet and greets will take place on the kennel property
- Animal Services Report: Animal Services Compliance Official Owens visited the property multiple times. There were a few small issues when it came to shelters for the dogs. A recent report shows that the applicant has moved to resolve these issues.
- Staff recommends approval with conditions

Royce Nelson, 3825 SE 180<sup>th</sup> Street, Summerfield FL 34491, the applicant:

- She currently composts the waste and uses it for flower beds etc.
- She will do whatever is required.

**PUBLIC COMMENT:**

There was no one in attendance to speak for or against this item.

**PUBLIC COMMENT CLOSED**

**Planning and Zoning Commission Recommendation**

Motion was made by Robert Colen seconded by Michael Behar to agree with staff's findings and recommendation, and recommend approval of the requested special use permit based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 6 to 0

10. 210714SU– The Eubanks Family Trust, Celeste Eubanks TR, 7979 SE Highway 42, Summerfield, FL 34491, request a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for a Kennel – Breeding and Selling of Chihuahuas, in an A-1 (General Agriculture) zone, on an approximate 2.06 Acre Parcel, on Parcel Account Number 48343-003-01.

**WRITTEN OPPOSITION WITHIN 300 FEET 1 of 13= 8%**

Chris Rison, Growth Services, presented this request:

- Special Use Permit request to breed and sell Chihuahuas (Uey's Homeraised Puppies) in an A-1 (General Agriculture) zone on 2.06 acres
- Location: 7979 SE Hwy 42 and SW 80<sup>th</sup> Avenue
- Size: 2.02 Acres
- Future Land Use: Rural land; Zoning: A-1 (General Agriculture)
- Kenneling occurs indoors and outdoors, with nursery space inside residence
- Growth Services and Animal Control staff visited site. Animal Control has no further recommendations regarding the use as proposed, noting is SUP is approved, applicant will then need to file for and obtain the appropriate Marion County Animal Services Kennel License.

**MAJOR RECOMMENDED CONDITIONS:**

1. Number of dogs/puppies:
  - a. Up to fifteen breeding females, 4 breeding males; total of nineteen adult breeding dogs
  - b. Up to fifty puppies until weened, and
  - c. An overall maximum total of 69 dogs/puppies
2. Animal waste to be collected daily and removed from the site at least weekly
3. Connection to Marion County water and sewer services, but eligible to seek/obtain Land Development Code waiver.

Jeanne Eubanks, 7979 SE Hwy 42, Summerfield FL 34491, the applicant:

- The dogs are her babies
- The neighbors right next door to her do not complain
- The people that are complaining live across a 4 lane highway

**PUBLIC COMMENT:**

Paul Coia, 16758 SE 80<sup>th</sup> Bellavista Cir, The Villages, 32162:

- Dog noise- day and night
- Concerned about waste management

**PUBLIC COMMENT CLOSED**

Stephanie Owens, Animal Services:

- Currently the way that the ordinance is written is that there is no specific amount of animals allowed per acre or with property type. However, if you have over 15 animals a kennel license is required. Also, if you have under 15 animals but you are breeding, boarding or using the animals for some kind compensation or income a kennel license is required.
- As for the barking. There is no noise limitations on barking (per the Florida State Statutes and the Marion County Ordinance) on A-1 zoned property.
- The mothers and puppies are kept indoors.
- The property is right on the road with the fire station right there. There are a lot of things that could rile them up.
- They could put barriers on the fence to help combat visual distractions. This will not help when they hear a fire engine.

**REBUTTAL:**

Jeanne Eubanks, 7979 SE Hwy 42, Summerfield FL 34491, the applicant:

- She does not have a problem with putting up a barrier
- She will comply with whatever she needs to comply with

**Planning and Zoning Commission Recommendation**

Motion was made by Michael Behar seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested special use permit based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 5 to 1 with Robert Colen dissenting

The Board requested the following added condition:

Opaque screening shall be installed and maintained on/in the existing chain link fencing and gate along the site's SE Hwy 42 frontage. The opaque screening may be in the form of vinyl slats provided in the chain link fence "mesh", or fabric screening mounted to the chain link fence.

