



MARION COUNTY GROWTH SERVICES

Date: 10/4/2021

P&Z: 9/27/2021 **BCC:** 10/19/2021

Application No:
211004SU

Type of Application
Special Use Permit

Request

Keeping 3 horses and pole barn on approx. 3 acres portion of ±10.14ac property in R-3 zoning.

Owner/Applicant

Evangelical Bible Mission, Inc c/o Gerald T Bustin/ Wendy Gallegos

Parcel #/Acreage

4170-019-001
±10.14 acres

Location:

5200 SE 145th St

Future Land Use

Rural Land (RL)

Existing Zoning

R-3, Multiple Family Dwelling

Staff

Recommendation

Approval with Conditions

P&Z

Recommendation:

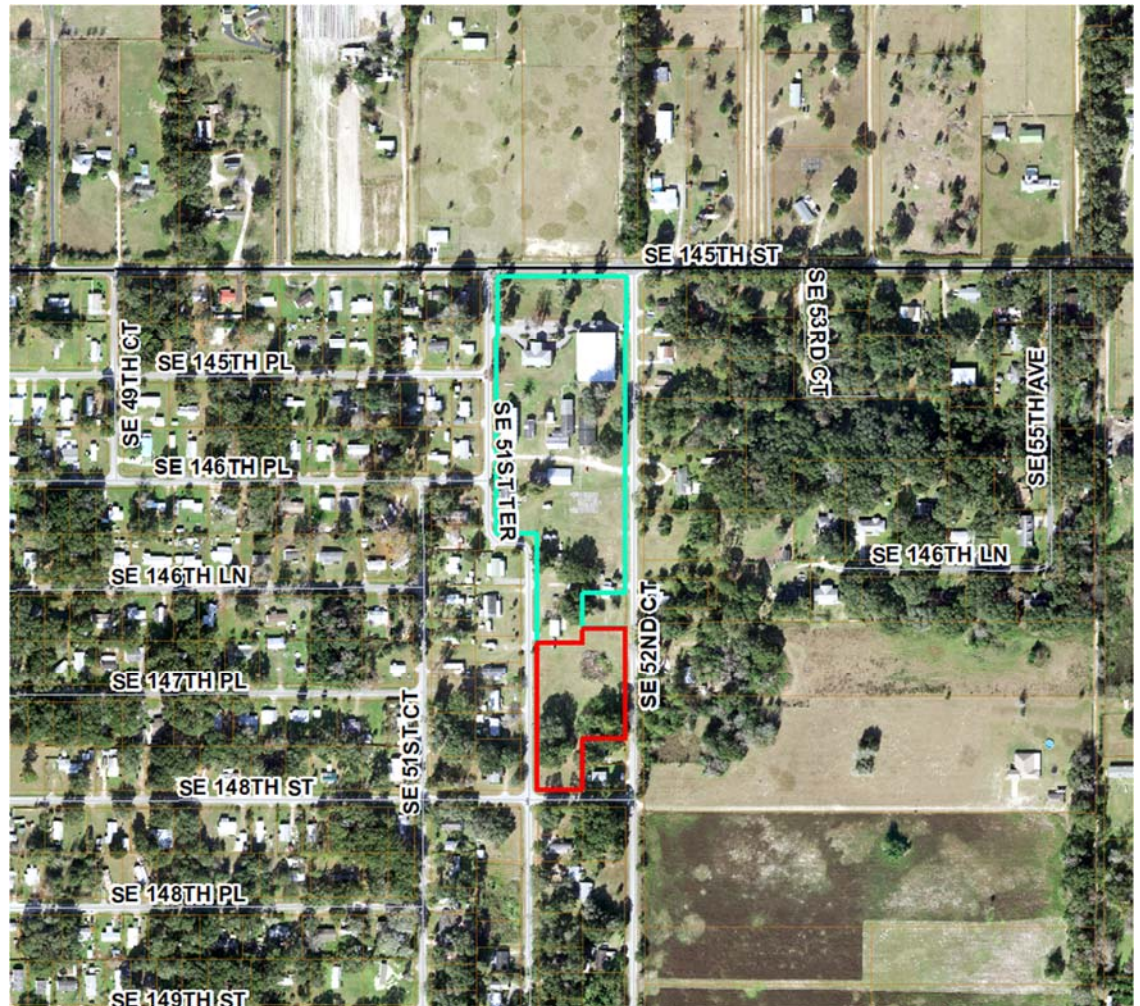
Approval with Conditions (delete condition #6)

Project Planner

Ken Weyrauch, Senior Planner

Code Enforcement

Action: 846658- 3
Horses on the property.



