



**Marion County  
Board of County Commissioners**

Office of the County Engineer

412 SE 25th Ave.  
Ocala, FL 34471  
Phone: 352-671-8686  
Fax: 352-671-8687

July 14, 2025

DAVIS DINKINS ENGINEERING, P.A.  
DAVIS DINKINS  
2201 SE 30TH AVE, #302  
OCALA, FL 34471

**SUBJECT: WAIVER STATUS LETTER**  
**PROJECT NAME: HEADSPRINGS, LLC**  
**PROJECT #2022070125    APPLICATION #32134    PARCEL #24141-000-00**

Dear Mr. Dinkins:

The following waivers for the above referenced project were reviewed by the Development Review Committee on July 14, 2025 and the decision was as follows:

**LDC 2.12.8. Current boundary and topographic survey**

CODE states Current boundary and topographic survey (one foot contour intervals extending 100 feet beyond the project boundary) based upon accepted vertical datum. Surveys will be less than 12 months old and accurately reflect current site conditions, meeting standards set forth in Ch. 5J-17 FAC. Alternate topographic data may be accepted if pre-approved by the Marion County Land Surveyor.

APPLICANT request - The topography is shown to the center line of the adjacent streets on the east and south, and approximately 100 feet off site to the north and west and is sufficient for design and construction. The survey was completed in 2022 with the property transaction and no development has occurred. A replat is in process which will include an updated boundary certification so a waiver of the 12-month requirement is requested.

**APPROVED**

**LDC 6.13.8B(7) Minimum Pipe Size**

CODE states Sizes. Stormwater conveyance pipes and cross culverts shall be a minimum of 18 inches diameter or equivalent. Driveway culverts shall be a minimum of 15 inches diameter or equivalent for residential use and a minimum of 18 inches diameter or equivalent for commercial use. Roof drains, prior to connection to the overall stormwater system, are exempt from minimum diameter requirements.

APPLICANT - A waiver is requested for utilizing privately maintained pipes smaller than 18-inch diameter.

**APPROVED contingent on providing supporting calculations**

LDC 6.11.3.A (3). Traffic Impact Analysis

CODE states A Traffic Study is required for projects generating 100 or more peak hour trips. For projects where all impacted roadways are below 0.50 v/c a Traffic Assessment is all that is required with the exception of those projects increasing the v/c ratio on an impacted roadway by 20 percent or more.

APPLICANT request - The site is not anticipated to generate more than 100 PM peak hour trips, so a full TIA is not required. The Traffic Assessment was provided in connection with the SUP 240102SU approved by the BoCC in February 2024 and should be sufficient to satisfy this comment.

**APPROVED and to not require traffic study contingent upon providing NCHRP (National Cooperative Highway Research Program) right turn lane report for each proposed connection point**

LDC 6.11.5. - Driveway access

CODE states Driveways provide the physical transition between a site and the abutting roadway. Driveways should be located and designed to minimize impacts on traffic while providing safe entry and exit from the development served. The location and design of the connection must take into account characteristics of the roadway, the site, and the potential users.

APPLICANT request - The driveway placement is consistent with the plan submitted with SUP24010SU approved by the BoCC in February 2024.

**APPROVED as proposed**

LDC 6.8.6.A - Buffers

CODE states It is the intent of this section to eliminate or reduce the negative impacts of the adjacent uses upon each other such that the long term continuance of either use is not threatened by such impacts and the uses may be considered compatible.

**DENIED**

LDC 6.8.7.A - Parking and vehicular use areas

CODE states A minimum five-foot wide landscape area consisting of shrubs and groundcovers, excluding turfgrass, shall be provided around the perimeter of parking areas to form a landscape screen with a minimum height of three feet achieved within one year of planting. A land use buffer that abuts a parking area may satisfy this requirement.

APPLICANT request - A waiver is needed to use ornamental trees in islands where shown due to conflicts with existing or proposed utilities.

**DENIED with staff recommendation of support to the Board of County Commissioners**

LDC 6.9.2.A - Irrigation plan

CODE states an irrigation plan shall be provided prior to issuance of a development order or building permit.

APPLICANT request - A waiver is requested to utilize the irrigation performance standards as the basis for the installation contractor as has been historically done.

**APPROVED**

LDC 2.12.9. - Show adjacent streets serving development

CODE states - Provide location and dimensions of any existing, proposed, and adjacent streets, including all rights-of-way serving the project.

APPLICANT request - The short extension of the existing access driveway is consistent with adjacent and connected development, and consistent with the plan present in SUP 24010SE approved by the BoCC in February 2024.

**DENIED the waiver with staff recommendation of approval, if roadway goes through road abrogation process, to the Board of County Commissioners**

LDC Division 5 - Modified Assessment for Listed Species

CODE states - The Environmental Assessment for Listed Species is a supporting document for various applications, wherein submittal of the EALS accompanies or precedes the submission of the application. Marion County features a variety of habitat types which may include species identified and listed as endangered, threatened, or of special concern by the US Fish and Wildlife Service and Florida Fish and Wildlife Conservation Commission. Additionally, Marion County includes significant natural areas which are relatively undisturbed and include flora or fauna that reflect the conditions of the area at the time colonial settlement occurred in Florida and Marion County as identified by the Florida Department of Environmental Protection and the Florida Natural Areas Inventory. The identification and preservation of these habitats, species, and areas is critical to balance development and quality of life in Marion County.