11. 210708Z- Craig Berry, Berry Trucking, 5431 West Highway 329, Reddick, FL 32686, requests a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from A-1 (General Agriculture) and B-2 (Community Business) to PUD (Planned Unit Development), for all Commercial and Industrial uses permitted, on an approximate 49.82 Acre Tract, on Parcel Account Numbers 12875-000-00, 12875-000-03, 12886-000-00, 12890-000-00 and 12897-000-00. (with 210709SU)

## WRITTEN OPPOSITION WITHIN 300 FEET 0 of 27= 0%

Mary Elizabeth Burgess, Growth Services Director, presented this request:

- Request to rezone 49.82 acres to a PUD
- The future land use is commerce district; the existing zoning is A-1 and B-2
- The proposal is to divide the PUD into Tract A and B with specified uses.
- The proposed Tract A will be 27.81 acres with 10 acres of that devoted to the 210709SU
- The proposed Tract B consists of 22 Acres
- In this area there is a lot of land designated M-1 and M-2 but it is being used as residential
- Staff is recommending approval with development conditions
- A major site plan and a traffic study will be required
- They are proposing two entrances onto NW Gainesville Road and two entrances onto West Highway 326. They are proposing interconnectivity between uses on the larger tract.

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- The reason this is coming back with a PUD is that they took some of the more obnoxious uses out of the allowance categories.
- They have one immediate user "Marion Equipment Repair and Refurbishing" – they currently hire disabled veterans
- They would like to buffer as they go- they do not want to have to install all the buffers at once
- There is a limit on one of the driveways on 326 – He would like for that to remain and be a right in right out. It is very close to the railroad but a right in right out should not cause any concerns.
- Has no issue with the traffic study. Wants to work with staff to how to comply that works best with the county.
- Parallel access – condition #6 – Would like that to be part of the major site plan at the time of development.

## PUBLIC COMMENT

Linda Link, 3621 W Hwy 326, Ocala FL 34475:

- She does not understand why they are back
- Thought they had to wait before they could apply again for rezoning
- If they get this PUD they will abuse it

## REBUTTAL

Mary Elizabeth Burgess, Director:

- The previous application was withdrawn at the BCC Public Hearing. That is why he is back with a new application.
- The wood composting and recycling is part of the SUP
- There is a parcel of land that is not owned by Mr. Berry that buffers Ms. Link's property in addition to the required buffer.
- Mr. Berry did sell the land to the zip land like he said he would.

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- They are placing less intense uses on the south side in order to be a good neighbor

PUBLIC COMMENT CLOSED

### Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Jerry Lourenco to agree with staff's findings and recommendation, and recommend approval of the requested zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 6 to 0

12. 210709SU– Craig Berry, Berry Trucking, 5431 West Highway 329, Reddick, FL 32686, requests a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, for composting and recycling of wood products, including leaves, in a PUD (Planned Unit Development) zone, on an approximate 10 Acre “Portion Of” a 37.77 Acre Parcel, on Parcel Account Number 12875-000-00. (with 210708Z)

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 27= 0%

Mary Elizabeth Burgess, Growth Services Director, presented this request:

- Special Use Permit for composting and recycling of wood products
- Access off of NW Gainesville Road
- Connectivity proposed to the North and South
- Type “C” buffer proposed with allowances to retain existing vegetation
- Staff is recommending approval with conditions

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471, represented applicant:

- This application is for the top 10 acres
- Will try to maintain existing vegetation
- This right next door to an existing composting and recycling wood facility
- The applicant is fine with the conditions

### PUBLIC COMMENT

Linda Link, 3621 W Hwy 326, Ocala FL 34475:

- Wanted to know if the trucks filled with debris go all the way down and exit by her property

### REBUTTAL:

Mary Elizabeth Burgess, Growth Services Director:

- Theoretically they could. We encourage connectivity

David Tillman, Tillman & Associates Engineering, LLC. 1720 SE 16<sup>th</sup> Avenue, Bldg. 100, Ocala FL 34471:

- They could but it does not make sense to do that

PUBLIC COMMENT CLOSED

### Planning and Zoning Commission Recommendation

Motion was made by Michael Behar seconded by Jerry Lourenco to agree with staff's findings and recommendation, and recommend approval of the requested special use permit based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 6 to 0

13. 210607Z– CMH Parks Inc. and Clayton Properties Group, Joel Adams, 5000 Clayton Road, Maryville, TN 37804, request a Modification and Renewal of a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from expired PUD (Planned Unit Development)(originally approved as Falls of Ocala Phase II – exp. 2003) to PUD (Planned Unit Development), for the intended use of a proposed single family residential development with 89 units (Falls of Ocala), on an approximate 28.58 Acre Parcel, on Parcel Account No. 23304-001-00.

WRITTEN OPPOSITION WITHIN 300 FEET 2 of 32= 6%

Ken Odom, Growth Services, presented this request:

- The Falls of Ocala PUD – Unit II
- 27.89 acres – medium density residential – surrounded by A-1 and PUD
- Changes: 2006-2021
  - o Manufactured Housing Park (P-MH) to Single Family Residential (PUD)
  - o 84 lots to 87 lots
  - o 2.94 units per acre to 3.65 units per acre
  - o 75' typical width to 50'/60' typical width

Isabelle Albert, AICP, Halff Associates Inc. 1000 N Ashley Drive, Suite 900, Tampa FL 33602, the applicant:

- SITE INFORMATION:
  - o 24.4 acres in Marion County
  - o Located east of SW 80<sup>th</sup> Avenue and South of West Highway 40-directly east of the existing Falls of Ocala Unit I residential development
- Requesting 87 single-family residential units
- 20% of improved open space
- Waiving screening:
  - o E-type buffer to the North: 5-foot-wide buffer with 4 shade trees for every 100 linear feet (LF) and shrubs planted in a double-staggered row.
- Proposing:
  - o 5-foot-wide buffer with a 6-foot PVC fence and 2 shade trees for every 100 LF to the North
  - o 5-ft-wide buffer with a 6-foot PVC fence along eastern and southern property boundary, and along western and southern WWTP boundary
  - o 5-foot-wide buffer to the west adjacent to existing Unit 1
- Circulation:
  - o Primary access is proposed from SW 80<sup>th</sup> Avenue through Unit 1.
  - o A second emergency only access is proposed from SW 8<sup>th</sup> Street
  - o A 30ft easement exists along the southern boundary of the property along SW 8<sup>th</sup> Street
  - o To be coordinated with staff when needed
- Compatibility:
  - o Adjacent to two existing subdivisions, Falls of Ocala and Ocala Thoroughbred Acres (south)
  - o Consistent with the original approved PUD
  - o Consistent with the future land use designation of Medium Residential in the Comprehensive Plan

PUBLIC COMMENT:

Cynthia Berry, 7950 SW 6<sup>th</sup> Place, Ocala FL 34474:

- Opposed
- Roads not well maintained

James Sanders, 7782 SW 6<sup>th</sup> Place, Ocala FL 34474:

- Opposed
- Roads will not support

Sherry Papcun, 7762 SW 6<sup>th</sup> Place, Ocala FL 34474:

- Read letter into record

Linda Sanders, 7782 SW 6<sup>th</sup> Place, Ocala FL 34474:

- Read letter into record

Barbara Roth, 7763 SW 7<sup>th</sup> Place, Ocala FL 34474:

- What about school buses

Scott Porter, 7821 SW 6<sup>th</sup> Place, Ocala FL 34474:

- Agrees with others

Walter Milouski, 7864 SW 7<sup>th</sup> Place, Ocala FL 34474:

- Agrees with others

Ken Lichtig, 551 SW 79<sup>th</sup> Terrace, Ocala FL 34474:

- Recently moved here
- HOPA act – Federal Statute

Don Prosise, 7981 SW 7<sup>th</sup> Place, Ocala FL 34474:

- 23 year resident

Shirley Prosise, 7981 SW 7<sup>th</sup> Place, Ocala FL 34474:

- Vets do not deserve to live next to young people

## PUBLIC COMMENT CLOSED

Charlotte Davidson, Senior Transportation Engineer, Traffic & Mobility Consultants, 3101 Maguire Boulevard, Suite 265, Orlando FL 32803

Brett Tobias, PE, Project Manager, Halff Associates, Inc. 1000 N Ashley Drive, Suite 900, Tampa FL 33602: Luke Markham, Johnson Pope Bokor Ruppel & Burns, LLP, 401 East Jackson Street, Suite 3100, Tampa FL 33602:

(all discussed traffic, access etc.)

## Planning and Zoning Commission Recommendation

1st VOTE: Motion was made by Jerry Lourenco seconded by Andy Bonner to disagree with staff's findings and recommendation, and recommend denial of the requested zoning change based on the following findings of fact:

1. Will adversely affect the public interest
2. Is not consistent with the Marion County Comprehensive Plan
3. Is not compatible with the surrounding land uses

The vote was tied 3 to 3 with Robert Colen, Danny Gaekwad and Michael Kroitor dissenting

2<sup>nd</sup> VOTE: Motion was made by Robert Colen seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The vote was tied 3 to 3 with Michael Behar, Jerry Lourenco and Andy Bonner dissenting

14. 210701Z- Platinum Blue Inc. Glenn Lane, Wayne Carlson and Joylen Carlson, 10935 SE 177<sup>th</sup> Place, #305, Summerfield, FL 34491, Wayne R. Carlson, 13080 SE 3<sup>rd</sup> Court, Ocala, FL 34473 and Joylen G. Carlson, 1422 Deerberry Drive, Blue Ridge, GA 30513, request a Zoning Change, Articles 2 and 4, of the Marion County Land Development Code, from R-3 and A-1 (Single Family Dwelling and General Agriculture), to PUD (Planned Unit Development) for the intended use of allowing a maximum of 230 proposed residential units (West Shire Village), on an approximate 41.60 Acre Tract, on Parcel Account Numbers 35639-005-00, 35639-005-01 and 35635-000-02. (with 21-04DM)

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 12= 0%

Chris Rison, Growth Services, presented this request:

- West Shire Village PUD – Platinum Blue, W. Carlson, J. Carlson/Stark Enterprises
- Rezoning request: A-1, R-3 and B-2 to PUD on 41.60 acres
- Located on 7120 and 7130 SW Hwy 200
- High Density Residential and Commercial land use
- Request is for 230 multiple-family residential housing project to include supporting amenities that will increase the diversity of housing types available in the unincorporated County.
- Subject properties are in the Urban Growth Boundary located in the NE quadrant of the SW Hwy 200 and SW 95<sup>th</sup> Street Road intersection.
- PUD Zoning provides for blending the site's development entitlements across the property
- Proposed development amounts are consistent with future land use designations
- Access for site is proposed as only Hwy 200; southern parcel is subject to a Developers' Agreement requiring development access to SW 95<sup>th</sup> Street Road.
- Proposed condition phases the development unless and until connection to SW 95<sup>th</sup> Street Road is achieved.
- Staff recommends approval

Amy Haney, Stark Enterprises, Inc. 629 Euclid Avenue, Suite 1300, Cleveland OH 44114 the agent:

- All rental units

#### PUBLIC COMMENT

There was no one in attendance to speak for or against this item.

PUBLIC COMMENT CLOSED

#### Planning and Zoning Commission Recommendation

Motion was made by Robert Colen seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested zoning change based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 6 to 0

15. 21-DM04- Joylen Carlson, Developers' Agreement Modification

WRITTEN OPPOSITION WITHIN 300 FEET 0 of 8= 0%

Chris Rison, Growth Services, presented this request:

- Modification to Development Agreement: Official Record Book 5015, Pages 1012-1024; Recorded 3/9/2007
- Location: NE Quadrant of the SW Hwy 200 and SW 95<sup>th</sup> Street Road Intersection
- Size: 20.02 Acres

## PUBLIC COMMENT

There was no one in attendance to speak for or against this item.