Item Summary

Staff is recommending Approval With Conditions of a special use permit for keeping three (3) horses and a pole barn in R-3, Multiple Family Dwelling, on approximately three (3) acre portion of ±10.14 acres in accordance with Marion County Land Development Code, Article 2, Division 8, "Special Use Permit." Staff is recommending approval because the request is consistent with the Comprehensive Plan, compatible with surrounding uses, and will not adversely impact the public interest.

Location

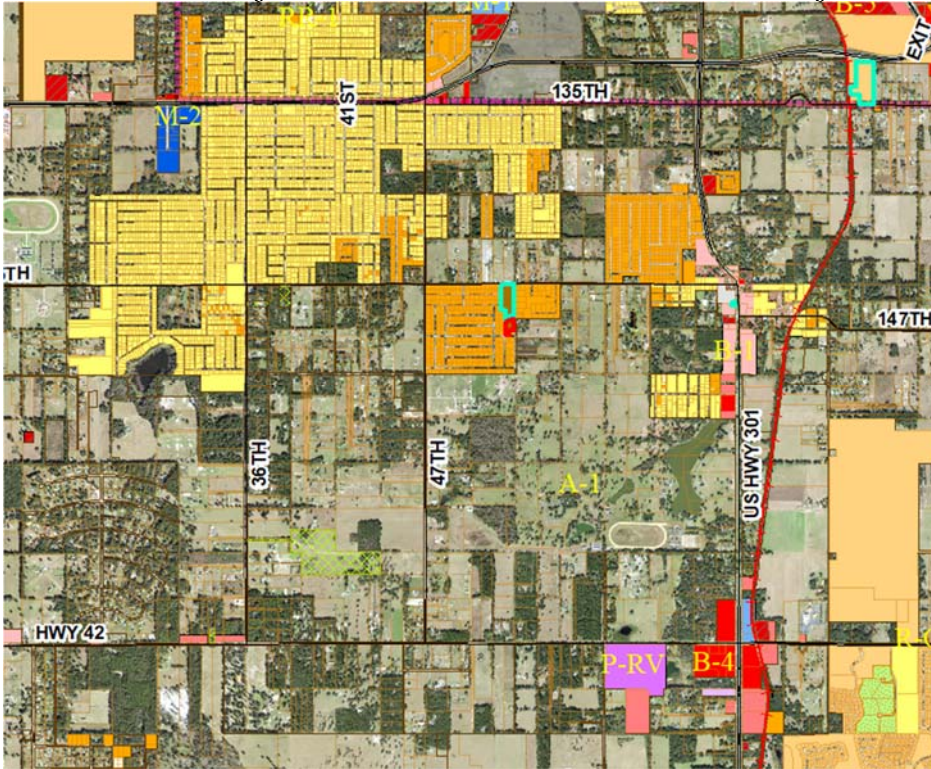
The site is located at 5200 SE 145TH ST in Breewood Estates.

Public Notice

Notice of public hearing was mailed to 50 property owners within 300 feet of the subject property. One letter of opposition was received or 2%.

Background, Request

The subject property is an existing church with several historic residential structures on the property. The applicant states that the original use of the property was for cattle and eventually the site became what is known as a Cowboy Church. In the mid-1990s, a sanctuary was constructed along with a building for offices. The properties to the north and the southeast of the subject property are zoned A-1 and allow for horses by right. The A-1 zoning to the south and southeast extends all the way south of HWY 42 to the Marion County border.



Map showing subject property and adjacent A-1 zoning

The applicant is requesting up to 3 horses and a pole barn on an approximately 3-acre portion of a 10.14-acre property. In the Marion County Land Development Code, large farm animals are limited to four (4) per acre. The request for 3 horses on 3 acres of pasture allows for enough room to construct ag buildings for the horses and still have plenty of space to meet the LDC requirements.

Analysis

The following table summarizes adjacent future land use designation, zoning districts and existing uses:

ADJACENT PROPERTY CHARACTERISTICS			
Direction of Adjacency	Future Land Use Designation	Zoning	Existing Use/MCPA Property Class
North	Rural Land	A-1 General Agriculture	Agricultural
South	Rural Land	R-4 Residential Mixed Use	Single-Family Residential
East	Rural Land	A-1 General Agriculture	Agricultural
West	Rural Land	R-4 Residential Mixed Use	Single-Family Residential

Infrastructure

Access to the property is from SE 145th Street.

