

September 26, 2024

PROJECT NAME: SMALLWOOD BRIAN M

PROJECT NUMBER: 2021010011

APPLICATION: FAMILY DIVISION WAIVER REQUEST #31999

- 1 DEPARTMENT: 911 - 911 MANAGEMENT
REVIEW ITEM: 2.16.1.B(10) - Family Division
STATUS OF REVIEW: INFO
REMARKS: APPROVED
- 2 DEPARTMENT: DOH - ENVIRONMENTAL HEALTH
REVIEW ITEM: 2.16.1.B(10) - Family Division
STATUS OF REVIEW: INFO
REMARKS: N/A
- 3 DEPARTMENT: ENGDRN - STORMWATER REVIEW
REVIEW ITEM: 2.16.1.B(10) - Family Division
STATUS OF REVIEW: INFO
REMARKS: Approved. The applicant is requesting to divide the 11.05-acre subject parcel (PID 35565-006-00) into two to create a 1-acre parcel and a 10.05-acre parcel. Adjacent parcels range in size from 1 acre to 44.81 acres.
There appears to be approximately 16,841 sf existing impervious coverage on subject parcel. There are no FEMA Flood Zones or Flood Prone Areas on the property. The applicant should note that a Major Site Plan or waiver is required when either parcel is proposed to exceed 9,000 sf impervious site coverage.
- 4 DEPARTMENT: FRMSH - FIRE MARSHAL REVIEW
REVIEW ITEM: 2.16.1.B(10) - Family Division
STATUS OF REVIEW: INFO
REMARKS: N/A
- 5 DEPARTMENT: ENGTRF - TRAFFIC REVIEW
REVIEW ITEM: 2.16.1.B(10) - Family Division
STATUS OF REVIEW: INFO
REMARKS: APPROVED
- 6 DEPARTMENT: UTIL - MARION COUNTY UTILITIES
REVIEW ITEM: 2.16.1.B(10) - Family Division
STATUS OF REVIEW: INFO
REMARKS: APPROVED - MCU service area but outside connection distance to closest water & sewer mains at this time. Shall connect within 365 days' notice of availability.



**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

APPLICATION COMPLETE
DATE COMPLETED 9/16/24
INITIALS [Signature]

RECEIVED

TENTATIVE MEETING DATES
DPC P&Z PH 9/30/24
OCT 13 2024

BCC/P&Z-PH
Marion County
Growth Service

DEVELOPMENT REVIEW COMMITTEE WAIVER REQUEST FORM

Date: 09/11/2024 Parcel Number(s): 35565-006-00 Permit Number: _____

A. PROJECT INFORMATION: Fill in below as applicable:

Project Name: Smallwood/Short Family Division Commercial Residential
Subdivision Name (if applicable): _____
Unit _____ Block _____ Lot _____ Tract _____

B. PROPERTY OWNER'S AUTHORIZATION: The property owner's signature authorizes the applicant to act on the owner's behalf for this waiver request. The signature may be obtained by email, fax, scan, a letter from the property owner, or original signature below.

Name (print): Brian Smallwood & Elizabeth Smallwood
Signature: [Signature]
Mailing Address: 1682 SW 80th St City: Ocala
State: FL Zip Code: 34476 Phone # 352-857-9294
Email address: Brian@belachomes.com

C. APPLICANT INFORMATION: The applicant will be the point of contact during this waiver process and will receive all correspondence.

Firm Name (if applicable): _____ Contact Name: Brian Smallwood
Mailing Address: 1682 SW 80th St City: Ocala
State: FL Zip Code: 34476 Phone # 352-857-9294
Email address: Brian@belachomes.com

D. WAIVER INFORMATION:

Section & Title of Code (be specific): _____ 2.16.1B(10) - Family Division
Reason/Justification for Request (be specific): 1 acre to be split off of the current parcel.

Family division is for Robert and Pauline Short, Elizabeth Smallwood's Parents.

I do not want to share driveway - my house comes off SW 80th St and new parcel is SW 16th Ave

DEVELOPMENT REVIEW USE:

Received By: [Signature] Date Processed: 9/16/24 Project # 202101001 AR # 31999

ZONING USE: Parcel of record: Yes No Eligible to apply for Family Division: Yes No
Zoned: A1 ESOZ: MA P.O.M. 165 Land Use: Rural Plat Vacation Required: Yes No
Date Reviewed: C Gu Verified by (print & initial): _____

CONSENT TO FAMILY DIVISION

THIS CONSENT TO FAMILY DIVISION is executed by and between:

- Brian M. Smallwood and Elizabeth M. Smallwood, husband and wife (collectively “Smallwood”); and
- Preston Bare and Cacy Bare, husband and wife (collectively “Bare”).

