



**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>BOA Date</b>	5/4/2026
<b>Case Number</b>	260501V
<b>EPL Number</b>	Z Variance-000364-2026
<b>Type of Case</b>	<b>Variance</b> to reduce side setback from 8' to 2'9" for existing RV carport
<b>Owner</b>	Vickie & Paula Rudasil
<b>Applicant</b>	I.P.C. Services, Inc.
<b>Street Address/Site Location</b>	16825 NE 243 <sup>rd</sup> Place Road, Fort McCoy, FL 32134
<b>Parcel Number(s)</b>	00359-005-01
<b>Property Size</b>	±1.21 AC
<b>Future Land Use</b>	Rural Land (RL)
<b>Zoning Classification</b>	Mixed Residential (R-4)
<b>Overlays Zones/Special Areas</b>	Ocklawaha River Environmentally Sensitive Overlay Zone (ESOZ) & Secondary Springs Protection Zone (SSPZ)
<b>Project Planner</b>	Jared Rivera-Cayetano
<b>Related Cases</b>	Permit No. 2025072673 – RV Carport on Concrete; Permit Extension No. EXTENSION-26-01-0594; Code Case No. 879367 – RV Carport without Permit

## I. ITEM SUMMARY

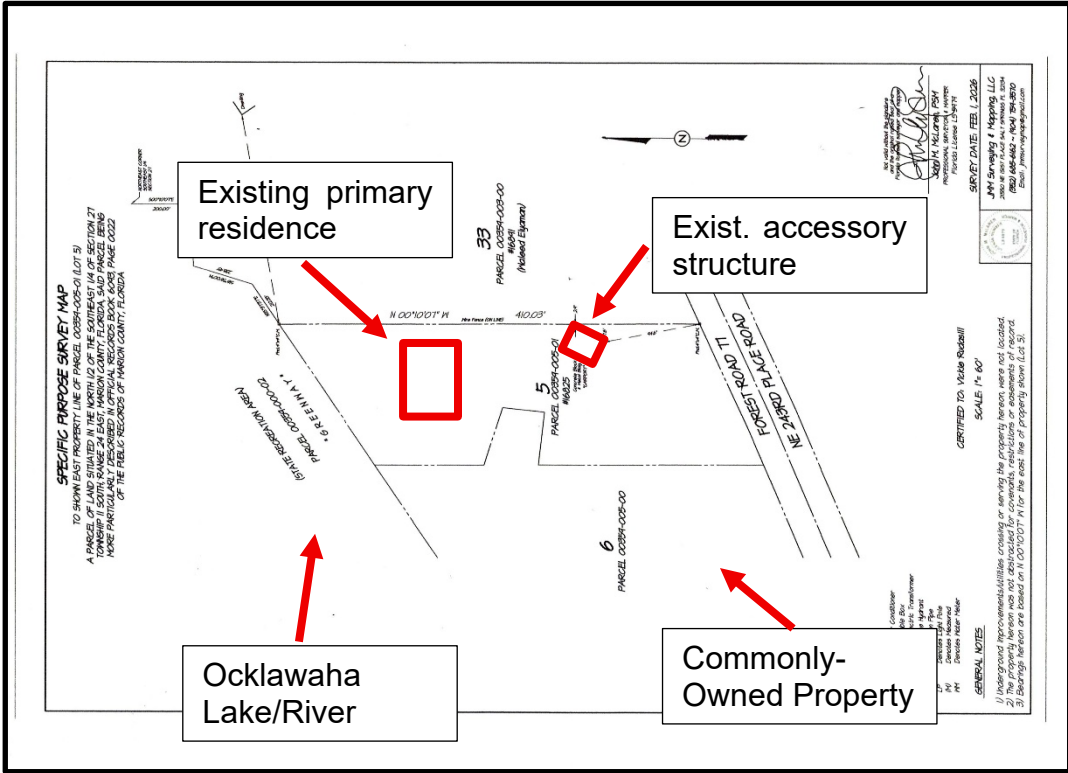
I.P.C. Services, Inc., on behalf of Vickie and Paula Rudasil, filed for a variance from Section 4.2 of the Marion County Land Development Code (LDC) to reduce the required side setbacks for detached accessory structures from eight (8) feet to two (2) feet, nine (9) inches. The subject property is located at 16825 NE 243rd Place Road, Fort McCoy, FL. The Parcel Identification Number for the subject property is 00359-005-01. Located within the unrecorded Forest Improvement Co. subdivision, the legal descriptions are provided within the submitted deed (see Attachment A). The variance request is in response to Zoning comments related to Permit No. 2025072673 and Code Case No. 879367, filed for an existing RV carport built without permits.