Road	Classification	Maintenance	Existing Conditions			
			Surface	No. Lanes	R/W Min. Width	R/W Deficiency
SW 75 th Street	Collector, Arterial (rural 2-lane undivided)	County	Paved	2	55'	65'

Water/Sewer services, if any, are to be provided on-site by the Applicant.

Utility	Service Area
Water	Private Well
Sewer	Private septic

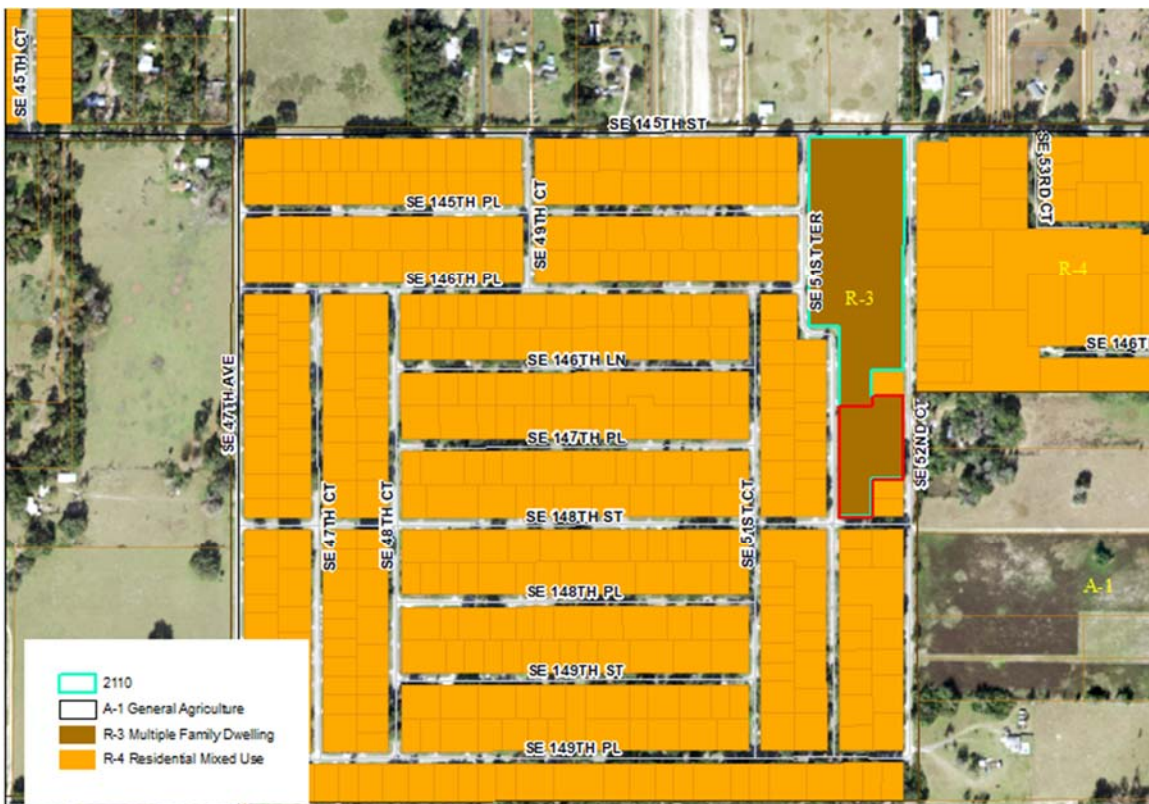
In reaching its decision, the Board of County Commissioners shall find that the following exist:

1. **Granting the Special Use Permit will not adversely affect the public interest.** The subject property is located in an area surrounded by large agricultural properties. The subject property is at the eastern edge of the subdivision and adjacent to A-1 zoning. Three horses on three acres will not adversely affect the public interest.
2. **The proposed Special Use Permit is consistent with the current Comprehensive Plan.** The FLU Map 1: Marion County 2035 Future Land Use Map of the Comprehensive Plan designates the site as Rural Land. Rural Land is intended for the uses of agriculture, residential, and conservation.
3. **The proposed Special Use Permit is compatible with land uses in the surrounding area.** The proposed Special Use Permit is compatible with rural lands and will not adversely affect the surrounding character of the area. Conditions placed herein will mitigate any potential issues.