WHEREAS:

- A. Smallwood and Bare each own the following:
- 1). Smallwood owns real property in Marion County, Florida (the “Smallwood Parcel”) described on the attached **Exhibit A**.
 - 2). Bare owns real property in Marion County, Florida (the “Bare Parcel”) described in the attached **Exhibit B**.
- B. Portions of both the Smallwood Parcel and Bare Parcel are located within what constituted Marion County Tax Parcel ID Number: 35565-006-00 (the “Historic Tax Parcel”)¹ on July 1, 1992.
- C. The Historic Tax Parcel was a “parcel of record as of January 1, 1992” and therefore eligible to be subdivided pursuant to the family division provisions of Section 2.16.1 of the Marion County Land Development Code, up to a maximum of three (3) times.
- D. There have been no prior family divisions of the Historic Tax Parcel.
- E. Smallwood desires to request Marion County to approve a family division of a portion of the Smallwood Parcel.
- F. Marion County has advised Smallwood that, because Bare owns most of the balance of the Historic Parcel, Smallwood is required to obtain Bare’s consent to Smallwood’s family division.
- G. Bare provides such consent pursuant to the terms and conditions hereof.

NOW THEREFORE, in consideration of the matters set forth above (which are incorporated herein by reference), the exchange of the mutual promises set forth herein, and other good and valuable consideration, the parties hereto agree as follows:

1. **Consent to Smallwood Family Division.** Bare consents to one family division of the Smallwood Parcel.
2. **No Further Family Divisions of Smallwood Parcel.** Smallwood acknowledges and agrees that, as the owner of most of the balance of the Historic Parcel, Bare is entitled to the two remaining family divisions for the Historic Parcel. Thus, Smallwood shall seek no more family divisions for the Smallwood Parcel.

¹ Although the Smallwood Parcel currently has the same Parcel Identification Number as the Historic Parcel, “Historic Parcel” refers to the property with such Parcel Identification Number on January 1, 1992.

3. **Signatures by Facsimile or Digital Execution.** It is the intent and agreement of the parties hereto that the signatures, initials and handwritten or typewritten modifications to this instrument shall be as legally binding upon the parties if in the form of a facsimile or digital execution (such as scanning and emailing) as if the original signatures, initials, and modifications were present on the documents in the hands of each party. Neither party shall assert the statute of frauds nor unenforceability or invalidity of this instrument, or any addendum or modification of this instrument, because of the use of facsimile or digital copies and not originals in any litigation; both parties simply waive and relinquish any such defense.

THEREFORE, the parties have agreed to the above.

SMALLWOOD

Brian Smallwood
68C7D59CC29C43C...
Brian M. Smallwood

Date: 9/10/2024 | 9:24 AM PDT
DocuSigned by:

Elizabeth Smallwood
CD2E05A25DF94DE...
Elizabeth M. Smallwood

Date: 9/10/2024 | 1:25 PM EDT

BARE

Signed by:
Preston Bare
F791D2D4180E426...
Preston Bare

Date: 9/10/2024 | 6:31 PM EDT
DocuSigned by:

Cacy Bare
AF1941E0C9074BB...
Cacy Bare

Date: 9/10/2024 | 11:39 AM PDT

Notes from CD-Plus – Folio Number 35565-006-00

7/2/24 Per legal, the original 2.02 acres left on parcel 35565-006-00 owned by Mr. Smallwood may apply for one family division and a boundary adjustment on one DRC application. However, we need a site plan for the family division and a separate site plan for the boundary adjustment. Both will be decided upon at one DRC meeting. Mr. Smallwood, owner of today's 35565-006-00 must get written permission from the property owner to the south, Cacy or Preston Bare, 35565-006-01 allowing Mr. Smallwood to use one of the family divisions for parcel 35565-006-01.

2/28/24 -- This parcel 35565-006-00 was 14.28. In 2019-2020 went down to 2.39 and was then enhanced and combined with 35565-005-00, which was 8.7 totalling 11.09. All family divisions were done on 35565-005-00 (began as 14.28 acres) as follows: 1992 was 13.28. In 1999 - 1 acre to #1 division; 2003 - 1 acre #4; 2006 1.28 acres #3. Family Divisions were out of 35565-005-00 which was enhanced as above. Therefore, this parcel is not eligible for any more family divisions per Cindy Garr & Cindy Gaughf 438-2675

SW 80TH STREET

415.83'

772.19'

376.53

317'

Parent Parcel
10.034 Acres

168.52'

182'

30'7"

Barn

38'6"

90.77'

Proposed Future
Driveway Location

30'

18.13'

Proposed Division
1.016 Acres

139.48'

231.13'

SW 16TH AVENUE

717.35'

SCALE: 1" = 120'

197.43'



317'

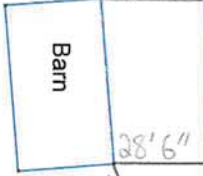
Parent Parcel

10.034 Acres

168.52

182'

32' 7"



90.77'

29' 16"

18.13'

Proposed Future
Driveway Location

15'

30'

Proposed Division

1.016 Acres

231.13'

717.35'