## PUBLIC COMMENT CLOSED

### Planning and Zoning Commission Recommendation

Motion was made by Danny Gaekwad seconded by Michael Behar to agree with staff's findings and recommendation, and recommend denial of the requested developers' agreement modification based on the following findings of fact:

1. Will adversely affect the public interest
2. Is not consistent with the Marion County Comprehensive Plan
3. Is not compatible with the surrounding land uses

The Motion passed 5-1 with Robert Colen dissenting (This vote was based on the current information provided to the P&Z Commission; New information was provided to staff and will be taken into consideration at the BCC/P&Z Public Hearing)

16. 210716SU– NCS Freedom Crossing, LLC John Rudnianyn, 2441 NE 3<sup>rd</sup> Street, Suite 201, Ocala, FL 34470, request a Special Use Permit, Articles 2 and 4, of the Marion County Land Development Code, to add outside parking (for covered boats and recreational vehicles), in a B-2 (Community Business) zone, on an approximate 10 Acre Parcel, on Parcel Account Number 35695-025-14.

## WRITTEN OPPOSITION WITHIN 300 FEET 1 of 39= 3%

Chris Rison, Growth Services, presented this request:

- Special Use Permit request for outdoor parking in B-2
- 4.81 acres of 10 acres
- Located on the east side of SW 62<sup>nd</sup> Avenue Road at SW 98<sup>th</sup> Street, immediately north of Meadow Glen Subdivision
- Special Use Permit request is for outdoor parking at a proposed mini-storage facility. Limited to boats, boat trailers, recreational vehicles (RVs), and personal non-commercial vehicles. No commercial vehicle storage permitted.
- Proposed parking area will be internal to the mini-storage facility once it is completed, with the "rear blank walls" of the mini-storage facilities forming interior buffer wall for the expanded width (30' in lieu of 20') Type B Buffer to be provided, exceeding the Land Development Code (LDC) requirement along the south and east boundaries.
- Gaps between buildings will be "filled" with vinyl fencing a minimum of 6-feet in height to complete the continuous wall effect with the buildings.
- The north boundary will include black/green vinyl coated chain link fencing without barbed wire and with screening (fabric or vinyl slats) until the final north mini-storage building is completed.
- All perimeter fencing will be black/green vinyl coated chain link fencing without barbed-wire, in order to avoid creating an "alley" effect due to the adjoining Meadow Glen Subdivision drainage easement.

Todd Rudnianyn, 2441 NE 3<sup>rd</sup> Street, Suite 201, Ocala FL 34470:

- The applicant was available to answer any questions

## PUBLIC COMMENT

There was no one in attendance to speak for or against this item.

## PUBLIC COMMENT CLOSED

## Planning and Zoning Commission Recommendation

Motion was made by Robert Colen seconded by Danny Gaekwad to agree with staff's findings and recommendation, and recommend approval of the requested special use permit based on the following findings of fact:

1. Will not adversely affect the public interest
2. Is consistent with the Marion County Comprehensive Plan
3. Is compatible with the surrounding land uses

The Motion passed 6 to 0

## **NEW BUSINESS:**

There was no new business to bring before the board.

## **MINUTES:**

Motion was made by Robert Colen, seconded by Danny Gaekwad to approve the minutes of the May 24, 2021 Planning & Zoning Commission meeting.

**The motion passed 6 to 0**

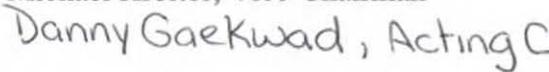
## **ADJOURNMENT:**

The meeting adjourned at 8:22 PM

Attest:

Stephanie Soucey  
Stephanie Soucey  
Administrative Staff Assistant

  
\_\_\_\_\_  
Michael Kroitor, Vice-Chairman

  
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Danny Gaekwad, Acting Chairman