Staff Recommendation: Approval with Conditions

- 1) The site shall be developed and operated consistent with the submitted conceptual plan and the conditions as provided with this approval.
- 2) This Special Use Permit shall run with the property owner (Evangelical Bible Mission, Inc.) and the property.
- 3) A maximum of three (3) horses are allowed to be kept on the subject property.
- 4) Manure shall not be allowed to accumulate causing a nuisance or hazard to the health, welfare, or safety of humans or animals.
- 5) The outside storage of manure in piles (two cubic yards or greater) shall not be permitted within 100 feet of any lot line and/or any residence.
- 6) Agricultural buildings are allowed, such as pole barns and lean-tos.
- 7) The Special Use Permit shall expire October 19, 2026; however, it may be renewed administratively for up to 3 consecutive times by a written instrument signed and issued by the Growth Services Director (or position equivalent to the Growth Services Director at that time), unless:
 - a. There have been unresolved violations of the County Land Development Code, the County Code of Ordinances, and/or the conditions of the Permit,

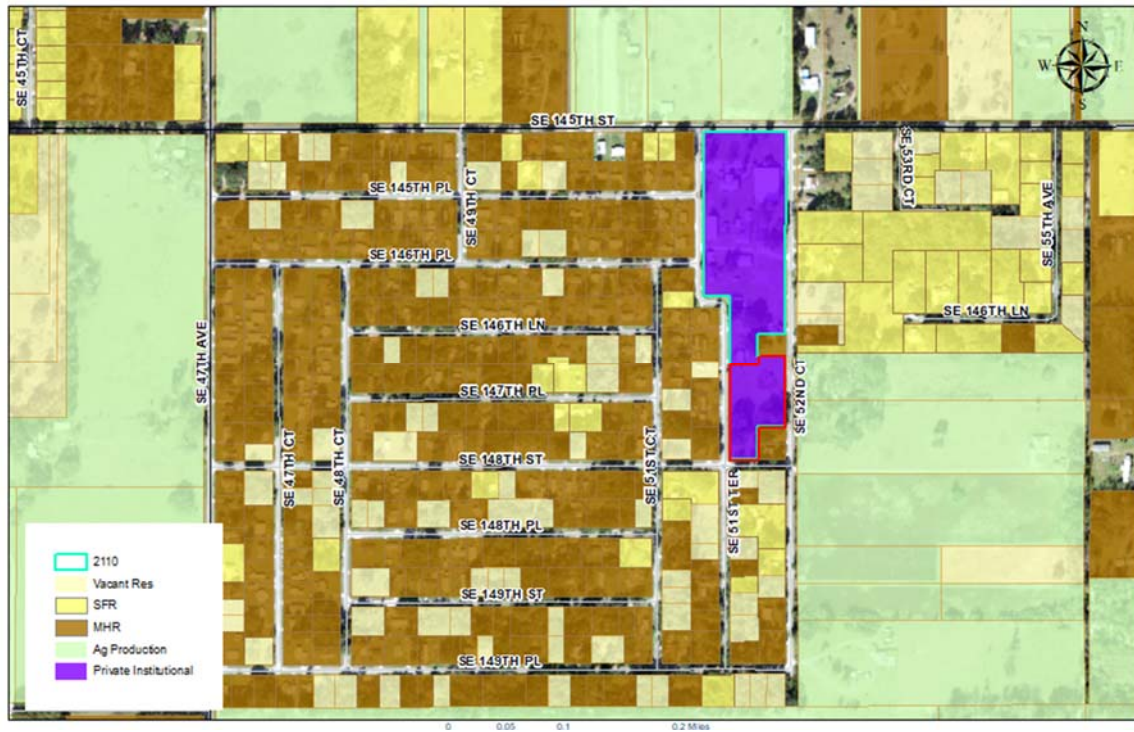
- b. Neighboring property owners within 300' of the subject property have complained to the County Code Enforcement, Zoning, or equivalent/similar Departments/Divisions about the uses of the subject property by this Permit, or
- c. The Growth Services Director determines that renewal should be considered directly by the Board of County Commissioners through the Special Use Permit review process (or review process equivalent at that time).



Zoning Map



Existing Land Use



Marion County Property Appraiser Property Use Categories (00- Vacant, 01- SFR, 86- drainage)



The area where horses are being kept.



Two horses currently on the property.



Southeast boundary of the subject property.



Eastern boundary of property.



Western boundary of subject property.