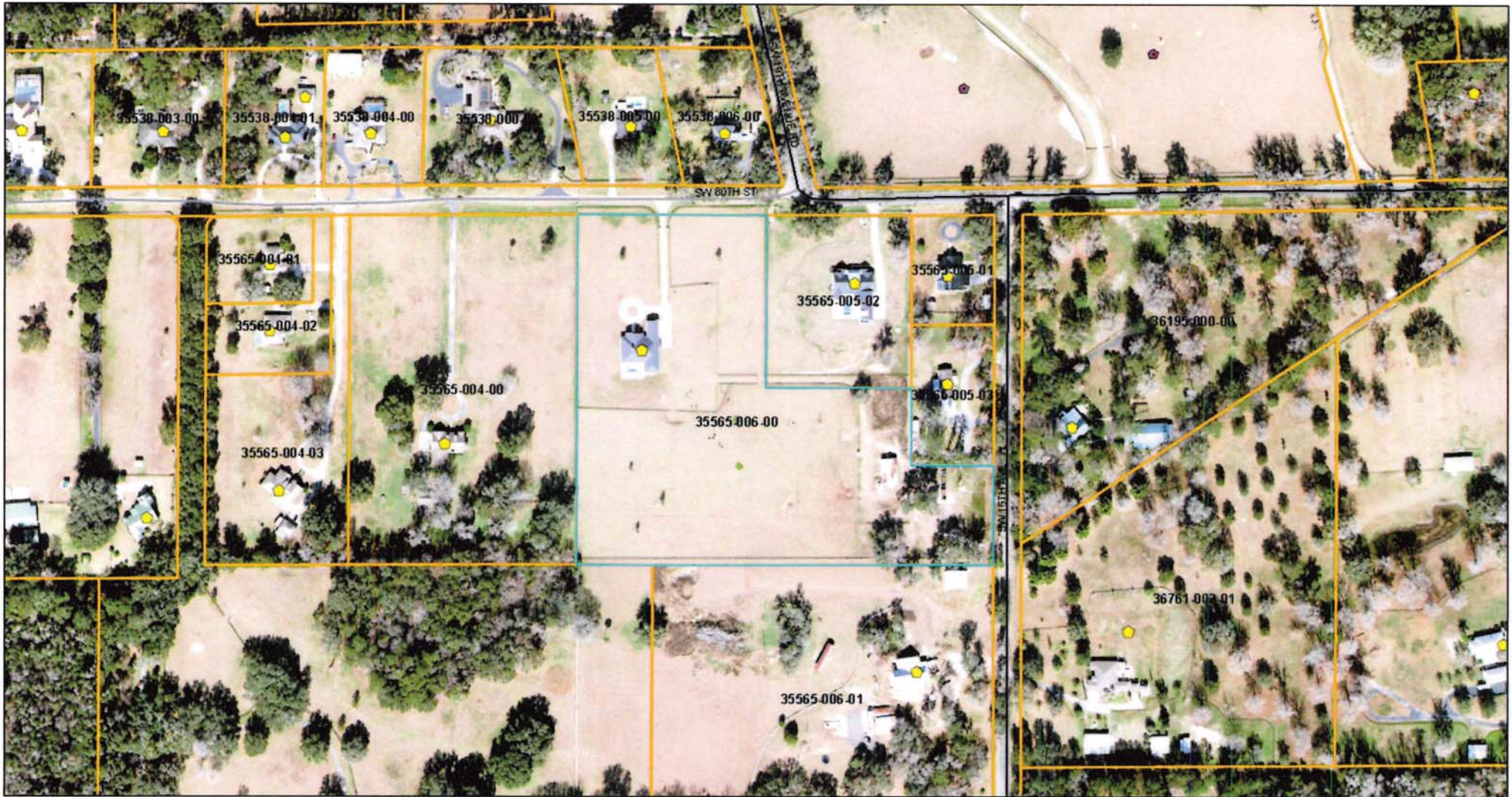
SCALE: 1" = 60'

197.43'

SW 16TH AVENUE



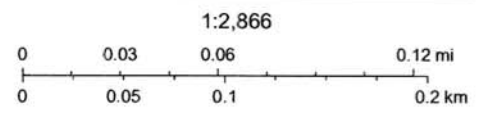
MCBCC Interactive Map - Internal



9/16/2024, 2:06:41 PM

- | | | | | | |
|--------------------------------------|--|---------------------|--------------------|------------------------|-----------------------------|
| Parcels Labels | CP | Fire Station | Miscellaneous | In-Office Use Only | Unverified Point |
| Parcels | CSIGN | Fire Tower | No Address | Railroad Equipment | Vacant with Address |
| Address Points | Telephone Equipment - Confidential Address | Government Building | PA | School | WRA/DRA |
| Structure - Addressed | Vacant - Confidential Address | Gas Site | PARK | SIGN | WELL |
| BRAMP | CWELL | GATE | Parking Garage | Sewage Treatment Plant | Water Meter |
| Structure - Confidential Address | DA | Hospital | Post Office | Substation | Water Tower |
| Gate - Confidential Address | Electric Meter | House Boat | Payphone | Tower | Water Treatment Plant |
| Miscellaneous - Confidential Address | ER | LAW | Prison | Telephone Equipment | Waste Water Treatment Plant |
| Cemetery - Confidential Address | Elevator | Lift Station | In-Office Use Only | Trailhead | <all other values> |

- Marion County
- County Road Maintenance
- OCE Maintained Paved
- Not Maintained
- Streets
- Aerial2023
- Red: Band_1
- Green: Band_2
- Blue: Band_3



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