Figure 1, below, is a general location aerial displaying existing site conditions, while Figure 2 (and Attachment A) provides the submitted site plan for the existing RV carport, approximately 760 square feet (SF) in size. The Marion County Land Development Code (LDC) specifically requires accessory structures in Mixed Residential (R-4) zoning to meet eight (8) foot side and rear setbacks, with the rear side considered to be adjacent to NE 243<sup>rd</sup> Place Road as a property directly adjacent to Ocklawaha Lake/River). The existing RV carport is approximately 440 feet from the southeastern corner of the subject property and two (2) feet, nine (9) inches from the eastern side of the subject property.

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



**Figure 2  
Submitted Site Plan**



**II. NOTICE OF PUBLIC HEARING**

Consistent with Land Development Code (LDC) Section 2.9.3., notice of public hearing was mailed to all property owners (6 owners) within 300 feet of the subject property on April 17, 2026, public notice was posted on the subject property on April 17, 2026, and public notice was published through the Marion County website on April 20, 2026. 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, one (1) letter of support, included with the application package, has been received.

**III. PROPERTY CHARACTERISTICS**

The subject property is approximately 1.21 acres in size, with a Mixed Residential (R-4) zoning and a Rural Land (RL) Future Land Use (FLU) designation. The site is located outside the Urban Growth Boundary (UGB) and within the Secondary Springs Protection Zone (SSPZ). The subject property is directly adjacent to Ocklawaha Lake/River and is thus within the Ocklawaha Lake/River Environmentally Sensitive Overlay Zone (ESOZ). The subject property is located within the unrecorded Forest Improvement Co. subdivision. Consistent with LDC Section 2.9.3.B., a site visit was conducted by Growth Services Department staff on April 7, 2026.

Staff found that the subject property currently contains one (1) primary single-family residence, more than 200 feet from NE 243<sup>rd</sup> Place Road. The RV carport is located towards the southeast of the residence, adjacent to wire fencing shared with PID 00359-003-00 to the east. The RV carport is approximately 760 square feet (SF) in size. The site contains a paved driveway that is shared with PID 00359-005-00 to the west of the subject property (currently under common ownership), which contains a separate single-family residence approximately forty (40) feet from the subject property residence. Staff observed a continuous row of shrubs along NE 243<sup>rd</sup> Place Road. The site contains several trees and accessory structures to the front, side, and rear of the single-family residence(s). Site photos are attached to this report (see Attachment B).

According to the Marion County Property Appraiser (MCPA), the primary single-family residence was constructed in 2006, with the accessory structure built prior to 2008 according to County records. County records (see Attachment D) indicate that the subject property was originally combined with PID 00359-005-00 to the west to form a larger 3.59-acre parcel. MCPA records indicate subject property was subsequently separated from the 3.59-acre parcel in 2006 based on original lot boundaries in the unrecorded Forest Improvements Co. subdivision (see Attachment E), followed by a boundary adjustment to locate an existing residence within the commonly-owned property to the west.

The subject property owner has verbally confirmed that additional boundary adjustments have been attempted with the owners of PID 00359-003-00 to the east in order to allow the existing RV carport to meet side setback requirements; such attempts have not been successful and have prompted the subject property owner to request a variance to side setback requirements.

#### **IV. REQUEST STATEMENT**

The waterfront side is considered the front of the subject property for setback and accessory structure placement purposes. LDC Section 4.2.6 requires that accessory structures in residentially-zoned properties be located in the rear or side yards (i.e. towards the front of the single-family residence). The applicant requests a variance from LDC Section 4.2 to reduce the side setback from eight (8) feet to two (2) feet, nine (9) inches for an RV carport in R-4 zoning.

#### **V. ANALYSIS**

LDC Section 2.9.2.E provides that the Board of Adjustment shall not grant a variance unless the petition demonstrates compliance with six (6) criteria. Staff's analysis of compliance with those criteria are provided below.

- A. *Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings with the same zoning classification and land use area.*

**Analysis:** The applicant states, "I am requesting a 2' 9" (two feet/nine inch) reduction in the side setback for an existing RV carport. The need for the variance

is due to the unique shape of the property/existing driveway. In particular the entering/exiting maneuverability of an RV on the property.”

According to the Marion County Property Appraiser (MCPA), the primary single-family residence was constructed in 2006, with the RV carport built prior to 2008 and without building permits according to County records. Upon the permitting process in 2022, the existing RV carport was determined to not meet setback requirements.

Staff notes that, if this variance request is not granted, the subject property owner will need to either move or demolish the existing RV carport. Staff notes that the primary single-family residence is more than 200 feet from NE 243<sup>rd</sup> Place Road and could potentially be developed with several additional accessory structures meeting minimum rear and side setback requirements.

- B. The special conditions and circumstances do not result from the actions of the applicant.*

**Analysis:** The applicant states, “This hardship is not of my own making., but rather the direct result of previous owner years ago.I simply want to make sure that the structure (that was built without permit) is 100% safe and complies with all current building codes.”