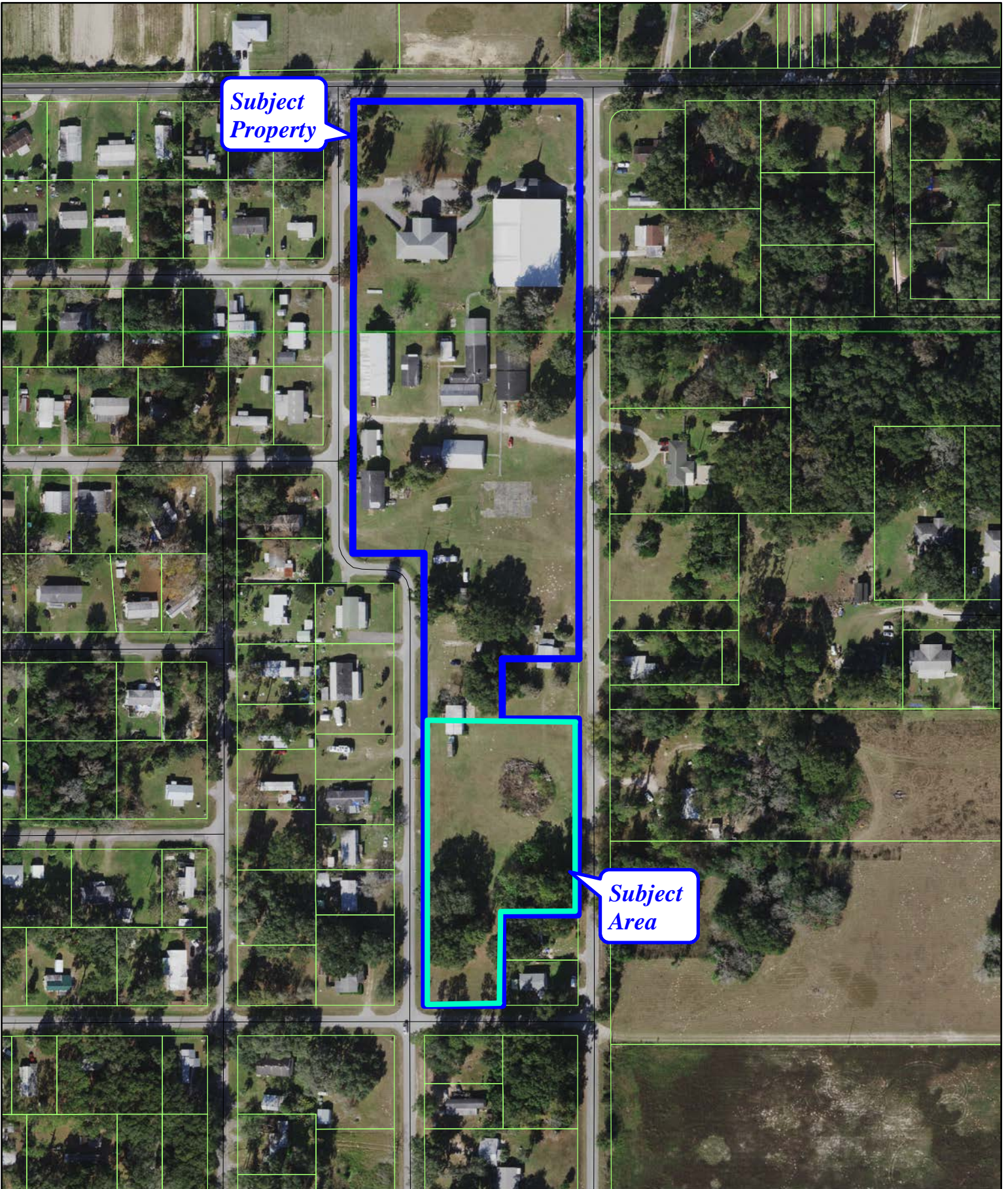


The Subject property and southern boundary.



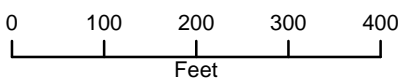
More of the subject property where the horses are intended to be kept.

Aerial: 211004SU





Subject Property

Subject Area



Existing Land Use Designation 211004SU



Use per MC Property Appraiser		OWNER(S): Evangelical Bible Mission, Inc. – Gerald T. Bustin
01	Single Family Res	
50-69/99	Agricultural	AGENT: Wendy Gallegos, Pastor
00/10/40/70	Vacant	
71	Church	PARCEL(S): 4170-019-001
02	Mobile Home	
06-07/11-39	Commercial	 <p>All provided GIS data is to be considered a generalized spatial representation, which is subject to revisions. The feature boundaries are not to be used to establish legal boundaries. For specific visual information, contact the appropriate county department or agency. The information is provided visual representation only and is not intended to be used as legal or official representation of legal boundaries.</p> 
41-49	Industrial	
83-98	Public	
82	Recreation	
03-05/08	Multi-Family	
77	Club/Lodge/Union Hall	