APPLICANT request - An ESA was completed at the time of the property transaction in 2022 and did not reveal listed species. That ESA has also been provided. The owner is aware of their responsibility and will perform another one if needed within the 90 days prior to construction.

**APPROVED**

LDC 6.11.8B(1) - Parking requirements

CODE states - Parking spaces for residential and non-residential developments shall be provided consistent with Tables 6.11-4 and 6.11-5.

APPLICANT request - The parking count is based on rooms only, the ancillary space in the hotel is for use by the hotel guests not the general public. The parking count meets both the County and Brand standards.

**APPROVED**

LDC 4.4.4B(1) - On-site signs

CODE states - Temporary signs. (1) Except as indicated above, no temporary signs shall be erected without obtaining a permit. Signs failing to comply with the requirements of this section are illegal and subject to immediate removal.

APPLICANT requests a waiver since the signage will be by separate permit and also is being addressed by the ongoing and concurrent re-plat to address shared infrastructure (such as the sign) and future development.

**Applicant withdrew**

#### LDC 6.13.7B(2) - Geotechnical criteria

CODE states - Number of tests. At least two tests shall be performed within the boundary of each proposed retention/detention area. For each half acre of pond bottom area and for each lineal retention/detention area of 250 feet, an additional test shall be conducted. The County Engineer or his designee, may require additional tests if the initial tests indicate the need for them.

APPLICANT request - The multiple borings across the site are reasonably consistent and similar to the borings previously reported for the Holiday Inn site. As such they were utilized for the small water quality DRA.

#### **APPROVED**

#### LDC 6.7.8. Protected tree replacement requirements

CODE states - All trees not permitted for removal must be protected and maintained. For those protected trees permitted for removal, trees shall be replaced in accordance with the minimum standards set forth below. All trees not permitted for removal must be protected and maintained. For those protected trees permitted for removal, trees shall be replaced in accordance with the minimum standards set forth below. A. Replacement is not required where the property owner retains existing trees on the site which total an average of 100 inches DBH per acre. If replacement is necessary, a minimum of 100 inches DBH per acre on average shall be achieved. B. If the pre-development number of inches is less than 100 DBH per acre on average, the property owner shall replace trees to equal the pre-development number of DBH inches. C. Replacement of trees less than 30 inches DBH and permitted for removal shall be as described below: (1) Existing trees measuring 10 inches DBH to 19 inches DBH shall be replaced with a ratio of one-inch replacement per two inches removed and the minimum replacement tree size is 3.5-inch caliper. (2) Existing trees measuring 20 inches DBH to 29 inches DBH shall be replaced with a ratio of 1.5 inches replacement per two inches removed and the minimum replacement tree size is 3.5-inch caliper. D. Replacement of trees 30 inches DBH or greater and permitted for removal shall be as described below: (1) All trees which receive a favorable assessment may be approved for removal by the County's Landscape Architect or his designee under the following circumstances: (a) The tree materially interferes with the proposed location, service or function of the utility lines or services, or rights-of-way, and (b) The tree cannot be preserved through re-design of the infrastructure. (2) All trees which receive a favorable assessment shall be replaced inch-for-inch and the minimum replacement tree size is 4.0-inch caliper. (3) All trees which receive an unfavorable assessment shall be replaced with a ratio of 1.5 inches replacement per two inches removed and the minimum replacement tree size is 3.5-inch caliper. E. Trees removed pursuant to a permit for construction in rights-of-way, approved by the County, State or Federal authority, shall not be required to replace the DBH of trees removed if such authority demonstrates that such trees conflict with proposed utilities, drainage, or roadway construction.

APPLICANT request - The site was reviewed by a certified arborist and the majority of the hardwood oaks are Water Oaks which have a shorter life expectancy than other heritage oaks species such as the Live Oak which can create a safety concern for the property owner after construction disturbances. The proposed landscape plan includes a variety of species including Live Oaks and is planted the highest reasonable density and spacing that will allow the trees to thrive with the layout that was previously approved with the special use permit.

#### **DENIED**

#### LDC 6.7.10.B - Tree mitigation fund (if needed)

CODE states - An application to pay in lieu of installing any required replacement trees is made through the County's Landscape Architect. The "pay in lieu" option shall only be used for

replacement trees and for no other landscape or tree planting requirement as stated in this Code.  
APPLICANT request - If the waiver for Section 6.7.8. is waived, this will not apply. If the section is not waived, then a waiver of the fee is requested as an additional payment over the heavily proposed landscape is excessive when the existing trees being removed are not heritage-type species.

**DENIED**

Decisions by DRC may be appealed to the Board of County Commissioners. If you disagree with DRC's decision, please call me at (352) 671-8686 to be scheduled for the appeal process.

Feel free to contact the Office of the County Engineer at (352) 671-8686 or [DevelopmentReview@marionfl.org](mailto:DevelopmentReview@marionfl.org) should you have questions.

Sincerely,

*Your Development Review Team*  
**Office of the County Engineer**