Staff has been provided a deed for the current subject property owners, Vicki and Paula Rudasil, dated to 2022. A deed dated to 2014 includes Vicki Rudasil. According to County records, the existing RV carport was built prior to 2008 and without building permits. No permit application had been filed until Code Case No. 879367 was opened in 2022.

- C. Literal interpretation of the provisions of applicable regulations would deprive the applicant of rights commonly enjoyed by other properties with the same zoning classification and land use area under the terms of said regulations and would work unnecessary and undue hardship on the applicant.*

**Analysis:** The applicant states, “The structure is well kept and utilized. I have also already had an engineer and general contractor inspect the structure for any current building code violations. My goal has always been to make sure that it is compliant with today’s local building requirements. The reason for this variance request is to be able to obtain the necessary building permit so that everything is inspected and correct, The engineer has already provided plans and necessary corrections, which were very minor and the fixes have already been completed. I would just like the variance approval so that I can finish my permitting process and have everything complete and 100% safe and compliant.”

Staff notes that the primary single-family residence is more than 200 feet from NE 243<sup>rd</sup> Place Road and could potentially be developed with several additional accessory structures meeting minimum rear and side setback requirements. Furthermore, in the case of R-4 properties less than one (1) acre in size, Staff

notes that LDC Section 4.3.27 does provide setback exemptions for accessory structures less than 144 square feet, on properties where streets or right-of-ways are not adjacent to rear or side property lines, and when a non-objection letter from the affected property owner is provided. Given the size of the existing RV carport and subject property size, Staff concludes that this variance may be irregular.

- D. *The variance, if granted, is the minimum variance that will allow the reasonable use of the land, building or structure.*

**Analysis:** The applicant states, “I am asking for the minimum setback variance required to allow for reasonable use of the structure. It is only one corner of the RV carport that is encroaching into the 8 ft setback. You can see on the submitted current site plan that most of the structure is more than 10’ from the property line. (the RV carport is sitting at a bit of an angle to make access in and out of it safer)”

The subject property owner is requesting a variance from side setback requirements to allow an existing RV carport to remain on-site. Staff notes that, if this variance request is not granted, the subject property owner will need to either move or demolish the existing RV carport. Staff notes that the primary single-family residence is more than 200 feet from NE 243rd Place Road and may thus be developed with other accessory structures, provided that rear and side setback requirements be met.

- E. *Granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning classification and land use area.*

**Analysis:** The applicant states, “The RV carport is a well build structure and is utilized on a regular basis. I am simply requesting that I be allowed to inspect/permit and comply with all the local building codes and be granted the minimum distance necessary to leave the structure in place. Without variance approval safety becomes my main concern particularly with the lot and driveway design.”

Staff notes that accessory structures in residentially zoned properties would ordinarily be required to undergo County permitting processes and would need to meet minimum side and rear setbacks, consistent with LDC standards. Upon the permitting process in 2022, the existing RV carport was determined to not meet setback requirements, with the accessory structure/subject property not eligible for setback exemption provisions as indicated in LDC Sec. 4.3.27. The subject property owner is therefore requesting a variance from side setback requirements to allow an existing RV carport to remain on-site.

Staff finds that granting a variance is a privilege, with each variance intended to be based on its own special circumstances. Regardless of whether the Board grants or does not grant this variance request, the decision should not create a precedence for the surrounding area or other cases related to side setback variance requests.

- F. *The granting of the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.*

**Analysis:** The applicant states, "The approved variance will in no way hurt the neighbor by blocking any views or impact his safety in anyway. In fact he has provided a signed letter to the committee stating that he has no objection to the approval of this request, and that he believe that leaving the existing structure is in no way a detriment to his property. You can also see that in submitted photos his home is located several hundred feet away and isn't visible to each other,"

Staff notes that upon the time that impervious surface coverage is equal to, or exceeds, 9,000 square feet (SF) or 35% of the lot area, the subject property owner will need submit a Major Site Plan and/or undergo stormwater compliance processes. Furthermore, Staff has been provided with a non-objection letter from the property owner of PID 00359-005-00 to the west of the subject property (see Attachment H). Staff has therefore determined this request would not be injurious to the neighborhood or detrimental to the public welfare.

## **VI. BOARD OF ADJUSTMENTS ACTION**

To be determined. Scheduled for May 4, 2026 at 2:00 PM.

## **VII. LIST OF ATTACHMENTS**

- A. Application Package
- B. Site Photos
- C. LDC Article 4, Residential Accessory Structure Standards
- D. Property Appraiser Map 316B-4
- E. Forest Improvement Co. Subdivision (UNR-47)
- F. Permit No. 2025072673
- G. Code Case No. 879367
- H. Non-Objection Letter (PID 00359-005-00)