Legend		
• All Amendments	Rural Land (1 du/10 ac)	Urban Residential (8 - 16 du/ac)
☆ Policy 1.20	Low Residential (0 - 1 du/ac)	Rural Activity Center (0 - 2 du/ac; FAR 0.35)
	Medium Residential (1 - 4 du/ac)	Rural Community (0 - 3 du/ac; FAR 0.70)
	High Residential (4 - 8 du/ac)	Commercial (0 - 6 du/ac; FAR 1.0)
	Farmland Preservation Area	Public (N/A; FAR 1.0)
	Environmentally Sensitive Overlay Zone (ESOZ)	Preservation (N/A; N/A)
		Municipality



Marion County
Board of County Commissioners

Growth Services
2710 E. Silver Springs
Blvd. Ocala, FL 34470
Phone: 352-438-2600 Fax:
352-438-2601

211004 SU

AR#: 27169

PA#: 4170-019-001

Open Door Community Church

SPECIAL USE PERMIT APPLICATION - REGULAR - \$1,000.00

The undersigned hereby requests a Special Use Permit in accordance with Marion County Land Development Code, Articles 2 and 4, for the purpose of: Having 3 horses on empty

land area. We have 17 acres and back 3 acres are empty
with no houses on our property - We want a Pool barn shelter 30x20

Legal Description: (Please attach a copy of the deed and location map.) Parcel Zoning: R-3

Parcel account number(s): 4170-019-001

Property dimensions: _____ Total acreage: 3 acres "Portion of"

Directions: Right off 51st Terr between 5200 SE 145th ST 10.14 ✓
Summerfield FL.

Each property owner(s) MUST sign this application or provide written authorization naming an applicant or agent to act on his behalf. Please print all information, except for the Owner and Applicant/Agent signature.

Evangelical Bible Mission, Inc.
EBM International
c/o: Gerald T. Bustin
Property Owner name (please print)
5200 SE 145th ST ✓

Pastor Wendy Gallegos ✓
Applicant or agent name (please print)
5200 SE 145th ST

Mailing Address
Summerfield FL 34491
City, State, Zip code
352-245-2560

Phone number (include area code)
Familycgivers@gmail.com

E-mail address
Wendy Gallegos
Signature

Mailing Address
Summerfield FL 34491
City, State, Zip code
352-216-5859

Phone number (include area code)
Familycgivers@gmail.com

E-mail address
Wendy Gallegos
Signature

PLEASE NOTE: A representative is strongly encouraged to attend the public hearings when this application will be discussed. If no representative is present, the request may be postponed or denied. Hearing notices will be mailed to the address(es) listed above. All information submitted must be correct and legible to process the Application. Contact Growth Services Planning & Zoning at (352) 438-2675 for more information.

STAFF/OFFICE USE ONLY			
Project No.: <u>2021080019</u>	Code Case No.:	Application No.: <u>27169</u>	
Rcvd by: <u>KO</u>	Rcvd Date: <u>7/30/21</u>	FLUM:	Zoning Map No.: Rev. 07/1/2019

No Deed from Prop App
1952

Sec. 13-17-22
"Beezewood Estates"



5200 SE 145th ST Summerfield FL 34491
(352) 245-2560

July 30th

To whom it may concern:

EBM International has been at the old Woodbury farm since the 50's. It was a cattle farm in fact some of the old barns are still on the property. We have 17 acres that have a Church and administration building and several other buildings including a few houses.

At the back of the property there is about 3 acres that is just empty land. Someone from the Church donated 3 horses that we were going to use to use to teach pet therapy for kids in the community.

Since we thought we were grandfathered in we fenced the area and have 3 horses there. That property has 52ct on one side and two houses off of 52ct. On the other side with no houses adjacent to the property is 51st Ter.

The property goes all the way down to 5200 SE 145th ST which is all EBM's property. There is plenty of space and shade trees for the 3 horses with access to water and the horses is accessible on our property.

We have letters from the neighbors down the street and across the street from the property saying they are happy to have the horses there.

Nothing should change from the way it is right now.

Thank you.

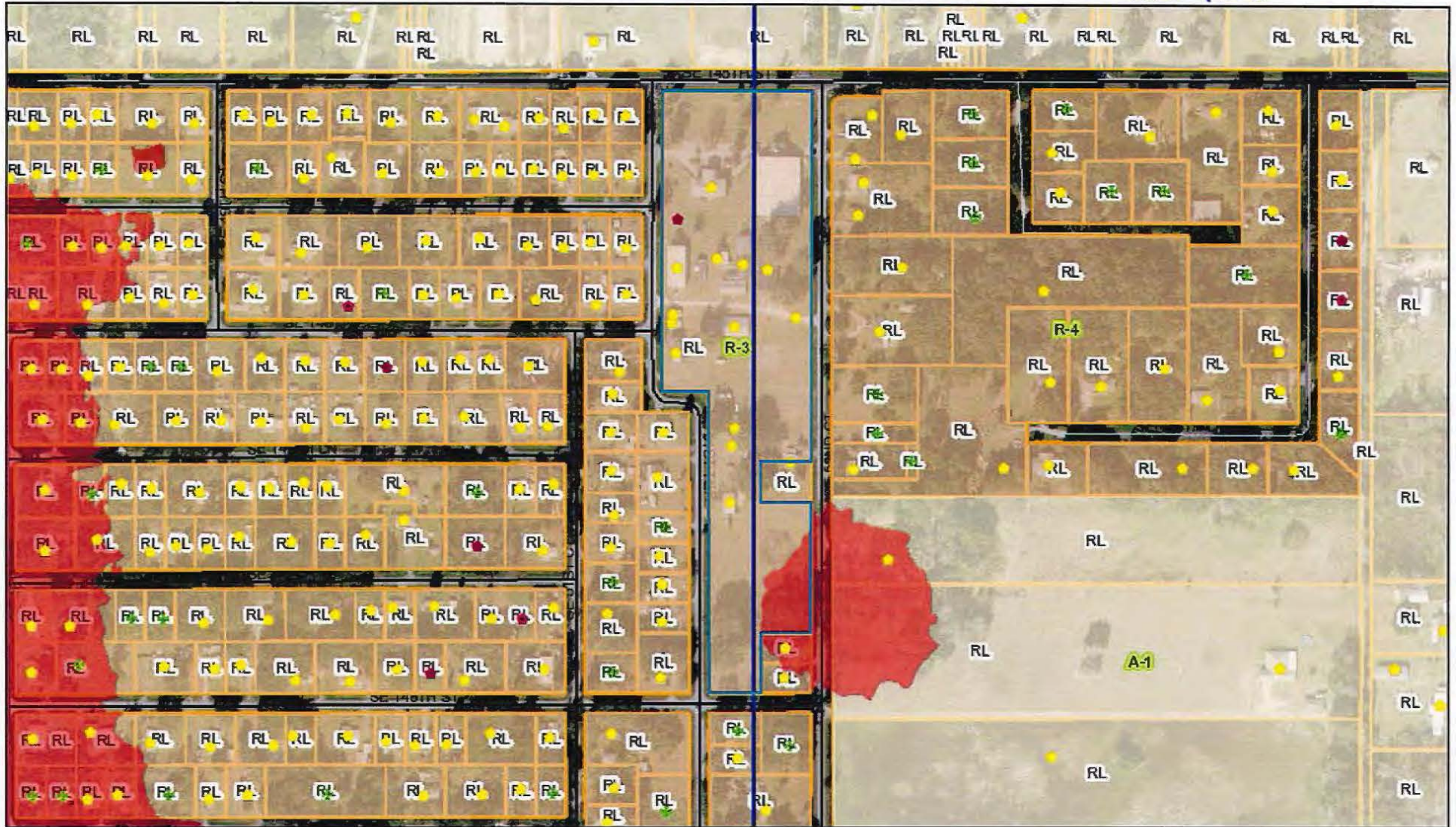
Wendy Gallegos

Vice President EBM International.

WELL
SEPTIC
DUKE ENERGY

MCBCC Interactive Map - Internal

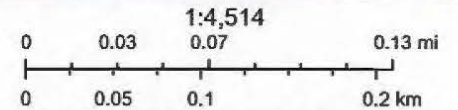
#211004SU



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Address Points

- | | | |
|--|---|---|
| ● Structure - Addressed | Lift Station - Confidential Address | ● Telephone Equipment - Confidential Address |
| ● Structure - Confidential Address | * Miscellaneous - Confidential Address | * Vacant - Confidential Address |
| Gate - Confidential Address | ■ Tower - Confidential Address | ⊙ Electric Meter |
| | ✠ Cemetery - Confidential Address | Elevator |

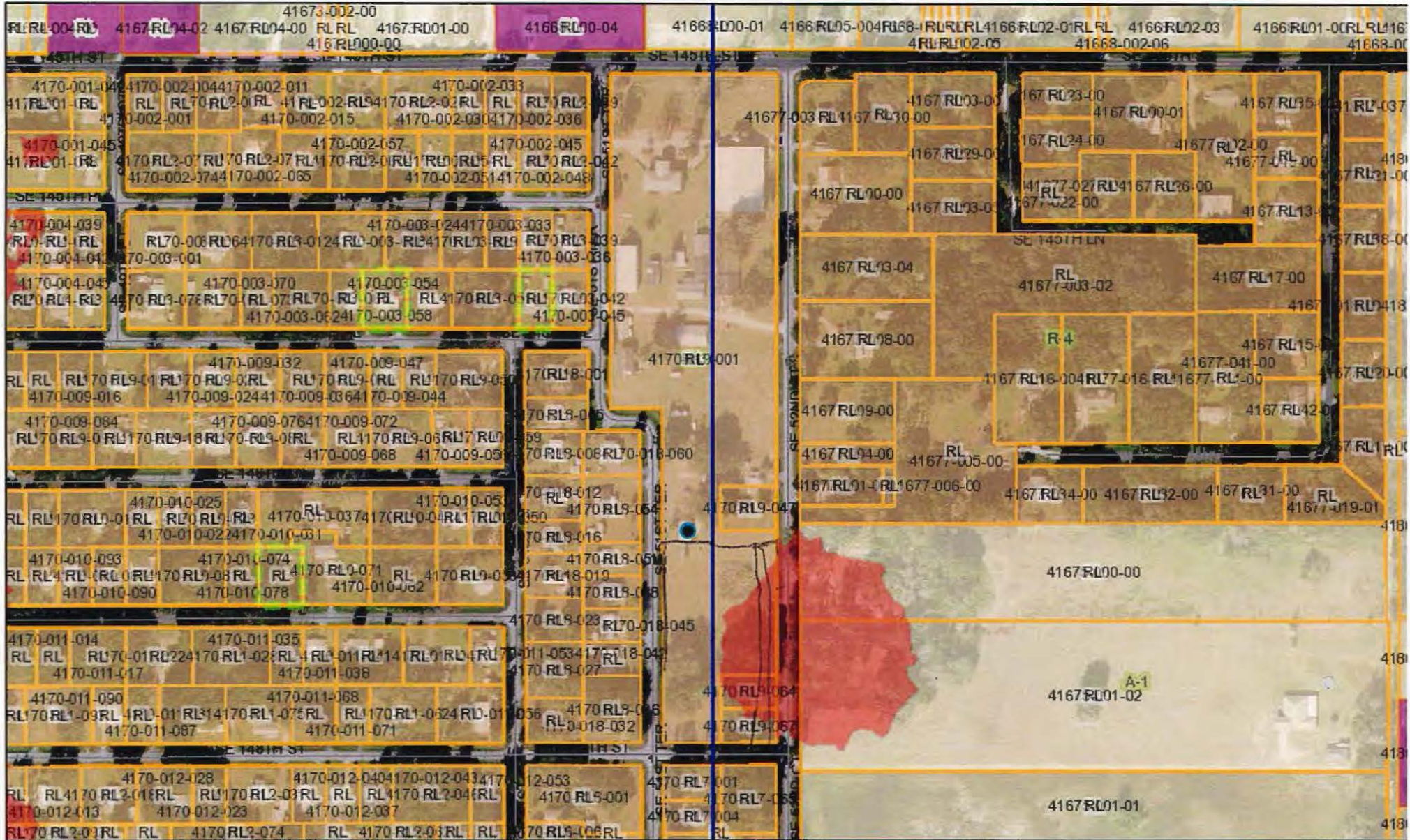


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MCBCC IT/GIS

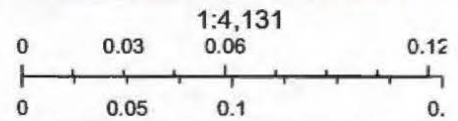
FOR INTERNAL COUNTY USE ONLY: MAY CONTAIN CONFIDENTIAL INFORMATION. IMPROPER DISCLOSURE MAY RESULT IN CRIMINAL PENALTIES (F.S.119.10).

Marion County Florida - Interactive Map



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- Marion County
- Municipalities
- X - 1% Annual Chance Flood Less Than 1ft Average Depth
- X - Areas Outside 0.2% Annual Chance Flood
- X - 0.2% Annual Chance Flood
- A - No Base Flood Elevation Determined
- Special Flood Hazard Areas - 1% Annual Chance Flood
- A - No Base Flood Elevation Determined
- AE - Base Flood Elevation Determined
- AH - Area of Ponding 1-3 ft
- 2008 FEMA FIRM Panel
- Flood Prone Areas



Marion County IT/GIS, E911, and Office of the County Engineer, M
IT GIS Team, Marion County Property Appraiser, FEMA, N
OpenStreetMap contributors, Map layer by Esri. Sources: Esri
USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS,

Marion County Board of County Cc

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